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**WESTWOOD SHORES PROPERTY OWNERS' ASSOCIATION  
COMPLETE ACC POLICY MANUAL  
SIXTH EDITION  
Adopted 03/24/2025**

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COMPLETE ACC POLICY MANUAL  
SIXTH EDITION  
[Adopted 03/24/2025]

STATE OF TEXAS           §  
  §  
COUNTY OF TRINITY     §

WHEREAS, Westwood Shores Property Owners' Association (the "Association"), is the governing entity for Westwood Shores, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14, Westwood Village, Sections 1, 2, and 3, Westpoint Section 1 and Spring Lake Estates Section 1, additions in Trinity County, Texas, according to the applicable maps or plats thereof recorded in the Map Records of Trinity County, Texas, under Cabinet A, Page 136-137; Cabinet A, Page 144; Cabinet A, Page 150; Cabinet A, Page 179; Cabinet A, Page 202; Cabinet A, Page 187; Cabinet A, Page 180; Cabinet A, Page 186; Cabinet A, Page 198-201; Cabinet A, Page 213; Cabinet A, Page 218; Cabinet A, Page 226; Cabinet A, Page 214; Cabinet A, Page 267; Cabinet A, Page 192; Cabinet A, Page 205; Cabinet A, Page 225; Cabinet A, Page 287; and Cabinet A, Page 321; along with any replats, amendments, supplements and annexations, (the "Subdivision"); and

WHEREAS, the Association, through its Board of Trustees (the "Board"), is vested with discretionary authority concerning the Reservations, Restrictions, and Covenants (the "RRC"); and

WHEREAS, the RRC provides that the Architectural Control Committee ("ACC") has the authority to create and/or modify ACC guidelines, policies, and resolutions, but the Board must approve, and record said documents; and

WHEREAS, the ACC, through its Board, wishes to rescind all previously recorded ACC policies filed in the real property records of Trinity County; and

WHEREAS, the ACC, through its Board wishes to replace and supersede all previously recorded ACC policies filed in the real property records of Trinity County, Texas with this consolidated and revised Complete ACC Policy Manual, Sixth Edition; and

WHEREAS, the Association has defined terms for interpretation of this document in the RRC, Bylaws, and Articles of Incorporation for the Association.

NOW THEREFORE, pursuant to the authority granted to the Board in the RRC and the Bylaws, this Complete ACC Policy Manual, Sixth Edition (the "Policy") has been adopted by an affirmative vote of the Board at a regular or special meeting called for such purpose as evidenced by the attached Certification of the Secretary of the Association, and shall hereafter replace and supersede all previous polices and/or resolutions to the same effect.

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ARTICLE 1  
INTRODUCTION

**Section 1.01 General Information**

The approval of applications for construction, exterior alterations, or improvements will be based on the written provisions of the dedicatory instruments applicable to the property in reference. It is the intent of the ACC not only to aid the Owner in developing a residence complying with all governing documents; but also, to promote the development of the Subdivision to its fullest potential.

It should be noted that the ACC is not responsible for, nor can it control the quality of the construction or structural integrity of any project; this is the responsibility of the Owner.

This Policy, the RRC, and all applicable dedicatory instruments pertaining to the Subdivision shall govern all improvements made to the exterior of individual properties in the Subdivision. All such alterations and/or building construction require approval in writing from the ACC prior to the commencement of the work.

The ACC members are elected by the Owners. The Association Board is the source for appeal for all ACC-related decisions. The decision of the Board shall be final.

The intent of this Policy is to ensure compliance with the RRC and create policies designed to protect the property values of the Owners of property in the Subdivision as a whole. As stated in the RRC's Section 3.01 - "The purpose of the ACC is to review plans in order to ensure compliance with the RRCs thus establishing and preserving a harmonious and aesthetically pleasing community." This forms the basis for all decisions made in compliance with policies governing the appropriate application for review.

If construction, exterior alteration, or improvement is performed without prior written ACC approval, the Owner shall be subject to enforcement action as allowed by all governing documents of the Association and state law, including but not limited to issuance of a cease-and-desist order, fines, filing of a certificate of non-compliance in the public record, and up to and including legal action.

Each Owner and/or their contractor/builder, prior to any work and/or the commencement of construction of a new structure or alterations to the exterior of an existing structure, is required to provide a signed acknowledgment of receipt of this Policy and understanding of the RRC and policies governing exterior alterations within the Subdivision as well as accepting liability for violation of said documents.

ARTICLE 2  
DEFINITION OF CONSTRUCTION PROJECTS

All exterior alterations and/or building construction must be approved in writing, shall be monitored by the ACC, and are classified as the following at the sole discretion of the ACC:

**Section 2.01 Repair, Replacement, and Maintenance Projects**

The ACC does not require review, permit, or a fee for repair, replacement, or maintenance of exterior components as long as the size, architecture, or color of the existing construction or structure is not being altered. Additionally, the ACC does not require review, permit, or fee for any interior alterations. However, the POA Management shall be notified of any repair, replacement, or maintenance of the existing components in the interior or the exterior. Article 5 Site Requirements are to be followed for repair, replacement, and maintenance. Failure to comply will result in a Red Tag and enforcement actions taken in compliance with the Complete POA Policy Manual.

**Section 2.02 Minor Projects**

The following are examples of projects in the category of "Minor Projects":

- a. Exterior Painting (if altering materials or color from original construction)
- b. Patio Covers
- c. Culverts
- d. Walks
- e. Exterior Siding (if altering materials or color from original construction)
- f. Re-roofing (if altering materials or color from original construction)
- g. Fences
- h. Decks and/or patios (Under 200 square feet)
- i. Gazebo
- j. Storage Buildings (50 to 200 square feet)
- k. Storage Sheds (Under 50 square feet) - require ACC approval but no fees required
- l. Any additional exterior structure

**Section 2.03 Major Projects**

The following are examples of projects in the category of "Major Projects":

- a. Bulkheads, Boathouses, Piers, Docks (Structures built on the water)
- b. New Additions (attached or unattached)
- c. Major Landscaping- Landscaping which drastically alters the exterior appearance of the structure, which includes entryway and drainage systems
- d. Swimming Pools
- e. Garages
- f. Carports
- g. Driveways
- h. Covered Patios, Outdoor Kitchens, and Storage Buildings (Over 200 square feet)

**Section 2.04 New Home Construction**

New home construction will be a category unto itself.

## ARTICLE 3

## FEES, DEPOSITS, AND DEDUCTIONS

**Section 3.01 Application Fees and Maximum Refundable Deposits**

|                          | <u>Fee Amount</u> | <u>Maximum Refund Amount</u> | <u>Total Amount</u> |
|--------------------------|-------------------|------------------------------|---------------------|
| a. New Home Construction | \$1,000           | \$2,000                      | \$3,000             |
| b. Major Projects        | \$300             | \$200                        | \$500               |
| c. Minor Projects        | \$100             | \$100                        | \$200               |
| d. Habitual Offender     | \$1,000           | \$4,000                      | \$5,000             |

Maximum Refundable Compliance Deposits are refunded upon completion of a project as defined in Article 4, Section 4.02(e) and passing of all three (3) phases of the required inspection process. Compliance is defined as complying with all governing documents.

- Any contractor who has worked on more than two (2) projects to which a Red Tag was issued, is considered a habitual offender and all projects to which this contractor is a party will require an additional \$2000 Refundable Compliance Deposit regardless of the type of project.
- Any contractor whose new home construction is not completed in one (1) year shall forfeit their deposit and an extension application must be made to the ACC and an additional deposit made.

**Section 3.02 Deductions**

(To Be Deducted from Refundable Compliance Deposit Upon Issuance of Red Tag)

- Initial Deduction- Cease and Desist to commence within 24 hours: \$100
- Each Day Thereafter: \$25
  - If the available amount remaining of any compliance deposit falls below \$200, an additional refundable compliance deposit in the amount equal to the initial required deposit will be required to be paid within 48 hours of notice or the project will be red-tagged.

## ARTICLE 4 PROCEDURES

The Owner is responsible for initiating the review process by filling out the appropriate application, paying the required fees, and posting a compliance deposit.

