

Denton County  
Juli Luke  
County Clerk

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Instrument Number: 140384

ERecordings-RP

AFFIDAVIT

Recorded On: August 03, 2021 04:24 PM

Number of Pages: 26

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" Examined and Charged as Follows: "

Total Recording: \$126.00

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

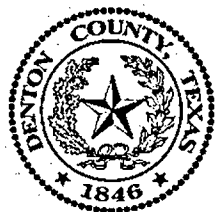
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

**File Information:**

Document Number: 140384  
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Recorded Date/Time: August 03, 2021 04:24 PM  
User: Joy R  
Station: Station 19

**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

## AFFIDAVIT FOR FILING DEDICATORY INSTRUMENTS

STATE OF TEXAS           §  
  §  
COUNTY OF DENTON       §

**KNOW ALL BY THESE PRESENT:**

WHEREAS section 202.006 of the Texas Property Code requires that a property owners' association file its dedicatory instruments in the real property records of the county in which the property is located, and

WHEREAS the Castlewood Homeowners' Association, Inc. is a property owners' association as the term is defined in the Texas Property Code and has property located in Denton County, Texas,

NOW THEREFORE, true copies of the following dedicatory instruments of the Castlewood Homeowners' Association, Inc. which have not been previously filed in the public records of Denton County are attached hereto, including:

- *Records Retention Policy*
- *Records Inspection Policy*
- *Membership Voting Policy*
- *E-mail registration Policy*
- *Solar Energy Device Guidelines*
- *Roofing Material Guidelines*
- *Rainwater Collection Devices Guidelines*
- *Flag Display Guidelines*
- *Drought-Resistant Landscaping and Natural Turf Guidelines*
- *Violation Enforcement Resolution*
- *Violation Schedule*
- *Application of Payments Policy*
- *Conflict of Interest Policy*
- *Electronic and Telephonic Action Policy*
- *Standby Electric Generators Guidelines*
- *Uncurable Violation Enforcement Resolution*
- *Pool Rules*

FURTHER, other dedicatory instruments of the Castlewood Homeowners' Association, Inc. have already been filed in the public records of Denton County as these documents supplement the previously filed documents.

SIGNED on this the 3<sup>rd</sup> day of August, 2021.

Castlewood Homeowners' Association, Inc.

By: Spectrum Association Management, L.P.

By: Belinda Moreno  
Belinda Moreno  
Spectrum Association Management, L.P.  
Managing Agent

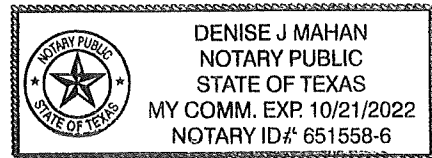
State of Texas §

County of Bexar §

This Instrument was acknowledged and signed before me on 3<sup>rd</sup>, August, 2021 by Belinda Moreno, representative of Spectrum Association Management, the Managing Agent for Castlewood Homeowners' Association, Inc., on behalf of said association.

Denise J Mahan  
Notary Public, State of Texas

After Recording Return To:  
Spectrum Association Management  
Attn: Transitions  
17319 San Pedro, #318  
San Antonio, TX 78232



**Records Retention Policy for the  
Castlewood Homeowners Association, Inc.**

STATE OF TEXAS

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§

COUNTY OF DENTON

This Records Retention Policy for the Castlewood Homeowners Association, Inc. (the "Policy") is adopted by the Castlewood Homeowners Association, Inc. (the "Association"), a Texas Non-Profit Corporation.

WHEREAS, the Association adopted a Policy through resolution of the Castlewood Homeowners Association, Inc. Board of Directors (the "Board") on July 21, 2021.

NOW THEREFORE, the Association hereby adopts a Records Retention schedule as follows:

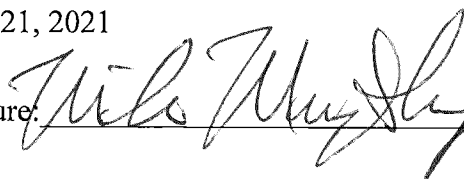
- 1.) Certificates of formation, articles of incorporation, bylaws, restrictive covenants and all amendments to certificates of formation, bylaws and covenants shall be retained permanently at the Association's principal office address, electronically or in a storage facility as deemed appropriate by the Board.
- 2.) Financial books and records shall be retained for seven years at the Association's principal office address, electronically or in a storage facility as deemed appropriate by the Board.
- 3.) Account records of current owners shall be retained for five years at the Association's principal office address, electronically or in a storage facility as deemed appropriate by the Board.
- 4.) Contracts with a term of one year or more shall be retained for four years after the expiration of the contract term at the Association's principal office address, electronically or in a storage facility as deemed appropriate by the Board.
- 5.) Minutes of meetings of the owners and the Board shall be retained for seven years at the Association's principal office address, electronically or in a storage facility as deemed appropriate by the Board.
- 6.) Tax returns and audit records shall be retained for seven years at the Association's principal office address, electronically or in a storage facility as deemed appropriate by the Board.

Documents not specifically listed above will be retained for the time period of the documents most closely related to those listed in the above schedule. Electronic documents will be retained as if they were paper documents. Therefore, any electronic files that fall into one of the document types on the above schedule will be maintained for the identified time period.

The custodian of the records of the Association is responsible for the ongoing process of identifying the Association's records which have met the required retention period and overseeing their destruction. Destruction of any physical documents will be accomplished by shredding. Destruction of any electronic records of the Association shall be made via a reasonable attempt to remove the electronic records from all known electronic locations and/or repositories.

