

WHEREAS the Association’s Board of Directors previously adopted the Lakewood on Lake Conroe Property Owners Association, Inc., Fine Policy, which is recorded in the Real Property Records of Montgomery County, Texas, under Document No. 2018080085; and,

WHEREAS the Association’s Board of Directors wishes to amend such Fine Policy so as to provide additional fines for violations of the rules and restrictive covenants regarding architectural control, so as to protect property values, ensure aesthetic consistency, and otherwise forward the Association’s purposes; and,

WHEREAS this Dedicatory Instrument represents Restrictive Covenants as those terms are defined by Texas Property Code Section 202.001, et seq., and the Association shall have and may exercise discretionary authority with respect to these Restrictive Covenants; and,

WHEREAS, this Resolution Adopting “Lot/Home Improvement Application” and Amending Schedule of Fines for ACC Violations supersedes any previously filed rules and regulations covering the same subject matter;

NOW THEREFORE, pursuant to the foregoing and as evidenced by the Certification hereto, the Association, by and through its Board of Directors, hereby adopts, establishes, and imposes upon the Subdivision, and the residents thereof, the following:

I. ADOPTION OF “LOT/HOME IMPROVEMENT APPLICATION”

1. All applications submitted to the ACC must be accompanied by a fully completed, signed, and dated, Lot/Home Improvement Application, the form of which is attached here as **EXHIBIT ONE** (hereinafter the “Application Form”).
2. No Application Form will be considered submitted, and no Application Form will be reviewed by the ACC, unless and until the fully completed, signed, and dated Application Form, is accompanied by:
 - a. the documents and information listed on the Application Checklist, this being page four (4) of the Application Form; and,
 - b. Pursuant to Article IV, Section 4.01(b) of the Declaration, three sets of plans and specifications for all proposed construction (initial or alterations) to be done on such Lot, including the drainage plan for the Lot, plot plans showing the location and elevation of the improvements on the Lot and dimensions of all proposed walkways, driveways, the sewage system and all other matters relevant to architectural approval.

II. ADOPTION OF AMENDMENTS TO ASSOCIATION’S FINE POLICY

1. Except as provided for herein, before any fine is imposed, the Association shall first provide the Owner a letter by certified mail, and said letter shall provide any and all notice(s) required by Section 209.006 of the Texas Property Code, or its successor statute,

and the Association shall inform the Owner of, and allow the Owner the opportunity to exercise, all rights, remedies, and opportunities, made available to the Owner under Section 209.006 of the Texas Property Code, or its successor statute, or other applicable Texas or federal law.

2. As used herein, “large improvement” means and refers to a swimming pool, garage, any structure or improvement larger than 140 square feet, any project requiring the use of heavy equipment, and any structure or improvement built on a concrete slab.

3. In the event of the following violations, the Association may levy fines, as follows:

A. The Fine Schedule for unauthorized construction, modification, addition, or alteration of a Lot, may be as follows:

- a. \$2,500.00 fine for initiating construction of a residence on a Lot without ACC approval;
- b. \$1,250.00 for initiation construction of a large improvement on a Lot without ACC approval;
- c. \$100.00 for initiating any other work, modification, or improvement, on a Lot, without ACC approval;
- d. \$500.00 for deviating from plans approved by the ACC.

B. The Fine Schedule for violations associated with, occurring as a result of, or relation to, construction, modifications, addition, or alteration of a Lot, may be as follows:

- a. \$500.00 for burning of brush, trash, garbage, or debris on a Lot;
- b. \$500.00 for leaving cement, brush, trash, garbage, or debris, in any ditch, road, or street;
- c. \$100.00 for placing a dumpster, portable toilet, or construction fencing, on a Lot, without ACC approval.

4. Earlier Fine Policy:

- a. The Fine Schedule outlined herein serves to amend, and fully repeals and replaces, any contrary fine or different fine amount described and detailed in the Lakewood on Lake Conroe Property Owners Association, Inc., Fine Policy, which is recorded in the Real Property Records of Montgomery County, Texas, under Document No. 2018080085.