**Section 4.01 Application Specifications**

All plans and specifications should be prepared in a professional manner. An Architect and/or Residential Designer is not required, however, is recommended for better results. The application specified for each project will indicate which items are required to create a complete application. Each item must meet the ACC application standards as follows:

- a. Site Plan - A scaled site plan showing property dimensions, building setbacks, easements, and the location of all proposed structures, driveways, walks, patios, bulkheads, boathouses, piers, culverts, and all other proposed improvements.
  - i. For new projects, it is required that the Surveyor's corner pins of the property are staked, and the corners of the proposed foundation are staked prior to the review process. If the corner pins cannot be found, a new survey will be required.
  - ii. No part of the structure, driveway, or building pad is allowed to encroach on the building setback lines or easements as notated in the recorded plats and RRC. Some exceptions are air conditioning units, roof eaves, driveways, and/or structures located on a Lake Livingston Lot crossing the setback lines or easements. The building setbacks are located on the sides, front, and in some sections, the rear of the property.
  - iii. Utility Companies may allow encroachment of decks, sidewalks, stairs, patios, etc. on their easements, but a release of easement is required to be submitted prior to receiving written approval from the ACC. If releases are not received in time to issue approval in compliance with the RRC, the application will be denied.
  - iv. A form survey is required and must be turned in to the Association administrative office in order to receive the appropriate permit as outlined in Article 4 (m) prior to the pouring of any foundation material.
- b. Floor Plans - Drawn at readable scale (i.e.,  $1/8'' = 1' 0''$ ,  $1/4'' = 1' 0''$ , etc.), showing pertinent information required for constructing the improvements. The floor plan shall clearly indicate the total square footage of all structures and levels including any decks, patios, garages and/or carports, etc. This square footage is not limited to that provided with HVAC.
- c. Elevations - Minimum of four (4) drawn at a readable scale (i.e.,  $1/8'' = 1' 0''$ ,  $1/4'' = 1' 0''$ , etc.) showing pertinent information to explain the design and materials of the proposed structure.
- d. Foundation Plans - A plan and details are required showing the type of foundation to be constructed for the proposed structure.
- e. Specifications- Outline Specifications indicating materials of construction, color schemes, and any other information that will help to explain the exterior design features of the proposed structures (by way of illustration but not limitation: Tan stucco and dark brown cultured stone). These specifications may be included as notes on the floor plans or elevations. Examples must be provided.
- f. Release of Easement - An executed release of easement is required from the WS MUD on ALL ACC applications. Additional releases may be required from additional utility providers in the event a utility easement or adjoining property line is encroached upon. A release of easement is required to be submitted prior to receiving written approval from the ACC. If releases are not received in time to issue approval in compliance with the RRC, the application will be denied.
- g. The Owner may download the applicable forms and copies of governing documents on the Association website or come to the Association administrative offices for hard copies.
- h. An application is not deemed complete unless filled out in its entirety with all necessary documentation attached and all fees and deposits paid. At the time of submission, the application must be dated and signed as a completed application by the Association administrative office and submitted for review at the next ACC meeting.
- i. Incomplete applications will not be accepted.

- j. All applications requiring connections to sewer and water must be approved by the WS MUD in addition to ACC approval prior to commencing construction. The Owner is responsible for checking with the WS MUD concerning additional requirements (i.e., check valves, connections fees, etc.).
- k. All applications requiring culvert installation must be approved and signed by the WS POA Maintenance Supervisor prior to ACC review process.
- l. Bulkheads, boathouses, piers, and other structures may require permits from the Trinity River Authority (TRA) and/or the Corp of Engineers in addition to ACC approval prior to commencing construction.
- m. The Owner is responsible for checking their applicable Deed Restrictions and recorded policies for specific requirements that may affect the proposed project. Office staff is not qualified to offer an opinion or interpretation of said documents. If the Owner has questions concerning their project prior to submission, they should attend the next ACC meeting in order to ask questions and gain clarification. Please note that no written approvals may be granted prior to the completion and submission of all required documents and fees. Additionally, applications will not be accepted on property that is not currently owned by the applicant.
- n. First-time contractors, Owners, or builders in the subdivision are encouraged to schedule a meeting with the ACC Chair or management to discuss the ACC policies and answer any questions regarding construction in the subdivision.
- o. The ACC meets on the 2nd Monday of each month (subject to change). At that time the committee reviews the plan in detail.
- p. All applications should be submitted by 5 pm the Wednesday prior to the meeting.

#### Section 4.02 Project Procedure

- a. Any ACC application submitted after the start of the project and prior to ACC approval, shall be fined and then shall submit their deposit.
- b. When the ACC has approved the plan, the Owner is notified by letter. The letter states what has been approved and any stipulations of such approval. Notification is also given that any changes to the approved plan must be resubmitted to the ACC for further approval. If changes are made to the original plans submitted, a Change Request must be submitted to the Association office and reviewed by the ACC prior to their implementation. All change requests will be reviewed on a priority basis according to their content.
- c. A three-phase inspection (foundation, pre-drywall, and final) is required for all new home construction at the sole cost of the Owner and copies must be provided to the office for inclusion in their property file before compliance deposits will be refunded. Inspections must be conducted by a state-licensed inspector.
- d. Construction Permits: A permit is issued upon approval of all applications where construction will take place. This permit must be displayed on the construction site in a location easily seen from the roadway and must remain posted until the project is complete. Completion is defined in section 4e.
  - i. Green Permit: This permit is issued if no further documentation or stipulations must be met, and construction is approved to commence up to the point of completion.
  - ii. Yellow Permit: This permit indicates that a form survey is required prior

to the pouring or building of any foundation.

- iii. Red Tag: This tag is issued in cases where construction must cease and desist due to failure to comply with the requirements of the Association and is accompanied by an initial deduction of \$100. Failure to cease and desist will result in a daily deduction of \$25 for each day construction continues. All sums will be deducted from the Owner's compliance deposit. Contractors and all employees, sub-contractors, and suppliers will be denied access to the Subdivision until the Association administrative office has been contacted and arrangements to correct the violation made. The cease and desist shall be delivered to the Owner, if available, or any agent or contractor with apparent authority to accept same, and such notice shall be binding on the Owner as if actually delivered to the Owner. Hand delivery of the cease-and-desist order shall be followed by written notice to the Owner. When management is notified by the Owner or contractor and observes that the violation(s) are corrected and the total sum owed is deducted from the refundable compliance deposit or separate payment, the Red Tag is removed. All ACC members are notified by e-mail by management regarding each step in a Red Tag issuance. If the Owner or contractor wants to contest the Red Tag violation, the appeal can be made to the full ACC. A Red Tag may be issued under the following circumstances:

1. The ACC determines that construction constitutes a major deviation from approved plans.
  2. Beginning construction without a portable toilet or placement of a portable toilet outside the lot lines of the property on New Home Construction.
  3. Beginning construction, defined as the delivery of any material to the job site, without a dumpster or other permissible means of debris disposal/storage as permitted by the ACC.
  4. Conducting construction without a posted construction permit.
  5. Violation of site requirements as defined in Article 5.
  6. Beginning construction or improvement that alters the exterior appearance of a property without prior approval of the ACC.
- e. The Owner is responsible for providing a list of contractors to the Access Gate (or to call the Access Gate on the day of their arrival) to ensure those authorized are permitted entry to the subdivision or add them to the Gate Sentry app.
- f. When the Owner notifies the Association management that the construction is complete, the site is inspected for cleanliness and road easement or adjoining property damage. In the event that damage occurs and is not corrected by the Owner or his/her contractor, the Owner will be responsible for the full cost of the required correction or cleanup. This cost will be deducted from the compliance deposit and should the cost exceed the held deposit, the remaining amount will be billed to the Owner and paid in full prior to owner occupancy. Project completion shall include the following:
- i. The exterior of the home is complete and aesthetically pleasing.
  - ii. WATER, SEWER, and ELECTRICAL service must be functional within the house
  - iii. The driveway, if the project is new construction, is complete