EFFECTIVE DATE: July 21, 2021

Authorized Board Member Signature:



Date: 7-21-2021

**Records Inspection Policy for the  
Castlewood Homeowners Association, Inc.**

STATE OF TEXAS                   §  
  §  
COUNTY OF DENTON           §

This Records Inspection Policy for the Castlewood Homeowners Association, Inc. (the "Policy") is adopted by the Castlewood Homeowners Association, Inc. (the "Association"), a Texas Non-Profit Corporation.

WHEREAS, the Association adopted a Policy through resolution of the Castlewood Homeowners Association, Inc. Board of Directors (the "Board") on July 21, 2021.

NOW THEREFORE, the Association hereby adopts a Records Inspection Policy as follows:

- 1.) Persons who may request to inspect records or purchase copies of records of the Association, other than members of the Board, are limited to:
  - a. A member of the Association as evidenced by a deed, deed of trust, or provision within the declaration or;
  - b. The agent, attorney, or certified public account designated in writing signed by the owner as the owner's agent (an "Agent") of a member of the Association, upon receipt by the Association of an instrument signed by both the owner and Agent designating said Agent as such.
- 2.) To inspect or obtain copies of Association records a valid request must be sent to the Association. To be valid, a request to inspect or purchase copies of records must:
  - a. Be submitted in writing by certified mail, return receipt requested, to the mailing address of the Association or to the authorized representative of the Association as reflected on the most current management certificate filed under Sec. 209.004 of Texas Property Code;
  - b. Describe in detail each record requested including the fiscal year to which said record relates;
  - c. Contain an election to inspect records before obtaining copies or purchase copies of the same.
- 3.) The estimated cost of production of records shall be due from the requestor to the Association in advance of their production.
  - a. The cost for production of records shall include reasonable costs for labor, transportation of records, copies, or other mediums used for their production. Said costs shall not exceed the cost for an item under 1 T.A.C. Section 70.3.
  - b. The difference between the estimated cost of production and the actual final cost shall be settled within 30 days from the date the records were delivered.
  - c. If the estimated cost was lesser or greater than the actual costs, the Association shall submit a final invoice to the owner on or before the 30<sup>th</sup> business day after the date the information is delivered. If the final invoice includes additional amounts due from the owner, the additional amounts, if not reimbursed to the Association before the 30<sup>th</sup> business day after the date the invoice is sent to the owner, may be added to the owner's account as an assessment. If the estimated costs exceeded the final invoice amount, the owner is entitled to a refund, and the refund shall be issued to the owner not later than the 30<sup>th</sup> business day after the date the invoice is sent to the owner.
- 4.) The Association may, at its option, produce the records in hard copy or electronic format for an owner requesting to obtain copies.
- 5.) Types of records available for inspection shall include all responsive records identified in the Association's Records Retention policy.
- 6.) The Association may not release any records that indicate the violation history or payment history of a particular owner of the community without written consent from said owner.

EFFECTIVE DATE: July 21, 2021

Authorized Board Member Signature: Mike Mayhew Date: 7-21-2021

**Membership Voting Policy for the  
Castlewood Homeowners Association, Inc.**

STATE OF TEXAS                   §  
  §  
COUNTY OF DENTON           §

This Membership Voting Policy for the Castlewood Homeowners Association, Inc. (the "Policy") is adopted by the Castlewood Homeowners Association, Inc. (the "Association"), a Texas Non-Profit Corporation.


WHEREAS, membership voting is governed in whole or in part by Sections 209.0058, 209.0059, 209.00593 and 209.0054 of Texas Property Code (the "Voting Requirements"), and;

WHEREAS, the Association may adopt policies and rules to help facilitate the provisions outlined in the Voting Requirements.

NOW THEREFORE, the Association hereby adopts a Membership Voting Policy as follows:

- 1.) The Association shall have the sole authority to promulgate all ballots, absentee ballots, proxy forms or other instruments ("Voting Instruments") for use in Association wide votes or elections and the Association may not accept any other form of these instruments in connection with an Association vote or election.
- 2.) The Association may include copies of Voting Instruments for use in Association wide votes or elections in the notice of said meeting. Members shall otherwise be entitled to obtain from the Association copies of said unexecuted Voting Instruments.
- 3.) All Voting Instruments must be signed and dated by the member executing said instrument. Unsigned or undated instruments may be deemed invalid and may not be counted toward quorum and/or totals in a vote or election.
- 4.) Voting Instruments may be submitted to the Association electronically, by mail or in person not later than one business day prior to the election or vote to which they pertain. Voting Instruments may also be submitted at the meeting to which they pertain prior to the close of voting.
- 5.) Electronic submission of executed Voting Instruments may include e-mail submission or facsimile transmission of said Voting Instrument to the respective email address or fax number listed for such purpose on said instrument promulgated by the Association. Electronic submission of said Voting Instruments shall also include an electronic transmission made through a secured exchange available through the Association's website.
- 6.) Voting Instruments may also be mailed to the principal office address of the Association as listed on the Voting Instrument. If mailing, Voting Instruments must be received not later than one business day prior to the Election or Vote to which they pertain.
- 7.) Votes cast by proxy may only be cast in person by the proxy holder at the meeting for which said proxy is effective.