**LAKWOOD ON LAKE CONROE PROPERTY OWNERS' ASSOCIATION
ARCHITECTURAL CONTROL COMMITTEE**

LOT/HOME IMPROVEMENT APPLICATION

Owner _____ Phone _____ Alt# _____

Address _____

Contractor (if applicable) _____ Phone _____

Contractor Address _____

Fee Amount _____ Project Start Date _____ Estimated Completion Date _____

TYPE OF IMPROVEMENT (please see attached "Application Checklist" for add'l application details):

- | | |
|---|--|
| <input type="checkbox"/> New House * | <input type="checkbox"/> Exterior Paint (color sample required) |
| <input type="checkbox"/> Buildings (All-attached or detached) * | <input type="checkbox"/> Siding (color & style) |
| <input type="checkbox"/> Roof | <input type="checkbox"/> Fence (type & location) |
| <input type="checkbox"/> Pool-Spa * | <input type="checkbox"/> Driveway/Sidewalk (new & extensions) |
| <input type="checkbox"/> Propane (New or Relocate) * | <input type="checkbox"/> Aerobic System (New or Relocate) * |
| <input type="checkbox"/> Exterior Lighting | <input type="checkbox"/> Mailbox |
| <input type="checkbox"/> Antenna/Satellite Dish | <input type="checkbox"/> Solar Panels |
| <input type="checkbox"/> Windows and/or Doors | <input type="checkbox"/> Dumpster/Trailer (for indoor/outdoor renovations) |
| <input type="checkbox"/> Tree Removal | <input type="checkbox"/> Rec Equipment (playsets, BB goals, etc.) |
| <input type="checkbox"/> Lakefront Lots 18-26 Boathouses * | <input type="checkbox"/> Patio, Covers, Decks, Pergola, Outdoor Kitchen * |
| <input type="checkbox"/> Other (Please describe. Use additional pages if necessary) | |

***Include plans, elevations, location site, drainage plans, permits, etc.-where applicable**

LOCATION OF IMPROVEMENTS:

- | | |
|--|---|
| <input type="checkbox"/> Left side of house (stand & face house) | <input type="checkbox"/> Right side of house (stand & face house) |
| <input type="checkbox"/> Front of house | <input type="checkbox"/> Rear of house |

Who will do the actual work? _____

Please include location of the improvements/change, height, width, length (complete applicable areas). A lot survey or to-scale drawing showing property lines, residential building, easements, fences, etc. is required for all buildings, decks, patio covers, sidewalks, driveways, pools, etc. Please provide samples of paint colors. Photographs are also very helpful.

Effective Date of Updated ACC Application: 06-08-2023

Date _____ Initial _____

www.lakewoodonlakeconroe.com

**LAKWOOD ON LAKE CONROE PROPERTY OWNERS' ASSOCIATION
ARCHITECTURAL CONTROL COMMITTEE**

LOT/HOME IMPROVEMENT APPLICATION

**APPLICATION FEES
(NON-REFUNDABLE)**

New Home Construction	FEE:	\$ 1,000.00
Improvements – Large		500.00

Examples of large improvements: Swimming pools, garages and structures larger than 140 square feet and/or projects requiring heavy equipment/trucks. All structures to be built on a concrete slab.

VIOLATION FEES

PER OCCURRENCE AND NON-REFUNDABLE:

New home construction w/o ACC approval	\$ 2,500.00
Starting large improvements w/o ACC approval	1,250.00
Starting small improvements w/o ACC approval (examples include fences, pool re-plaster, small miscellaneous jobs)	100.00
Burning of Brush and/or Construction debris during construction	500.00
Changes in approved construction w/o ACC approval	500.00 **
Cement waste left in ditch or roadway	500.00 **
No Dumpster or uncontained trash, no Port-A-Potty, no construction fencing w/o ACC approval-\$100 per infraction	100.00 **

I understand that I must follow the guidelines as stated in the LOLC Covenants, Conditions and Restrictions. If any change is made after the approval by the ACC, the Committee has the right to ask the homeowner to remove the improvement and/or changes from the property. I also understand the ACC has 30 days to approve or deny an application, but will act on the request as quickly as possible. The homeowner will be contacted regarding their decisions. I agree not to begin property improvements/changes until the ACC has notified me of their approval according to the deed restrictions. Approved applications will be valid for one year from the date of the approval. If improvements are not started within the time frame given, the application will need to be resubmitted. Please return completed application to the ACC Lead or other ACC members.

