

Denton County  
Juli Luke  
County Clerk

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Instrument Number: 156197

ERecordings-RP

NOTICE

Recorded On: August 27, 2021 09:05 AM

Number of Pages: 14

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" Examined and Charged as Follows: "

Total Recording: \$78.00

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\*\*\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\*

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.

**File Information:**

Document Number: 156197  
Receipt Number: 20210827000173  
Recorded Date/Time: August 27, 2021 09:05 AM  
User: Kraig T  
Station: Station 25

**Record and Return To:**

Simplifile



STATE OF TEXAS  
COUNTY OF DENTON

I hereby certify that this Instrument was FILED In the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Denton County, Texas.

Juli Luke  
County Clerk  
Denton County, TX



**ACKNOWLEDGEMENT**

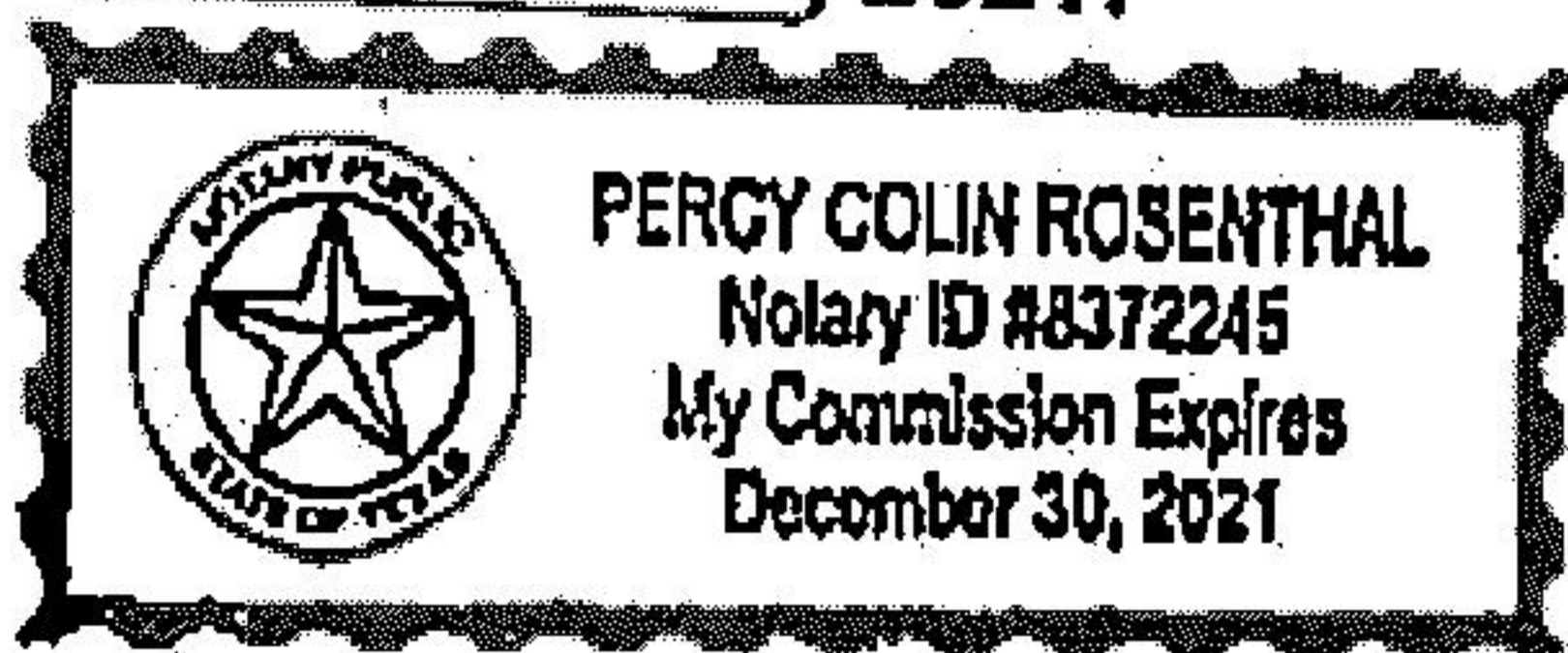
**STATE OF TEXAS**

**COUNTY OF DENTON**

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§  
§

SHANNON HEBB BEFORE ME, the undersigned authority, on this day personally appeared of Stewart Peninsula Southshore Homeowners Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that (s)he executed the same for the purposes and consideration therein expressed on behalf of said corporation.

February SUBSCRIBED AND SWORN TO BEFORE ME on this 25th day of



Percy Colin Rosenthal  
Notary Public, State of Texas

My Commission Expires: 12/30/2021

## **EXHIBIT "A"**

- A-1 Amended Religious Item Display Guidelines**
- A-2 Security Measures Guidelines**
- A-3 Swimming Pool Enclosure Guidelines**
- A-4 Architectural Review Authority Procedures**
- A-5 Violation Hearing Procedures**
- A-6 Policy Regarding Solicitation of Bids**