EFFECTIVE DATE:           July 21, 2021

Authorized Board Member Signature:  Date: 7-21-2021

**E-mail Registration Policy for the  
Castlewood Homeowners Association, Inc.**

STATE OF TEXAS                   §  
  §  
COUNTY OF DENTON           §

WHEREAS, The Castlewood Homeowners Association, Inc., a Texas non-profit corporation (the “Association”) is charged with administering and enforcing the Declaration of Protective Covenants (the “Declaration”);

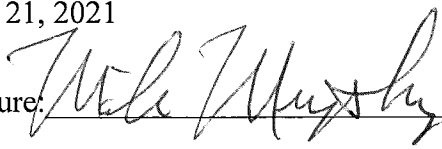
WHEREAS, Section 209.0051(e)(2)(B) of the Texas Property Code provides that the Association may send the required notice of a meeting of the Association’s Board of Directors (the “Board”) by e-mail to each owner who has registered an e-mail address with the Association;

WHEREAS, pursuant to Section 209.0051(f), it is an owner’s duty to keep an updated e-mail address registered with the Association;

NOW THEREFORE, the Board has duly adopted the following “*E-mail Registration Policy*” (the “Policy”):

- 1.) An e-mail address shall be considered registered with the Association for the purposes of receiving notices pursuant to Section 209.0051(e)(2)(B) when: (1) the owner has completed the registration form available at [www.spectrumam.com](http://www.spectrumam.com) that is required to gain online access to the Association’s website; and (2) the owner has received confirmation that said submission has been received and approved.
- 2.) For an owner to receive notices pursuant to Section 209.0051(e)(2)(B), the registration form must be completed and submitted after «ResolutionDate».
- 3.) No other form of e-mail registration shall be accepted for the purpose of communicating notices under Section §209.0051(e)(2)(B) regardless of whether said e-mail address has been previously used for communications to or from the Association.

EFFECTIVE DATE:           July 21, 2021

Authorized Board Member Signature:    Date: 7-21-2021



**Solar Energy Device Guidelines for the  
Castlewood Homeowners Association, Inc.**

STATE OF TEXAS                   §  
  §  
COUNTY OF DENTON           §

Pursuant to the Bylaws of the Castlewood Homeowners Association, Inc. (referred to as "Association") and the Declaration of Protective Covenants, the Directors of the Castlewood Homeowners Association, Inc., a Texas non-profit corporation, consent to the adoption of the following resolution:

RE:    Architectural Guidelines for Solar Energy Devices

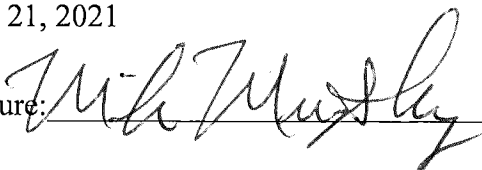
WHEREAS:

1. The Texas Property Code Chapter 202 Section 202.010 precludes associations from adopting or enforcing a complete prohibition on solar energy devices; and
2. Pursuant to Section 202.010 of the Texas Property Code, the Board of Directors is permitted to adopt certain limitations on solar energy devices.

BE IT RESOLVED THAT:

1. In order to comply with Section 202.010 of the Texas Property Code, the Board of Directors of the Association hereby repeals any and all prior restrictions on solar energy devices contained in any governing document of the Association which are inconsistent with the new law, and adopts the following guidelines to govern solar energy devices.
  - a. Solar panels may be approved by the architectural review committee, but prior to installation you must obtain written approval from the architectural review committee;
  - b. Unless there is supplied documentation stating that the energy production of the solar panel will be compromised by more than ten percent the solar panel must be placed on the rear facing portion of the roof, or may be placed on the rear facing portion of another approved structure;
  - c. The solar panel may not be higher or wider than any flat portion of the roof with where it is attached. The top edge of the solar panel must be parallel with the roofline, or if the roofline is at an angle in must be parallel with the bottom portion of the roof. The solar panel must also conform to the slope of the roofline;
  - d. If the solar panel will be located anywhere on the lot other than a roof of the home or other approved structure the solar panel must be located below the fence line;
  - e. The color of the solar panel frames, brackets, wires and pipes must be included with the improvement request.
2. In the event of any conflict between these provisions and any solar energy device restrictions contained in any governing documents of the Association, including design guidelines, policies and the Declaration, this Solar Energy Device Policy controls.

EFFECTIVE DATE:           July 21, 2021

Authorized Board Member Signature:     Date: 7-21-2021

**Roofing Material Guidelines for the  
Castlewood Homeowners Association, Inc.**

STATE OF TEXAS                   §  
  §  
COUNTY OF DENTON           §

Pursuant to the Bylaws of the Castlewood Homeowners Association, Inc. (referred to as “Association”) and the Declaration of Protective Covenants, the Directors of the Castlewood Homeowners Association, Inc., a Texas non-profit corporation, consent to the adoption of the following resolution:

RE:    Architectural Guidelines for Roofing Materials


WHEREAS:

1. The Texas Property Code Chapter 202 Section 202.011 precludes associations from adopting or enforcing a prohibition or restriction on certain roofing materials.
2. Pursuant to Section 202.011 of the Texas Property Code, the Board of Directors is permitted to adopt certain limitations on roofing materials.

