

Denton County  
Juli Luke  
County Clerk

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**Instrument Number:** 195185

ERecordings-RP

MEMORANDUM

Recorded On: October 22, 2021 03:49 PM

Number of Pages: 10

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**" Examined and Charged as Follows: "**

Total Recording: \$62.00

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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: 195185  
Receipt Number: 20211022000739  
Recorded Date/Time: October 22, 2021 03:49 PM  
User: Meredith K  
Station: Station 38

**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

**AFTER RECORDING, PLEASE RETURN TO:**

**Judd A. Austin, Jr.  
Henry Oddo Austin & Fletcher, P.C.  
1700 Pacific Avenue  
Suite 2700  
Dallas, Texas 75201**

**EIGHTH SUPPLEMENTAL CERTIFICATE AND MEMORANDUM  
OF RECORDING OF DEDICATORY INSTRUMENTS  
FOR  
CASTLEWOOD HOMEOWNERS' ASSOCIATION, INC.**

STATE OF TEXAS           §  
  §  
COUNTY OF DENTON      §

The undersigned, as attorney for Castlewood Homeowners' Association, Inc., for the purpose of complying with Section 202.006 of the Texas Property Code and to provide public notice of the following dedicatory instrument affecting the owners of property described on Exhibit B attached hereto, hereby states that the dedicatory instrument attached hereto is a true and correct copy of the following:

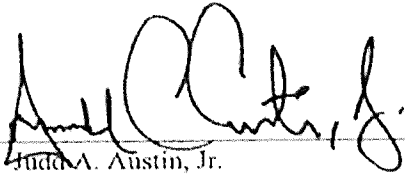
- ***Policy Resolution of the Castlewood Homeowners' Association, Inc. Adopting Rules for the Care and Preservation of the Common Area and Sanctions for Violations Thereof*** (Exhibit A).

All persons or entities holding an interest in and to any portion of property described on Exhibit B attached hereto are subject to the foregoing dedicatory instrument. The attached dedicatory instrument shall remain in force and effect until revoked, modified or amended by the Board of Directors.

**IN WITNESS WHEREOF**, Castlewood Homeowners' Association, Inc. has caused this Eighth Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments to be filed with the office of the Denton County Clerk, and serves to supplement (i) that certain Certificate and Memorandum of Recording of Association Documents for Castlewood Homeowners' Association, Inc., filed on September 29, 2004, as Instrument No. 2004-127719 in the Official Public Records of Denton County, Texas, (ii) that certain First Supplemental Certificate and Memorandum of Recording of Association Documents for Castlewood Homeowners' Association, Inc., filed on March 8, 2005, as Instrument No. 2005-26794 in the Official Public Records of Denton County, Texas, (iii) that certain Second Supplemental Certificate and Memorandum of Recording of Association Documents for Castlewood Homeowners' Association, Inc., filed on June 15, 2005, as Instrument No. 2005-71599 in the Official Public Records of Denton County, Texas; (iv) that certain Third Supplemental Certificate and Memorandum of Recording of Association Documents for Castlewood Homeowners' Association, Inc., filed on March 31, 2008, as Instrument No. 2008-32973 in the Official Public Records of Denton County, Texas; (v) that certain Fourth Supplemental Certificate and Memorandum of Recording of Association Documents for Castlewood Homeowners' Association, Inc., filed on December 13, 2011, as Instrument No. 2011-118417 in the Official Public Records of Denton County, Texas; (vi) that certain Fifth Supplemental Certificate and Memorandum of Recording of Association Documents for Castlewood Homeowners' Association, Inc., filed on December 19, 2011, as Instrument No. 2011-120736 in the Official Public Records of Denton County, Texas; (vii) that certain Sixth Supplemental Certificate and Memorandum of Recording of Association Documents for Castlewood Homeowners' Association, Inc., filed on March 25, 2013, as Instrument No. 2013-34509 in the Official Public Records of Denton County, Texas; and

that certain Seventh Supplemental Certificate and Memorandum of Recording of Association Documents for Castlewood Homeowners' Association, Inc., filed on March 25, 2013, as Instrument No. 2021-165080 in the Official Public Records of Denton County, Texas.

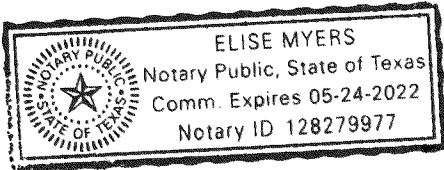
**CASTLEWOOD HOMEOWNERS'  
ASSOCIATION, INC.,  
A Texas Non-Profit Corporation**

By  \_\_\_\_\_  
Judd A. Austin, Jr.

