

LONGMIRE CREEK ESTATES PROPERTY OWNERS' ASSOCIATION, INC.

SECURITY MEASURES POLICY

STATE OF TEXAS §
COUNTY OF MONTGOMERY § KNOW ALL PERSONS BY THESE PRESENTS:

WHEREAS, LONGMIRE CREEK ESTATES PROPERTY OWNERS' ASSOCIATION, INC. (the "Association") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the Declarations for the various sections of the community recorded in the Official Records of Real Property of Montgomery County, Texas, as follows:

- Longmire Creek Estates Section 1 - Clerk's File No. 2011-107842; and
Longmire Creek Estates Section 2 Annexation Agreement - Clerk's File No. 2013-132359 (collectively referred to as the "Declarations"); and

WHEREAS, Section 202.023(a) of the Texas Property Code ("Code") provides for the regulation of security measures and fencing by a property owners' association;

WHEREAS, Chapter 204, Section 204.010(a)(6) of the Texas Property Code empowers the Association acting through its Board of Directors, to regulate the use, maintenance, repair, replacement, modification, and appearance of the subdivision and to implement written architectural control guidelines; and,

WHEREAS, the Board of Directors (the "Board") has determined that in connection with maintaining the aesthetics and architectural harmony of the community, and to provide clear and definitive guidance regarding security measures therein, it is appropriate for the Association to adopt guidelines regarding security measures and fencing within the community.

NOW, THEREFORE, BE IT RESOLVED THAT the following SECURITY MEASURES POLICY are adopted by the Board of Directors.

SECURITY MEASURES POLICY

1. Before any security measure contemplated by Section 202.023(a) of the Texas Property Code ("Code") is constructed or otherwise erected on a Lot, an ACC application must be submitted to the Association and approved in writing in accordance with the Declaration. The following information must be included with the application:

- a. Type of security measure;
b. Location of proposed security measure;
c. General purpose of proposed security measure; and

d. Proposed construction plans and/or site plan.

2. Type of Fencing. The Code authorizes the Association to regulate the type of security measure fencing that an Owner may install on a Lot.

a. Security measure fencing generally

- i. Security measure fencing cannot contain decorative elements and embellishments (whether part of the fence construction or are add-on decorative elements/embellishments). This prohibition includes, but is not limited to, prohibiting finials (of any shape or design), fleur de lis, points, spears (of any shape or design), and gate toppers of any type.
- ii. Unless otherwise provided by the Association's dedicatory instruments, chain link, brick, concrete, barbed wire, vinyl, and stone security measure fencing is expressly prohibited and will not be approved by the ACC.
- iii. No vines or vegetation shall be allowed to grow on security measure fencing.

b. Security measure fencing forward of the residential structure on a Lot as depicted on the applicable Lot survey:

- i. Must be metal fencing (either steel, wrought iron, or aluminum) measuring no more than four feet (4') in height. The ACC shall have the discretion to approve any other type of metal security measure fencing, however, the follow types of metal fencing are prohibited and will not be approved: (1) stamped metal fencing (including gates); (2) metal panel fencing; and (3) solid metal fencing. It is the intent of this Policy that all security measure fencing forward of the front building line on a Lot have the appearance of what is commonly called "wrought iron fencing";
- ii. Must consist of straight horizontal rails and straight vertical pickets and/or posts;
- iii. Must be black [OPTIONAL] or any color approved by the ACC (including gates);
- iv. Security measure fencing pickets shall be 3/4", 4" on center with 1-1/4" top and bottom rails. All framing must be on the inside (i.e., the residence side) of the security measure fencing;
- v. Any driveway or pedestrian gates on security measure fencing must be of the same material as the fencing and swing inward and related fence motors/equipment must be kept screened from view with evergreen shrubs or in such other manner approved in writing by the ACC;

- vi. When security measure fencing meets a wood fence, the security measure fencing may not be attached to the wood fence. The security measure fencing shall be terminated with a three-inch (3") metal post (either steel, wrought iron, or aluminum) adjacent to the wood post/wood fencing; and
 - vii. Chain link, brick, concrete, barbed wire, vinyl, wood and stone security measure fencing is expressly prohibited and will not be approved by the ACC.
 - viii. On corner lots, no security measure fencing shall be placed in the Visibility Triangle. The Visibility Triangle is the triangular area adjacent to the intersection of any street established by measuring a distance of 15 feet from the point of intersection of two streets along the right-of-way of each of the intersecting streets and connecting the ends of each measured distance.
 - ix. Security Fencing shall not encroach on any easement (i.e.; 10' side easement and 25' from street pavement easement).
- c. All security measure fencing must be installed per the manufacturer's specifications and all electric gates must be installed by a licensed electrician in accordance with all applicable codes and applicable governmental regulations.
 - d. Placement of fencing and/or security measures of any type must comply with Texas, City of Conroe, and/or Montgomery County Regulations and Ordinances, if any.
 - e. The ACC shall have the discretion to determine any additional types approvable or prohibited security measure fencing.
 - f. All locking mechanisms used to secure a security fence gate must comply with State, County, and Municipal laws, codes and ordinances, integrated as part of the fencing, and lastly be approved by the ACC. No chain locking devices will be approved.
 - g. If the proposed security measure fencing is located on one or more shared Lot lines with adjacent Lot(s) ("Affected Lots"), all Owners of record of the Affected Lots must sign the ACC application evidencing their consent to the security measure fencing before the requesting Owner ("Requesting Owner") submits the ACC application to the ACC. In the event that the Affected Lot Owner(s) refuse to sign the ACC application as required by this section, the Affected Lot Owner(s) and Requesting Owner hereby acknowledge and agree that the Association shall have no obligation to participate in the resolution of any resulting dispute in accordance with this Policy.