BE IT RESOLVED THAT:

3. In order to comply with Section 202.011 of the Texas Property Code, the Board of Directors of the Association adopts the following guidelines for certain roofing materials.
  - a. Certain types of roof shingles are designed to prevent wind and hail damage, provide heating and cooling efficiencies, or provide solar generation capabilities.
  - b. Prior to installation of these types of roof shingles, you must obtain written approval from the architectural review committee.
  - c. To comply with these guidelines the roof shingles must resemble the shingles used on other properties within the subdivision.
  - d. The shingles must also be more durable than and are of equal or greater quality to the shingles used on other properties within the subdivision.
  - e. The shingles must match the aesthetics of other properties surrounding the owner’s property.
4. In the event of any conflict between these provisions and any roofing material restrictions contained in any governing documents of the Association, including design guidelines, policies and the Declaration, this Roofing Materials Policy controls.

EFFECTIVE DATE:           July 21, 2021

Authorized Board Member Signature:            Date: 7-21-2021

**Rainwater Collection Devices Guidelines for the  
Castlewood Homeowners Association, Inc.**

STATE OF TEXAS                   §  
  §  
COUNTY OF DENTON           §

Pursuant to the Bylaws of the Castlewood Homeowners Association, Inc. (referred to as "Association") and the Declaration of Protective Covenants, the Directors of the Castlewood Homeowners Association, Inc., a Texas non-profit corporation, consent to the adoption of the following resolution:

RE:    Architectural Guidelines for Rainwater Collection Devices

WHEREAS:

1. The Texas Property Code Chapter 202 Section 202.007(d) precludes associations from adopting or enforcing certain prohibitions or restrictions on rain barrels and rainwater harvesting systems; and
2. Pursuant to Section 202.007(d) of the Texas Property Code, the Board of Directors is permitted to adopt certain limitations on rainwater harvesting systems.

BE IT RESOLVED THAT:

1. In order to comply with Section 202.007(b) of the Texas Property Code, the Board of Directors of the Association adopts the following guidelines for rainwater harvesting devices:
  - a. The barrels or system must be of a color that is consistent with the color scheme of the owner's home.
  - b. The barrels or system cannot be located between the front of the owner's home and an adjoining or adjacent street.
  - c. The barrels or system must not display any language or other content that is not typically included on the item when it is manufactured.
  - d. The Association may regulate the size, type, materials and manner of screening for barrels and systems that are visible from the street, another lot, or common area.
  - e. There must be sufficient areas on the owner's property to install the barrels or system.
2. In the event of any conflict between these provisions and any rainwater collection device restrictions contained in any governing documents of the Association, including design guidelines, policies and the Declaration, this Rainwater Collection Device Policy controls.

EFFECTIVE DATE:           July 21, 2021

Authorized Board Member Signature: Wick Murphy Date: 7-21-2021

**Flag Display Guidelines for the  
Castlewood Homeowners Association, Inc.**

STATE OF TEXAS                   §  
  §  
COUNTY OF DENTON           §

Pursuant to the Bylaws of the Castlewood Homeowners Association, Inc. and the Declaration of Protective Covenants, the Directors of the Castlewood Homeowners Association, Inc., a Texas non-profit corporation (referred to as "Association"), adopt the following resolution:

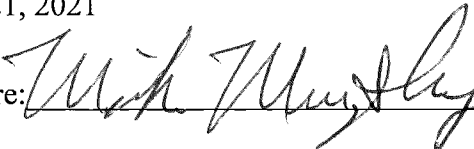
RE: Architectural Guidelines for Flag Displays  
WHEREAS:

1. The Texas Property Code Section 202.012 precludes associations from adopting or enforcing a prohibition or restriction on certain flag displays; and
2. Pursuant to Section 202.012 of the Texas Property Code, the Board of Directors is permitted to adopt certain guidelines on flag displays.

BE IT RESOLVED THAT:

- 1.) In order to comply with Section 202.012 of the Texas Property Code, the Board of Directors of the Association adopts the following guidelines for flag displays:
  - a. United States Flags must be displayed in accordance with 4 U.S.C. Sections 5-10.
  - b. The Texas Flag must be displayed in accordance with Chapter 3100 of the Texas Government Code.
  - c. A flagpole, whether attached to a dwelling or freestanding, must be constructed of permanent, long-lasting materials with a finish appropriate to the materials used in the construction of the flagpole and harmonious with the dwelling.
  - d. The flag display must conform to all setbacks, easements, and zoning ordinances.
  - e. Flag poles may be installed in the front yard with the approval of the Architectural Control Committee so long as there is not less than a 15' setback.
  - f. Flags and flagpoles must be maintained in good condition; flags and poles that are deteriorating or represent an unsafe condition must be repaired, replaced or removed.
  - g. Flagpoles are limited to one per lot, not to exceed 20 feet in height.
  - h. Flag size is limited to 3' x 5'.
  - i. An owner can only place a flagpole or flag on their own property with the approval of the Architectural Control Committee and no other property.
  - j. You must abate any noise that is caused by the external halyard of a flagpole.
- 2.) The American Flag, Texas Flag or flag from one of the United States armed services may be flown from wall mounted poles or ground mounted flagpoles. The installation of all flagpoles must be approved by the committee for height and location. The location and intensity of lights used to illuminate a displayed flag must also be approved by the Architectural Control Committee.
- 3.) In the event of any conflict between these provisions and any flag display restrictions contained in any dedicatory instruments of the Association, including design guidelines, policies and the Declaration, this Flag Display Policy controls.

