

**ADDITIONAL DEDICATORY INSTRUMENT
for
PINE BROOK COMMUNITY ASSOCIATION**

THE STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

BEFORE ME, the undersigned authority, on this day personally appeared Chris J. Archambault who, being by me first duly sworn, states on oath the following:

My name is Chris J. Archambault I am over twenty-one (21) years of age, of sound mind, capable of making this affidavit, authorized to make this affidavit, and personally acquainted with the facts herein stated:

I am the Attorney/Agent for PINE BROOK COMMUNITY ASSOCIATION Pursuant with Section 202.006 of the Texas Property Code, the following documents are copies of the original official documents from the Association's files:

**POLICY FOR PERIMETER AND BOUNDARY FENCES
for**

**PINE BROOK COMMUNITY ASSOCIATION
A TEXAS NON-PROFIT CORPORATION**

DATED this 12th day of June, 2019.

**PINE BROOK COMMUNITY
ASSOCIATION**

BY:  _____

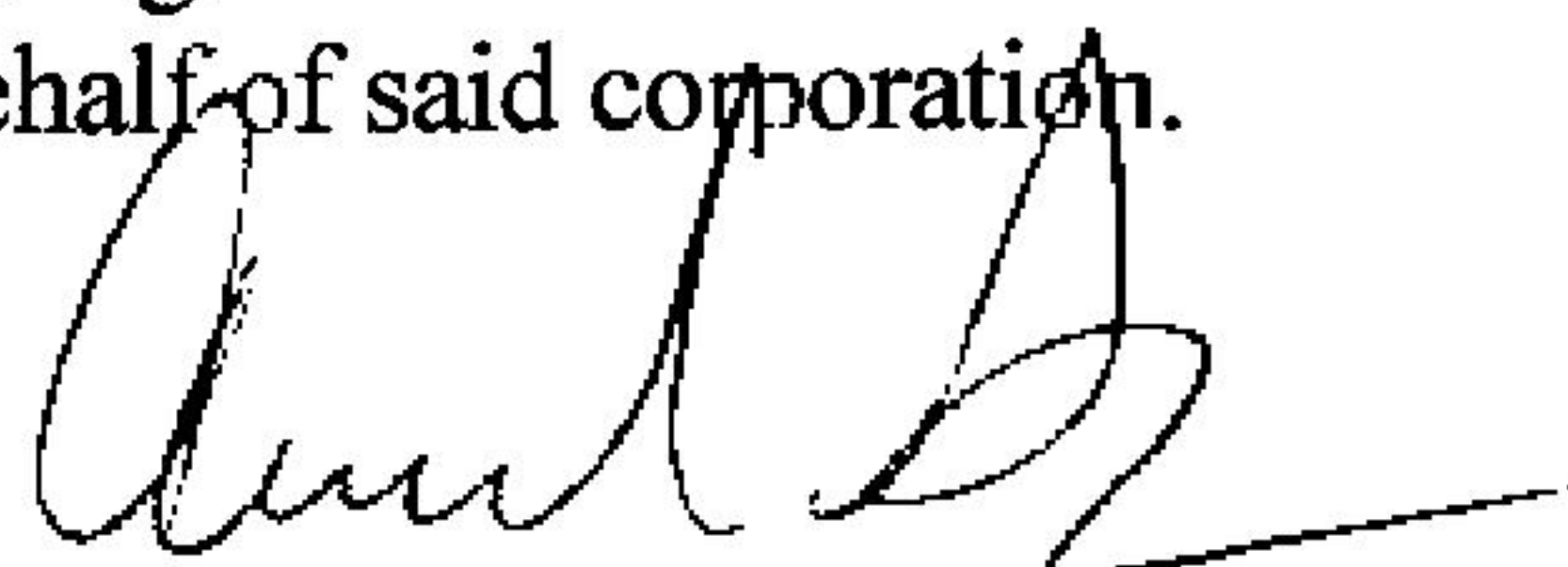
Chris J. Archambault Attorney/Agent
(Printed Name)

