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POINT AQUARIUS

PROPERTY OWNERS ASSOCIATION

RULES and REGULATIONS

DECEMBER 12, 2002

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INTRODUCTION

The purpose of this document is to provide owners and residents of Point Aquarius a broad overview of the existing Rules and Regulations that have been put in place by the Point Aquarius Property Owners Association (herein referred to as "POA").

Pursuant to the authority granted in the Articles of Incorporation and Bylaws of Point Aquarius Property Owners Association, Article VII, Section 1 (a), Powers, the Board of Directors has adopted the following Rules and Regulations which apply to any and all lots in the Point Aquarius subdivision, as same is described on the attached Exhibit "A".

These Rules and Regulations may be modified, clarified or expanded from time to time by the Board of Directors in its sole discretion.

PARKING

All automobiles, trailered boats, vans, trucks, (loaded or unloaded), RV's, campers, golf carts, ATV's, tractors, etc. (herein referred to as "Vehicles") parked within Point Aquarius shall be maintained in a manner such that the appearance of the "Vehicles" does not detract from the marketability and appearance of Point Aquarius.

"Vehicles" must be parked on the driveway or an approved concrete surface of a lot associated with a residence (herein referred to as a "Homesite"). The exception to the above being in Section 5, see Deed Restrictions for Section 5, Part VI, Paragraph 13.

The Board of Directors has determined it a nuisance and therefore a Deed Restriction violation when any "Vehicle" is parked on a lot without residence (herein referred to as a "Lot") or not on the driveway or approved concrete surface.

No "Vehicle" may be parked in Common Areas, except in parking lots.

No parking in streets is allowed except on an occasional basis in Sections 1R, 7, 8 and 9.

LOT & HOMESITE MAINTENANCE

"Homesites" shall be kept at all times in a neat, attractive, healthful and sanitary condition. The owner or occupant of all "Homesites" shall keep yards mowed on a regular basis.

"Lots" are required to be kept free of underbrush, weeds, tall grass, or any other unsightly or offensive growth or accumulation of trash, garbage or unsightly deposits of any nature.

Owners of any improvement in the subdivision shall not allow such improvement to fall into disrepair and become in need of paint, repair or restoration.

Trash, garbage or other waste shall only be kept in sanitary containers and be disposed of regularly.

Garbage, trash or any other refuse shall not be dumped on any "Lot" or Common Areas.

Architectural Control Committee Approval for Improvements

The Architectural Control Committee (herein referred to as "ACC") must approve all buildings and improvements to any "Lot" or "Homesite", including but not limited to the following standards: storage buildings, driveways, fences, patio covers, curbs, swimming pools, spas and hot tubs. The following are guidelines for planning an improvement:

- **STORAGE BUILDINGS.** Must be placed on a cement foundation. Exterior walls and roof must match the residence and/or garage. Placement of the storage building can not encroach on building lines or easements.
- **FENCES.** Chain link fences are not allowed. All fences must be constructed of wood, metal or masonry. Vinyl and wire mesh decorative fences are allowed depending upon material strength and finished look. Fences may be constructed in the utility easements at owner's risk.
- **PATIO COVERS.** Materials must match existing house roofing materials. No metal or tin roof finished materials will be allowed unless it matches the house's existing roof material.
- **CURBS.** Must be saw cut for driveway and walkway construction.
- **SWIMMING POOLS.** Above ground swimming pools are not allowed. The following requirements for pools are by way of illustration and not limitation: 1) the pool surface, deck and all mechanical and electrical equipment must be adequately screened from public view with a combination of trees, hedges, walls or fences. This is especially important if the property is surrounded by a wrought iron fence or is on a common area or on Lake Conroe. 2) The pool cannot encroach on building or set back lines. 3) Pool decks may extend beyond the building lines, but must allow adequate room for landscaping and fencing. 4) The pool must not cause drainage of any kind onto adjacent properties. This drainage can come from either the pool itself or from excessive run off due to the reduction of green space in the yard that can absorb water.
- **SPAS and HOT TUBS.** May be in-ground or self-contained above ground models. Spas and hot tubs must meet the same location and drainage requirements as required for pools. Spas and hot tubs must also follow all

of the same submission and material specifications, as those required for pools. Spas and hot tubs shall be located in the rear or side yard so that they are completely screened from public view.