- iv. Removal of all the following items:
  - 1. Temporary power pole
  - 2. Portable toilet
  - 3. Trash receptacle
  - 4. All building materials, construction tools and scraps
  - 5. Construction vehicles including trailers and dumpsters
  - 6. Property must be cleared of dead trees and branches
  - 7. Piles of fill dirt and brush
- g. ALL MAJOR PROJECTS AND ALL NEW HOME CONSTRUCTION MUST BE COMPLETED WITHIN 9 MONTHS OF THE APPROVAL OF THE APPLICATION. Should an extension for extenuating circumstances be required, the application may be made to the ACC. Extensions shall be 3 months.
  - i. One (1) extension may be granted with no fee.
  - ii. Any additional extensions will require a change request approval with appropriate fees and the first deposit shall be forfeited.
- h. ALL MINOR PROJECTS MUST BE COMPLETED WITHIN 6 MONTHS OF THE APPROVAL OF THE APPLICATION. Should an extension for extenuating circumstances be required, the application may be made to the ACC. Extensions shall be 3 months.
  - i. One (1) extension may be granted with no fee.
  - ii. Any additional extensions will require a change request approval with appropriate fees and the first deposit shall be forfeited.
- i. The ACC shall review the continuing process and report to the Association Management any abandonment. Abandonment shall be defined as the exterior of the house not being completed after 12 months and 1 day. The determination of abandonment is at the sole discretion of the ACC and the Association Board. Additionally, the builder will not be approved for any other project(s) until the abandoned project has been completed.
- j. New home construction completion must include submission of the completed three-phase inspection and Certificate of Occupancy to the POA Office. Major and minor projects must submit photographs of the finished project to the Association Management for refund.

## ARTICLE 5 SITE REQUIREMENTS

It is the responsibility of the Owner to ensure their contractors, employees, and suppliers are aware of and follow all rules while within the Subdivision.

### Section 5.01 Requirements During Construction

- a. No loud music shall be allowed.
- b. The burning of brush, trees, or construction materials is not allowed in the Subdivision.
- c. The worksite must be kept neat and clean.
- d. Proper storage containers for debris must be present from delivery of any material to the job site until project completion. For new home construction and major construction projects, a dumpster or other portable debris receptacle is required. No onsite built trash

- receptacle is allowed.
- e. The Owner/Contractor shall pick up trash daily.
  - f. All trash shall be kept off the roads and adjoining property at all times.
  - g. Loose or uncovered trash shall not be hauled through the Subdivision.
  - h. Construction materials shall not be placed in Association trash/garbage dumpsters or debris areas. All construction debris must be removed from Westwood Shores.
  - i. No construction materials may be located within 5 feet of the roadway or on adjacent property unless waived in writing by ACC. Waiver requests must be made at the time of application.
  - j. At least 1 portable toilet must be supplied for each new home construction site when a project will require more than 1 day. This toilet must be onsite before any construction can begin. An exception may be granted on additions and/or remodeling if the Owner allows the use of existing facilities.
  - k. Portable toilets should be at least 15' off the road unless waived by ACC and serviced on a regular basis.
  - l. All posted speed limits must be obeyed.
  - m. Cleaning and/or dumping excess concrete is not allowed in Common Areas, including streets and roads. Concrete trucks shall raise their chute before leaving the job site so no concrete will be dropped on the road.
  - n. "Wash out and retention area" is required for all concrete pourings. Retention area must have 6 mil polyurethane liner.

## ARTICLE 6 MATERIALS

The following are examples of materials in common use. Any alternative materials must be submitted with detailed descriptions and examples with the application. Alternative materials will be considered on a case-by-case basis.

### **Section 6.01 Brick**

Brick used on residences in the Subdivision shall meet standard specifications established by the Brick Institute of America.

### **Section 6.02 Stucco/EIFS Stucco**

Stucco/EIFS Stucco (Exterior Insulation and Finish System) may be used as an exterior finish, provided its detailing is consistent with the style of the architecture. Stucco must be uniform in color with all other exterior housing finishes.

### **Section 6.03 Siding**

Wood, vinyl, or concrete composite material may be used horizontally, diagonally, or vertically. Metal siding must be specifically designed to be used as siding, factory-painted colors only, and must not be the entire wall panel. It must only be used as an accent siding which must have at least 3ft of stone or brick at the bottom on all exterior walls and be approved on a case-by-case basis.

**Section 6.04 Wood**

All wood must be painted or stained; naturally weathered wood is prohibited. If a stain is used, wood sealant must be utilized. Clear stain may be used.

**Section 6.05 Stone**

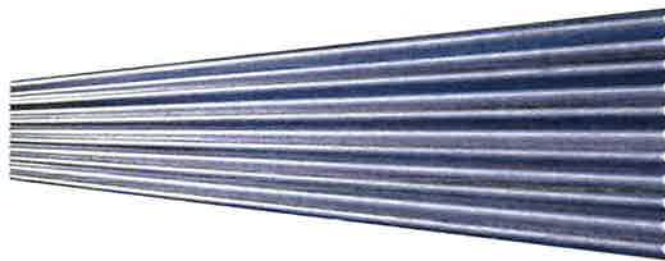
The use of stone on the exterior of a residence must be approved by the ACC on an individual basis to ensure architectural compatibility within the Subdivision.

**Section 6.06 Roofs**

All shingles must be a minimum 25-year shingle. Form and pitch must be consistent with the architectural style of the house and neighborhood. Any alternate materials, such as clay, slate, tile, or metals will be considered on a case-by-case basis.

**Section 6.07 Metal**

Exposed metals shall be anodized aluminum, bronze, copper, or painted galvanized steel. The below pictured style of corrugated metal is not allowed.



To the extent required by 202.011 of the Texas Property Code, Owners are entitled to install roof shingles designed primarily to be wind and/or hail-resistant; shingles that provide heating and cooling efficiencies greater than those provided by customary composite shingles; and shingles that provide solar generation capabilities (collectively referred to as "Alternative Shingles"), subject to the following regulations:

The Owner shall first apply to and receive written approval from the ACC prior to the installation, alteration, or modification of Alternative Shingles.

- a. Alternative Shingles must resemble the shingles commonly used on property in the Subdivision.
- b. Alternative Shingles must be of equal or superior quality and durability than the shingles commonly used on property in the Subdivision.
- c. Alternative Shingles must match the aesthetics of the property surrounding the Owner's property.

**Section 6.08 Trim**

All wood trim must be stained or painted as approved by the ACC.

**Section 6.09 Mortar**

Joint All mortar joints must be tooled; slump joints will not be allowed. Mortar must be selected

to complement stone or brick color.

#### **Section 6.10 Windows**

Wood, metal, vinyl, or composition windows may be used. All finishes must complement the color and style of the house. No reflective glass or glazing will be allowed on any front facade or any facade that is visible from a public street or Common Area.

#### **Section 6.11 Paint/Mortar/Windows/Roofing**

All exterior colors must be submitted by a sample color to be kept in the property file. The palette of exterior colors for each residence must be selected to complement, coordinate, or harmonize with the colors of the building materials and the surrounding neighborhood.

## **ARTICLE 7 ARCHITECTURAL AND DESIGN ELEMENTS**

#### **Section 7.01-A Townhouse Sections WV1 and WV2 - Paint Colors and Roofing**

- a. Colors must be subdued earth tones and compatible with the attached unit.
- b. Roofing on individual units must be compatible to that of the attached unit.

#### **Section 7.01-B Townhouse Section WV3 Guidelines**

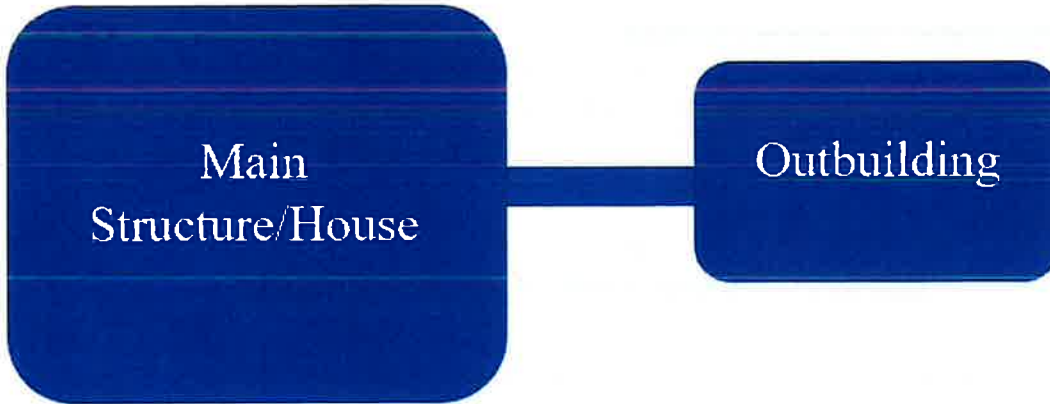
The dwellings are characterized by their uniformity or architecture and color.