STATE OF TEXAS           §  
  §  
COUNTY OF DALLAS       §

BEFORE ME, the undersigned Notary Public, on this day personally appeared Judd A. Austin, Jr., attorney for Castlewood Homeowners' Association, Inc., known to me to be the person whose name is subscribed on the foregoing instrument and acknowledged to me that he executed the same for the purposes therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND AFFIRMED SEAL OF OFFICE on this 22<sup>nd</sup> day of October, 2021.



  
\_\_\_\_\_  
Notary Public, State of Texas

# EXHIBIT A

STATE OF TEXAS                   §  
  §  
COUNTY OF DENTON           §

**POLICY RESOLUTION OF THE  
CASTLEWOOD HOMEOWNERS' ASSOCIATION, INC.  
ADOPTING RULES FOR THE CARE AND PRESERVATION OF THE  
COMMON AREA AND SANCTIONS FOR VIOLATIONS THEREOF**

**WHEREAS**, the CASTLEWOOD HOMEOWNERS' ASSOCIATION, INC. (the “*Board*”) is the entity responsible for the operation of CASTLEWOOD HOMEOWNERS' ASSOCIATION, INC. (the “*Association*”) in accordance with and pursuant to that certain Declaration of Covenants, Conditions and Restrictions for Castlewood, filed as Instrument No. 97-R0044273 in the Official Public Records of Denton County, Texas, and any and all amendments thereof and supplements thereto (collectively, the “*Castlewood Declaration*”); and the Bylaws of the Association (the “*Bylaws*”); and

**WHEREAS**, pursuant to the Declaration and Bylaws, the Board is authorized to promulgate rules and regulations regarding the use of the Common Area on behalf of the Association; and

**WHEREAS**, the Board has determined the need to promulgate rules regarding the use of the Common Area, damage to Association property occurring during such use and consequences for such damages; and


**WHEREAS**, the Rules for the Care and Preservation of the Common Area and Sanctions for Violations Thereof, attached hereto as Exhibit “1”, as authorized by the Declaration and the Bylaws, were duly introduced, seconded, and thereafter adopted at a meeting of the Board, at which a quorum was present, by a majority vote of the members of the Board present, and shall remain in force and effect until revoked, modified or amended by the Board.

**NOW, THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS** that the Board has resolved to adopt, and does hereby adopt, the Rules for the Care and Preservation of the Common Area and Sanctions for Violations Thereof attached hereto as Exhibit "1".

**IT IS FURTHER RESOLVED**, that such Rules for the Care and Preservation of the Common Area and Sanctions for Violations Thereof shall be filed of record with the Office of the Denton County Clerk and shall be posted on the Association's website.

Date: October 20, 2021.

**CASTLEWOOD HOMEOWNERS'  
ASSOCIATION, INC.,**  
a Texas non-profit corporation

  
By: BOD president  
Its: Tony Leone

## **EXHIBIT "1"**

### **RULES FOR THE CARE AND PRESERVATION OF THE COMMON AREA AND SANCTIONS FOR VIOLATIONS THEREOF**

Simply stated, Base Assessments paid by Owners to the Association are in large part devoted to the care, maintenance and replacement of certain elements of the Common Area. Damaging any aspect of the Common Area by an Owner, said Owner's guests, family members or tenants, whether intentionally, by mistake or negligence, is prohibited by rule.

- Pursuant to Section 4.3 of the Castlewood Declaration, suspending the right to use any recreational facilities which are part of the Common Area can result, as determined by the Board, for violation of these rules.
- Pursuant to Section 10.7 of the Castlewood Declaration, the Association, by and through the Board of Directors, may levy Specific Assessments against any Owner where such Owner, its guests or family members have caused damage to any element of the Common Area. Such Specific Assessments shall be in the amount necessary to reimburse the Association for any cost incurred to repair or replace any aspect of the Common Area, including any administrative expenses of the Association incurred as a consequence thereof. Any Specific Assessment levied is secured by a lien maintained against the Lot of the Owner as provided in Section 10.8 of the Castlewood Declaration and which may be enforced through foreclosure.
- For the reservation of any Common Area amenity, the Association, by and through the Board of Directors, may require a deposit in the form of a cashier's check or other form of payment in an amount determined by the Board of Directors. Factors to be considered by the Board in determining the required deposit will be: (i) the Common Area amenity to be reserved; (ii) the event for which the amenity is reserved; (iii) the number of attendees expected for the event; and/or (iv) prior history of damages to any Common Area amenity during use for an event by an Owner or its family members.
- Except as hereinafter provided, prior to the suspension of any privilege hereunder or the levying of a Specific Assessment, the Owner shall receive from the Association written notice of the damage and any remedy which may be invoked as a consequence thereof, along with a right to request a hearing before the Board of Directors as provided by the Texas Property Code. The Owner's right to request a hearing expires thirty (30) days following the date of the written notice.
- If a violation of these rules is incurable or poses a threat to public health or safety, sanctions provide herein may be imposed before a right to request a hearing has expired. A violation is considered incurable if the violation has occurred but is not a continuous action or a condition capable of being remedied by affirmative action not including repair or replacement. The non-repetition of a one-time violation or other violation that is not

