

HIGHLAND VILLAGE CIVIC CLUB, INC.
BASIC CONSTRUCTION GUIDELINES

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

WHEREAS, covenants, conditions and restrictions were imposed upon Lots comprising the Highland Village subdivision ("Subdivision") by that certain instrument recorded on May 14, 1948, in Volume 1768, Page 673, of the Deed Records of Harris County, Texas (the "Original Restrictions"), as same were amended and extended from time to time; and

WHEREAS, the Original Restrictions were amended and restated in their entirety by the recording of that certain Declaration of Covenants, Conditions and Restrictions for Highland Village, recorded in the Harris County, Texas Public Records under Clerk's File No. V868642 (the "Declaration"); and

WHEREAS, the Declaration was amended by the recording of that certain amendment to the Declaration of Covenants, Conditions and Restrictions for Highland Village, recorded in the Harris County, Texas Public Records under Clerk's File No. Z232204 (the "First Amendment"); and

WHEREAS, the Declaration was further amended by the recording of that certain second amendment to the Declaration of Covenants, Conditions and Restrictions for Highland Village, recorded in the Harris County, Texas Public Records under Clerk's File No. 20130498689 (the "Second Amendment"); and

WHEREAS, the Declaration, First Amendment, Second Amendment, and all other instruments that have amended, renewed, or extended the Declaration from time to time, are hereinafter collectively referred to as the "Declaration"; and

WHEREAS, pursuant to the provisions of the Articles of Incorporation, Bylaws and Declaration of the Highland Village Civic Club, Inc. (the "Association"), the Board of Directors of the Association (the "Board") has the authority to manage the business and affairs of the Association, and the duty, amongst other things, to represent the homeowners of the Association in a fair and just manner; and

WHEREAS, in accordance with Section 204.010 of the Texas Property Code, the Association, acting through the Board of Directors, may regulate the use, maintenance, repair, replacement, modification, and appearance of the subdivision; and

WHEREAS, the Board has determined that it is in the best interests of the Association to adopt basic construction guidelines applicable to Highland Village; and

WHEREAS, the Board and Architectural Review Committee designated by the Board ("ARC") have determined that in connection with maintaining the aesthetics and architectural

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harmony of Highland Village, as well as the use and enjoyment of the subdivision for all Property Owners, it is appropriate for the Association to adopt the following basic construction guidelines.

NOW, THEREFORE, the Board has duly adopted the following *Basic Construction Guidelines*.

Important:

These Guidelines supplement the requirements designated in the Declaration of Covenants, Conditions and Restrictions and other recorded policies regarding construction. Before initiating any construction project, plans must be submitted and approved by the Association. Any changes not approved may result in fines against the property and immediate action including, but not limited to, removal of the improvement at the Owner's expense.

Construction Fencing:

- Homebuilding and construction activity generates considerable noise and traffic. For all new home builds the ARC may condition approval upon the require the use of temporary construction fencing enclosing the Lot.
- All construction fencing must be placed at the edge of an easement along the street until it connects with an existing fence to ensure placement around the perimeter of the Lot. If an existing fence is not present, the construction fencing must be place at the edge of an easement along the street and the side and rear of the Lot.
- Construction fencing must be green in color and a minimum of five (5) feet in height.
- Use of construction fencing is necessary to protect the construction site against public or criminal access to the site. In addition, such fencing shall shield the remainder of the subdivision from daily construction work.
- All construction fences must be locked when construction personnel are not present.
- All construction fences must have signs warning of the safety risk of trespassing, as well as the legal penalties of doing so.
- All construction fences must be removed within seven (7) days of completion of construction.

Construction Sites – Porta Potty Requirements:

- Portable sanitation facilities (portable toilets or porta-potties) are generally discouraged as long as the Owner can make suitable arrangements with the contractor and workers.
- If the nature of the construction and situation dictates that a portable sanitation facility will be required, this fact and its proposed location should be noted on the appropriate Application for Architectural Home Improvement.
- The placement of the porta-potty must comply with the following:
 - Must be placed at the back of the Lot;
 - The door must face the rear of the Lot;
 - The porta-potty must be screened by wood fencing on three (3) sides; and
 - The porta-potty must not be under the dripline of protected trees.

- The portable sanitation facility must be removed within seven (7) days of the construction completion date.

Failure to Abide by Guidelines:

- These Guidelines are strictly enforced. If the Guidelines are not complied with, the Association has the authority to impose a fine in an amount not to exceed \$1,500.00 per incident on the Owner as a result of violations by the Contractor. It is the responsibility of the general Contractor and sub-contractor to make all project-related vendors aware of and comply with the Guidelines, however, the ultimate responsibility lies with the Owner.

The ARC may, in its sole and absolute discretion, grant a variance to these Guidelines.

The Association reserves the right to adopt further guidelines pertaining to construction fencing and use of portable sanitation facilities.

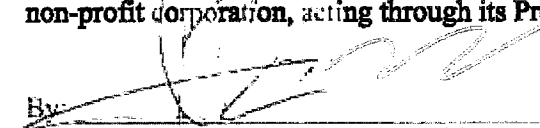
The Guidelines are effective upon recordation in the Public Records of Harris County, all other provisions contained in the Declaration or any other dedicatory instruments of the Association shall remain in full force and effect.

CERTIFICATION

I, the undersigned, being the President of the Highland Village Civic Club, Inc., hereby certify that the foregoing guidelines were adopted by at least a majority of the Highland Village Civic Club, Inc.'s Board of Directors.

Approved and adopted by the Board of Directors on the 19 day of March 2021.

HIGHLAND VILLAGE CIVIC CLUB, INC., a Texas
non-profit corporation, acting through its President

By: 

President
April 2, 2021

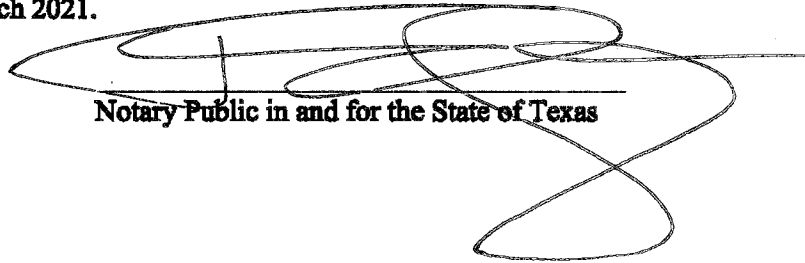
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THE STATE OF TEXAS
COUNTY OF HARRIS

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ACKNOWLEDGMENT

Adam Ross as President for Highland Village Civic Club, Inc., acknowledged this instrument before me on the 19 day of March 2021.


Notary Public in and for the State of Texas



AFTER RECORDING, RETURN TO:

SB | SEARS
BENNETT
& GERDES, LLP
6548 GREATWOOD PKWY.
SUGAR LAND, TEXAS 77479

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Pages 5
04/20/2021 11:06 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
TENESHIA HUDSPETH
COUNTY CLERK
Fees \$30.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



Teneshia Hudspeth
COUNTY CLERK
HARRIS COUNTY, TEXAS

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