

AFFIDAVIT REGARDING AUTHENTICITY OF DOCUMENTS

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF HARRIS

20120312822  
07/13/2012 RP1 \$124.00

THAT the foregoing and attached documents entitled "Resolution Regarding Adoption of Statutory Policies Braeburn Glen Civic Club A Texas Non-Profit Corporation", "Braeburn Glen Civic Club Collection Policy", "Braeburn Glen Civic Club Document Retention Policy", "Braeburn Glen Civic Club Document Production and Copying Policy", "Braeburn Glen Civic Club Deed Restriction Enforcement Policy", "Braeburn Glen Civic Club Guidelines for Roofing Materials" "Braeburn Glen Civic Club Guidelines for Display of Certain Religious Items", "Braeburn Glen Civic Club Guidelines for Solar Energy Devices", "Braeburn Glen Civic Club Guidelines for Display of Flags" and "Braeburn Glen Civic Club Guidelines for Rainwater Recovery Systems" are original documents which were adopted in connection with the operation and administration of the Braeburn Glen Civic Club, Inc., and all of the properties governed thereby. The signatures appearing on said documents are original and authorized signatures of the Board of Directors of Braeburn Glen Civic Club, Inc., and all documents attached hereto were duly and properly adopted by said Board of Directors, and are original documents which are kept in the ordinary course of business of Braeburn Glen Civic Club, Inc. The attached items constitute supplements to the Civic Club's "dedicatory instrument," as such term is defined within Section 202.001(1) of the Texas Property Code. The foregoing and attached documents are hereby filed/recorded in compliance with the mandate of Section 202.006 of the Texas Property Code.

All facts recited and statements made herein are true, correct and in all respects accurate."



Michael J. Treece, Attorney  
for Braeburn Glen Civic Club

*20*

*Sten Starnant*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

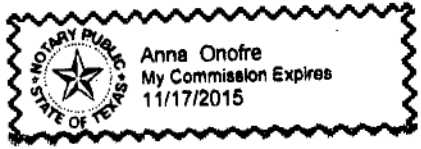
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FILED

*2012*

2012-08-13 10:00 AM

SUBSCRIBED AND SWORN TO BEFORE ME on this the 22 day of June, 2012.



*Anna Onofre*  
NOTARY PUBLIC - STATE OF TEXAS

After Filing  
Please Return to:  
Treece Law Firm  
1020 Bay Area Blvd.  
Suite 200  
Houston, Texas 77058

UNOFFICIAL

COPY

RP 883-86-1898

SUPPLEMENT TO GOVERNING DOCUMENTS  
FOR  
BRAEBURN GLEN CIVIC CLUB

STATE OF TEXAS            }  
COUNTY OF HARRIS        }

DOCUMENTS GOVERNING THE FOLLOWING SUBDIVISIONS:

BRAEBURN GLEN, SECTION ONE plat recorded in Volume 51,  
Page 37 of the Map Records of Harris County, Texas. *lee*

BRAEBURN GLEN, SECTION TWO plat recorded in Volume 59,  
Page 67 of the Map Records of Harris County, Texas.

FILED OF RECORD IN COMPLIANCE WITH SECTION 202.006 OF THE TEXAS  
PROPERTY CODE, AS PART OF THE DEDICATORY INSTRUMENTS GOVERNING THE  
ABOVE-DESCRIBED SUBDIVISIONS

SEP-90-000-1099

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**RESOLUTION REGARDING  
ADOPTION OF STATUTORY POLICIES  
BRAEBURN GLEN CIVIC CLUB  
A TEXAS NON-PROFIT CORPORATION**

WHEREAS, the By-Laws governing Braeburn Glen Civic Club ("the Civic Club"), as well as the pertinent provisions of the Texas Property Code, and the Texas Non-Profit Corporation Act (Business Organizations Code), authorize the Civic Club, acting through its Board of Directors, to exercise all powers reasonable and necessary for the governance and operation of the Civic Club;

WHEREAS, the Texas State Legislature recently enacted certain statutes applicable to community Civic Clubs throughout the State of Texas, including a requirement that certain policies and procedures be adopted by each such organization, and that such policies be recorded in the office of the County Clerk as a dedicatory instrument, in accordance with Section 202.006 of the Texas Property Code; and,

WHEREAS, the Board of Directors desire to adopt those policies and procedures as specified below, and which shall be attached hereto and recorded in the office of the County Clerk, in accordance with the recent legislation.

NOW, THEREFORE, BE IT RESOLVED that the following policies are hereby adopted in accordance with the requirements of Chapter 209 of the Texas Property Code:

- Collection Policy
- Document Retention Policy
- Document Production and Copying Policy
- Deed Restriction Enforcement Policy
- Roofing Guidelines
- Religious Items Guidelines
- Solar Devices Guidelines
- Flag Guidelines
- Rainwater Systems Guidelines

This Resolution Regarding Adoption of Policies is hereby adopted on behalf of the Civic Club, and in accordance with the mandate of Chapter 209 of the Texas Property Code.

Adopted on this 12<sup>th</sup> day of June, 2012.

2012-06-12 11:02 AM

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BRAEBURN GLEN CIVIC CLUB

Signature

Print Name

Position

*Adrian John*  
Signature

ADRIENNE AILLEN  
Print Name

First Vice President  
Position

*Lisa Kennedy Jones*  
Signature

LISA KENNEDY JONES  
Print Name

1 YEAR BOARD MEMBER  
Position

*Anne Duggan*  
Signature

ANNE DUGGAN  
Print Name

3rd Vice President  
Position

*Dick McFarland*  
Signature

Dick McFarland  
Print Name

2nd Vice Pres  
Position

*D.H.S.*  
Signature

Signature

Print Name

Position

*Annette J. Ramirez*  
Signature

Annette J. Ramirez  
Print Name

3 year Member  
Position

*C Anderson*  
Signature

C Anderson  
Print Name

Secretary  
Position

Signature

Print Name

Position

Signature

Print Name

Position

Signature

Print Name

Position

President

1001-98-888-11

## **BRAEBURN GLEN CIVIC CLUB COLLECTION POLICY**

### **Purpose:**

The Board of Directors recognizes the importance of collecting the annual maintenance fees and related charges which promote the health, recreation and welfare of the members and their properties, as well as subdivision common areas, amenities, and associated facilities. The purpose of this policy is to ensure that Civic Club dues and related charges are collected in a timely manner.