**STEWART PENINSULA SOUTHSHORE HOMEOWNERS ASSOCIATION, INC.**

**AMENDED RELIGIOUS ITEM DISPLAY GUIDELINES**

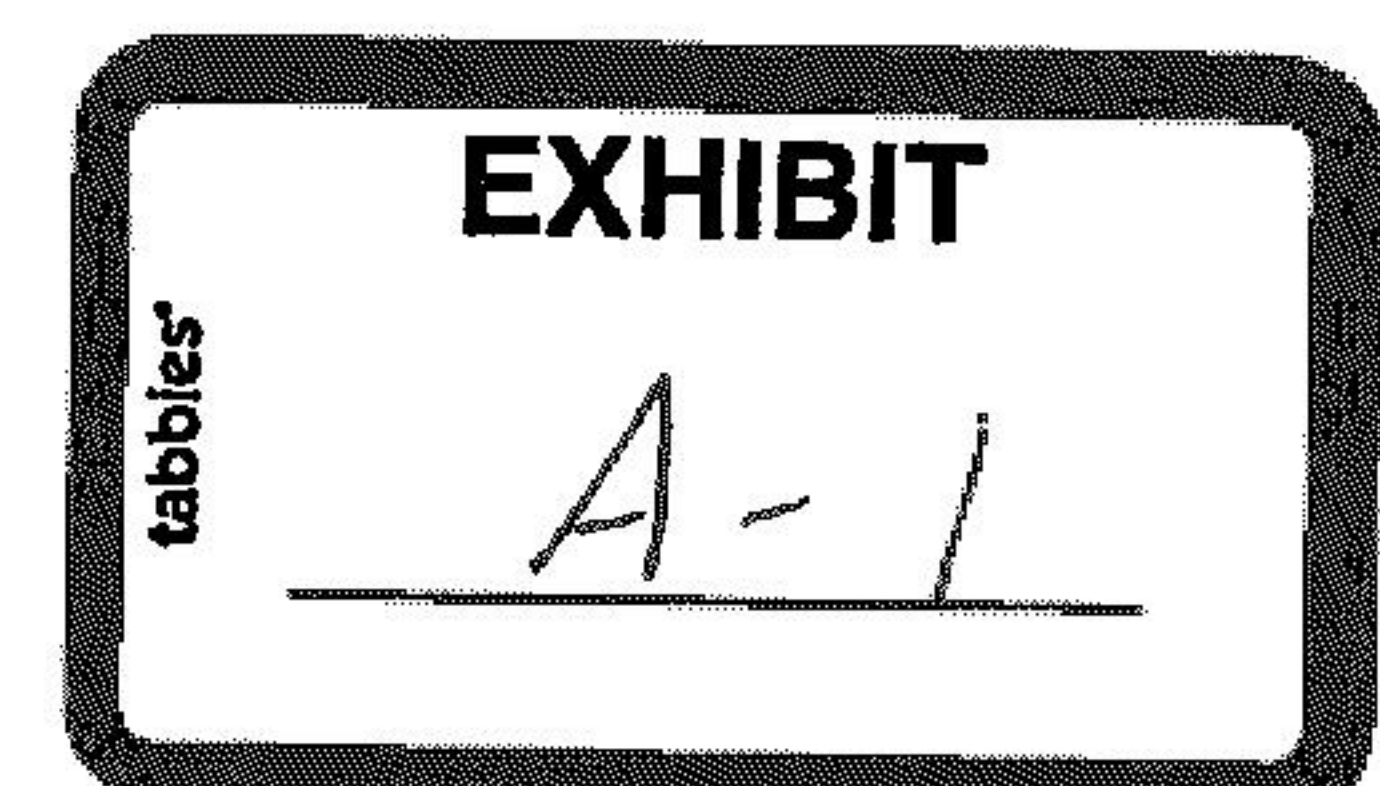
**WHEREAS**, Section 202.018 of the Texas Property Code precludes associations from adopting or enforcing a provision in a dedicatory instrument which prohibits an owner or resident from displaying or affixing on the owner's or resident's property or dwelling one or more religious items the display of which is motivated by the owner's or resident's sincere religious belief; and

**WHEREAS**, pursuant to Section 202.018(b) of the Texas Property Code, Stewart Peninsula Southshore Homeowners Association, Inc. (the "Association") is permitted to adopt and enforce certain limitations on the display of religious items; and

**WHEREAS**, the Association may have previously adopted Religious Item Display Guidelines (the "Original Guidelines"); and

**NOW, THEREFORE, IT IS RESOLVED**, in order to comply with recent changes to Section 202.018 of the Texas Property Code, the Association desires to replace any Original Guidelines with the following guidelines to govern the display of religious symbols (the "Amended Guidelines").

