

Denton County  
Juli Luke  
County Clerk

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**Instrument Number:** 200057

ERecordings-RP

MEMORANDUM

Recorded On: November 01, 2021 09:25 AM

Number of Pages: 11

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

Total Recording: \$66.00

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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: 200057  
Receipt Number: 20211101000102  
Recorded Date/Time: November 01, 2021 09:25 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

**AFTER RECORDING, PLEASE RETURN TO:**

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

**NINTH 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:

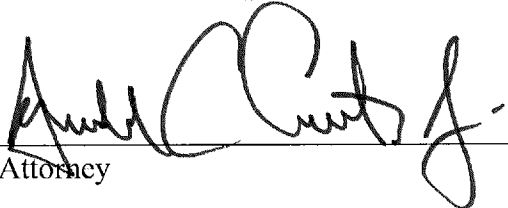
- ***Certificate and Resolution of the Modifications Committee of the Castlewood Homeowners' Association, Inc. Amending Design Guidelines and Review Procedures for Residential Modifications (Exhibit A).***

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 Modifications Committee.

**IN WITNESS WHEREOF**, Castlewood Homeowners' Association, Inc. has caused this Ninth 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;

(viii) 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; and that certain Eighth Supplemental Certificate and Memorandum of Recording of Association Documents for Castlewood Homeowners' Association, Inc., filed on October 22, 2021, as Instrument No. 2021-195185 in the Official Public Records of Denton County, Texas.

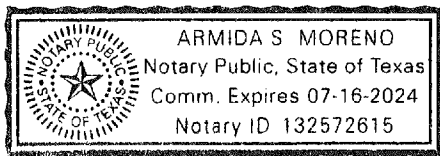
**CASTLEWOOD HOMEOWNERS'  
ASSOCIATION, INC.,  
A Texas Non-Profit Corporation**

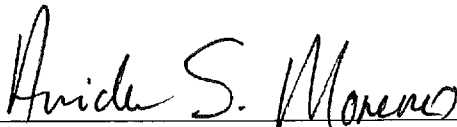
By:   
Its: Attorney

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 29<sup>th</sup> day of October, 2021.



  
Notary Public, State of Texas

# EXHIBIT A

STATE OF TEXAS           §  
                                          §  
COUNTY OF DENTON       §

**CERTIFICATE AND RESOLUTION OF THE  
MODIFICATION COMMITTEE OF THE  
CASTLEWOOD HOMEOWNERS' ASSOCIATION, INC.  
AMENDING DESIGN GUIDELINES and REVIEW PROCEDURES  
FOR RESIDENTIAL MODIFICATIONS**

**WHEREAS**, the Castlewood Homeowners' Association, Inc. (the "*Association*") is governed pursuant to and in accordance with that certain Declaration of Covenants, Conditions and Restrictions for Castlewood, recorded as Instrument No. 97-R0044273 in the Official Public Records of Denton County, Texas, and any and all supplements thereto and amendments thereto (collectively, the "*Castlewood Declaration*"); and

**WHEREAS**, pursuant to each Supplemental Declaration, the Modification Committee ("*MC*") has exclusive jurisdiction over all modifications, alterations, or additions made on or to any existing structures on Units subject to the Castlewood Declaration on any portion of the Properties. The MC is authorized to prepare and promulgate design guidelines and application procedures; and

**WHEREAS**, the Castlewood Estates Homeowners Association Design Guidelines and Review Procedures for Residential Modifications was filed on March 8, 2005, and is recorded as Instrument No. 2005-26794 in the Official Public Records of Denton County, Texas (the "*MC Design Guidelines*"); and

**WHEREAS**, the MC Design Guidelines can be amended by the MC; and

**WHEREAS**, a meeting of the MC was held on the 28 day of October, 2021 (the "*MC Meeting*") at which a quorum was present; and

**WHEREAS**, a motion was made at the MC Meeting to approve and adopt amendments to the MC Design Guidelines by adding Section 4.2 (6A) *Programmable Lighting* to the Design Guidelines (the "*Amendment*"). A true and correct copy of the Amendment is attached hereto as Exhibit 1; and

**WHEREAS**, the Amendment was discussed and presented for a vote at the MC Meeting; and


**WHEREAS**, the Amendment was approved and adopted unanimously at the MC Meeting; and

**WHEREAS**, the Amendment was approved previously by the Board of Directors of the Association.

**NOW, THEREFORE, BE IT RESOLVED**, that the MC Design Guidelines are amended as set forth in the Amendment which is hereby adopted, ratified and promulgated pursuant to the powers granted to the MC under the Castlewood Declaration and shall hereinafter constitute an integral part of the MC Design Guidelines.