- a. Dwellings must be limited to one or two-story, single-family residential structures. The Townhouse section may have attached dwellings that share a common wall. Refer to the RRC-Section 5.11 regarding Townhouse Lots and Party Walls.
- b. The architecture is a one or two-story, with colors of subdued earth tones, coordinated siding, or stucco with wood or simulated wood trim. Roofing on individual units must be compatible to the attached unit.
- c. All units must have off-street parking for two vehicles as defined in RRC Section 4.01 (d).
- d. If storage or golf cart parking is desired, these must be attached or incorporated into the build.
- e. Front door must face the street.
- f. Roof color, form, and pitch must be consistent with others in the neighborhood.
- g. Townhouse lots have a zero-setback line. If a new build is not an attached unit, it must be a minimum of 2 feet off the property line. This space between buildings may be xeriscaped to avoid drainage issues and require little or no maintenance. Examples of xeriscaping are pavers, rocks, or gravel.

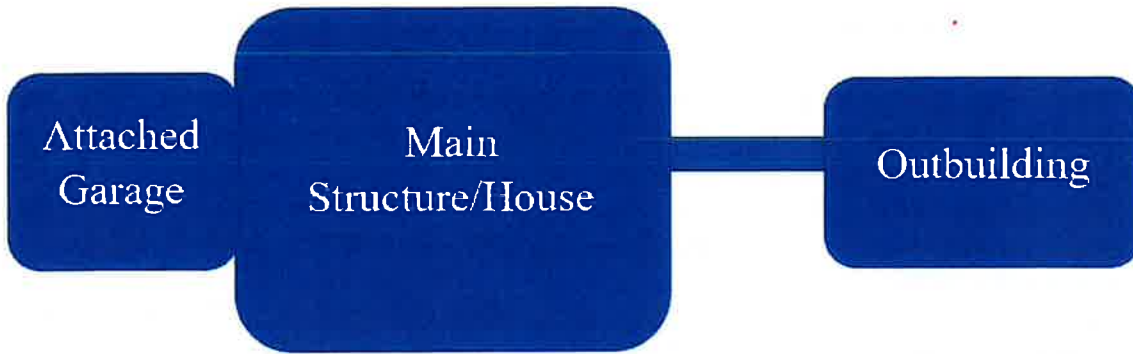
#### **Section 7.02-A Major Projects: Garages, Carports, Additions, and Covered Patios**

- a. The addition/structure must be a minimum of 200 square feet and must be of a color and material that complements all existing structures on the lot or adjoining lot on which the

- primary structure sits.
- b. If the addition/structure is being built for consolidation purposes, see Article 8 Lot Consolidation Policy for further information/requirements.
  - c. No structure may be built on any lot that is not adjacent to the main residence. This means no connecting a series of more than two buildings only by a sidewalk (see examples).



Main Structure plus one outbuilding connected by a sidewalk, built across multiple lot lines - **ALLOWED**. Not allowed for consolidation.



Main Structure with attached garage, plus one outbuilding connected by a sidewalk, built across multiple lot lines - **ALLOWED**. Not allowed for lot consolidation.



Main Structure plus two outbuildings connected by sidewalks, built across multiple lot lines (one on each side of main structure) - **NOT ALLOWED**



Main Structure with two outbuildings connected by sidewalks, built across multiple lot lines (both being on same side) - **NOT ALLOWED**

- d. The addition/structure must be placed on a concrete foundation unless otherwise indicated for pre-manufactured garage/carports below.
- e. The addition/structure must match the exterior of the accompanying home in color and quality.
- f. The addition/structure must be roofed in material of similar color and quality to that of the accompanying home. "Lean to" and "shed type" roofs may be allowed but must have the ends enclosed and the soffits/underside of the half gable finished.



NOT ALLOWED



ALLOWED

- g. Pre-manufactured garage/carports are only permissible in the case of those sites occupied by a manufactured home. All others must be site built. Such structures shall be either boxed eave style or vertical style. No roll down or regular styles will be allowed. Pictures of these types of carports are attached. Such structures may be permitted to have gravel or other solid surface as an alternative to concrete as approved on an individual basis by the ACC. If a pre-manufactured garage/carport is going to be used for consolidation purposes, please refer to Article 8 for further information and criteria.

## REGULAR STYLE

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Regular Style - **NOT ALLOWED**

## BOXED EAVE STYLE



Boxed Eave - **ALLOWED**

## VERTICAL ROOF



Vertical - **ALLOWED**

Roof sheeting runs vertical or up and down which helps snow slide off.



**Combo Units - ALLOWED**

- h. All deliveries of pre-manufactured garage/carports must be scheduled and coordinated with management staff between the hours of 8 am and 5 pm, Monday through Saturday.

**Section 7.02-B Greenhouses, and Outdoor Kitchens.**

- a. Greenhouses:
  - i. Must be a permanent structure.
  - ii. Must be on a concrete slab, pavers, bricks, or a contained gravel (contained means in a defined border).
  - iii. Covering materials must be ¼" glass, ¼" thick polycarbonate or ¼" acrylic panels. (no fabric or polyethylene film is permitted)
  - iv. Maximum size is 150 square feet.
  - v. Must be located within 20 feet of the home in the back or side yard of the property.
  - vi. Can not be used for consolidation.
  - vii. Can not be used to store items not essential to greenhouse work.
- b. **Outdoor Kitchen:**
  - i. Must be at least 400 square feet, attached by a common wall with the home, or be connected with a covered breezeway that must be the same material and color as the home.
  - ii. Must be on a concrete foundation, have plumbing with a sink, hidden electrical, cabinets and counters, at least two (2) of the following built-in appliances:
    - 1. Refrigerator, ice maker, smoker, fryer, gas grill, charcoal grill, or griddle.

**Section 7.02-C Number of Out Buildings Allowed**

Lots (including consolidated lots) may have a total of one (1) primary structure and two (2) outbuildings (i.e., greenhouses, outdoor kitchens, storage buildings, storage sheds, gazebos, etc.).

**Section 7.03-A Walkways, Driveways, Culverts, and Patios**

- a. All walkways, driveways, and patios must be constructed entirely of concrete, asphalt,

- pavers, or other solid surface approved by the ACC on an individual basis.
- b. All open ditch lots require a culvert being a size approved by the subdivision Maintenance Supervisor with his signature attached to the ACC application.

### **Section 7.03-B Drainage**

Any proposed change to natural drainage must be referred to the POA Board by the property owner for approval prior to the change being made.

### **Section 7.04 Solar Panels**

- a. The Owner must first apply to and receive written approval from the ACC prior to installation of any solar panels or other solar items (collectively "Solar Panels") permitted by Texas Property Code 202.010.
- b. Solar Panels must be located in a fenced-in yard or patio OR on the roof of the house or other approved structure, not visible from the front of the structure, and in a location approved by the ACC (subject to any limitation imposed by Texas Property Code 202.010).
- c. Solar Panels shall be located entirely on the property of the Owner erecting the Solar Panels and may not be located on any other lot, property, or Common Area.
- d. When mounted on a structure, no Solar Panel may be higher or wider than the roofline of the structure it is mounted on.
- e. When mounted on a structure, the top edge of all Solar Panels must be parallel with the roofline and must conform to the slope of the roofline.
- f. If located in a fenced-in yard or patio, the Solar Panels must be lower than the fence of the yard or patio.
- g. Solar Panels may not cause an unreasonable or disproportionate visual impact on neighboring lots. If the Solar Panels would "substantially interfere with the use and enjoyment of land causing unreasonable discomfort or annoyance to persons of ordinary sensibilities" they will not be allowed unless all adjoining Owners give their written approval. The ACC will decide what is an unreasonable or disproportionate visual impact on neighboring lots and will inform the Owner of what changes must be made to correct any unreasonable or disproportionate visual impact.
- h. Solar Panel frames, brackets, wires, and pipes must be a shade of silver, bronze or black.