EFFECTIVE DATE: July 21, 2021

Authorized Board Member Signature:  Date: 7-21-2021

**Drought-Resistant Landscaping and Natural Turf Guidelines for the  
Castlewood Homeowners Association, Inc.**

STATE OF TEXAS                    §  
  §  
COUNTY OF DENTON            §

Pursuant to the Bylaws of the Castlewood Homeowners Association, Inc. and the Declaration of Protective Covenants, the Directors of the Castlewood Homeowners Association, Inc., a Texas non-profit corporation (referred to as “Association”), adopt the following resolution:

RE:    Architectural Guidelines for Drought-Resistant Landscaping and Natural Turf

WHEREAS:

1. The Texas Property Code Section 202.007 precludes associations from adopting or enforcing a prohibition that restricts an owner from using drought-resistant landscaping or water conserving natural turf; and
2. In the best interest of the Association in light of frequent and persistent drought conditions in the area, the Association desires to adopt the following guidelines.

BE IT RESOLVED THAT the Association’s supplementary guidelines on drought-resistant landscaping and water conserving natural turf are as follows:

1. In order to comply with Section 202.007 of the Texas Property Code, the Board of Directors of the Association adopts the following guidelines for the use of drought-resistant landscaping or water conserving natural turf:
  - a. The Architectural Control Committee (ACC or ARC) will allow variances for xeriscaping as long as 25% of the publicly visible area is covered with natural turf and all other guidelines below are met.
  - b. Homeowners must submit an Architectural Control Committee request or a request for a variance to the Architectural Control Committee (as applicable). The request must include details of the project and a design plan. Installation of the new xeriscaping cannot begin until the request has been approved.
  - c. Non-turf planted areas must be bordered to define the xeriscape areas clearly from turfed areas.
  - d. Xeriscape areas must always be kept maintained to ensure an attractive appearance. This includes trimming plants, keeping the area weed-free, and edging along borders.
  - e. No boulders or large rocks exceeding six inches (6") may be used on the narrow strips between sidewalks and the street curb.
  - f. No plants may encroach onto or over public sidewalks.
  - g. No plants with thorns, spines, or sharp edges can be used within six feet (6') of the sidewalks.
  - h. Urns, pots, and other manmade ornamentation cannot exceed four (4) items in public view.
  - i. No plants greater than twelve inches (12") in height should be planted in the sidewalk strip area.
  - j. Sickly and dying plants must be removed and replaced.
  - k. Perennials and ornamental grasses that die back in winter must be cut back to remove dead material.
2. Xeriscaping - Xeriscaping means using native and adapted plants that grow and sustain themselves with a low water requirement, and that can tolerate heat and drought conditions.

3. Ground Cover - If a request is granted, non-turf areas can contain decomposed granite, ground hardwood mulch, crushed limestone, flagstone, or other loose stone material for a ground cover. The ground cover must be maintained to prevent weed growth, preferably without using toxic or environmentally harmful chemicals. Paver stones may be used to create walkways. Concrete surfaces are limited to driveways and sidewalks only.
4. Plants - Use plants adapted to the pH soil conditions created by the non-turf materials used. For example, don't use acid-loving plants along with alkaline crushed limestone. Acid-loving plants would do well with ground hardwood mulch. Native plants would do well with limestone or crushed granite. For public safety, no plants with thorns, spines, or sharp edges can be used within six feet (6') of the sidewalks. Also, no plants higher than twelve inches (12") may be planted in the sidewalk strip, as this constitutes a visual safety hazard to pedestrians and drivers.
5. Borders - Xeriscape areas must be surrounded by a border to clearly define the xeriscape areas from turf areas. Borders can consist of metal edging or mortared masonry units. Masonry products include stone, clay brick pavers, or concrete masonry units manufactured as edging shapes. Any proposed masonry edging must receive approval of the Architectural Control Committee. All masonry products must be properly mortared in place to avoid displacement and weed encroachment or growth between masonry units. Brick masonry must be approved for color and type; if brick units are to be used, they must be solid units, not those with holes. No "common" concrete blocks are permitted. If iron edging is used, it must be properly staked and set with top edge not more than two inches (2") above grade. Borders must be maintained as part of the landscaping, must be kept in attractive condition, and must be edged.
6. Turf Grasses - Homeowners should consider replacing "thirsty" turf grasses such as St. Augustine with turf that has lower water requirements. Good turf grasses for our area include Buffalo grass, Zoysia, and Bermuda. However, no one turf grass is ideal for all situations, so carefully consider the amount of sunlight your lawn receives before choosing a new turf grass.
7. Hardscapes - Hardscapes can include large boulders or other natural materials that are used as part of xeriscape landscaping design. Urns, pots, and other man-made ornamentation can add variety, but are not to exceed four (4) items in public view. Any proposed landscape "decorative items" such as birdbaths, statuary, or other similar non-vegetative items must be approved in advance. No boulders or large rocks exceeding six inches (6") may be used on the easement strips between the sidewalks and the street curb.
8. Landscape Maintenance - Xeriscape areas are subject to the same maintenance requirements as other landscaping and must always be maintained to ensure an attractive appearance. Plants must be trimmed, beds must be kept weed-free, and borders must be edged. No plants may encroach on sidewalks. Sickly and dying plants must be removed and replaced. Perennials that die back during winter must be cut back to remove dead material. This includes most ornamental grasses and other flowering perennials that go dormant to the ground in winter. Xeriscape areas are subject to the same maintenance requirements as other landscaping and must always be maintained to ensure an attractive appearance. Plants must be trimmed, beds must be kept weed-free, and borders must be edged. No plants may encroach on sidewalks. Sickly and dying plants must be removed and replaced. Perennials that die back during winter must be cut back to remove dead material. This includes most ornamental grasses and other flowering perennials that go dormant to the ground in winter.
9. To the extent these guidelines contradict with any previous guidelines, rules, covenants, or restrictions, these guidelines shall control. These guidelines are supplementary and are in addition to

any and all other covenants, conditions, restrictions, rules, and guidelines in effect for the Association.