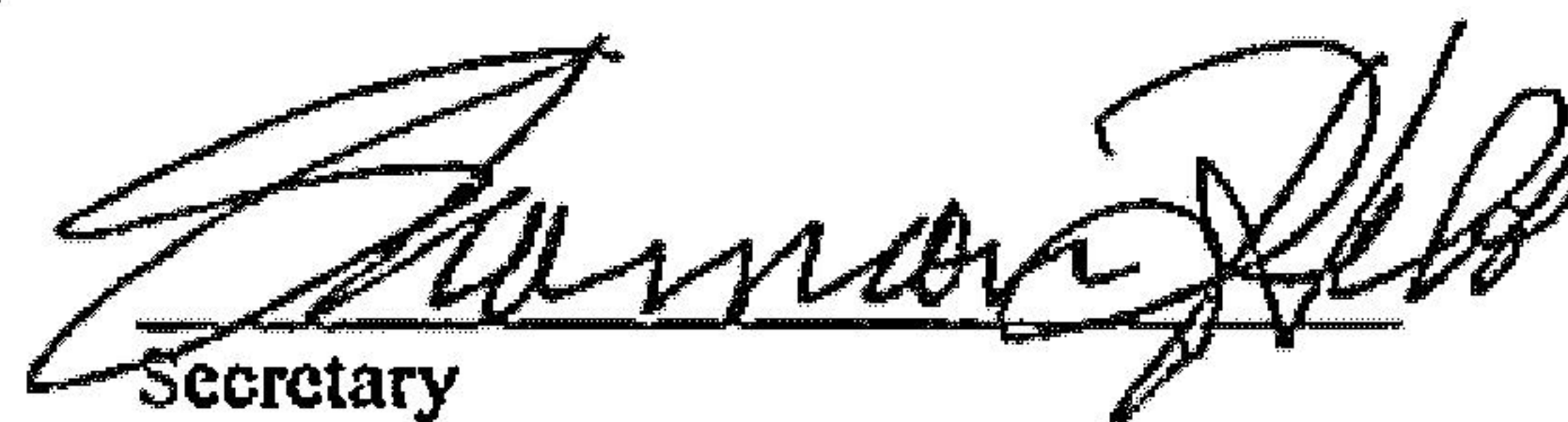
- A. An owner or resident may not display or affix a religious item on the owner or resident's property or dwelling which:
1. threatens the public health or safety;
  2. violates a law other than a law prohibiting the display of religious speech;
  3. contains language, graphics, or any display that is patently offensive to a passerby for reasons other than its religious content;
  4. is installed on property:
    - (a) owned or maintained by the Association; or
    - (b) owned in common by members of the Association;
  5. violates any applicable building line, right-of-way, setback, or easement; or
  6. is attached to a traffic control device, street lamp, fire hydrant, or utility sign, pole, or fixture.
- B. The definitions contained in the Association's dedicatory instruments are hereby incorporated herein by reference.
- C. In the event of any conflict between Section 202.018 of the Texas Property Code and any restrictions contained in any dedicatory instrument of the Association, Section 202.018(b) and these Amended Guidelines control.



**IT IS FURTHER RESOLVED** that these Amended Religious Item Display Guidelines are effective upon adoption and recordation hereof, to remain in force and effect until revoked, modified or amended.

This is to certify that the foregoing guidelines were adopted by the Board of Directors at a meeting of same on 25 August 2021, and have not been modified, rescinded or revoked.

DATE: 8/25/2021

  
Secretary

**STEWART PENINSULA SOUTHSORE HOMEOWNERS ASSOCIATION, INC.**

**SECURITY MEASURES GUIDELINES**

**WHEREAS**, Section 202.023 of the Texas Property Code precludes associations from adopting or enforcing a restrictive covenant that prevents an owner from building or installing security measures, including but not limited to a security camera, motion detector, or perimeter fence; and

**WHEREAS**, Section 202.023 of the Texas Property Code further provides that it does not prohibit an association from (1) prohibiting the installation of a security camera by an owner in a place other than the owner's private property; or (2) regulating the type of fencing that an owner may install.

**NOW, THEREFORE, IT IS RESOLVED**, in order to comply with Section 202.023 of the Texas Property Code, the Board of Directors of Stewart Peninsula Southshore Homeowners Association, Inc. (the "Association") desires to adopt the following guidelines to govern the building or installing of security measures (the "Guidelines").

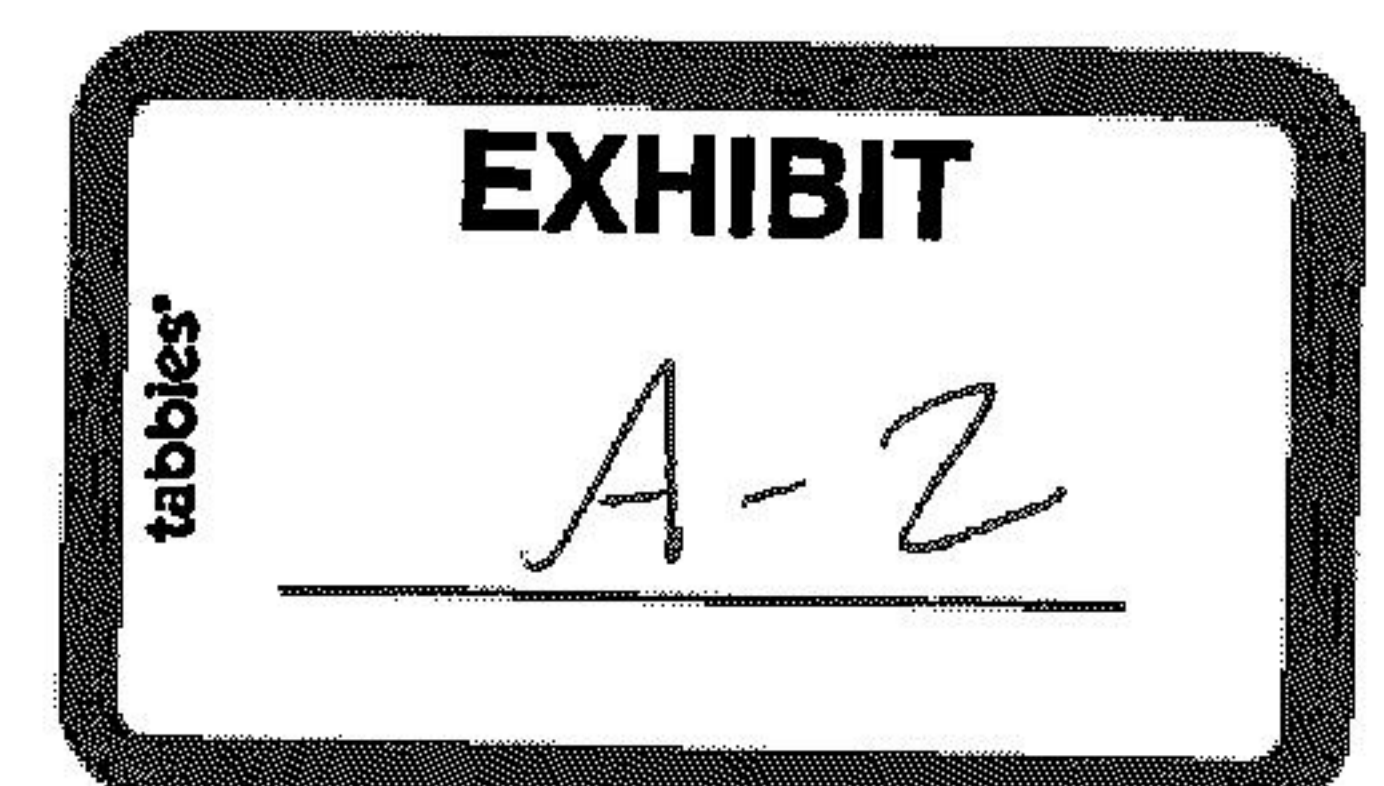
1. An owner may not install a security camera in any location other than the owner's own property.
2. Any and all perimeter fencing must comply with all covenants, conditions, restrictions and requirements contained in the Association's dedicatory instruments, including, but not limited to restrictions related to size, height, color, and material.
3. Owners must submit plans to and obtain the prior approval of the Association's architectural review authority where applicable before constructing or installing any perimeter fence.
4. The definitions contained in the Association's dedicatory instruments are hereby incorporated herein by reference.
5. In the event of any conflict between Section 202.023 of the Texas Property Code and any restrictions contained in any dedicatory instrument of the Association, Section 202.023 and these Guidelines control.