### **Section 7.05 Flag Poles**

The display of flags is permitted under the following parameters:

1. Owners may have a total of one freestanding (1) flagpole or two (2) mounted flagpoles per lot with a residential improvement and not attached to trees, utility poles, or other ground set non-flag poles.
2. The following flags may be displayed in accordance with this Policy:
  - a. United States flag;
  - b. Texas flag;

- c. Official or replica flag of a branch of the United States armed forces; or
  - d. Seasonal flags (winter, spring, summer, or fall), accredited school flags, and nationally recognized holiday flags (Presidents Day, Mother's Day, Valentine's Day, St. Patrick's Day, Easter, Father's Day, Juneteenth, July 4<sup>th</sup>, Yom Kippur, Halloween, Thanksgiving, Hanukkah, Christmas, and Kwanzaa) are allowed within the appropriate seasonal timeframe. No political flags, flags with offensive language, flags with political or racial innuendo are allowed.; or
  - e. Any other flag expressly permitted by the governing documents.
3. The flagpole may be either freestanding or mounted to the residential structure under the following parameters:
    - a. A freestanding flagpole:
      - i. must not be taller than twenty feet (20') when measured from ground level (including the pole ornamentation);
      - ii. must be mounted on an appropriate footing;
      - iii. is subject to ACC approval and any and all applicable zoning ordinances, easements, and setbacks of record.
    - b. A flagpole mounted to the residential structure:
      - i. must be no greater than five feet (5') in length; and
      - ii. may be attached to the front or rear of the residential structure.
  4. Owners are prohibited from placing a flagpole within an easement on an Owner's Lot or in a location that encroaches on a setback on an Owner's lot.
  5. Owners are prohibited from locating a flag or flagpole on property owned or maintained by the Association.
  6. Owners are prohibited from locating a flag or flagpole on property owned in common by the members of the Association.

#### Flag and Flagpole Materials, Maintenance, and Etiquette:

1. All flagpoles must be constructed of permanent, long-lasting materials, with a finish appropriate to the materials used in the construction of the flagpole and harmonious with the dwelling.
2. All flagpoles must be installed per the manufacturer's guidelines.
3. All flags and flagpoles must be properly maintained at all times, including, but not limited to, immediate replacement of faded, frayed or torn flags and replacement of poles that are scratched, bent, rusted, faded, leaning or damaged in any way.
4. The size of the flag may not exceed 3' X 5'.
5. Flagpole halyards must be securely fastened at all times and must not make noise under any conditions.
6. Telescoping flagpoles must not make noise under any conditions.
7. The United States flag must be displayed in accordance with federal law. Additionally, if more than one flag is displayed along with the United States flag on a flagpole, the United States Flag must be flown above all other flags on such flagpole.
8. The Texas flag must be displayed in accordance with Texas state law.
9. If evening display of the flag is desired, the flag may be lit from the base of the flagpole (maximum of two (2) bulbs) with a total of no more than 150 watts. If lit from the base of the flagpole, the light must shine directly up at the flag and may not cause any type of light spillover onto adjoining properties. If lit from the top of the flagpole, the light must be of the round solar variety without exceeding the 20' maximum height. All exterior

- lighting must be submitted to the ACC for prior approval.
10. Flags must be attached to a flagpole in order to be displayed.
  11. A flagpole mounted to the residential structure must be removed from view when no flag is displayed.

### **ACC Approval Required**

1. **Mounted Flagpoles** -A flagpole mounted to a residential structure does not require approval from the ACC if it complies with the terms of this Policy.
2. **Freestanding Flagpoles**
  - a. Freestanding flagpoles require prior written approval from the ACC. Completed applications must be submitted to the ACC in accordance with the following:
    - (i) If a back yard location is desired, an application must be submitted with a copy of the applicable plat or survey showing the proposed location of the freestanding flagpole, along with pictures showing the location of the improvement and the manufacturer's brochures or a sample of material, if applicable;
    - (ii) If a front yard location is desired, an application must be submitted with a copy of the applicable plat and/or survey indicating the front Lot line, front building setback line, and proposed location of the freestanding flagpole, along with pictures showing the location of the improvement and the manufacturer's brochures or a sample of material, if applicable;
    - (iii) Locations closer to the dwelling are typically preferred; and
    - (iv) Regardless of desired location, the color of the materials being used in relation to house color, the location of the flagpole in relation to the dwelling, and any noise created are of specific concern.

Any installation not in compliance with this Policy will be considered a violation of the dedicatory instruments governing the subdivision.

The terms herein relating to flags do not apply to property that is owned or maintained by the Association.

### **Section 7.06 Religious Items on Entryways of Dwellings**

Owners and residents are generally permitted to display or affix one or more religious items on the owner's or resident's property or dwelling, the display of which is motivated by the owner's or resident's sincere religious belief.

**ACC Application Required.** Before a religious display contemplated by the Code is displayed or affixed on an owner's or resident's property, an Architectural Control Committee ("ACC") application must be submitted to the Association and approved in writing in accordance with the Declaration. The following information must be included with the application:

- a. Type and description of religious display;

- b. Site plan indicating the location of the proposed religious display with respect to any applicable building line, right-of-way, setback or easement on the owner's or resident's property.

Notwithstanding the foregoing, the following displays shall not require ACC approval. All other religious displays shall require ACC approval as set forth above.

- a. One or more religious items displayed or affixed on the entry of an owner's or resident's dwelling, not exceeding twenty-five (25) square inches, shall not require ACC approval.
- b. Seasonal holiday decorations which are temporary and commonly associated with a seasonal holiday may be displayed no more than thirty (30) days before and thirty (30) days after the seasonal holiday in question. The Board has the sole discretion to determine what constitutes a seasonal holiday decoration. Should an owner or resident desire to permanently display a religious display, an ACC application is required as set forth above.

The display or affixing of a religious item on the owner's or resident's property or dwelling is prohibited under the following circumstances:

1. The item threatens the public health or safety;
2. The item violates a law other than a law prohibiting the display of religious speech;
3. The item contains language, graphics or any display that is patently offensive to a passerby for reasons other than its religious content;
4. The item is installed on property:
  - a. owned or maintained by the Association; or
  - b. owned in common by members of the Association.
5. The item violates any building line, right-of-way, setback or easement that applies to the religious item pursuant to a law or the Association's dedicatory instruments; or
6. The item is attached to a traffic control device, street lamp, fire hydrant or utility sign, pole or fixture.

The Association may remove any item that does not conform to these regulations.

#### **Section 7.07 Rainwater Recovery Barrels or Systems ("Barrels/ System")**

Rainwater Recovery Barrels or Systems ("Barrels/System") shall be permitted to the extent required by Texas property Code 202.007(d), subject to the following regulations:

- a. The Owner shall first apply to and receive written approval from the ACC prior to

- installation of any Barrels/System.
- b. The Barrels/System must be of a color that is consistent with the color scheme of the Owner's home.
  - c. The Barrels/System cannot be located between the front of the Owner's home and an adjoining or adjacent street (the front yard).
  - d. The Barrels/System must not display any language or other content that is not typically included on the item when it is manufactured.
  - e. The Association will regulate the size, type, materials and manner of screening for Barrels/System that are visible from the street, another lot, or Common Area.
  - f. There must be sufficient area on the Owner's property to install the Barrels/System, no Barrels/System shall be located on or extend onto any property other than the Owner's lot.
  - g. Other than gutters and downspouts conventionally attached to a dwelling or appurtenant structure, all components of the Barrels/System, such as tanks, barrels, filters, pumps, motors, pressure tanks, pipes and hoses, must be substantially screened from public view from any street or Common Area.
  - h. Screening may be accomplished by an approved solid fence, structure or vegetation; by burying the tanks/barrels; or by placing the equipment in an outbuilding approved by the ACC.
  - i. A rain barrel may be placed in a location visible from public view from any street or Common Area only if the configuration of the guttering system on the structure precludes screening as described above, so long as:
    1. the barrel does not exceed 55 gallons, and
    2. the barrel is installed in close proximity to the structure on a level base with the guttering downspout leading directly to the barrel inlet at a substantially vertical angle, and
    3. the barrel is fully painted to blend with the adjacent home or vegetation, and
    4. any hoses attached to the barrel discharge must be neatly coiled and stored behind or beside the rain barrel in the least visible location when not in use.
  - j. Overflow lines from a System must not be directed onto or adversely affect adjacent properties or Common Areas.
  - k. Inlets, ports, vents, and other openings must be sealed or protected with mesh to prevent children, animals and debris from entering the barrels, tanks or other storage devices. Open top storage containers are prohibited.
    - l. Harvested water must be used and is not allowed to become stagnant or a threat to health.
  - m. All systems shall be maintained in good repair. Unused systems should be drained and disconnected from the gutters. Any unused Systems in public view must be removed from public view of any street or Common Area.