### **Policy:**

The Board of Directors will establish Civic Club dues each year. An assessment invoice shall be mailed to each Member in either November or early December stating the amount due. It is the responsibility of each respective member / property owner to notify the Civic Club, its managing agent, or a Director if an assessment invoice is not received by the Member by December 31<sup>st</sup>.

Payment deadline of the annual dues is expected on or before January 1<sup>st</sup> of each successive calendar year. A 30-day grace period (until January 31<sup>st</sup>) is automatically granted to all Members. During this grace period, late fees and interest shall not accrue against an account, unless a delinquency exists from a previous year. As of February 1, an assessment or any portion thereof that is delinquent shall incur interest at the annual rate of ten percent (10.00%), and shall also be assessed a monthly late charge in the event such late charge has been duly adopted by the Board of Directors.

The Civic Club, its managing agent, or its Directors may send one or more letters (following the grace period) notifying the member / property owner of the delinquency, in accordance with Board instructions. The final letter shall be sent via certified mail, return receipt requested, and a copy sent by regular mail. Such final letter shall include the language required by Chapter 209 of the Texas Property Code, whereby the owner shall be notified of the owner's right to appear before the Board of Directors, and shall be notified of the fact that additional fees and costs will likely be added to an account which is eventually referred to an attorney for collection. By March of a respective year, the member / property owner shall have been sent at least one delinquency notice. The owner shall be responsible for all postage costs associated with the delinquent notice(s) that are sent.

The Civic Club shall permit delinquent homeowners to pay all amounts, delinquent or otherwise, owing to the Civic Club by way of a monthly payment plan. A reasonable fee shall be assessed to the owner's account for preparation of the payment plan, along with a reasonable monthly administrative fee for each payment received and processed. For the duration of the payment plan, interest will continue to accrue against the delinquent assessments appearing on the account, however, late fees and/or collection costs will be waived during the duration of the payment plan. The minimum term of a payment plan shall be three (3) months, and the maximum term shall be eighteen (18) months. Should a homeowner fail to honor the terms of a payment plan, the Civic Club is not required to offer such homeowner any additional payment plan, for a period of two (2) years, from and after the date of such owner's default under the original plan.

Members / property owners who have not paid their annual assessments shall be referred to the Civic Club's attorney for appropriate collection efforts. The owner shall be responsible for all legal fees associated with delinquent assessments, as well as any other outstanding balance. In the event that dues and related charges remain delinquent after the attorney's demand letter, the attorney shall be authorized to bring such legal action as is appropriate in a Court of competent jurisdiction, seeking judgment against the property owners, as well as such other relief at law and/or in equity as is deemed necessary and appropriate. Formal legal action shall be brought against those owners and/or properties sustaining a delinquent balance and/or which accounts reflect assessments and related charges which are overdue, after a vote of the Board of Directors to proceed with such legal action, which vote shall be conducted at a regular or special meeting of the Board, after

proper notice to owners in accordance with the Texas Property Code, and the results of such vote shall be reflected in the minutes of the meeting.

**Priority of Payments**

Payments shall be applied in the following order:

1. Any delinquent assessment;
2. Any current assessment;
3. Any attorney's fees or 3<sup>rd</sup> party collection costs incurred by the Civic Club related to efforts to collect assessments or any other charge that could provide basis for foreclosure;
4. Any attorney's fees not subject to (3);
5. Any fines assessed by the Civic Club; and
6. Any other amount owed to the Civic Club.

Exception, if an Owner is in default on a payment plan, the Civic Club is not required to apply any payment in the above specified order of priority.

Adopted by Resolution of the Board of Directors on this 12 day of June, 2012

Signed:

*[Handwritten Signature]*  
*[Handwritten Signature]*  
*[Handwritten Signature]*  
*[Handwritten Signature]*  
*[Handwritten Signature]*

*[Handwritten Signature]*  
*[Handwritten Signature]*

REP 883-96-1188

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**BRAEBURN GLEN CIVIC CLUB  
DOCUMENT RETENTION POLICY**

This document sets forth the Braeburn Glen Civic Club's general policy regarding the retention of all documents created, produced and/or utilized by the Civic Club.  
The Civic Club shall follow the document retention policy described below:

**1. Permanently Retained Documents.**

- a. Certificate of Formation / Articles of Incorporation, and all amendments thereto;
- b. Bylaws of the Civic Club, and all amendments thereto;
- c. Declaration of Covenants, Conditions and Restrictions for all Sections of the subdivisions governed by Braeburn Glen Civic Club, and all amendments, supplements, annexation agreements and other documents related thereto.

**2. Documents Retained for Not Less than Seven (7) Years.**

- a. Financial books;
- b. Financial records;
- c. Minutes of the meetings of the owners;
- d. Minutes of the meetings of the board;
- e. Tax returns;
- f. Audit records.

**3. Documents Retained for Not Less than Five (5) Years**

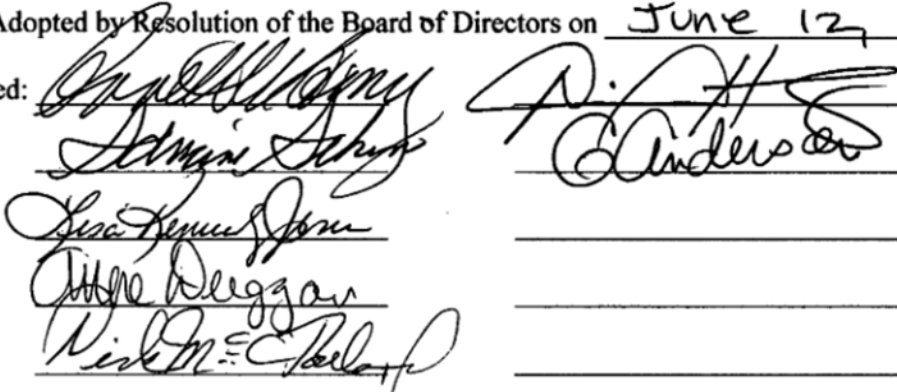
- a. Account records of all current owners;

**4. Documents Retained for Not Less than Four (4) Years**

- a. All contracts with a term of one year or more shall be retained for four (4) years after the expiration of the contract term. All records of decisions reached by the Board of Directors and/or Architectural Committee regarding applications, variances, waivers and/or related matters associated with individual properties.