THE STATE OF TEXAS

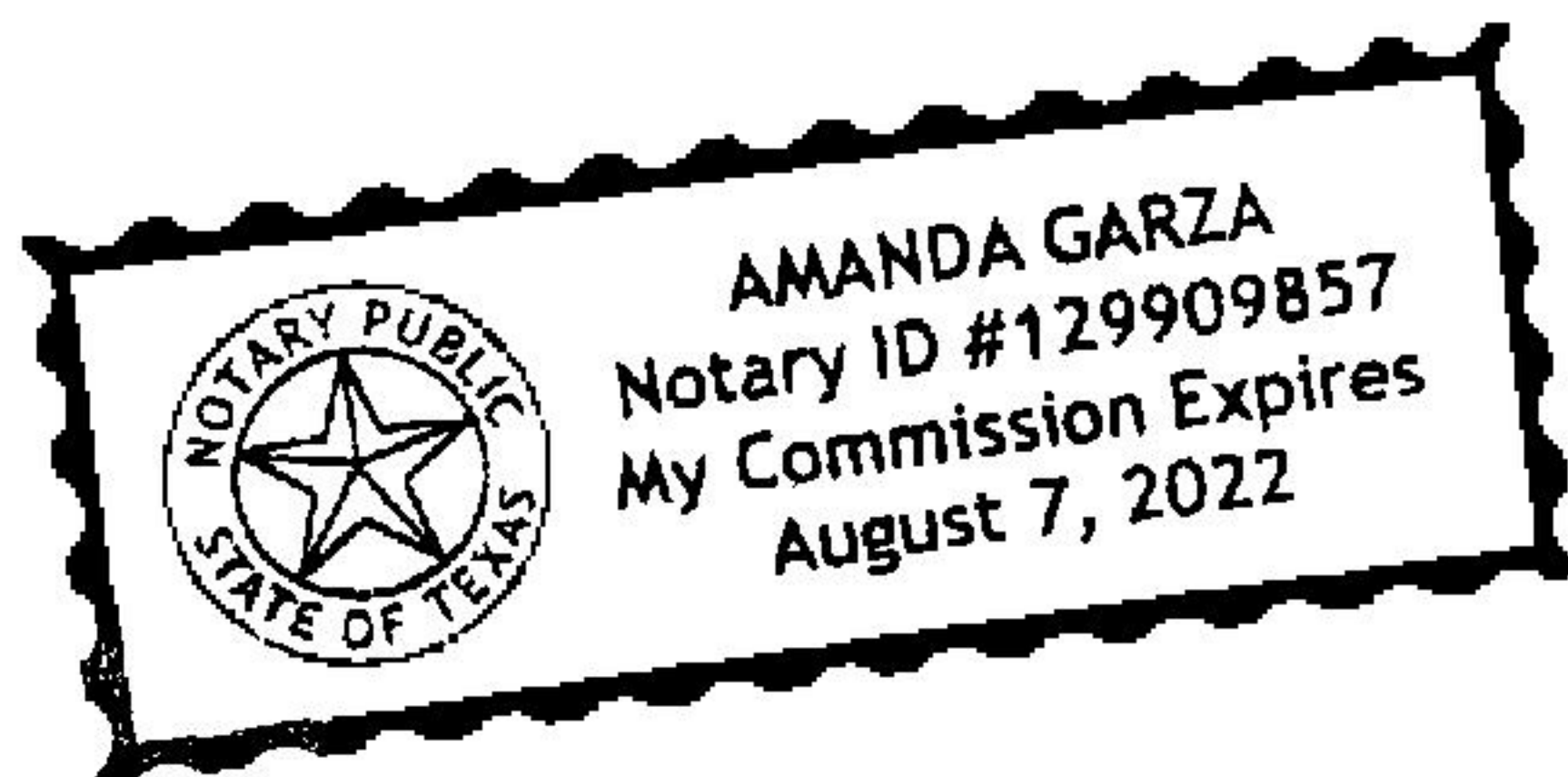
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COUNTY OF Harris

THIS INSTRUMENT was **acknowledged** before me on this the 12th day of June, 2019 by the said Chris J. Archambault, Attorney/Agent for PINE BROOK COMMUNITY ASSOCIATION, a Texas non-profit corporation, on behalf of said corporation.



NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS



After Recording Return To:
Daughtry & Farine, P.C.
17044 El Camino Real
Houston, Texas 77058
ATTN: CJA/ag

Pine Brook Community Association Policy for Perimeter and Boundary Fences

WHEREAS, Pine Brook Community Association, Inc. (the "Association") has Architectural Guidelines (the "Guidelines") which were originally recorded under Clerk's File No. U139275 and Film Code No. 529-77-1068 in the Real Property Records for Harris County, Texas;

WHEREAS, the Declaration of Covenants, Conditions, and Restrictions (the "Restrictions") for the Association in Article VI, Section 4, allows the Architectural Review Committee (the "ARC") and the Board to amend the Guidelines for the subdivision;

WHEREAS, the Association, its Board and its ARC, has the power to make, amend, and clarify the Guidelines under the powers granted by the Restrictions, the Texas Property Code, Section 204.010, and Texas common law;

WHEREAS, the Board of Directors for the Association, acting as the ARC, is of the opinion that it will of benefit to the members of the Association to make, amend, and clarify the Guidelines as they relate to the Cedar Perimeter and Boundary Fences;