** Curable violations-see 2018 LOLC POA Fine Policy–Specific ACC Violation-for Correction and Grace Period

Signature of Homeowner	Date Signed	Est. Construction Date
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Effective Date of Updated ACC Application: 06-08-2023

Date_____Initial_____

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**LAKWOOD ON LAKE CONROE PROPERTY OWNERS' ASSOCIATION
ARCHITECTURAL CONTROL COMMITTEE**

LOT/HOME IMPROVEMENT APPLICATION

COMMITTEE SIGNATURES

Date Received _____ By _____

ACC Committee Signature _____ Date _____ Approved ___ Denied _____

ACC Committee Signature _____ Date _____ Approved ___ Denied _____

ACC Committee Signature _____ Date _____ Approved ___ Denied _____

Effective Date of Updated ACC Application: 06-08-2023

Date _____ Initial _____

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**LAKWOOD ON LAKE CONROE PROPERTY OWNERS' ASSOCIATION
ARCHITECTURAL CONTROL COMMITTEE**

LOT/HOME IMPROVEMENT APPLICATION

APPLICATION CHECKLIST

Note: The information (if applicable) required below does not have to be presented on individual drawings for each checklist item but can be consolidated into one, or more, applicable drawings/documents.

___ ACC Application: Completed with signature of Owner(s)

___ Owner/Builder New Construction Agreement (see Attachment 1): Signed by both Owner(s) & Builder

___ Owner/Builder Plan for Demolition of Existing Structures (see Attachment 2): Completed and signed by both Owner(s) & Builder

___ Site/Plot Plan: Including dimensions of all structures, driveway(s) and setback lines shown

___ Survey: Current copy of property survey for exterior construction application is required for new home construction

___ Architectural Drawings and Elevations: Three (3) complete sets drawn to scale, neat and legible, including square footage

___ Boat House, Docks, Piers (Lots 18-26): Elevations, dimensions and distances need to be shown on ALL structures. Such improvements must have a permit from the San Jacinto River Authority prior to consideration by the Lakewood ACC.

___ Property Line Dimensions: Front, side and rear property lines as reflected in a "Recorded Plat" and "Survey" of the property.

___ Building "setback" lines and easements for the entire property must be clearly shown on the site/plot plan. Any encroachments on setback lines and/or easements must be clearly identified and a request for a variance(s) for such encroachment must accompany the application.

___ "Footprint" for each planned improvement including residence, garage, outbuilding(s), driveway, culvert, sewage management system, pool, fences, etc. must be included with the application.

___ Driveway: The driveway width and centerline must be clearly located on the plot plan with the closest distance from the nearest property line identified. Driveway materials must be identified in accordance with CC&Rs Section 3.11.

___ All applicable government permits (e.g. aerobic septic design and permit, San Jacinto River Authority permit(s)) must be included with the application or submitted for ACC approval once received.