Adopted by Resolution of the Board of Directors on June 12, 2012

Signed:

  
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**BRAEBURN GLEN CIVIC CLUB  
DOCUMENT PRODUCTION AND COPYING POLICY**

This document sets forth the Braeburn Glen Civic Club's general policy regarding the production of Civic Club records pursuant to the Civic Club's By-Laws, the respective Declaration of Covenants, Conditions & Restrictions encumbering all properties governed by Braeburn Glen Civic Club, as well as applicable State and Federal laws.

1. **Records in General.** The Civic Club shall make the books and records of the Civic Club, including financial records, open to and available for examination by an owner, or a person designated in a writing signed by the owner as the owner's agent, attorney or certified public accountant, in accordance with Section 209.005 of the Texas Property Code.
2. **Attorney's Records Exception.** Attorney's files and records relating to the Civic Club, excluding invoices requested by an owner under TPC Section 209.008(d), are not records of the Civic Club and are not subject to inspection by the owner.
3. **Parties Entitled to Request Records.** An owner, or a person designated in a writing signed by the owner as the owner's agent, attorney or certified public accountant, in accordance with Section 209.005 of the Texas Property Code. To ensure a writing designating an owner's agent is authentic, the owner must include a copy of his/her photo ID or have the designation notarized.
4. **Request for Records.** A party described in Section 3 above must submit a written request for access to, or information contained within, the Civic Club records, by certified mail, with sufficient detail describing the Civic Club's books and records requested, to the Civic Club's managing agent at P.O. Box 710346, Houston, Texas 77271. The person requesting the records must state in the request whether they are requesting to inspect the books and records prior to obtaining copies, or if they are requesting to have the Civic Club forward copies of the requested books and records. If requesting to have the Civic Club forward copies of the requested records and books the letter must indicate the format requested and method of delivery requested.
  - a. Upon receipt of a proper request, the Civic Club shall, on or before the 10<sup>th</sup> business day, after the date the Civic Club receives the request, send written notice of dates during normal business hours that the owner may inspect the requested books and records to the extent those books and records are in the possession, custody, or control of the Civic Club; or
  - b. If copies of identified books and records are requested, the Civic Club shall, to the extent those books and records are in the possession, custody, or control of the Civic Club, produce the requested books and records for the requesting party on or before the 10<sup>th</sup> business day after the date the Civic Club receives the request, and any required advance payment has been received.
5. **Format.** The Civic Club may produce the requested books and records in hard copy, electronic, or other format reasonably available to the Civic Club.
6. **Method of Delivery.** Email, certified mail, facsimile or pick-up.
7. **Delay in Delivery.** If the Civic Club is unable to produce, or make available for review, the requested books and records on or before the 10<sup>th</sup> business day after receipt of a request, the Civic Club will provide in writing to the requestor notice of its inability to produce the requested books and records within the proscribed period of time, and the date by which the books and records will be available, to be no later than the 15<sup>th</sup> business day after the date of notice given by the Civic Club.
8. All costs related to a Request for Production will be passed on to the Owner making the request, and must be paid at the time of production.
9. **Records Not Available for Inspection.**

- a. the financial records associated with an individual owner; and
- b. deed restriction violation details for an individual owner; and
- c. personal information, including contact information other than an address for an individual owner; and
- d. attorney files and records in the possession of the attorney; and
- e. attorney-client privileged information in the possession of the Civic Club.

The information in a, b and c above will be released if the Civic Club receives express written approval from the owner whose records are the subject of the request for inspection.

**10. Costs for Production Request.**

Any costs associated with a Records request must be paid in advance of delivery by the owner or their proxy. An owner who makes a request for Records and subsequently declines to accept delivery will be liable for payment of all costs under this Policy. The Civic Club may charge an owner for the compilation, production or reproduction of books and records requested by the owner or the owner's representative, which cost may include all reasonable costs of materials, labor, and overhead. Costs will be billed at the rate(s) provided for in Section 70.3 of the Texas Administrative Code, as such section of the Code currently exists or as it may hereafter be amended.

11. On a case-by-case basis, in the absolute discretion of the Civic Club, and with concurrence of the owner, the Civic Club may agree to invoice the cost of the Records request to the owner's account. Owner agrees to pay the total amount invoiced within thirty (30) days after the date a statement is mailed to the Owner. Any unpaid balance will accrue interest as an assessment as allowed under the Declarations.
12. On a case-by-case basis where an owner request for Records is deemed to be minimal, the Civic Club or its managing agent reserves the right to waive notice under section 2 and/or fees under section 4.
13. All costs associated with fulfilling the request under this Policy will be paid by the Civic Club's Managing Agent. All fees paid to the Civic Club under this Policy will be reimbursed to the Civic Club's Managing Agent or paid directly to the Civic Club's Managing Agent.

**14. Fees and Charges:**

- a. **Compilation/Production Fee:** \$15.00 per hour, to be no less than \$30.00 charge for each examination request; production or inspection.

b. **Copies:** The following charges shall apply unless otherwise dictated by the state Attorney General or the Texas Administrative Code:

- i. black and white 8½"x11" single sided copies ... \$0.10 each
- ii. black and white 8½"x11" double sided copies ... \$0.20 each
- iii. color 8½"x11" single sided copies ... \$0.50 each
- iv. color 8½"x11" double sided copies ... \$1.00 each
- v. PDF images of documents ... \$0.10 per page

c. **Compact Disk** ... \$1.00 each

d. **Mailing supplies** ... \$1.00 per mailing

e. **Postage:** cost

f. **Other supplies:** cost

g. **Third party fees:** cost

Adopted by Resolution of the Board of Directors this 12 day of JUNE, 2012

Signed:

*[Handwritten signatures on lines]*  
Anderson  
Lisa Kennedy Jones  
M. Huggan  
D. H. G.

2012-06-11 11:17 AM

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STATE OF TEXAS

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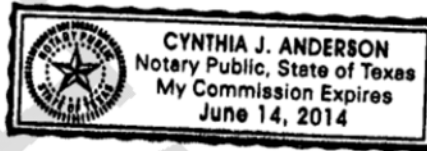
COUNTY OF HARRIS

Before me, the undersigned authority, on this day personally appeared David Hernandez,  
President (position) of Braeburn Glen Civic Club, a Texas non-profit corporation, known  
to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to  
me that he/she had executed the same as the act of said entity for the purpose and consideration therein  
expressed, and in the capacity therein stated.