EFFECTIVE DATE: July 21, 2021

Authorized Board Member Signature: Mike Murphy Date: 7-21-2021

**Violation Enforcement Resolution for the  
Castlewood Homeowners Association, Inc.**

STATE OF TEXAS                   §  
   §  
COUNTY OF DENTON           §

Pursuant to the Bylaws of the Castlewood Homeowners Association, Inc. (referred to as "Association") and the Declaration of Protective Covenants, the Directors of the Castlewood Homeowners Association, Inc., a Texas non-profit corporation, consent to the adoption of the following resolution:

RE:                   Violation Enforcement Policy

WHEREAS:

1. The Board of Directors is empowered to enforce the covenants, conditions and restrictions of the Covenants, Bylaws and any rules and regulations of the Association.
2. It is the Board's duty to use its best efforts to assure that said enforcement occurs

BE RESOLVED THAT:

1. The Board of Directors hereby adopts this Violation Enforcement Policy to establish equitable policies for the Association in compliance with the Chapter 209 of the Texas Property Code, titled the "Texas Residential Property Owners Protection Act," as it may be amended (the "Act"). To the extent any provision within this policy is in conflict the Act or any other applicable law, such provision shall be modified to comply with the applicable law.
2. All rules of the Association shall be enforced
3. The Violation Schedule (attached) shall be the Association's policy of enforcement.

EFFECTIVE: July 21, 2021

  
\_\_\_\_\_  
Authorized Board Member

7-21-2021  
\_\_\_\_\_  
Date



## Violation Schedule for the Castlewood Homeowners Association, Inc.

<u>Violation Procedure</u>	<u>Status</u>	<u>Action Required</u>
1 <sup>st</sup> Notice: Courtesy Notice (regular mail)	1 <sup>st</sup> Report/Sighting	10 days to correct
Subsequent Notices for Continued Violation	Non-compliance & No application for extension	30 days to correct
Final Notice: Final notice per Section 209.006 of the Texas Property Code (sent via certified mail)	Non-compliance & No application for extension	30 days to correct/if not corrected then sent to the Association's attorney.
The Board of Directors may authorize the account to be forwarded to the attorney.	Non-compliance & No application for extension	Attorney will work with owner to correct the violation.

### **General Policy**

If a homeowner contacts management with the intent to correct a violation and asks for an extension, management shall grant such extension if it deems the extension reasonable. If the homeowner does not cure the violation after the extension period the homeowner shall immediately be referred to the Association's attorney.

### **Attorney Procedure**

It is the option of the Board to decide when and if an account goes to the attorney. The decision to escalate an account to the attorney may be based on violation severity, prior violation history or other factors that may influence the Board of Director's decision. Once an account is turned over to the attorney's office the attorney will send the homeowner a letter of representation and a demand for compliance with the Association's governing documents. If the homeowner does not respond the attorney shall pursue all available action to cure the violation through the court/legal system. If allowable by law and the Association's Declaration of Covenants, all attorneys' fees/court costs shall be the homeowner's responsibility and shall be charged to the homeowners account and the money due shall be subject to the collection policy. If the amount due is not paid the attorney shall file a notice of lien.

**Other:** This policy may be amended and/or adjusted by the Board of Directors from time to time without notice. Homeowners are advised that they should contact the management company to request the most recent version of this policy if they have a question and/or need assistance in making payment arrangements.

**Application of Payments Policy for the  
Castlewood Homeowners Association, Inc.**

STATE OF TEXAS                   §  
  §  
COUNTY OF DENTON           §


WHEREAS, The Castlewood Homeowners Association, Inc., a Texas non-profit corporation (the "Association") is charged with administering and enforcing the Declaration of Protective Covenants (the "Declaration");

WHEREAS, The Board adopts the following policy in order to comply with the priority of payments schedule created by Section 209.0063 of the Texas Property Code; and

NOW THEREFORE, the Board has duly adopted the following "Application of Payments Policy" (the "Policy"):

- 1) Any delinquent assessment;
- 2) Any current assessment;
- 3) Any attorney's fees or third-party collection costs incurred by the Association associated solely with assessments or any other charge that could provide the basis for foreclosure;
- 4) Any attorney's fees incurred by the association that are not subject to the preceding subpart;
- 5) Any fines assessed by the Association;
- 6) Any other amounts owed to the Association.

EFFECTIVE DATE:           July 21, 2021

Authorized Board Member Signature:  Date: 7-21-2021



7. The other board members must reexamine the issues with the new information in accordance with this policy.
8. Contracts entered into in violation of this policy are void and unenforceable.
9. A current Director with a conflict of interest will still be counted in determining whether a quorum exists.
10. The Board certifies through this resolution that the requirements of Section 209.0052 have been met.

EFFECTIVE DATE: July 21, 2021

Authorized Board Member Signature: Mike Murphy Date: 7-21-2021

**Electronic and Telephonic Action Policy for the  
Castlewood Homeowners Association, Inc.**

STATE OF TEXAS                   §  
  §  
COUNTY OF DENTON           §

This Membership Voting Policy for the Castlewood Homeowners Association, Inc. (the “Policy”) is adopted by the Castlewood Homeowners Association, Inc. (the “Association”), a Texas Non-Profit Corporation.

