

**LAKWOOD ON LAKE CONROE PROPERTY OWNERS ASSOCIATION, INC.
RESOLUTION ADOPTING “LOT/HOME IMPROVEMENT APPLICATION”
AND AMENDING SCHEDULE OF FINES FOR ACC VIOLATIONS**

STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

WHEREAS Lakewood on Lake Conroe Property Owners Association, Inc., (hereinafter the “Association”) is the Texas nonprofit corporation governing Lakewood on Lake Conroe, a subdivision in Montgomery County, Texas, according to the map or plat thereof, recorded in the Plat Records of Montgomery County, Texas, under Document No. 8813654, along with any additions, annexations, or replats thereto (hereinafter the “Subdivision”); and,

WHEREAS the Subdivision is governed by the Lakewood on Lake Conroe Declaration of Covenants, Conditions and Restrictions, recorded in the Real Property Records of Montgomery County, Texas, under Document No. 8818992, along with any amendments and supplements thereto (hereinafter the “Declaration”); and,

WHEREAS Article IV, Section 4.01(a) of the Declaration requires homeowners in the Subdivision receive the approval of the Association’s Architectural Control Committee (hereinafter the “ACC”) before making any modification to, or initiating any building on, Lots in the Subdivision; and,

WHEREAS Article IV, Section 4.01(b) of the Declaration requires homeowners seek such approval by submitting applications to the ACC; and,

WHEREAS Article VIII, Section 8.17 of the Declaration grants the Association the authority to adopt, amend, and enforce, fines for violations the Association’s rules, regulations, and restrictive covenants; and,

WHEREAS Section 204.010(a)(6) of the Texas Property Code authorizes the Association, through its Board of Directors, to regulate the use, maintenance, repair, replacement, modification, and appearance of the Subdivision; and,

WHEREAS Section 204.010(a)(9) of the Texas Property Code empowers the Association to impose fees and charges for services provided to property owners; and,

WHEREAS the Board of Directors wishes to adopt a uniform application form by which homeowners may submit applications to the ACC, so as to assist the ACC in reviewing applications in a timely manner and so as to forward the Association’s purposes; and,

WHEREAS the Board of Directors wishes to impose a fee for reviewing ACC applications, so as to protect and manage the Association’s resources by ensuring the Association is compensated for any costs incurred by the ACC in reviewing such applications; and,

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;

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.
- b. Any fine 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, that is not inconsistent with or contrary to the Fine Schedule outlined herein, remains in effect and in force.

CERTIFICATION

“I the undersigned, being a Director of Lakewood on Lake Conroe Property Owners Association, Inc., hereby certify that the foregoing was approved by at least a majority of the Association’s Board of Directors, at an open and properly-noticed meeting of the Board of Directors, at which at least a quorum of Directors were present.

By: _____

Print Name: _____

Title: _____

ACKNOWLEDGEMENT

STATE OF TEXAS §

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COUNTY OF MONTGOMERY §

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BEFORE ME, the undersigned authority, on this day personally appeared the person whose name is subscribed to the foregoing document, and being by me first duly sworn, declared that they are the person who signed the foregoing document, in their representative capacity, and that the statements contained therein are true and correct.

Given under my hand and seal of office this the ____ day of _____, 2023.

Notary Public, State of Texas