### Section 7.08 Storage Buildings

- a. A storage building is defined as a structure greater than 49 square feet and less than 200 square feet in space.
- b. The storage building must be placed on foundation of similar construction and quality to that of the accompanying home.
- c. The storage building must match the exterior of the accompanying home in color and quality.

- d. The storage building must be roofed in material of similar color and quality to that of the accompanying home.
- e. New and Pre-manufactured storage buildings are only permissible in the case of those sites occupied by a manufactured home. Current pictures with date stamp must be submitted with each application. All others must be site built. If a pre-manufactured storage building is going to be used for consolidation purposes, please refer to the Article 8 Lot Consolidation Policy for further information and criteria.
- f. All deliveries of pre-manufactured storage buildings must be scheduled and coordinated with management staff between the hours of 8am and 5pm, Monday through Saturday. All deliveries of pre-manufactured buildings must come through the service gate near Section 10 unless otherwise approved by management.

### Section 7.09 Boat Slips and Boat Slip Roofs

- a. The location of the boat slip, with or without a boat slip roof, shall be only within the space provided for and allowed by the Trinity River Authority ("TRA") and Corps of Engineers and must be confined to an indentation into a lot.
- b. All boat slip materials in ground contact must be pressure treated wood or galvanized steel products.
- c. Boat slip roof materials must be of standard type, quality, and color that compliments the residence.
- d. Boat slip roof pilings must be a minimum of 6in x 6in pilings treated to TRA specifications.
- e. Boat slips, with or without a roof, must have all sides open and only roofed boat slips are permitted to have an enclosed portion for equipment storage as indicated below:
  1. Boat slip storage areas must be of a material and color that compliments the residence.
  2. The roof of storage area must be connected and incorporated into the boat slip roof.
  3. Boat slip storage structure must not exceed 150 square feet of enclosed area.
- f. Boat slip roofs shall have no more than a 6/12 pitch on gable or hip roofs.
- g. Any electrical service to the boat slip and boat slip roof shall meet all applicable laws, codes, and guidelines for areas adjacent to a water source.
- h. SECTION 3 of WESTWOOD LAKE:  
Pursuant to the findings of the 411th District Court in Cause No, 17,605 Westwood Shores Property Owner's Association vs. Lawrence P. Seaton, Jr. in the Agreed Final Judgment dated November 11, 1999, piers and docks with attached bulkheads are allowed in Section 3 of Westwood Lake only under the following guidelines:
  1. No boat slip or other mooring indentation into any lot shall be permitted.
  2. The pier/dock may not extend more than eight (8) feet from the bulkhead.
  3. The pier/dock may not have railing that extends more than 42 inches from the top of the bulkhead.
  4. Pilings must be no less than 6 in x 6 in, treated to current industry standards, and driven at least three feet below the lake bottom surface.
  5. Decking must be treated to current industry standards.
  6. No roof or covered structure shall be permitted.

### Section 7.10 Removal of Trees

- a. The Owner is responsible for protecting all surrounding property from damage during tree removal and will be held liable accordingly.
- b. Under no circumstances shall trees fall on adjacent property. This requirement may cause trees to be topped and dropped in sections.
- c. Trees on developed or on undeveloped lots with a common property line with the owner's developed lot (home) may be removed at the Owner's discretion. The Owner need only pick up a Green Permit from the administrative office.
- d. Trees on undeveloped lots may be removed only after applying for and receiving prior written approval from the ACC in accordance with the following guidelines:
  1. The tree is dead; OR
  2. The tree is endangering person or property; OR
  3. The tree is being removed for the purpose of creating an aesthetically pleasing landscape scheme.
- e. Stump removal is required within thirty (30) days of tree removal.

### Section 7.11 Fences

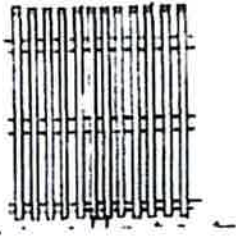
- a. Fences installed in front of home please refer to Security Policy in Article 9 Section 3.
- a. All fences must be of a permanent nature and fence posts must be set in concrete.
- b. All fences must be plumb and well maintained at all times.
- c. All fences must be constructed with the finished side facing outward.
- d. Fences higher than 2 feet in height are not permitted closer to the front lot line than the front corner of the primary structure. Exception may be made for "Estate" lots fronting FM 356. They may be permitted to have fencing and security gates in the front of their property, but must be black wrought iron style with brick or stone masonry columns (example shown on illustration) and comply with Security Measure Policy Article 9.
- e. Fences located behind the front corner of the primary structure that do not obstruct the line of sight at street intersections may be up to 7 feet in height including the rot board.
- f. Fences located on Inland Lake Lots, Golf Course Lots, Lake Livingston Lots, Inland Lake Estates Lots, Patio Golf Course Lots, Patio Inland Lake Lots, or Patio Lake Livingston Lots must be wrought iron style and may contain select decorative elements and embellishments as shown below. The wrought iron fence must be as illustrated in this manual and is to be 48 inches in height.



- g. Fences must be located on the Owner's side of side lot lines; unless a written and publicly filed agreement is reached with neighboring lots to allow the fence to sit on the lot line itself. A copy of said agreement must be submitted with the ACC application form to the

Association administrative office to be placed in each of the property files affected by the agreement.

- h. Black powder or vinyl coated (Euro) fencing may be allowed if framed top and bottom.
- i. Unacceptable materials include but are not limited to the following:
  - 1. Wire or Wire Mesh
  - 2. Sheet or expanded material and stamped metal posts
  - 3. Fiberglass (corrugated or flat woven)
  - 4. Rope, bamboo, reed or wire-bound wood pickets
  - 5. Unfinished cinder block
  - 6. Chain link in all sections with the exception of lots where mobile homes or double-wide mobile homes are allowed. On these lots, black vinyl chain link fencing with matching posts and hardware may be permitted. However, should this lot be an inland lake lot or other lot listed in 7.11 g, no exception to 7.11 g is allowed.
- j. Fences must be of one of the following styles:



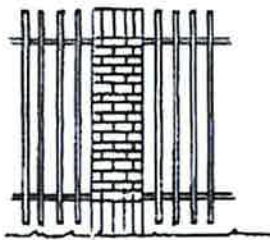
Open Picket



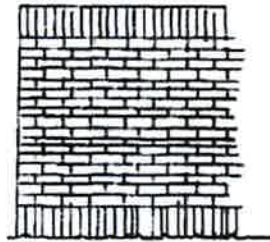
Wrought Iron Style



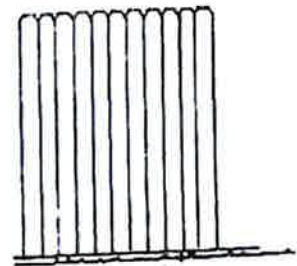
Shadow Box



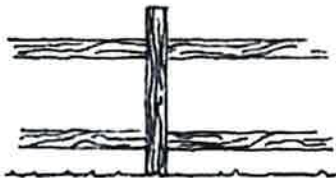
Wrought Iron with Brick or Stone Masonry Columns



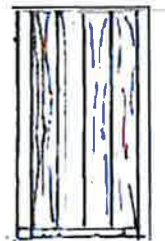
Solid Brick or Stone



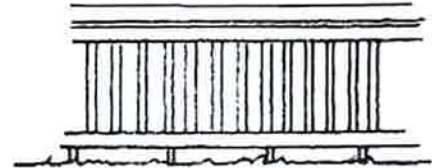
Picket



Split Rail (2 or 3 Rails)

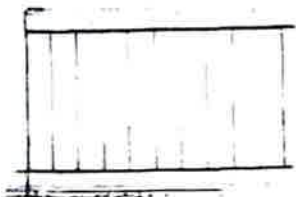


Shadow Panel



Open Ballister

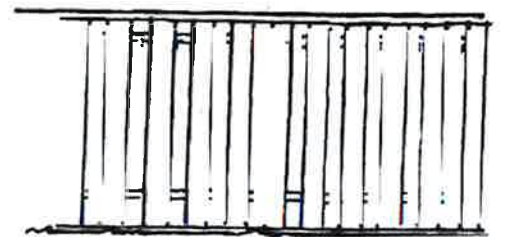
Split-Rail fence is a fence where the horizontal rails are made from split logs, giving it a rough and rustic appearance



Capped Panel



Capped Picket



Capped Shadow Box

**Section 7.12 Pools, Decks, and Other Structures**

- a. Swimming pools, spas, decks, and other ancillary structures are restricted to the rear of the home.
- b. Decks may extend beyond the established setback lines so long as an area of a minimum of 3 feet for landscaping and fencing remains between the deck and the property line.
- c. All other structures, including gazebos, playhouses, greenhouse, etc. must be approved by the ACC in writing and may require screening from public view.
- d. Portable or permanent above ground pools are prohibited. Smaller, prefabricated, installed aboveground spas or hot tubs are acceptable with approval of the ACC.
- e. Under no circumstance should the maximum height of any ancillary structure exceed that of the home.