WHEREAS, Section 209.0051(h) of the Texas Property Code was recently amended to allow the Board of Directors to take action outside of a meeting including voting by electronic or telephonic means without notice to the members; and

WHEREAS, pursuant to Section 209.0051(h), the Association desires to enact uniform procedures to ensure that for electronic or telephonic voting, each Director has a reasonable opportunity to express his or her opinion to all other board members and to cast his or her vote; and

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

NOW, THEREFORE, the Board of Directors hereby adopts the following Electronic and Telephonic Action Policy:

General Procedures:

- 1) Voting Quorum is defined as a majority of the Board positions currently filled.
- 2) Reasonable opportunity is defined as 72 hours.
- 3) Upon election to the Board of Directors, each Director has the responsibility to provide his or her preferred email address and phone number to the Association’s managing agent and/or all other current Board members, and has the responsibility to update the email address or phone number if their preferred contact information changes.
- 4) At any point in time a Director may request an alternate method of voting. The Board of Directors may provide a reasonable alternative method of voting such as email, phone, fax, mail or other method agreed upon by the Board of Directors and the requesting Director.

Email Procedures:

- 1) When a matter arises for a vote of the Board of Directors for which email voting is permitted, the managing agent and/or the requesting Director shall send an email to the email address of each Director. The email will state the proposal(s) being voted on and include any pertinent information or documents necessary for the decision to be made.
- 2) Each Director shall be entitled to reply to all other Directors and express his or her opinion on the proposal before casting his or her vote.
- 3) A vote shall be considered concluded upon any of the following occurrences:
  - a. At least a majority of the Directors vote to approve the proposal, or
  - b. A Voting Quorum respond with their vote and the majority of the Voting Quorum vote in agreement on the proposal, and each director has had a reasonable opportunity to respond to email request for vote.

Telephonic Procedures:

- 1) When a matter arises for a vote of the Board of Directors for which telephonic voting is permitted, the managing agent and/or the requesting Director shall contact each Director via provided contact information.
- 2) Each Director shall be informed of the proposal(s) being voted on and include any pertinent information for the decision to be made. A date, time and phone number shall be provided of when the vote will occur and allow for reasonable opportunity of review by each Director.
- 3) During the telephonic conference, each Director must be able to hear and be heard by all other directors. Each Director shall be entitled to reply to all other Directors and express his or her opinion on the proposal before casting his or her vote.
- 4) A vote shall be considered concluded upon any of the following occurrences:
  - a. At least a majority of the Directors vote to approve the proposal, or
  - b. A Voting Quorum respond with their vote and the majority of the Voting Quorum vote in agreement on the proposal, and each director has had a reasonable opportunity to respond to email request for vote.

All routine and administrative business of the Association may be conducted via email or phone as permissible by law.

EFFECTIVE DATE: July 21, 2021

Authorized Board Member Signature:

 Date: 7-21-2021

**Standby Electric Generators Guidelines for the  
Castlewood Homeowners Association, Inc.**

STATE OF TEXAS                    §  
   §  
COUNTY OF DENTON            §

Pursuant to the Bylaws of the Castlewood Homeowners Association, Inc. (referred to as "Association") and the Declaration of Protective Covenants, the Directors of the Castlewood Homeowners Association, Inc., a Texas non-profit corporation, consent to the adoption of the following resolution:

RE:    Architectural Guidelines for Standby Electric Generators

WHEREAS:

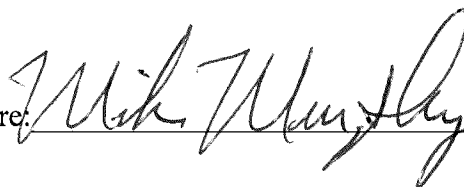
1. The Texas Property Code Chapter 202 Section 202.019 prohibits associations from adopting or enforcing certain prohibitions or restrictions on standby electric generators (SEG); and,
2. Pursuant to Section 202.019 of the Texas Property Code, the Board of Directors is permitted to adopt certain limitations on standby electric generators.

BE IT RESOLVED THAT:

3. In order to comply with Section 202.019 of the Texas Property Code, the Board of Directors of the Association adopts the following guidelines for standby electric generator devices:
  - a. The owner shall first apply to and receive written approval from the Association prior to installation of any SEG permitted by 202.019 that will be located outside of the main residential structure on the Property, in the same manner as all other submissions for approval or improvements to property.
  - b. The SEG must be installed by a licensed contractor in compliance with all applicable laws, governmental codes, and accepted standards, for all electrical, plumbing and fuel line connections.
  - c. The SEG must be installed and maintained to comply with zoning ordinances and governmental healthy, safety and other codes. If a component of the SEG or the SEG is deteriorated or unsafe then it shall be repaired, replaced or removed as appropriate.
  - d. The Association may restrict the location of the SEG within the guidelines of the law.
  - e. The Association may require the screening of SEG in public view and regulate the size, type, materials and manner of screening for SEG and systems that are visible from the street, another lot, or common area.
  - f. There must be sufficient areas on the owner's property to install the standby electric generator device.
  - g. The generator must only be used when utility-generated power is not available or intermittent to the residence for a continuous period of 6 hours or more. Once power has been restored to the residence and has been available for a continuous period of two hours, the generator may no longer be used.
4. In the event of any conflict between these provisions and any SEG device restrictions contained in any governing documents of the Association, including design guidelines, policies and the Declaration, this Standby Electric Generator policy controls.