**IT IS FURTHER RESOLVED** that these Security Measures Guidelines are effective upon adoption and recordation hereof, to remain in force and effect until revoked, modified or amended.

This is to certify that the foregoing guidelines were adopted by the Board of Directors at a meeting of same on 25 August 2021, and have not been modified, rescinded or revoked.

DATE: 8/25/2021

  
Secretary



**STEWART PENINSULA SOUTHSORE HOMEOWNERS ASSOCIATION, INC.**

**SWIMMING POOL ENCLOSURE GUIDELINES**

**WHEREAS**, Section 202.022 of the Texas Property Code precludes associations from adopting or enforcing a provision in a dedicatory instrument that prohibits or restricts an owner from installing on the owner's property a swimming pool enclosure, as that term is defined in the statute, that conforms to applicable state or local safety requirements and that is black in color and consists of transparent mesh set in metal frames; and

**WHEREAS**, pursuant to Section 202.022(2) of the Texas Property Code, the Stewart Peninsula Southshore Homeowners Association, Inc. (the "Association") is permitted to adopt certain limitations relating to the appearance of swimming pool enclosures; and

**NOW, THEREFORE, IT IS RESOLVED**, in order to comply with Section 202.022 of the Texas Property Code, the Association desires to adopt the following guidelines to govern swimming pool enclosures (the "Guidelines").

1. An owner may install a swimming pool enclosure that complies with all state and/or local safety requirements if the swimming pool enclosure is (i) black in color, and (ii) consists of transparent mesh set in metal frames.
2. All other proposed swimming pool enclosures must comply with all restrictions, covenants, and requirements contained in the Association's dedicatory instruments including, but not limited to, limitations establishing permissible colors, size, height and material.
3. Owners must submit plans to and obtain the prior approval of the Association's architectural review authority where applicable before constructing or installing any swimming pool enclosure.
4. The definitions contained in the Association's dedicatory instruments are hereby incorporated herein by reference.
5. In the event of any conflict between Section 202.022 of the Texas Property Code and any restrictions contained in any dedicatory instrument of the Association, Section 202.022 and these Guidelines control.

**IT IS FURTHER RESOLVED** that these Swimming Pool Enclosure Guidelines are effective upon adoption and recordation hereof, to remain in force and effect until revoked, modified or amended.

This is to certify that the foregoing guidelines were adopted by the Board of Directors at a meeting of same on 25 August 2021, and have not been modified, rescinded or revoked.

DATE: 8/25/2021

  
Secretary

**STEWART PENINSULA SOUTHSORE HOMEOWNERS ASSOCIATION, INC.**

**ARCHITECTURAL REVIEW AUTHORITY PROCEDURES**

**WHEREAS**, Section 209.00505 of the Texas Property Code establishes certain requirements for an association's architectural review authority and the procedures used by the architectural review authority; and

**WHEREAS**, in order to comply with Section 209.00505 of the Texas Property Code, the Stewart Peninsula Southshore Homeowners Association, Inc. (the "Association") desires to adopt procedures regarding the Association's architectural review authority.

**NOW, THEREFORE, IT IS RESOLVED**, in order to comply with Section 209.00505 of the Texas Property Code, the Association hereby adopts the following policies and procedures regarding the architectural review authority.

1. "Architectural review authority" means the governing authority for the review (sometimes referred to, among other things, as an architectural review committee or architectural control committee) and approval of improvements within the Association.