Given under my hand and seal of office this 12<sup>th</sup> day of June, ~~2011~~ 2012 69a

Cynthia Anderson  
Notary Public, State of Texas

\_\_\_\_\_  
Printed Name



RP 083-06-1188

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**BRAEBURN GLEN CIVIC CLUB  
DEED RESTRICTION ENFORCEMENT POLICY**

**PURPOSE**

To adopt a policy which addresses the uniform enforcement of deed restrictions by Braeburn Glen Civic Club.

**SCOPE**

This policy applies to all members of the Braeburn Glen Civic Club, and all Lots which are subject to the respective Declaration of Covenants, Conditions & Restrictions encumbering all properties governed by Braeburn Glen Civic Club (collectively referred to as "the Declarations")

**REFERENCE (S)**

The aforementioned Declarations  
The Civic Club's Bylaws  
The Articles of Incorporation for the Civic Club  
And all other governing documents for the Civic Club, including but not limited to any published rules, regulations, guidelines, and resolutions.

**Definitions**

**Courtesy Letter:** A letter sent to the owner and tenant (if applicable) to create an awareness of an alleged violation of the Deed Restrictions.

**Deed Restriction:** As used herein, the term "deed restriction" is intended to include the architectural control provisions and the use restrictions as set forth within the Declarations

**Inspector:** A person officially appointed to make inspections and report to the Board of Directors, who includes the property manager or her designee, any member of the Civic Club's Board of Directors. An inspector as defined herein must verify all alleged violations.

**Maintenance:** To repair or replace to an operable, functional and aesthetically pleasing condition.

**Violation:** Any act or condition, or lack of maintenance, willful or not, by property owner or tenant that causes a property or its improvements to be in noncompliance with the Deed Restrictions.

**POLICY**

The policy for the enforcement of deed restrictions by the Civic Club as is follows:

- I. **Owner's Address:** Each owner shall notify the Civic Club in writing, at all times, of his/her current mailing address. Inspector or his/her designee has the authority to automatically order a title search

at owners costs whenever mail sent by the Inspector or his/her designee to an owner is returned by the post office as undeliverable or if the Inspector or his/her designee believes or has good reason to believe that ownership has changed. Any costs incurred by the Civic Club in determining or attempting to determine ownership of the property or locating or attempting to locate the owner, and caused by failure of the owner to advise the Civic Club of his/her mailing address, shall become charges due against the owner's account and charges against the owner's lot. Deed restriction violation enforcement shall not cease solely because notices are returned by the post office. The failure of an owner or tenant (if applicable) to receive notice(s) shall not waive or negate any requirement to comply with the restrictions or any charges due.

II. Notification: Following a deed restriction inspection and observation of a violation, a resident in violation of the deed restrictions shall receive notification of the violation as follows:

A. Courtesy & First Letter

Upon inspection and observation of the violation, a letter shall be sent via regular mail to notify owner and tenant (if applicable) of the violation of the deed restrictions and to request correction of the violation. Owner and tenant (if applicable) shall be advised that further correspondence from the Civic Club with respect to the violation will result in an administrative charge of no more than \$50.00 to be applied to his/her account.

Owner and tenant (if applicable) shall be advised to notify the Civic Club, its managing agent, or the Board of Directors if extenuating circumstances exists, if additional time to correct the violation is necessary, or if further information is needed. Owner and tenant (if applicable) will be given an opportunity to be heard at the next regular meeting of the Board of Directors.

In the unusual circumstances that the Civic Club seeks an injunction to prohibit a violation of the Declarations by an owner or tenant (if applicable) and the Civic Club needs immediate relief otherwise it will suffer irreparable harm, the Civic Club may file suit for a temporary and/or permanent injunction without any further notice to the owner or tenant (if applicable). In the event an injunction is a possible remedy, the Civic Club attorney may send the first letter to owner or tenant (if applicable).

B. Second Letter:

Upon subsequent inspection and observation of the violation, a letter shall be sent, certified return receipt requested and regular mail, to notify owner and tenant (if applicable) of the failure to correct the violation and to request correction of violation. The owner and tenant (if applicable) will be advised that this second letter resulted in the imposition of a charge no more than \$50.00 to his/her account, and advised that it is the intent of the Civic Club to turn the violation over to the Civic Club attorney if not corrected. In accordance with the Texas Property Code, a charge of no more than \$50.00 is applied to the violator's account, and as required, a statement of the charge (Cost Recovery Statement) will be mailed to the property owner at the last known address reflected on the Civic Club records. The owner will also be advised of the fact that all legal fees and related expenses will be charged back to the owner, in the event the matter is eventually referred to legal counsel.

Owner and tenant (if applicable) will be advised to notify the Civic Club, its managing agent, or the Board of Directors if extenuating circumstances exist, if additional time to correct is

necessary, or if further information is needed. Owner and tenant (if applicable) will be given opportunity to be heard at the next regular meeting of the Board of Directors.

C. Board

Upon subsequent inspection and observation of the violation, a photograph of the violation will be taken. The Board will make a determination no later than the next regular Board meeting whether to refer the violation to the Civic Club attorney for a demand letter. The Board has the discretion to consider special circumstances applying to owner or tenant (if applicable)

D. Demand Letter

The violation is referred to the Civic Club's attorney for a demand letter. The violation will remain on the inspection list until final resolution of the violation. A photograph may be taken of the violation on any inspection thereafter, if required by the Civic Club attorney.

Once the Board has referred the violation to an attorney, all communications and correspondence shall be directed to the attorney. No owner or tenant (if applicable) shall communicate about the violation directly with the Board of Directors or the manager(s) for the Civic Club once the Board of Directors has referred the file to the attorney for enforcement.

Any and all attorney fees associated with the demand for violation correction and collection of the associated fees shall be imposed on the owner's account and immediately become eligible for collection.

- III. Recurring Violator: The Board has the discretion to proceed to the SECOND LETTER or DEMAND LETTER if an owner or tenant (if applicable) violates the same restriction within a six (6) month period.
- IV. Forced Mowing As authorized by the Declarations, the Civic Club reserves the right to cure the violations as it relates to yard maintenance, after appropriate notice, and to charge the owner for the cost of such work.

