

Rules and Regulations:
Sierra West Section I Property Owners Association, Inc.

The Declaration of Covenants, Conditions and Restrictions for the Sierra West Section I Property Owners Association, Inc. (the "Association") was recorded as Document No. 00019820 at Volume 1708 Page 18 of the Official Public Records of Hays County Texas, (together with all subsequent amendments, the "Declaration") and gives the board of directors of the Association the power to adopt rules governing the property described in the Declaration. The Board has adopted the following rules:

Section 1. **Suspension of Privileges/Fines.** In the event of a violation of the Declaration, Bylaws, or any rules and regulations of the Association, the Board of Directors, acting on behalf of the Association, in addition to any other remedies provided by the Declarations, Bylaws, or rules and regulations and remedies available pursuant to State statute or other law, may:

- (1) Suspend or condition the right of any Owner and any tenants, occupants, or guests to use of facilities (including all or part of any common areas) owned, operated, or managed by the Association;
- (2) Record a notice of non-compliance encumbering the Lot;

Section 2. **Attorneys Fees.** The Association may assess or seek to recover reasonable attorney's fees to an owner's account for nonpayment of amounts due or other violations of the Declarations, Bylaws, or rules.

Section 3. **Non Waiver.** The failure of the Association to enforce any provisions of the Declaration, Bylaws, rules, or procedures shall not constitute a waiver of the right to enforce the same thereafter. All remedies in the Declaration, Bylaws, and rules are cumulative and not exclusive.

Section 4. **Guests Houses Cannot Be Permanent Residences.** A guest house may be constructed on a lot after prior written approval of the

Architectural Review Committee, as provided under Article 5.01 of the Declaration. Nevertheless, a guest house (including any accessory building, whether referred to as “guest house” or by another name) may not be used as a permanent residence. The following situations shall be presumed to constitute permanent residency in violation of this rule: (A) leasing or renting of the guest house separate from the main residence; (B) occupancy of the guest house by the same individual for more than thirty (30) consecutive days; or (C) occupancy of the guest house by individuals who receive mail at that address. The Association, acting through its board, shall have the sole discretion and authority to determine whether an occupancy situation violates this rule.

Section 5. **Parking of Vehicles.** The parking, storage, and placement of vehicles on a Lot is governed by Article 5.09 of the Declaration. In addition to the restrictions created in said Article 5.09, no vehicle may be parked, stored or placed on any Lot except on an improved driveway or in a garage.

Section 6. **Location and Screening of Peripheral Items.** Articles 5.11 and 5.13 of the Declaration establish requirements for the location and screening of outbuildings, firewood piles, material storage piles, storage facilities, mechanical equipment (e.g., pool equipment), clotheslines, and other peripherals (e.g., propane tanks and antennas) on a lot. These items are to be located near the rear of the Lot and/or screened, so that they are not readily visible from neighboring street and Lots. Screening shall be constructed and maintained in a neat and attractive condition at all times. The Association, acting through its board and/or the Architectural Review Committee, shall have the sole authority and discretion to establish such location and screening requirements.

Section 9. **Farming; gardens.** Farming and gardening are permitted on a Lot, subject to the restrictions established under article 5.166 of the Declaration. All land areas used for plantings and crops in conjunction with farming and gardening activities are to be adequately watered, weeded, and maintained in a neat, orderly and attractive condition at all times.

Section 10. **Clear Cutting Prohibited.** In order to ensure the preservation of the natural beauty of the subdivision, Article 5.25 of the Declaration prohibits

the clear cutting of all native foliage and vegetation from a Lot. For clarification purposes, the Association interprets this provision as prohibiting the removal or destruction of native foliage and vegetation to such an extent that the lot loses all semblances of its original and natural characteristics.

Section 11. Landscape Maintenance. Article 5.06 of the Declaration establishes maintenance obligations and standards for landscaping. For clarification purposes, the Association interprets these requirements as applying to landscaping that has been planted and installed as part of the improvement of a Lot (e.g., planted by the home builder or any Owner), and does not apply to native trees, shrubs, and grasses naturally existing on the Lot in areas that have never been improved or manipulated.

Section 12. Prohibition on Unsightly Lots. One of the primary functions of the Association is to protect the land values of the Lots by ensuring that individual Lots, and the subdivision as a whole, are kept in a clean, orderly, and visually appealing state. The Declaration contains numerous and specific requirements to accomplish this goal, including but not limited to restrictions on parking of vehicles (Articles 5.09 & 5.19), collection and disposal of litter (Article 5.07), and maintenance of landscaping (Article 5.06). In addition to these specific requirements under the Declaration, Owners are required to keep their Lot, as a whole, in a clean, orderly and visually appealing state at all times. By way of example, a Lot may be deemed “unsightly” and in violation of this rule if equipment, toys, furniture, and similar personal property is not properly stored from open view when not in use, or is otherwise left in a haphazard and disorderly state. The Association shall have the sole authority and discretion to determine whether a Lot is in violation of this rule.

Section 13. Fencing. All wire fencing, whether chain link or otherwise, must be vinyl coated in an earthen green or black color, and no more than four feet in height, and must comply with any additional requirements established by Article 5.28 of the Declaration.

CERTIFICATION

"I, the undersigned, being an officer of the Sierra West Property Owners Association, Inc. hereby certify that the attached Amended Rules and Regulations: Sierra West Section 1 Property Owners Association, Inc. was adopted and approved by the Sierra West Property Owners Association at its annual meeting held on June 18, 2013."

By: 

John M. Criswell

SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned authority, by the above-mentioned person on this the 27th day of June, 2013, to certify which witness my hand and seal of office.





NOTARY PUBLIC, State of Texas

Hays County
Liz Q. Gonzalez
County Clerk
San Marcos, Texas 78666



70 2013 13021614

Instrument Number: 2013-13021614

As

Recorded On: June 28, 2013

OPR RECORDINGS

Parties: SIERRA WEST SEC I PROPERTY OWNERS ASSOC

Billable Pages: 4

To

Number of Pages: 5

Comment:

(Parties listed above are for Clerks reference only)

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

OPR RECORDINGS	28.00
Total Recording:	28.00

***** DO NOT REMOVE. 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: 2013-13021614
Receipt Number: 341128
Recorded Date/Time: June 28, 2013 02:16:17P
Book-Vol/Pg: BK-OPR VL-4678 PG-449
User / Station: C Rodriguez - Cashering #2

Record and Return To:

JOHN MARCUS CRISWELL
416 CANNA LILY CIRCLE
DRIFTWOOD TX 78619



State of Texas |
County of Hays

I hereby certify that this instrument was filed for record in my office on the date and time stamped hereon and was recorded on the volume and page of the named records of Hays County, Texas

Liz Q. Gonzalez

Liz Q. Gonzalez, County Clerk