2. These Architectural Review Authority Procedures do not apply during a development period or during any period in which the Declarant:

(a) appoints at least a majority of the members of the architectural review authority or otherwise controls the appointment of the architectural review authority; or

(b) has the right to veto or modify a decision of the architectural review authority.

3. A person may not be appointed or elected to serve on the Association's architectural review authority if the person is:

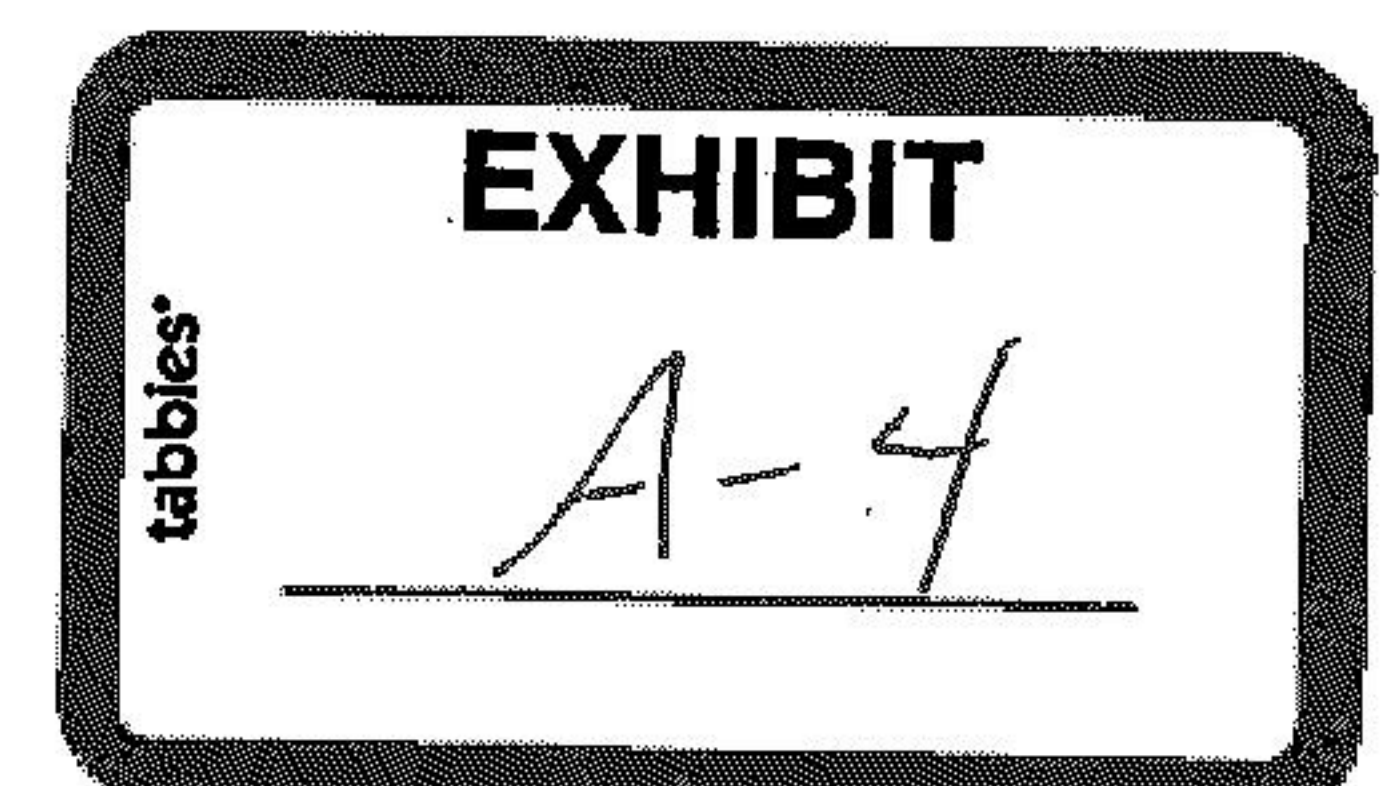
(a) a current board member;

(b) a current board member's spouse; or

(c) a person residing in a current board member's household.

4. A decision by the Association's architectural review authority denying an application or request by an owner for the construction of improvements in the Association may be appealed to the Board. A written notice of the denial must be provided to the owner by certified mail, hand delivery, or electronic delivery (the "Denial Notice"). The Denial Notice must:

(1) describe the basis for the denial in reasonable detail and changes, if any, to the application or improvements required as a condition to approval; and



(2) inform the owner that the owner may request a hearing under Subsection (e) on or before the 30th day after the date the Denial Notice was mailed to the owner.

5. The Board shall hold a hearing under this section not later than the 30<sup>th</sup> day after the date the Board receives the owner's request for a hearing and shall notify the owner of the date, time, and place of the hearing not later than the 10<sup>th</sup> day before the date of the hearing. Only one hearing is required under this subsection.

6. During a hearing, the Board or the designated representative of the Association and the owner or the owner's designated representative will each be provided the opportunity to discuss, verify facts, and resolve the denial of the owner's application or request for the construction of improvements, and the changes, if any, requested by the architectural review authority in the Denial Notice.

7. The Board or the owner may request a postponement. If requested, a postponement shall be granted for a period of not more than 10 days. Additional postponements may be granted by agreement of the parties.

8. The Association or the owner may make an audio recording of the meeting.

9. The Board may affirm, modify, or reverse, in whole or in part, any decision of the architectural review authority as consistent with the Association's dedicatory instruments.