Approved and adopted by the Board on this 12 day of JUNE 2012

  
Signature \_\_\_\_\_  
Position President  
Braeburn Glen Civic Club

STATE OF TEXAS

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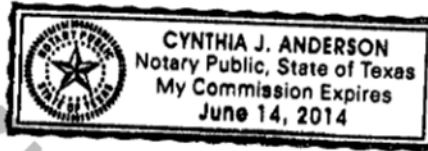
COUNTY OF HARRIS

Before me, the undersigned authority, on this day personally appeared David Hernandez  
President (position) of Braeburn Glen Civic Club, a Texas non-profit corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he/she had executed the same as the act of said entity for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 12<sup>th</sup> day of June, ~~2011~~ 2012

Cynthia Anderson  
Notary Public, State of Texas

Printed Name



RP 883-06-1112

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**BRAEBURN GLEN CIVIC CLUB  
GUIDELINES FOR ROOFING MATERIALS**

STATE OF TEXAS  
COUNTY OF HARRIS

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KNOW ALL PERSONS BY THESE PRESENTS:

WHEREAS, the Braeburn Glen Civic Club ("the Civic Club") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the Civic Club's By-Laws, the respective Declaration of Covenants, Conditions & Restrictions encumbering all properties governed by Braeburn Glen Civic Club (collectively referred to as "the Declarations"), as well as applicable State and Federal laws; and

WHEREAS, Chapter 202 of the Texas Property Code was amended to add Section 202.011, addressing the regulation of roofing materials; and

WHEREAS, the Board of Directors of the Civic Club ("the Board") has determined that in keeping with the new laws, and in connection with maintaining the aesthetics and architectural harmony of the community, and to provide clear and definitive guidance regarding roofing materials permitted within the community, it is necessary and proper for the Civic Club to adopt guidelines regarding roofing materials within the community.

NOW, THEREFORE, the Board has duly adopted the following Guidelines for Roofing Materials within the community.

1. All buildings shall be roofed with composition shingles unless otherwise approved in writing by the Architectural Committee. Wood shingles are specifically prohibited for safety reasons.
2. Composition shingles must weigh at least 230 pounds per square and have a stated warranty of at least 25 years. Shingles must have a laminated design. Three-tab shingles are specifically prohibited except for use as a starter and cap rows.
3. Roof shingles must be dark brown or dark gray tones / colors. Light brown, light gray, blue, green, red and white colors are not allowed.
4. Roof overlays are not allowed. Prior to roofing, all existing materials must be removed down to clean decking. Any damaged or deteriorated decking must be replaced.
5. Ridge vent are encouraged, to improve ventilation, reduce attic temperature and reduce cooling costs, but are not required.
6. All roof protrusions, such as vents, vent pipes, and roof jacks, must be painted to match the shingles.
7. Subject to Section 8 below and with advance written approval from the Architectural Committee, an owner may install shingles ("Alternative Shingles") which are designed primarily to:
  - a. be wind and hail resistant; or
  - b. provide heating or cooling efficiencies greater than traditional composition shingles; or
  - c. provide solar energy capture capabilities.

8. Once installed, any such Alternative Shingles must:
  - a. resemble the shingles used or authorized to be used on other structures within the Civic Club; and
  - b. be more durable than and of equal or superior quality to the shingles used or authorized to be used on other structures within the Civic Club; and
  - c. match the aesthetics of properties surrounding the owner's property.

These guidelines are effective upon being recorded in the Official Public Records of Real Property of Harris County, and supersede any guidelines for roofing materials which may have previously been in effect. Except as affected by Section 202.011 and/or by these guidelines, all other provisions contained in the Declarations or any other dedicatory instruments of the Civic Club shall remain in full force and effect.

Approved and adopted by the Board on this 12 day of June 2012

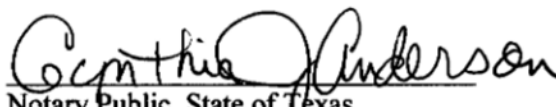
  
 Signature \_\_\_\_\_  
 Position President  
 Braeburn Glen Civic Club

STATE OF TEXAS

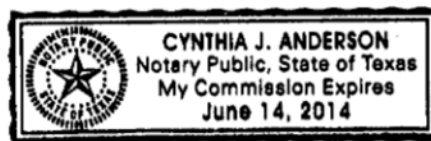
COUNTY OF HARRIS

Before me, the undersigned authority, on this day personally appeared David Hernandez  
President (position) of Braeburn Glen Civic Club, a Texas non-profit corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he/she had executed the same as the act of said entity for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 12<sup>th</sup> day of June, 2012

  
 Notary Public, State of Texas

Printed Name



**BRAEBURN GLEN CIVIC CLUB  
GUIDELINES FOR DISPLAY OF CERTAIN RELIGIOUS ITEMS**

STATE OF TEXAS  
COUNTY OF HARRIS

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§  
§

KNOW ALL PERSONS BY THESE PRESENTS:

WHEREAS, the Braeburn Glen Civic Club ("the Civic Club") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the Civic Club's By-Laws, the respective Declaration of Covenants, Conditions & Restrictions encumbering all properties governed by Braeburn Glen Civic Club (collectively referred to as "the Declarations"), as well as applicable State and Federal laws; and

WHEREAS, Chapter 202 of the Texas Property Code was amended to add Section 202.018, addressing the regulation of display of certain religious items; and

WHEREAS, the Board of Directors of the Civic Club ("the Board") has determined that in keeping with the new laws, and in connection with maintaining the aesthetics and architectural harmony of the community, and to provide clear and definitive guidance regarding the display of certain religious items therein, it is appropriate for the Civic Club to adopt guidelines regarding the display of certain religious items within the community.

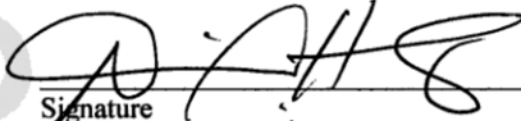
NOW, THEREFORE, the Board has duly adopted the following Guidelines for Display of Certain Religious Items within the community.

1. A property owner or resident may display or attach one or more religious items to each or any entry to their dwelling. Such items may include anything related to any faith that is motivated by the resident's sincere religious belief or tradition.
2. Individually or in combination with each other, the items at any entry may not exceed 25 square inches total in size.
3. The items may only be displayed on or attached to the entry door or frame and may not extend beyond the outside edge of the door frame.
4. To the extent allowed by the Texas state constitution and the United States constitution, any such displayed or affixed religious items may not:
  - a. threaten public health or safety; or
  - b. violate any law; or
  - c. contain language, graphics or any display that is patently offensive to a passerby.
5. Approval from the Architectural Committee is not required for displaying religious items in compliance with these guidelines.
6. As provided by Section 202.018, the Civic Club may remove any items displayed in violation of these guidelines.

These guidelines are effective upon being recorded in the Official Public Records of Real Property of Harris County, and supersede any guidelines for certain religious items which may have previously been in effect.