**Section 7.13 Manufactured Homes**

- a. No manufactured home older than 15 years will be allowed to be brought into the subdivision without prior written approval by the ACC.
- b. No manufactured home may come into the neighborhood without review by management.
- c. All manufactured homes must come through the service gate near Section 10 unless otherwise approved by management.
- d. Current pictures with date stamp must be submitted with each application.

**Section 7.14 Propane Tanks**

- a. The owner shall first apply and receive written approval from the ACC prior to construction.
- b. All above ground 50 gallon or greater propane tanks must be fully screened from view.
- c. The enclosure shall be a maximum of 18 inches from the propane tank on all four (4) sides.
- d. The enclosure shall be no more than six (6) inches taller than the highest point on the propane tank.
- e. Materials used to screen the propane tank must be specifically named with detailed description and example of the material in the ACC submission.
- f. If the propane tank is screened with wood, the wood must be painted to match the color of the house. In the case of a brick or stone house, the screen must be painted to match the trim color of the house.
- g. Construction shall be in compliance with all federal, state, and local rules and regulations regarding propane tank installation.
- h. No 50 gallon or greater propane tanks shall be allowed in the subdivision without prior written approval by the ACC.
- i. If a legaced propane tank is refurbished in anyway or replaced with a new propane tank, the refurbished or new propane tank will be required to be buried or screened from view.

**Section 7.15 Screening of Outdoor Equipment**

- a. This section addresses screening of outdoor equipment such as outdoor water filtration

- systems, generators, or other equipment that is installed next to an existing home.
- b. Screening is not required for this equipment, however, if the owner desires to screen the equipment, the owner shall first apply to and receive written approval from the ACC prior to construction.
  - c. Screening of this equipment shall match the color of the house.
  - d. Screening of this equipment shall screen the equipment from view and shall not be enlarged to contain any extraneous items.
  - e. Any type of lattice style screening material is prohibited.

#### **Section 7.16 Address Identification**

All residences are required to have address identification that is viewable from the street.

#### **Section 7.17 Legacied Projects**

All projects approved prior to the adoption of this Policy are explicitly legacied provided there is written proof of their prior approval and with the understanding that should more than 50% of the existing project require replacement at any time, or when significant changes are made to a property for lot consolidation, the entire legacied project must be replaced according to the Policy in place at that time.

## **ARTICLE 8**

### **POA POLICY: LOT CONSOLIDATION REQUIREMENTS**

POA Policy Manual Article 3

#### **Consolidation of Lot(s) for the Deletion of Assessments**

#### **Section 8.01 Criteria**

No more than three (3) lots may be consolidated. This condition applies only to the number of lots which may be consolidated but does not restrict the number of lots one may build upon.

All structures for lot consolidation must comply with the following policies and procedures set forth by the Property Owners Association Board of Trustees. In addition, this construction and all other construction on a lot shall comply with the Restrictions as set forth in the Consolidated Restated and Amended Reservation, Restrictions and Covenants for Westwood Shores, and all ACC and POA policies.

#### 1. NEW HOME CONSTRUCTION:

- a. ALL SECTIONS EXCEPT MOBILE HOME and DOUBLE WIDE SECTIONS:  
New home foundation must cross property lines of the adjoining lots to be consolidated.

- b. MANUFACTURED HOMES: Homes cross the property lines of adjoining lots to be consolidated.
2. ADDITIONS TO EXISTING HOMES: Must complement the existing home and cross the property lines of the adjoining lots to be consolidated as described below.
    - a. Additions attached to the home where one side of the addition shares a common wall of the existing home:
      - i. Minimum size: 300 sq. ft.
      - ii. Foundation must extend across the property lines of the lots to be consolidated.
      - iii. The roof line of the addition is to be extended so that it looks to be part of the original home.
      - iv. There must be full walls on all sides of the addition, unless approved as a carport (see c. below).
    - b. Additions to the home that are detached (i.e. do not share a common wall with the existing home):
      - i. Minimum size: 400 sq. ft.
      - ii. Must be connected to an existing residence as an incorporated part of the existing residence and connected by a covered concrete walkway covered in the same manner as the roof of the home. The addition should be in close proximity to the home; maximum distance from home of 20 ft. Actual distance will be determined by design and lot configuration.
      - iii. Addition and/or accompanying walkway must cross the property lines of the adjoining lots to be consolidated.
      - iv. There must be a full wall on all sides of the addition unless approved as a carport (see c. below)
      - v. The structure must contain permanent electricity concealed from view (i.e. serviced underground from the main structure or on a separate meter).
      - vi. Only one detached addition is allowed to the existing home (see the complete ACC Policy Manual Section 7.02 (c) for additional information.)
      - vii. Detached structures must have roofs that match the style and material of the existing home (i.e. Gable, Pitched, Hip, etc.).
    - c. Carports: Either attached or detached:
      - i. Minimum size: 600 sq. ft. of which at least 200 sq. ft. on one side of the carport is completely enclosed as an additional room/storage area.
      - ii. All other criteria as given under the appropriate category above.

### Section 8.02 PROCEDURE

All new construction requires ACC approval to begin work. Lot consolidation is a POA policy; lot consolidation affects POA finance and therefore requires POA approval.

1. The plan is submitted to the ACC for approval of construction of the structure.

2. The plan approved by the ACC is then submitted to the POA for "conditional" lot consolidation approval at the next POA Board meeting. Should the ACC have some questions about plan compliance with lot consolidation policy or wish to propose an exception (as may be done for a variance), the plan may be submitted to the POA with "conditional ACC approval." After review, the POA Board will approve or deny the proposed plan for lot consolidation.
3. Consolidation requires a separate application upon completion of construction as defined in the Complete ACC Policy Manual Section 4.02 (e).
4. The consolidation application and completed structure are reviewed by Management. If the application and completed structure meet the above criteria, Management will grant approval for the deletion of Assessments the month following the consolidation approval and the Consolidated Lot will be subject to the Assessments of a Single Lot or Building Site. Any circumstances that do not meet the above criteria may be presented to the Board of Trustees for consideration as an appeal for deleting the additional Assessments.
5. The Association reserves the right to unconsolidate any previously approved consolidation if the Owner alters the qualifying structure in any way from the original criteria through which consolidation was approved.

## ARTICLE 9

### POA POLICY: SECURITY MEASURES POLICY

#### ARTICLE 28 of POA Policy Manual

#### SECURITY MEASURES POLICY

1. ACC Application Required.  
Before any security measure contemplated by Section 202.023(a) of the Texas Property Code ("Code") is constructed or otherwise erected on a Lot, an ACC application must be submitted to the Association and approved in writing in accordance with the Declaration. The following information must be included with the application:
  - a. Type of security measure;
  - b. Location of proposed security measure;
  - c. General purpose of proposed security measure; and
  - d. Proposed construction plans and/or site plan.
2. Other Applicable Requirements.  
Owners are encouraged to be aware of the following issues when seeking approval for and installing a security measure:
  - a. The location of property lines for the Lot. Each Owner should consider obtaining a survey before installing a security measure;
  - b. Easements in the area in which the security measure is to be installed;
  - c. Underground utilities in the area in which the security measure is to be installed.