10. In the event of any conflict between 209.00505 of the Texas Property Code and any restrictions contained in any dedicatory instrument of the Association, 209.00505 of the Texas Property Code and these procedures control.

**IT IS FURTHER RESOLVED** that these Architectural Review Authority Procedures are effective upon adoption and recordation hereof, to remain in force and effect until revoked, modified or amended.

This is to certify that the foregoing procedures were adopted by the Board of Directors at a meeting of same on 8/25/2021, and have not been modified, rescinded or revoked.

DATE: 8/25/2021

  
Secretary

**STEWART PENINSULA SOUTHSHORE HOMEOWNERS ASSOCIATION, INC.**

**VIOLATION HEARING PROCEDURES**

**WHEREAS**, Section 209.007 of the Texas Property Code establishes certain requirements for hearings before an association's board of directors involving violations of the association's dedicatory instruments; and

**WHEREAS**, in order to comply with Section 209.007 of the Texas Property Code, the Stewart Peninsula Southshore Homeowners Association, Inc. (the "Association") desires to adopt procedures regarding violation hearings.

**NOW, THEREFORE, IT IS RESOLVED**, in order to comply with changes to Section 209.007 of the Texas Property Code, the Association hereby adopts the following policies and procedures regarding Section 209.007 hearings before the board of directors regarding violations.

1. Pursuant to Section 209.007(d) of the Texas Property Code, the notice and hearing provisions of Sections 209.006 and 209.007 of the Texas Property Code do not apply if the Association files a suit seeking a temporary restraining order or temporary injunctive relief or files a suit that includes foreclosure as a cause of action. Additionally, the notice and hearing provisions of Sections 209.006 and 209.007 do not apply to a temporary suspension of a person's right to use common areas if the temporary suspension is the result of a violation that occurred in a common area and involved a significant and immediate risk of harm to others in the subdivision.

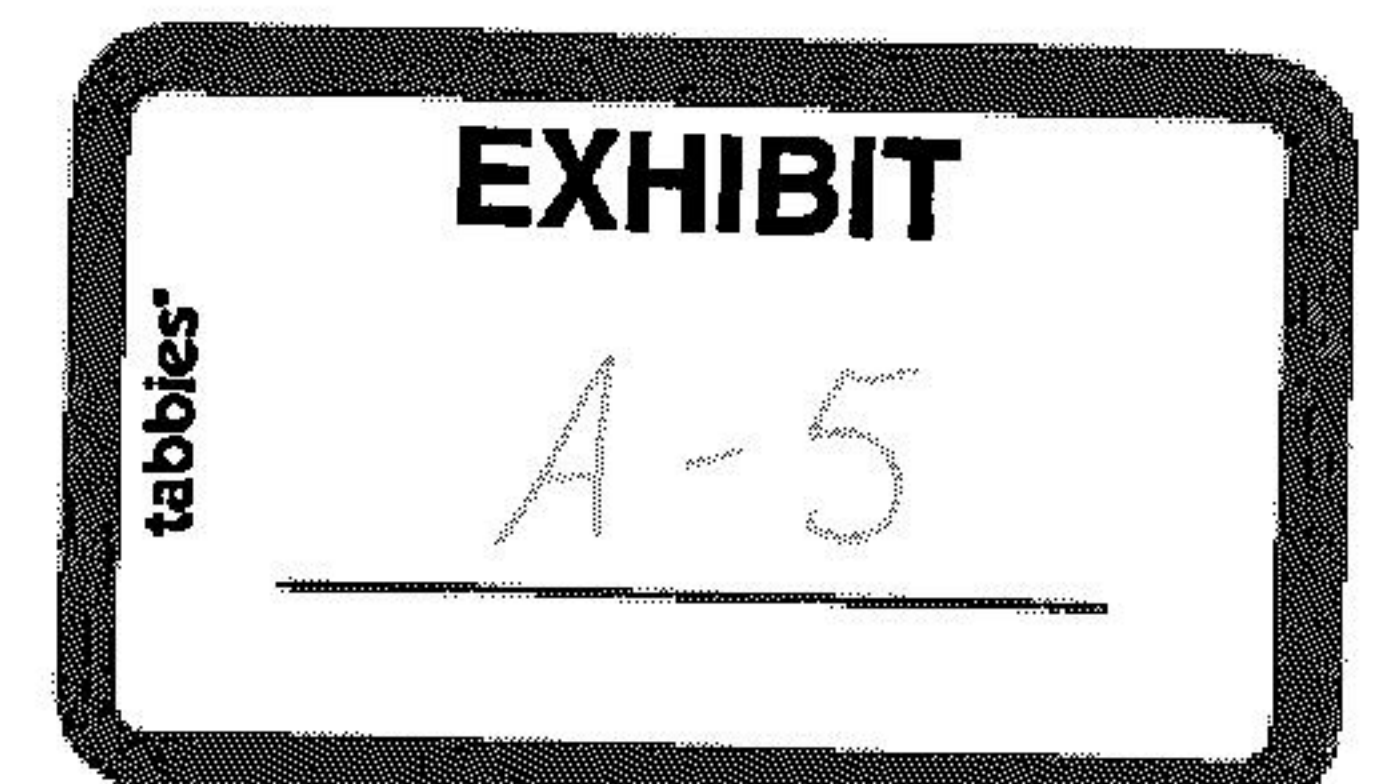
2. Except as provided by Section 209.007(d), and only if the owner is entitled to an opportunity to cure the violation, the owner has the right to submit a written request for a hearing to discuss and verify facts and resolve the matter in issue before the Board.