Except as affected by Section 202.018 and/or by these guidelines, all other provisions contained in the Declarations or any other dedicatory instruments of the Civic Club shall remain in full force and effect.

Approved and adopted by the Board on this 12 day of June 2012

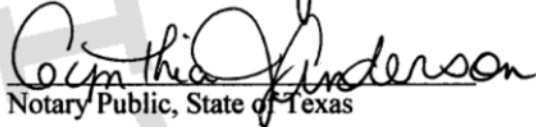


Signature  
Position President  
Braeburn Glen Civic Club

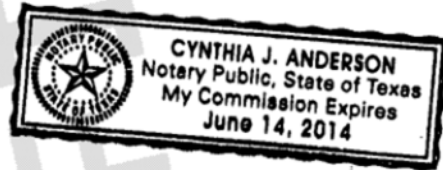
STATE OF TEXAS           §  
  §  
COUNTY OF HARRIS       §

Before me, the undersigned authority, on this day personally appeared David Hernandez, President (position) of Braeburn Glen Civic Club, a Texas non-profit corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he/she had executed the same as the act of said entity for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 12<sup>th</sup> day of June, 2011. 2012 692

  
Notary Public, State of Texas

\_\_\_\_\_  
Printed Name



9111-98-888 888



**BRAEBURN GLEN CIVIC CLUB  
GUIDELINES FOR SOLAR ENERGY DEVICES**

STATE OF TEXAS  
COUNTY OF HARRIS

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§  
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KNOW ALL PERSONS BY THESE PRESENTS:

WHEREAS, the Braeburn Glen Civic Club ("the Civic Club") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the Civic Club's By-Laws, the respective Declaration of Covenants, Conditions & Restrictions encumbering all properties governed by Braeburn Glen Civic Club (collectively referred to as "the Declarations"), as well as applicable State and Federal laws; and

WHEREAS, Chapter 202 of the Texas Property Code was amended to add Section 202.010, addressing the regulation of solar energy devices; and

WHEREAS, the Board of Directors of the Civic Club ("the Board") has determined that in keeping with the new laws, and in connection with maintaining the aesthetics and architectural harmony of the community, and to provide clear and definitive guidance regarding solar energy devices therein, it is appropriate for the Civic Club to adopt guidelines regarding solar energy devices within the community.

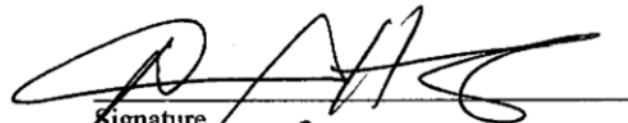
NOW, THEREFORE, the Board has duly adopted the following Guidelines for Solar Energy Devices within the community.

1. These guidelines apply to solar energy devices ("Devices") as defined in Section 171.107(a) of the Texas Tax Code. A solar energy device means a system or series of mechanisms designed primarily to provide heating or cooling or to produce electrical or mechanical power by collecting and transferring solar-generated energy. The term includes a mechanical or chemical device that has the ability to store solar-generated energy for use in heating or cooling, heating water, or in the production of power.
2. Such Devices may only be installed with advance written approval of the Architectural Committee subject to these guidelines.
3. Any such Device must be installed on land or structures owned by the property owner. No portion of the Devices may encroach on adjacent properties or common areas.
4. Such Devices may only be installed in the following locations:
  - a. on the roof of the main residential dwelling; or
  - b. on the roof of any other approved structure; or
  - c. within a fenced yard or patio.
5. For Devices mounted on a roof, the Device must:
  - a. have no portion of the Device higher than the roof section to which it is attached; and
  - b. have no portion of the Device extend beyond the perimeter boundary of the roof section to which it is attached; and

- c. conform to the slope of the roof; and
  - d. be aligned so the top edge of the Device is parallel to the roof ridge line for the roof section to which it is attached; and
  - e. have a frame, brackets and visible piping or wiring that is a color to match the roof shingles or a silver, bronze or black tone commonly available in the marketplace; and
  - f. be located in a position on the roof which is least visible from any street or common area, so long as such location does not reduce estimated annual energy production more than 10% over alternative roof locations (as determined by a publically available modeling tool provided by the National Renewable Energy Laboratory [[www.nrel.gov](http://www.nrel.gov)] or equivalent entity).
6. For Devices located in a fenced yard or patio, no portion of the Device may extend above the top of the fence. If the fence is not a solid fence which blocks view of the Device, the Civic Club may require the Device be placed in a location behind a structure or otherwise require visual screening. The Civic Club may consider installation of Devices on properties without a fenced yard if there is adequate screening from public view from any street or common area.
  7. All Devices must be installed in compliance with manufacturer's instruction and in a manner which does not void material warranties. Licensed craftsmen must be used where required by law. Permits must be obtained where required by law.
  8. Installed Devices may not:
    - a. threaten public health or safety; or
    - b. violate any law; or
    - c. substantially interfere with the use and enjoyment of land by causing unreasonable discomfort or annoyance to any adjoining property owner.
  9. All Devices must be maintained in good repair. Unused or inoperable Devices must be removed.

These guidelines are effective upon being recorded in the Official Public Records of Real Property of Harris County, and supersede any guidelines for solar energy devices which may have previously been in effect. Except as affected by Section 202.010 and/or by these guidelines, all other provisions contained in the Declarations or any other dedicatory instruments of the Civic Club shall remain in full force and effect.

Approved and adopted by the Board on this 12 day of JUNE 2012

  
 Signature \_\_\_\_\_  
 Position President  
 Braeburn Glen Civic Club

STATE OF TEXAS

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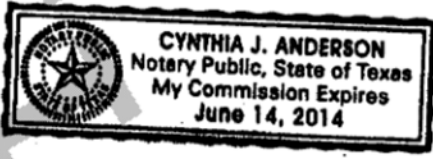
COUNTY OF HARRIS

Before me, the undersigned authority, on this day personally appeared David Hernandez  
President (position) of Braeburn Glen Civic Club, a Texas non-profit corporation, known  
to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to  
me that he/she had executed the same as the act of said entity for the purpose and consideration therein  
expressed, and in the capacity therein stated.