EFFECTIVE DATE:            July 21, 2021

Authorized Board Member Signature:



Date: 7-21-2021

**Uncurable Violation Enforcement Resolution for the  
Castlewood Homeowners Association, Inc.**

STATE OF TEXAS                   §  
  §  
COUNTY OF DENTON           §

Pursuant to the Bylaws of the Castlewood Homeowners Association, Inc. (referred to as "Association") and the Declaration of Protective Covenants, the Directors of the Castlewood Homeowners Association, Inc., a Texas non-profit corporation, consent to the adoption of the following resolution:

RE:                   Uncurable Violation Enforcement Policy

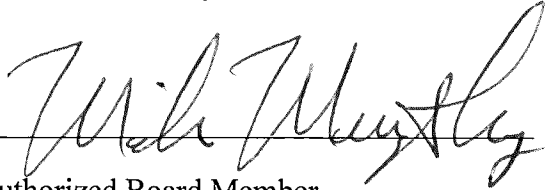
WHEREAS:

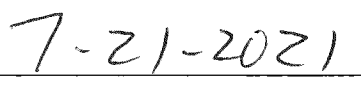
1. The Board of Directors is empowered to enforce the covenants, conditions and restrictions of the Covenants, Bylaws and any rules and regulations of the Association.
2. It is the Board's duty to use its best efforts to assure that said enforcement occurs. Uncurable violation is defined as: A violation that has occurred but is not a continuous action or a condition capable of being remedied by affirmative action. The non-repetition of a one-time violation or other violation that is not ongoing is not considered to be an adequate remedy.

BE RESOLVED THAT:

1. The Board of Directors hereby adopts this Uncurable Violation Enforcement Policy to establish equitable policies for the Association in compliance with the Chapter 209 of the Texas Property Code.
2. All rules of the Association shall be enforced
3. The Violation Schedule (attached) shall be the Association's policy of enforcement of Uncurable Violations.
4. All other violations will be governed by the current Violation Enforcement Resolution and are not impacted by this policy.

EFFECTIVE: July 21, 2021

  
\_\_\_\_\_  
Authorized Board Member

  
\_\_\_\_\_  
Date



<b><u>Violation Procedure</u></b>	<b><u>Status</u></b>	<b><u>Action Required</u></b>
Report/Sighting: Fine Assessed and Fine Notice sent (verified mail)	Notice of applied fine and the intent to assess an additional fine for any future occurrences	Owner must not repeat action or condition

**General Policy**

If a homeowner is in violation of an incurable violation as defined in this policy, the above table will govern action taken. All other violations will follow the Association Violation Enforcement Resolution. Incurable violation examples include, but are not limited to: shooting fireworks, an act constituting a threat to health or safety, a noise violation that is not ongoing, property damage (including the removal or alternation of landscape), and holding a garage sale or other event prohibited by the dedicatory instruments.

**Attorney Procedure**

The Board, in its best discretion may decide when and if an account is escalated to an attorney or other third party for enforcement. The decision to escalate an account to the attorney may be based on violation severity, prior violation history or other factors that may influence the Board of Director's decision. If allowable by law or the Association's Declaration of Covenants, all attorneys' fees/court costs shall be the homeowner's responsibility and shall be charged to the homeowners account and the money due shall be subject to the Association's ordinary collection procedure or as permissible by law.

**Other:** This policy may be amended and/or adjusted by the Board of Directors from time to time without notice. Homeowners are advised that they should contact the management company to request the most recent version of this policy if they have a question and/or need assistance in making payment arrangements.

Castlewood Homeowners' Association, Inc. Pool Rules

Pool Rules

1. **Pool Hours: Monday-Sunday 10:00 AM- 10:00 PM. Unless otherwise posted or for routine maintenance.**
2. Pool use is reserved for members of the Castlewood Homeowners' Association and their guests only. Guest must be accompanied by a homeowner at all times. Members must have a valid and enabled gate card to enter the pool.
3. You may be asked to present a valid pool card by security or other HOA personnel. If you do not have a valid gate card, you will be asked to leave the premises.
4. No children under the age of 12 years of age are permitted in the pool area without an adult over the age of 18.
5. Do not prop open pool gates; Do NOT open the gates for anyone who is not your family member or your personal guest.
6. No diving, do not swim alone, no running or roughhousing.
7. No glass bottles or containers in the pool area & no eating or drinking in the water.
8. **No smoking inside the fenced area or outside the fenced area within 15 feet of the pool's perimeter fence.**
9. No person with open sores, abrasions, or skin disease may use the pool.
10. Please shower or wipe off all oils and lotions before getting in the pool.
11. Appropriate swimwear only. Babies must wear swim diapers.
12. No climbing, sliding or playing on the handrails.
13. No bicycles, skateboards, scooters, roller blades, or roller skates in use will be allowed in the pool area.
14. **No pets allowed in the pool area, with the exception of handicap guide dogs or service dogs.**
15. The Homeowners Association assumes no responsibility for any personal injury to anyone resulting from use of the pool.
16. **The Homeowners Association assumes no responsibility for the loss, theft, or damage to person property or effects left in the pool area by residents or their guests.**
17. Violation of the Pool Rules could result in a loss of pool privileges.

IN AN EMERGENCY CALL 911

USING THE CALL BOX AVAILABLE THE ADDRESS IS:  
3420 FAIRFIELD LANE HIGHLAND VILLAGE, TX 75077