3. Not later than 10 days before the Association holds a hearing under this section, the Association shall provide to an owner a packet containing all documents, photographs, and communications relating to the matter the Association intends to introduce at the hearing.

4. If the Association does not provide a packet within the period described by Paragraph (2) above, the owner is entitled to an automatic 15-day postponement of the hearing.

5. During a hearing, a member of the Board or the Association's designated representative shall first present the Association's case against the owner. An owner or the owner's designated representative is entitled to present the owner's information and issues relevant to the appeal or dispute.

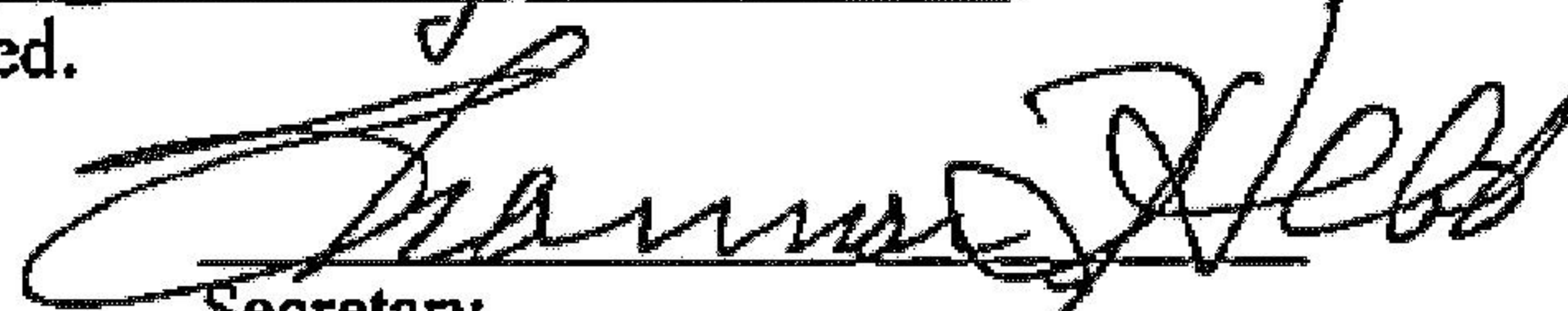
6. In the event of any conflict between Section 209.007 of the Texas Property Code and any restrictions contained in any dedicatory instrument of the Association, Section 209.007 and these procedures control.



**IT IS FURTHER RESOLVED** that these Violation Hearing Procedures are effective upon adoption and recordation hereof, to remain in force and effect until revoked, modified or amended.

This is to certify that the foregoing procedures were adopted by the Board of Directors at a meeting of same on 25 August 2021, and have not been modified, rescinded or revoked.

DATE: 8/25/2021

  
Secretary

**STEWART PENINSULA SOUTHSHORE HOMEOWNERS ASSOCIATION, INC.**

**POLICY REGARDING SOLICITATION OF BIDS**

**WHEREAS**, pursuant to Section 209.0052(c) of the Texas Property Code, an association that proposes to contract for services that will cost more than \$50,000 shall solicit bids or proposals using a bid process established by the association; and

**WHEREAS**, the Board of Directors of Stewart Peninsula Southshore Homeowners Association, Inc. (the "Association") is required to adopt a bid process for such contracts.

**NOW, THEREFORE, IT IS RESOLVED**, in order to comply with Section 209.0052(c) of the Texas Property Code, the Association hereby adopts the following policy to govern the solicitation of bids and proposals for service contracts over \$50,000, and the same is to be known as the Association's Policy Regarding Solicitation of Bids.