Given under my hand and seal of office this 12<sup>th</sup> day of June, ~~2011~~ 2012 *gja*

Cynthia Anderson  
Notary Public, State of Texas

Printed Name



033-236-1119

COPY

**BRAEBURN GLEN CIVIC CLUB  
GUIDELINES FOR DISPLAY OF FLAGS**

STATE OF TEXAS

§

KNOW ALL PERSONS BY THESE PRESENTS:

COUNTY OF HARRIS

§

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WHEREAS, the Braeburn Glen Civic Club ("the Civic Club") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the Civic Club's By-Laws, the respective Declaration of Covenants, Conditions & Restrictions encumbering all properties governed by Braeburn Glen Civic Club (collectively referred to as "the Declarations"), as well as applicable State and Federal laws; and

WHEREAS, Chapter 202 of the Texas Property Code was amended to add Section 202.011 addressing the display of flags; and

WHEREAS, the Board of Directors of the Civic Club ("the Board") has determined that in keeping with the new laws, and in connection with maintaining the aesthetics and architectural harmony of the community, and to provide clear and definitive guidance regarding the display of flags within the community, it is necessary and appropriate for the Civic Club to adopt guidelines regarding the display of flags.

NOW, THEREFORE, the Board has duly adopted the following Guidelines for Display of Flags within the community:

1. These Guidelines apply to the display of ("Permitted Flags"):
  - a. the flag of the United States; and
  - b. the flag of the State of Texas; and
  - c. the official flag of any branch of the United States armed forces.
2. These Guidelines do not apply to any flags other than the Permitted Flags listed in Section 1 above including, but not limited to:
  - a. flags for schools, sports teams, businesses or foreign countries; or
  - b. flags with marketing, seasonal, historical, commemorative, nautical, political or religious themes; or
  - c. historical versions of flags permitted in section 1 above.
3. Permitted Flags may be displayed subject to these guidelines. Advance written approval of the Civic Club's Architectural Committee is required for any free-standing flagpole and any additional illumination associated with the display of Permitted Flags.
4. Permitted Flags must be displayed in a respectful manner in accordance with pertinent federal, state and/or military codes.
5. Permitted Flags must be displayed from a pole attached to a structure or to a free-standing pole. Permitted Flags may not be draped over or directly attached to structures. For example, a Permitted Flag may not be laid across a fence or stapled to a structure.
6. Permitted Flags shall be no larger than three feet (3') by five feet (5') in size.

0033-026-1120

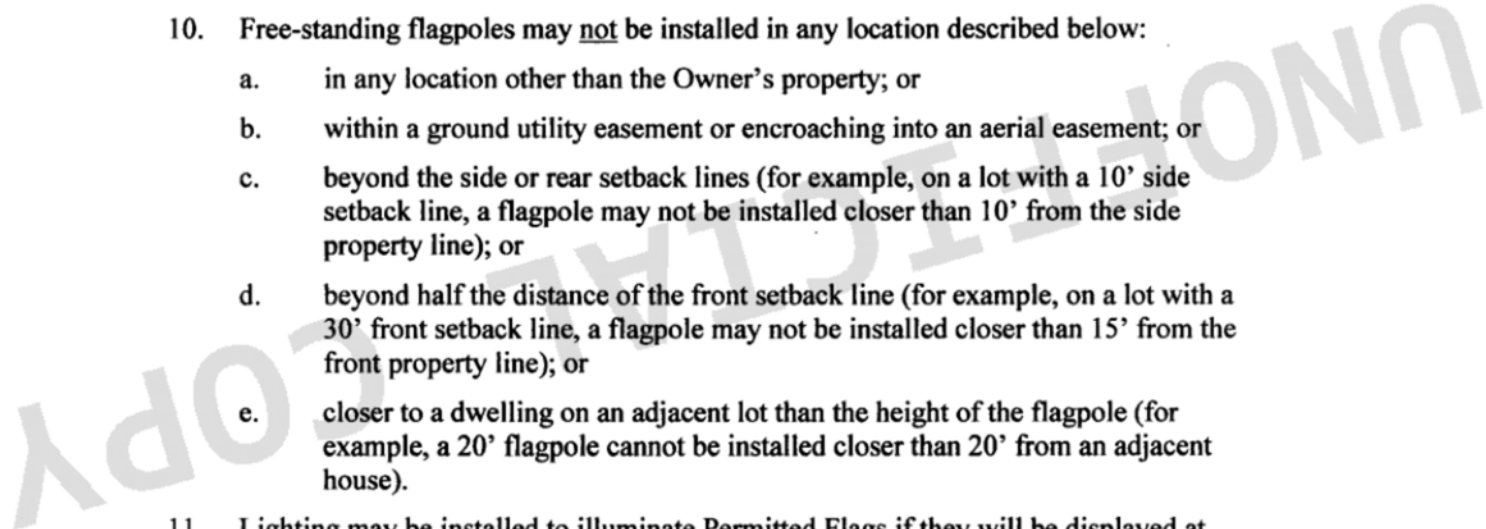
UNOFFICIAL COPY

7. Only one Permitted Flag may be displayed on a flagpole attached to a structure. Up to two Permitted Flags may be displayed on an approved free-standing flagpole that is at least fourteen feet (14') tall.
8. Flagpoles must be constructed of permanent, long-lasting materials with an appropriate finish that is harmonious with the dwelling.
9. A flagpole attached to a structure may be up to six feet (6') long and must be securely attached with a bracket with an angle of 30 to 45 degrees down from vertical. The flagpole must be attached in such a manner as not to damage the structure. One attached flagpole is allowed on any portion of a structure facing a street and one attached flagpole is allowed on the rear or backyard portion of a structure. Brackets which accommodate multiple flagpoles are not allowed.

Free-standing flagpoles may be up to twenty feet (20') tall, including any ornamental caps. Free-standing flagpoles must be permanently installed in the ground according to manufacturer's instructions. One free-standing flagpole is allowed in the portion of the owner's property between the main residential dwelling and any street and one free-standing flagpole is allowed in the rear or backyard portion of a property.