WHEREAS, Restrictions of Use relative to Fencing are covered in Article IX, Section 13 of the Restrictions and Section 11, Rev 1 of the Guidelines; and

WHEREAS, the following Guidelines apply only to replacement of Cedar Perimeter Fences under Section 11, Rev 1 of the Guidelines;

RESOLVED that the Guideline No. 11, Rev 1 shall be amended to include the following only as it applies to Cedar Perimeter and Boundary Fences:

- 1). No fence shall be removed, replaced, or rebuilt in whole or in part without the approval of the Community Association's Architecture Review Committee (ARC). **FAILURE TO OBTAIN ARC APPROVAL IN ADVANCE MAY RESULT IN MANDATORY REMEDIATION.** (Routine maintenance and replacement of a single board or boards and post with like-kind materials does not require ARC approval.)
- 2). All perimeter and boundary fences shall be maintained and replaced in the color, location, materials and style of the original fencing.
- 3). Fence Height – All fences must be 6-feet in height. Fences may be comprised of 6.0 foot pickets with a 6.0-inch base (rot) board. The 6.0-inch base (rot) board is not included in the calculation of the total fence height.
- 4). **Materials and Placement:**
 - a). Fence pickets must be grade #1 or grade #2, 6.0-inch-wide, dog-eared cedar wood. **CHEMICALLY TREATED AND WHITE WOOD PICKETS ARE STRICTLY PROHIBITED!**

b). Fence posts must be 4x4 cedar or chemically treated wood. Posts must be at least 8.0 feet in total length and must be buried in a minimum of 30 inches of concrete. Posts may not be spaced more than 8.0 feet apart.

c). Horizontal fence rails must be cedar or chemically treated 2x4s. Both two and three rail fence designs are allowed. A 2x6 bottom horizontal rail is permissible. A three rail fence is recommended.

d). Base (rot) boards may be optionally used. Base (rot) boards must be cedar or chemically treated wood and must be 1x6 or 2x6. A 2x6 with beveled water run-off edge is recommended. **BASE (ROT) BOARD MAY NOT EXCEED 2X6 INCHES**. All pickets must rest on the top of the base (rot) board. If base (rot) boards are used on sloping ground, pickets must be cut to minimize gaps between the picket and the top of the base (rot) board. Further, the open space between the bottom of the base (rot) board and the surface of the ground shall not exceed one inch.

e). Metal, plastic, vinyl, synthetic, wood composite and wood ply fencing materials are specifically prohibited.

f) Horizontal fence cap boards are prohibited.

5). Fence faces visible from public view, visible to any street or adjacent to any community association common area, **MUST HAVE ALL VISIBLE PICKETS ON THE PUBLIC SIDE OF THE FENCE**. Fences between two adjoining driveways may either have continuous pickets on both sides of the fence or implement a “good neighbor” fence that alternates the picket side by fence post delineated sections.

6). All pickets on shared boundary fences shall have the facing pickets installed in the same direction as the existing fence unless written consent of the adjacent property owner waives this stipulation. If both neighbors do not agree on the facing of the proposed pickets, the ARC will examine the effects on both properties and make a final and binding decision at its complete discretion.

7). The colored painting of breezeway fences is allowed only if the color matches the house’s primary paint color and if the paint color is approved in advance by the ARC. **STAINS OR COATINGS THAT IMPART A COLOR OR COLOR CHANGE OF THE UNDERLYING WOOD IN NON-BREEZEWAY FENCES IS SPECIFICALLY PROHIBITED.**

8). Any clear or un-pigmented coating, painting, staining, varnishing, sealing or waxing of any fence facing or visible from any street shall be submitted to the ARC for approval. If approved, adjacent and abutting fences on both sides of the property line must be coated with the same material. It is the responsibility of the affected property owners to coordinate adjacent property coating applications. In the event that adjacent property owners cannot agree on adjacent property coating applications, approval for application will be denied.

9). Ornamentation of fences visible from any street is not allowed. This includes ornamentation built within the fence’s wood, placed on the fence or above the fence.

10). Non-breezeway fences visible from any street may not substitute or incorporate lattice in place of pickets.

11). Fence pickets must be placed immediately adjacent to each other without substantial gap. Pickets must be plain straight boards. Pickets that are tapered or have decorative shapes are not allowed. Peep holes, windows or cut-outs within the fence are not allowed.

12). Wood fence gates visible from any street must be flush to the picket line and be designed with a minimum of gaps in the fence coverage. Hinges, closures and locks must have minimal ornamentation. Gates, except drive way entrance gates, must be the same height as the adjacent fence.