**BE IT FURTHER RESOLVED**, that the Amendment to the MC Design Guidelines attached hereto is effective upon recordation in the Official Public Records of Denton County, Texas.

**CASTLEWOOD HOMEOWNERS'  
ASSOCIATION, INC. -  
MODIFICATION COMMITTEE**

By   
BERT WILLIAMS Chairperson

**MODIFICATION COMMITTEE**  
**CASTLEWOOD HOMEOWNERS ASSOCIATION**

**DESIGN GUIDELINES FOR THE CERTAIN ROOFING MATERIALS**

**AMEND 4.2 OF THE DESIGN GUIDELINES AND REVIEW  
PROCEDURES FOR MODFICIATIONS TO ADD THE FOLLOWING  
SECTION (6A) *PROGRAMMABLE LIGHTING*:**

**(6A) Programmable Lighting**

1. For purposes of this Section 4.2 (6A), the term “*Programmable Lighting*” shall mean a permanent or semi-permanent system of outdoor lighting affixed to any portion of a dwelling or a structure on a Lot allowing for the display of lights of one or more colors and is programmable through a device and has the capability of changing the color of the displayed lights for seasonal events, holidays or similar occasions.
2. Programmable Lighting may only be installed following written approval from the MC.
3. Any allowed Programmable Lighting system must be installed so that the installation is unobtrusive or concealed.
4. When Programmable Lighting system is activated, lighting must be displayed in a constant mode at all times and shall not display flashing, strobing or blinking lights. Except for an allowed seasonal, holiday or event illumination of a Programmable Lighting system, all light sources must displayed at a level of intensity deemed as “low” per the system controlling the Programmable Lighting system such that lighting is inconspicuous, with all light in shades of white (no colored lights). The Modifications Committee has reasonable discretion to determine compliance with this paragraph.
5. Allowed seasonal event, holiday or event displays (collectively, “*Allowed Displays*”) are as follows:

- Christmas
- Easter
- Diwali
- Halloween
- St. Patrick's Day
- Valentine's Day
- 4<sup>th</sup> of July
- Martin Luther King Day
- Veteran's Day
- Memorial Day

6. Allowed Displays are limited according to the following dates:

- Christmas – Thanksgiving through the second Sunday in January.
- Easter – One week before and one week after Easter Sunday.
- Diwali – One Week before and one week after the first day Diwali is celebrated.
- St. Patrick's Day – Three days before and two days after March 17<sup>th</sup>.
- Valentine's Day - Three days before and two days after February 14<sup>th</sup>.
- 4<sup>th</sup> of July - Three days before and two days after July 4<sup>th</sup>.
- Martin Luther King Day - Three days before and two days after the date of the observed holiday.
- Veteran's Day - Three days before and two days after the date of the observed holiday.
- Memorial Day - Three days before and two days after the date of the observed holiday.

7. Homeowners may submit applications to the MC to allow displays of a Programmable Lighting system for events other than Allowed Displays. The MC, in its sole and reasonable discretion, may approve, deny and/or set conditions or limitations on any displays presented to it for approval.

8. In the event a neighboring property owner files a complaint with the Association based on the use of Programmable Lighting systems for an Approved Display causing a nuisance or disturbance to an occupant's right



of peaceful use and enjoyment of property, the Board of Directors is authorized to require the intensity of the light level to any Approved Display to be reduced or significantly modified.

9. Any violation of this Section 4.2(6A) shall authorize the Board of Directors to levy violation fines in an amount up to \$500.00 per day for each day the violation exists.

## 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.