ongoing is not considered an adequate remedy. A violation is considered a threat to public health or safety if the violation could materially affect the physical health or safety of an ordinary resident. Any sanction imposed maybe reversed or modified by the Board following a hearing if requested by the Owner.

- The notice and hearing provisions contained herein do not apply to a temporary suspension of a person's right to use the Common Area 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. The temporary suspension is effective until the Board makes a final determination on the suspension action following the notice procedures prescribed herein and following a hearing, if one is requested by the Owner in a timely manner.



## EXHIBIT B

Those lots, blocks, tracts and parcels of real property located in the City of Highland Village, Denton County, Texas more particularly described as follows:

- (i) All property subject to the Declaration of Covenants, Conditions and Restrictions for Castlewood, recorded on July 2, 1997 as Instrument No. 97-R0044273 in the Real Property Records of Denton County, Texas, including that property annexed by supplemental declarations filed as: (i) Instrument No. 97-R0044274; (ii) Instrument No. 97-R0066634; (iii) Instrument No. 98-R0118851; (iv) Instrument No. 99-R0033177; (v) Instrument No. 99-R0124933; (vi) Instrument No. 99-R0124935; (vii) Instrument No. 00-R0097901; (viii) Instrument No. 2001-R0000459; (ix) Instrument No. 2001-R0022599; and (x) Instrument No. 2001-R0022600;
- (ii) **Castlewood Section One**, an Addition to the City of Highland Village, Texas, according to the Plat thereof recorded as Document No. 97-R0018751 in Cabinet N, Page 113 of the Map Records of Denton County, Texas;
- (iii) **Castlewood Section Two - I**, an Addition to the City of Highland Village, Texas, according to the Plat thereof recorded as Document No. 98-R0018832 in Cabinet O, Page 247 of the Map Records of Denton County, Texas;
- (iv) **Castlewood Section Three - I - A**, an Addition to the City of Highland Village, Texas, according to the Plat thereof recorded as Document No. 99-R0021471 in Cabinet Q, Page 42 of the Map Records of Denton County, Texas;
- (v) **Castlewood Section Three - II - A**, an Addition to the City of Highland Village, Texas, according to the Plat thereof recorded as Document No. 99-R0050420 in Cabinet Q, Page 144 of the Map Records of Denton County, Texas;
- (vi) **Castlewood Section Three - I - B**, an Addition to the City of Highland Village, Texas, according to the Plat thereof recorded as Document No. 99-R0050421 in Cabinet Q, Page 146 of the Map Records of Denton County, Texas;
- (vii) **Castlewood Section Three - II - B**, an Addition to the City of Highland Village, Texas, according to the Plat thereof recorded as Document No. 2000-R0121466 in Cabinet S, Page 396 of the Map Records of Denton County, Texas;

- (viii) **Castlewood Section Three - I - C**, an Addition to the City of Highland Village, Texas, according to the Plat thereof recorded as Document No. 2000-R0121465 in Cabinet S, Page 394 of the Map Records of Denton County, Texas;
- (ix) **Castlewood Section Three - I - D**, an Addition to the City of Highland Village, Texas, according to the Plat thereof recorded as Document No. 2000-R0121450 in Cabinet S, Page 392 of the Map Records of Denton County, Texas;
- (x) **Castlewood Section IV (I)**, an Addition to the City of Highland Village, Texas, according to the Plat thereof recorded as Document No. 00-R0069964 in Cabinet S, Page 116 of the Map Records of Denton County, Texas; and
- (xi) **Castlewood Section IV (II)**, an Addition to the City of Highland Village, Texas, according to the Plat thereof recorded as Document No. 2003-R0069964 in Cabinet V, Page 18 of the Map Records of Denton County, Texas.