13). Swimming pool equipment such as pool pumps and heaters may not be in public view, visible from any street or visible from any community association common area. If necessary, fencing must hide equipment.

14). Fence company signs may not be placed in the yard or affixed to the fence before, during or after construction.

Definitions:

1). **Base Board** – A base board is a horizontal board mounted at the bottom of the fence against the ground and on the same side of the fence as the fence pickets. Fence pickets are mounted vertically above the base board. The terms “rot board” and “toe board” are synonymous.

2). **Cap Board** – A cap board is a horizontal board mounted above the pickets of a fence.

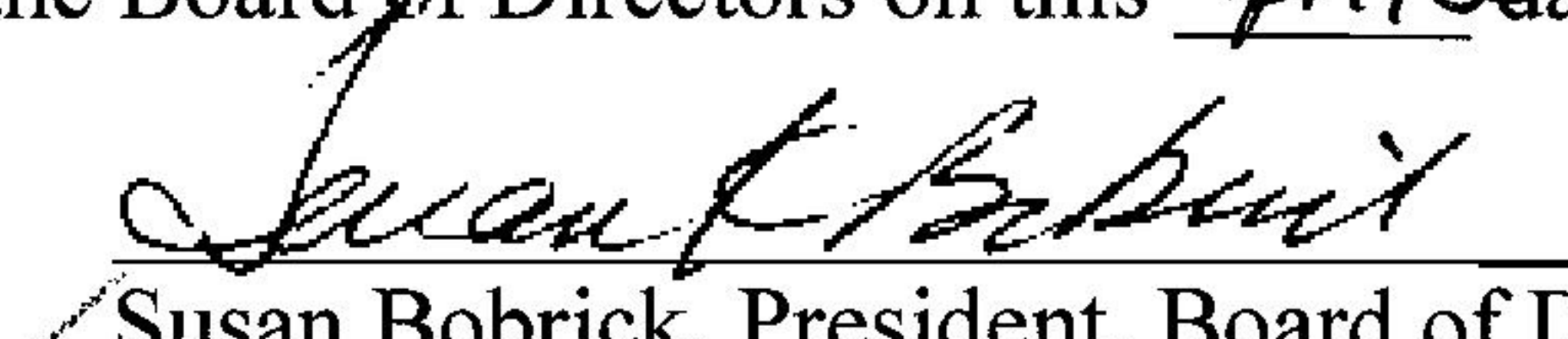
3). **Picket Line** – A picket line is a series of continuous adjacent fence pickets mounted on a single side of the fence. A fence may have two picket lines if pickets are mounted continuously on both sides. A picket line is broken if pickets alternate sides.

4). **Rail** – A rail is a horizontal board that stretches between fence posts. Fence pickets are mounted to the rail boards.

5). **Visible Pickets** – Visible pickets are those fence pickets in a stretch of fence that are in public view, visible from any street or adjacent to any community association common area. Fence pickets that are hidden from public view behind an intersecting fence or behind a building are not visible pickets.

6). **Dimensions** – All stated lumber sizes are assumed to be NOMINAL MEASUREMENTS as per normal building standards.

Approved and adopted by the Board of Directors on this April 30 day of 2019.


Susan Bobrick, President, Board of Directors
Pine Brook Community Association

E-FILED FOR RECORD

06/13/2019 08:12AM

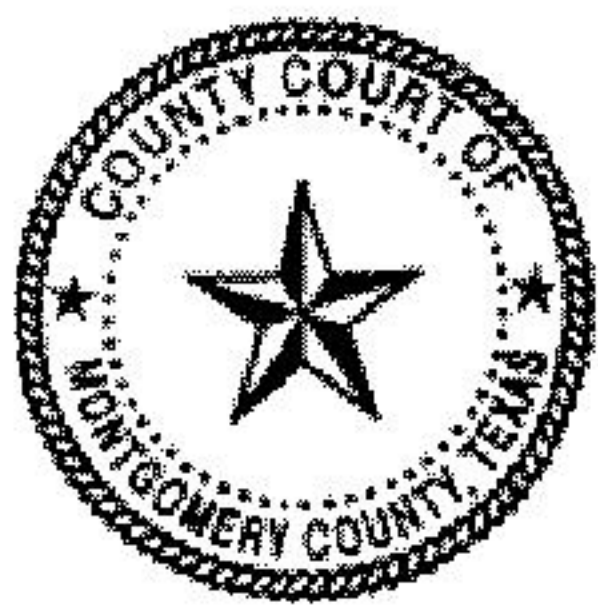


COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number
sequence on the date and time stamped herein
by me and was duly e-RECORDED in the Official Public
Records of Montgomery County, Texas.

06/13/2019



County Clerk
Montgomery County, Texas