10. Free-standing flagpoles may not be installed in any location described below:
  - a. in any location other than the Owner's property; or
  - b. within a ground utility easement or encroaching into an aerial easement; or
  - c. beyond the side or rear setback lines (for example, on a lot with a 10' side setback line, a flagpole may not be installed closer than 10' from the side property line); or
  - d. beyond half the distance of the front setback line (for example, on a lot with a 30' front setback line, a flagpole may not be installed closer than 15' from the front property line); or
  - e. closer to a dwelling on an adjacent lot than the height of the flagpole (for example, a 20' flagpole cannot be installed closer than 20' from an adjacent house).
11. Lighting may be installed to illuminate Permitted Flags if they will be displayed at night and if existing ambient lighting does not provide proper illumination. Flag lighting must:
  - a. be ground mounted in the vicinity of the flag; and
  - b. utilize a fixture that screens the bulb and directs light in the intended direction with minimal spillover; and
  - c. point towards the flag and face the main structure on the property or to the center of the property if there is no structure; and
  - d. provide illumination not to exceed the equivalent of a 60 watt incandescent bulb.
12. Flagpoles must not generate unreasonable noise levels which would disturb the quiet enjoyment of other residents. Each flagpole owner should take steps to reduce noise levels by using vinyl or plastic snap hooks, installing snap hook covers or securing a loose halyard (rope) around the flagpole with a flagpole clasp.
13. Flagpoles are allowed solely for the purpose of displaying Permitted Flags. If a flagpole is no longer used on a daily basis, it must be removed.

PP 883-86-1121



14. All flags and flagpoles must be maintained in good condition. Deteriorated flags must be removed and promptly replaced. Deteriorated or structurally unsafe flagpoles must be promptly repaired, replaced or removed.

These guidelines are effective upon being recorded in the Official Public Records of Real Property of Harris County, and supersede any guidelines for display of flags which may have previously been in effect. Except as affected by Section 202.007(d) and/or by these guidelines, all other provisions contained in the Declarations or any other dedicatory instruments of the Civic Club shall remain in full force and effect.

Approved and adopted by the Board on this 12 day of June 20112


  
Signature \_\_\_\_\_  
Position President  
Braeburn Glen Civic Club

STATE OF TEXAS

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COUNTY OF HARRIS

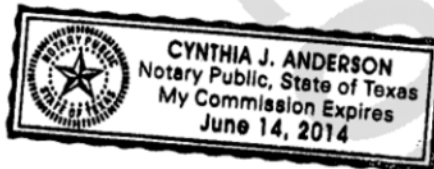
Before me, the undersigned authority, on this day personally appeared David Hernandez, President (position) of Braeburn Glen Civic Club, a Texas non-profit corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he/she had executed the same as the act of said entity for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 12<sup>th</sup> day of June, 2012 

  
Notary Public, State of Texas

Printed Name \_\_\_\_\_

My commission expires: \_\_\_\_\_



RP 083-86-1122

**BRAEBURN GLEN CIVIC CLUB  
GUIDELINES FOR RAINWATER RECOVERY SYSTEMS**

STATE OF TEXAS

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KNOW ALL PERSONS BY THESE PRESENTS:

COUNTY OF HARRIS

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WHEREAS, the Braeburn Glen Civic Club ("the Civic Club") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the Civic Club's By-Laws, the respective Declaration of Covenants, Conditions & Restrictions encumbering all properties governed by Braeburn Glen Civic Club (collectively referred to as "the Declarations"), as well as applicable State and Federal laws; and

WHEREAS, Chapter 202 of the Texas Property Code was amended to change Section 202.007(d), addressing rain barrels and rainwater harvesting systems (referred to collectively as "Rainwater Recovery Systems" or "Systems"); and

WHEREAS, the Board of Directors of the Civic Club ("the Board") has determined that in keeping with the new laws, and in connection with maintaining the aesthetics and architectural harmony of the community, and to provide clear and definitive guidance regarding the installation and maintenance of Rainwater Recovery Systems therein, it is necessary and proper for the Civic Club to adopt guidelines regarding Rainwater Recovery Systems.

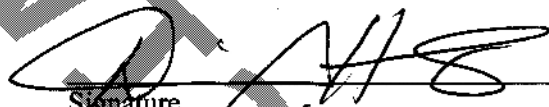
NOW, THEREFORE, the Board has duly adopted the following Guidelines for Rainwater Recovery Systems within the community.

1. Rainwater Recovery Systems may be installed with advance written approval of the Architectural Committee subject to these guidelines.
2. All such Systems must be installed on land owned by the property owner. No portion of the Systems may encroach on adjacent properties or common areas.
3. Other than gutters and downspouts conventionally attached to a dwelling or appurtenant structure, all components of the Systems, 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. Screening may be accomplished by:
  - a. placement behind a solid fence, a structure or vegetation; or
  - b. by burying the tanks or barrels; or
  - c. by placing equipment in an outbuilding otherwise approved by the Architectural Committee.
4. 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 with the following restrictions:
  - a. the barrel must not exceed 55 gallons; and
  - b. the barrel must be 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
  - c. the barrel must be fully painted in a single color to blend with the adjacent home or vegetation; and

- d. any hose attached to the barrel discharge must be neatly coiled and stored behind or beside the rain barrel in the least visible position when not in use.
5. Overflow lines from the Systems must not be directed onto or adversely affect adjacent properties or common areas.
6. 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 not allowed, however, where space allows and where appropriate, Architectural Committee approved ponds may be used for water storage.
7. Harvested water must be used and not allowed to become stagnant or a threat to health.
8. All Systems must 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 from any street or common area.

These guidelines are effective upon recordation in the Official Public Records of Real Property of Harris County, and supersede any guidelines for rainwater recovery systems which may have previously been in effect. Except as affected by Section 202.007 and/or by these guidelines, all other provisions contained in the Declarations or any other dedicatory instruments of the Civic Club shall remain in full force and effect.

Approved and adopted by the Board on this 12 day of June 2012

  
 Signature \_\_\_\_\_  
 Position President  
 Braeburn Glen Civic Club

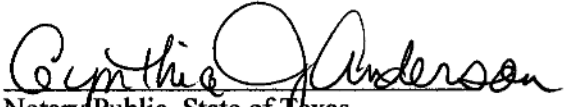
RECORDATION MEMORANDUM:  
 At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts additions and changes were present at the time the instrument was filed and recorded.

STATE OF TEXAS           §  
   §  
 COUNTY OF HARRIS       §

Before me, the undersigned authority, on this day personally appeared David Hernandez President (position) of Braeburn Glen Civic Club, a Texas non-profit corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he/she had executed the same as the act of said entity for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 12<sup>th</sup> day of June, 2012 69a

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

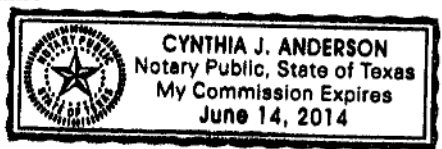
  
 Notary Public, State of Texas

JUL 13 2012

Printed Name \_\_\_\_\_



Stan Stewart  
 COUNTY CLERK  
 HARRIS COUNTY, TEXAS



RP 883-06-1124