3. Burglar Bars and Security Screens. All burglar bars, security screens, and front door entryway enclosure shall be black or any color approved by the ACC. Notwithstanding the foregoing, the ACC shall have the discretion to approve another color for burglar bars, security screens and front door entry enclosure if, in the sole and absolute discretion of the ACC (subject to an appeal to the Board of Directors in the event of an ACC denial), the proposed color of the burglar bars, security screens, and front door entryway enclosures complements the exterior color of the dwelling. All burglar bars and front door entry enclosures must be comprised of straight horizontal cross-rails and straight vertical pickets. Decorative elements and embellishments (whether part of the original construction of the burglar bar or security screen or are add-on decorative elements/embellishments) of any type are prohibited on burglar bars, security screens, and front door entryway enclosures.

4. Location. A security measure may be installed only on an Owner's Lot, and may not be located on, nor encroach on, another Lot, street right-of-way, Association Common Area, or any other property owned or maintained by the Association. No fence shall be installed in any manner that would prevent someone from accessing property that they have a right to use/access.

5. Disputes; Disclaimer; Indemnity. Security measures, including but not limited to, security cameras and security lights shall not be permitted to be installed in a manner that the security measure is aimed/directed at an adjacent property which would result in an invasion of privacy, or cause a nuisance to a neighboring Owner or resident. In the event of a dispute between Owners or residents regarding security measure fencing, or a dispute between Owners or residents regarding the aim or direction of a security camera or security light, the Association shall have no obligation to participate in the resolution of the dispute. The dispute shall be resolved solely by and between the Owners or residents.

EACH OWNER AND OCCUPANT OF A LOT WITHIN THE PROPERTY ACKNOWLEDGES AND UNDERSTANDS THAT THE ASSOCIATION, INCLUDING ITS DIRECTORS, OFFICERS, MANAGERS, AGENTS, EMPLOYEES AND THE ACC, ARE NOT INSURERS AND THAT EACH OWNER AND OCCUPANT OF ANY DWELLING AND/OR LOT THAT HAS A SECURITY MEASURE THAT HAS BEEN OR WILL BE INSTALLED PURSUANT TO THIS POLICY ASSUMES ALL RISKS FOR LOSS OR DAMAGE TO PERSONS, TO DWELLINGS AND IMPROVEMENTS AND TO THE CONTENTS OF DWELLINGS AND IMPROVEMENTS, AND FURTHER ACKNOWLEDGES THAT THE ASSOCIATION, INCLUDING ITS DIRECTORS, OFFICERS, MANAGERS, AGENTS, EMPLOYEES AND THE ACC, HAVE MADE NO REPRESENTATIONS OR WARRANTIES NOR HAS ANY OWNER OR OCCUPANT RELIED UPON ANY REPRESENTATIONS OR WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE, RELATIVE TO ANY SECURITY MEASURE THAT MAY BE APPROVED BY THE ACC PURSUANT TO THIS POLICY.

These guidelines are effective upon recordation in the Public Records of Montgomery County, Texas, and supersede any guidelines which may have previously been in effect. Except as affected by the Texas Property Code and/or by these guidelines, all other provisions contained

in the Declaration or any other dedicatory instruments of the Association shall remain in full force and effect.

APPROVED and ADOPTED this 22nd day of November, 2022 by the Board of Directors of LONGMIRE CREEK ESTATES PROPERTY OWNERS' ASSOCIATION, INC.

LONGMIRE CREEK ESTATES PROPERTY OWNERS' ASSOCIATION, INC.

Steven Barker, President LCE-POA

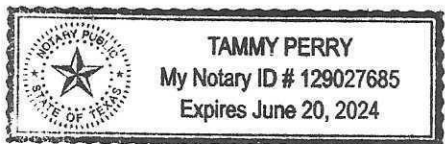
[Signature], Vice Pres. LCE-POA

_____, Secretary, LCE-POA

STATE OF TEXAS §
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COUNTY OF MONTGOMERY §

This instrument was acknowledged before me on this the 22nd day of November, 2022, by Steven Barker, as President of LONGMIRE CREEK ESTATES PROPERTY OWNERS' ASSOCIATION, INC., a Texas nonprofit corporation, on behalf of said corporation.

[Signature]
Notary Public - State of Texas



RETURN TO:
STEVE BARKER LCE POA PRESID
P.O. Box 3567
CONROE, TX. 77305

FILED FOR RECORD
11/30/2022 11:04AM



COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,
COUNTY OF MONTGOMERY

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

11/30/2022



County Clerk
Montgomery County, Texas