___ Samples of ALL colors (e.g. house, roof, fence, etc.) once determined

Effective date of Updated ACC Application 06/08/2023

**LAKWOOD ON LAKE CONROE OWNERS' ASSOCIATION
ARCHITECTURAL CONTROL COMMITTEE**

OWNER/BUILDER AGREEMENT FOR NEW CONSTRUCTION

**Attachment 1
(page 1 of 2)**

- 1) Owner hereby acknowledges receipt of Lakewood on Lake Conroe Covenants, Conditions and Restrictions and hereby agrees to comply with all terms and conditions contained therein and obtain all applicable surveys and inspections as specified therein prior to occupancy.
- 2) Owner hereby authorizes the Architectural Control Committee (ACC) or its agents to enter upon and inspect the lot and structure thereon for the purpose of ascertaining whether said structure is in compliance with the restrictions, the standards and the approved plans and specifications. Site plan and approved plans must be present at time of inspection. Neither the ACC nor its agents shall be deemed to have committed a trespass by reason of such entry or inspections. Failure to comply with the above inspections can result in fines and legal action being brought to require compliance.
- 3) Owner agrees and understands that approval of plans and specifications by the ACC shall not be relied upon by any person or entity as to the sufficiency, suitability, fitness, workmanship or quality of the design or construction of the improvements.
- 4) NO BURNING of brush, trees or construction materials is allowed.
- 5) Prior to initiation of framing, each work site is to provide a "ROLL OFF DUMPSTER" 30 to 40 yard minimum size. A portable toilet or use of a facility on the construction site must be set up. Portable toilets must be staked to prevent turning over by possible high winds. The work site is to be kept clean.
- 6) The contractor is to ensure all trash and debris is removed from the site before each weekend. NO construction on Holidays and Sundays. Construction work hours are between 7 AM and 7 PM Monday through Friday and 8 AM to 7 PM on Saturday.
- 7) Contractors are responsible for keeping mud, dirt, etc. off the roadway. A construction drive of crushed rock is encouraged.
- 8) All improvements, modifications, and alterations after application approval require ACC approval. This covers new construction as well as, but not limited to, additions, fences, decks/porches, storage buildings, pools and change in house colors.
- 9) If construction is not completed within one (1) year after plans have been approved, an extension must be obtained, provided NO changes have been made to the original design, an approval will be given. If changes have been made to the original design of the Plan, a new application which reflects the modifications will be required for submission to the ACC for approval.
- 10) The ACC has 30 days from the submission of a completed application to review the application. The Committee will make every effort to act on the request for approval as soon as possible.
- 11) Construction fencing is required along the side property lines and rear build line of project. Trash and debris must be maintained along frontage with partial fencing and/or temporary enclosure. The work site is to be kept clean.
- 12) Any damage to the frontage area or right-of-way during construction must be repaired to its original contour and shape; right of way must be corrected immediately to its original state with fill dirt, stabilized materials and vegetation to prevent drainage problems and future erosion. Maintenance of lot frontage must be kept clean and mowed during construction. NO dirt/mud on roads.
- 13) Neither the Architectural Control Committee or Lakewood Property Owners Association or any of their respective members, officers, directors, shareholders, employees or agents shall be liable because of the approval or non-approval of any improvement.
- 14) Error in location causing an encroachment will be the direct responsibility of the property owner. The builder/owner must satisfy the ACC that improvements are accurately located in accordance with the approved plans and that encroachments are not to occur without a specific variance having been requested and granted by the ACC. If encroachment occurs without a specific variance having been granted, owner and contractor agree to remove those items.
- 15) A letter of completion must be submitted to the ACC within fifteen (15) days after completion of Construction.

**LAKWOOD ON LAKE CONROE OWNERS' ASSOCIATION
ARCHITECTURAL CONTROL COMMITTEE**

OWNER/BUILDER AGREEMENT FOR NEW CONSTRUCTION

**Attachment 1
(page 2 of 2)**

- 16) One (1) builder sign with a maximum size of 36" X 36" is allowed. This permission can be withdrawn by the ACC solely at the ACC's discretion. No other types of signs other than permits and house numbers are allowed.
- 17) Electrical must be installed underground.
- 18) The undersigned acknowledge receipt of the "Lakewood on Lake Conroe Owners' Association Fees.

Builder Signature _____ Date _____

Owner Signature _____ Date _____

Owner Signature _____ Date _____

**LAKEWOOD ON LAKE CONROE OWNERS' ASSOCIATION
ARCHITECTURAL CONTROL COMMITTEE**

**OWNER/BUILDER PLAN FOR DEMOLITION OF EXISTING STRUCTURES
Attachment 2
(page 1 of 2)**

Estimated Demolition Start Date: _____ Demolition End Date: _____

Note: If new construction is planned after completion of demolition, the new construction must begin within 90 days of the demolition completion date unless a variance is requested and granted by the ACC.

- 1) Utility Disconnect: Owner/Builder agree to safely disconnect ALL utilities such as electric, water, and propane gas (if applicable) according to County regulations.
- 2) A portable toilet or use of a facility on the construction site must be set up. Portable toilets must be staked to prevent turning over by possible high winds.
- 3) Contractor agrees to install Silt-Fencing along the side property lines and rear build line of project.
- 4) Proper disposal of chemical containing units: Contractor, please provide a short explanation of your plan for the proper disposal of chemical containing units such as A/C Units, Water Softeners, Asbestos, (asbestos must be removed by a licensed asbestos removal contractor with all necessary permits and approvals in place) or any other potential hazardous materials located at the demolition site.

- 5) Debris Removal: Contractor, please provide a short explanation of your plan for debris removal (e.g. Live Load? Temporary bin placement? (Note: If temporary bins are used to remove debris, they must be placed in a manner that minimizes damage to the road.))

**LAKEWOOD ON LAKE CONROE OWNERS' ASSOCIATION
ARCHITECTURAL CONTROL COMMITTEE**

OWNER/BUILDER PLAN FOR DEMOLITION OF EXISTING STRUCTURES

**Attachment 2
(page 2 of 2)**

- 6) Dust control: Contractor, please provide a brief explanation of procedures to be employed to minimize airborne or contaminants from leaving the project site.

Demolition Contractor Signature (if applicable) _____ Date _____

Contractor Signature _____ Date _____

Owner Signature _____ Date _____

Owner Signature _____ Date _____