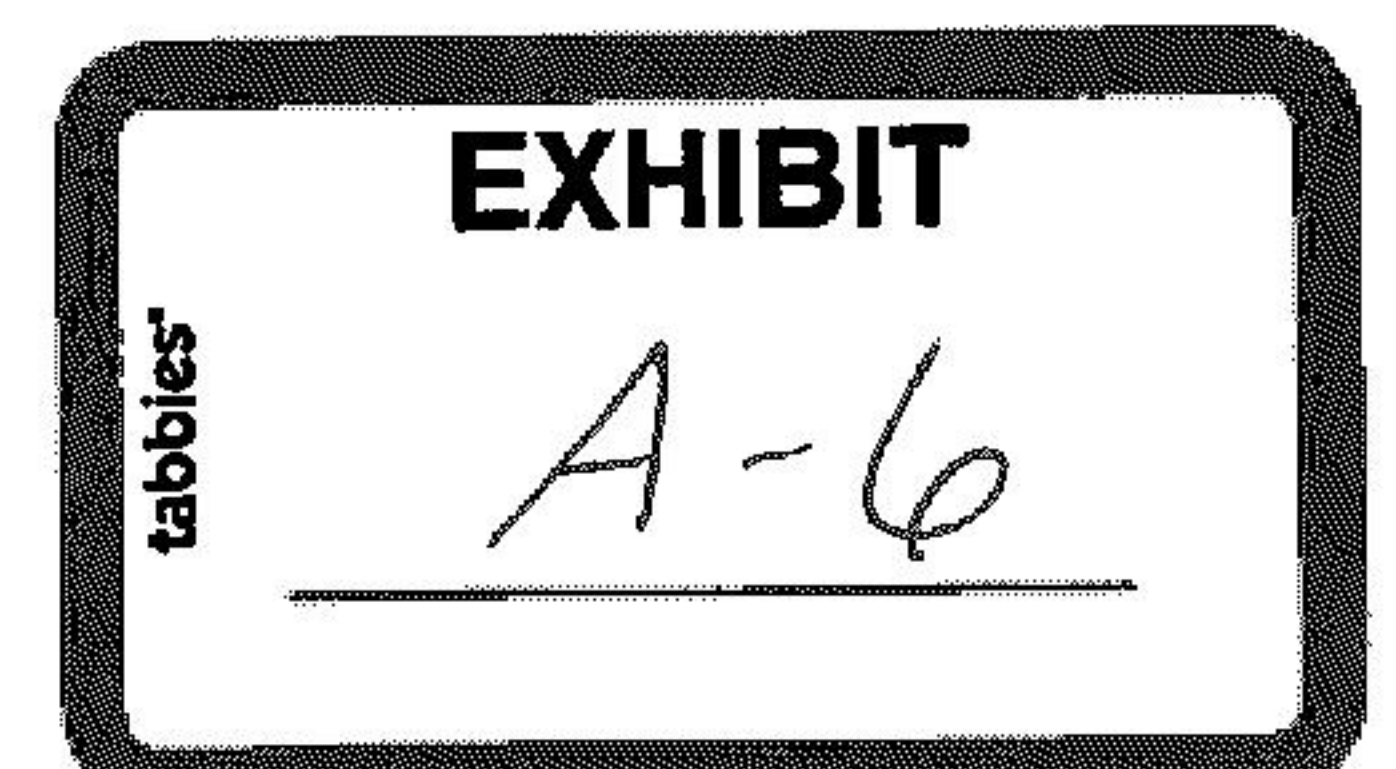
1. Except in the event of a need for work in the event of an emergency (as defined below), prior to entering into any contract for services that will cost more than \$50,000.00, the Board of Directors shall solicit bids from at least three (3) separate vendors/providers, if reasonably available. In the case of an emergency, the Board may enter into a contract for services without soliciting or obtaining multiple bids so long as the terms of the contract appear fair and reasonable to the Association in the Board's sole and absolute discretion.

2. The Board is excused from soliciting and/or obtaining at least three (3) bids in the event of an emergency or certain exigent circumstances, including the following:

- a. An emergency exists such that there is insufficient time to solicit and obtain multiple bids.
- b. The Association was not able to locate at least three (3) vendors/providers to provide the services.
- c. The Association solicited bids from at least three (3) vendors/providers, but not all vendors/providers responded to the request for a bid.

3. An emergency, as used in this policy, shall be defined as, but not be limited to, an unexpected occurrence, condition, or circumstance that requires immediate action in order to address the risk of harm to individuals and/or property damage, or to satisfy any local, state, federal or other governmental order. In addition, other unforeseen circumstances may be deemed by the Board to constitute an emergency as determined by the Board in its sole and absolute discretion.

4. Any and all decisions to award a service contract to a particular vendor or provider must be a sound business decision based upon what is in the best interest of the Association at the time. Nothing in this Policy Regarding Solicitation of Bids shall require the Board to award a service contract to the lowest bidder.



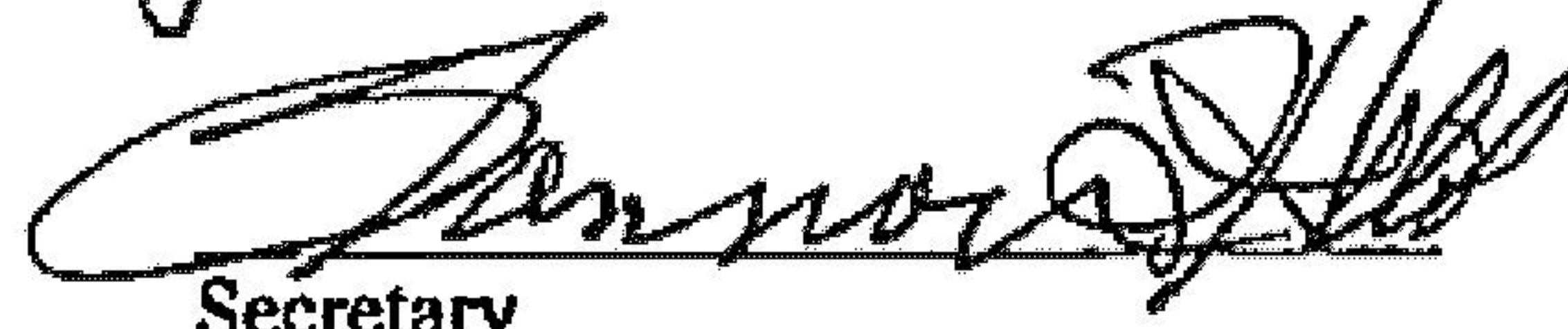
5. The Board may delegate the solicitation of bids procedures under this policy to the Association's management company as defined by Section 209.002 of the Texas Property Code.

6. In the event of any conflict between Section 209.0052(c) of the Texas Property Code and any restrictions contained in any dedicatory instrument of the Association, Section 209.0052(c) and this policy control.

**IT IS FURTHER RESOLVED** that this Policy Regarding Solicitation of Bids is effective upon adoption and recordation hereof, to remain in force and effect until revoked, modified or amended.

This is to certify that the foregoing policy was adopted by the Board of Directors at a meeting of same on 25 August 2021, and has not been modified, rescinded or revoked.

DATE: 8/25/2021

  
Secretary