**The Association is not obligated to and will not review an Owner's ACC security measure application for the above-referenced issues. Owners should be aware that a security measure may have to be removed if a person or entity with superior rights to the location of a security measure objects to the placement of**

3. Type of Fencing.

The Code authorizes the Association to regulate the type of security measure fencing that an Owner may install on a Lot.

a. Security measure fencing generally

- i. All fences must be of a permanent nature and fence posts must be set in concrete.
- ii. Security measure fencing cannot contain decorative elements and embellishments (whether part of the fence construction or are add-on decorative elements/embellishments). This prohibition includes, but is not limited to, prohibiting finials (of any shape or design), fleur de lis, points, spears (of any shape or design), and gate toppers of any type.
- iii. Fences located on Inland Lake Lots, Golf Course Lots, Lake Livingston Lots, Inland Lake Estates Lots, Patio Golf Course Lots, Patio Inland Lake Lots, or Patio Lake Livingston Lots must be wrought iron style as illustrated in the Westwood Shores ACC Policy Manual and are to be 48 in. in height.
- iv. Security measure fencing must be located on the perimeter of a Lot, however, it is prohibited for security measure fencing to : (1) be located across sidewalks; and/or (ii) to enclose sidewalks. If a sidewalk is located within the perimeter of a Lot, the security measure fencing must be located on the residence side of the sidewalk. Fencing that is not located on the perimeter of a Lot is not security measure fencing and must comply with the Declaration and all other applicable Association governing documents.

b. Security measure fencing forward of the residential structure on a Lot as depicted on the applicable Lot survey:

- i. Must be black metal fencing (either steel, wrought iron, or aluminum) measuring no more than six feet (6') in height. Security measure fencing pickets shall be 3/4", 4" on center with 1-1/4" top and bottom rails. All framing must be on the inside (i.e., the residence side) of the security measure fencing It is the intent of this Policy that all security measure fencing forward of the front building line on a Lot have the appearance of what is commonly called "wrought iron fencing";
- ii. Must consist of straight horizontal styles and straight vertical pickets and/or posts;
- iii. Any driveway or pedestrian gates on security measure fencing must be of the same material as the fencing and swing inward and related fence motors/equipment must be kept screened from view with evergreen shrubs or in such other manner approved in writing by the ACC;

- iv. When security measure fencing meets a wood fence, the security measure fencing may not be attached to the wood fence. The security measure fencing shall be terminated with a three-inch (3") metal post (either steel, wrought iron, or aluminum) adjacent to the wood post/wood fencing; and
  - c. All security measure fencing must be installed per the manufacturer's specifications and all electric gates must be installed by a licensed electrician in accordance with all applicable codes and applicable governmental regulations.
4. Burglar Bars, Security Screens, Front Door Entryway Enclosures.  
All burglar bars, security screens, and front door entryway enclosure shall be black or any color approved by the ACC. Notwithstanding the foregoing, the ACC shall have the discretion to approve another color for burglar bars, security screens and front door entry enclosure if, in the sole and absolute discretion of the ACC (subject to an appeal to the Board of Directors in the event of an ACC denial), the proposed color of the burglar bars, security screens, and front door entryway enclosures complements the exterior color of the dwelling. All burglar bars and front door entry enclosures must be comprised of straight horizontal cross-rails and straight vertical pickets. Decorative elements and embellishments (whether part of the original construction of the burglar bar or security screen or are add-on decorative elements/embellishments) of any type are prohibited on burglar bars, security screens, and front door entryway enclosures.
5. Disputes; Disclaimer; Indemnity.  
Security measures, including but not limited to, security cameras and security lights shall not be permitted to be installed in a manner that the security measure is aimed/directed at an adjacent property which would result in an invasion of privacy, or cause a nuisance to a neighboring Owner or resident. **In the event of a dispute between Owners or residents regarding security measure fencing, or a dispute between Owners or residents regarding the aim or direction of a security camera or security light, the Association shall have no obligation to participate in the resolution of the dispute. The dispute shall be resolved solely by and between the Owners or residents.**

EACH OWNER AND OCCUPANT OF A LOT WITHIN THE PROPERTY ACKNOWLEDGES AND UNDERSTANDS THAT THE ASSOCIATION, INCLUDING ITS DIRECTORS, OFFICERS, MANAGERS, AGENTS, EMPLOYEES AND THE ACC, ARE NOT INSURERS AND THAT EACH OWNER AND OCCUPANT OF ANY DWELLING AND/OR LOT THAT HAS A SECURITY MEASURE THAT HAS BEEN OR WILL BE INSTALLED PURSUANT TO THIS POLICY ASSUMES ALL RISKS FOR LOSS OR DAMAGE TO PERSONS, TO DWELLINGS AND IMPROVEMENTS AND TO THE CONTENTS OF DWELLINGS AND IMPROVEMENTS, AND FURTHER ACKNOWLEDGES THAT THE ASSOCIATION, INCLUDING ITS DIRECTORS, OFFICERS, MANAGERS, AGENTS, EMPLOYEES AND THE ACC, HAVE MADE NO REPRESENTATIONS OR WARRANTIES NOR HAS ANY OWNER OR OCCUPANT RELIED UPON ANY REPRESENTATIONS OR WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE, RELATIVE TO ANY SECURITY MEASURE THAT MAY BE

APPROVED BY THE ACC PURSUANT TO THIS POLICY.

**OWNERS OF LOTS WITHIN THE PROPERTY HEREBY AGREE TO INDEMNIFY, PROTECT, HOLD HARMLESS, AND DEFEND (ON DEMAND) THE ASSOCIATION, INCLUDING ITS DIRECTORS, OFFICERS, MANAGERS, AGENTS, EMPLOYEES AND COMMITTEE MEMBERS COMPRISING THE ACC (COLLECTIVELY REFERRED TO AS THE "INDEMNIFIED PARTIES") FROM AND AGAINST ALL CLAIMS (INCLUDING WITHOUT LIMITATION CLAIMS BROUGHT BY AN OWNER OR OCCUPANT) IF SUCH CLAIMS ARISE OUT OF OR RELATE TO A SECURITY MEASURE GOVERNED BY THIS POLICY. THIS COVENANT TO INDEMNIFY, HOLD HARMLESS, AND DEFEND INCLUDES (WITHOUT LIMITATION) CLAIMS CAUSED, OR ALLEGED TO BE CAUSED, IN WHOLE OR IN PART BY THE INDEMNIFIED PARTIES' OWN NEGLIGENCE, REGARDLESS OF WHETHER SUCH NEGLIGENCE IS THE SOLE, JOINT, COMPARATIVE OR CONTRIBUTORY CAUSE OF ANY CLAIM.**

Any installation not in compliance with this Policy will be considered a violation of the dedicatory instruments governing the subdivision.

CERTIFICATION

I hereby certify that, as Secretary of the Westwood Shores Property Owners' Association, this this Complete ACC Policy Manual, Sixth Edition was adopted on the 24<sup>th</sup> day of March, 2025, at a meeting of the Board of Trustees at which a quorum was present.

  
Print Name: Ronald Auvenshine  
Title: Secretary

STATE OF TEXAS §  
§  
COUNTY OF TRINITY §

BEFORE ME, on this day personally appeared Ronald Auvenshine the Secretary of the Westwood Shores Property Owners' Association, known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that s/he executed the same for the purposes herein expressed and, in the capacity, herein stated, and as the act and deed of said corporation.

Given under my hand and seal this the 24<sup>th</sup> day of March, 2025.



  
Notary Public - State of Texas

After Recording Return To:  
Westwood Shores Property Owners'  
Association 205 Westwood Drive East  
Trinity, Texas 75862

at 8:40 FILED o'clock a M

MAR 28 2025  
  
SHASTA BERGMAN  
COUNTY CLERK, TRINITY CO., TEXAS  
By \_\_\_\_\_ Deputy

THE STATE OF TEXAS  
COUNTY OF TRINITY

I hereby certify that the Instrument was FILED on the date and at the time stamped hereon by me and was duly RECORDED in the Official Public Records of Trinity County, Texas in the Volume and Page as noted hereon by me.

Shasta Bergman  
County Clerk, Trinity County

By  Trinity



CRB 2016/11/07

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