Requests for "ACC" approval must be submitted to "POA" Manager. If there are any questions with regard to needing "ACC" approval, consult the "POA" Manager before proceeding with construction.

Requests for approval of residences, garages and other buildings and/or improvements must be submitted with: 1) two (2) complete set of plans, 2) a property survey by a licensed surveyor showing the legal description of the property easements, set back lines, building lines and complete dimensions, 3) scale plot plan with proposed improvements located by dimensions and including building lines, set back lines, easements, driveways, walkways, drainage and any planned boat house or fencing, 4) floor plan with all dimensions complete including door swings, window locations, porches, garages, etc. plus the square footage area of the living area and the total square footage of the residence, 5) elevation of front, rear and side elevations showing materials of construction, windows, vents and roof lines, 6) a *concrete* foundation plan indicating materials, strengths, beams, reinforcing steel, slopes and slab elevation.

A "Form Survey" is required prior to the pouring of any foundation.

ASSESSMENTS

Assessments are levied pursuant to the Deed Restrictions for each section of Point Aquarius, and in accordance with the amended and restated By-Laws of April 2002, Article 10, ASSESSMENTS. If assessments are not paid within thirty (30) days after the due date, the Owner will be subject to a late fee per the bylaws.

COMMUNITY SWIMMING POOLS

Swimming pools are closed October through March.

The pools are open April through September, Tuesday through Sunday. The pools are closed Mondays for maintenance. Hours of operation are 9:00 AM to 10:00 PM.

Pool rules and regulations are posted at each pool.

TENNIS and BASKETBALL COURTS

Tennis courts are locked when tennis is not being played. Participants must register with and obtain a key from the entrance gatekeeper. Upon completion of play, the participant must lock the gate and return the key to the front entrance gatekeeper.

The hours of operation for the tennis and basketball courts are 6:00 AM to 10:00 PM daily. The court lights are programmed to shut off at 10:00 PM.

The tennis courts are to be used for tennis only. NO other activity such as roller skating, skate boarding bicycles, baseball, etc. is allowed.

CLUBHOUSE & COMMON AREAS

Reservations for private use must be made through the "POA" Manager. All assessments and other fees must have been paid in full before reservations will be booked.

A cleaning/damage deposit is required prior to private use on the day the clubhouse is used.

No privately owned structures (swing sets, trampolines, dog pens, etc.) are allowed on any Common Area.

TRAILER STORAGE FACILITY

Gate must be kept locked at all times.

Renters are responsible for maintaining their rental spaces.

Renters are to park "Vehicles" in assigned spaces only.

Exhibit A

Section	Title of Document	Date Recorded	Montgomery County Clerk's File No.
1	Restrictions and Covenants applicable to Point Aquarius Subdivision, Section One, being 76.8 acres in the Timothy Cude Survey A-12, Montgomery County, Texas.	07/23/71	267859
2	Restrictions and Covenants applicable to Point Aquarius Subdivision, Section Two, being 50.315 acres in the Timothy Cude Survey A-12, Montgomery County, Texas.	07/23/71	267860
1	Untitled amendment to Section One restrictions	10/22/71	273735
3	Restrictions and Covenants applicable to Point Aquarius Subdivision, Section Three, being 56.1753 acres in the Timothy Cude Survey A-12, Montgomery County, Texas.	11/03/71	274519
1	Untitled amendment to Section One restrictions	06/05/72	Vol. 775, Page 264
1	Untitled amendment to Section One restrictions	06/05/72	289517
6	Restrictions and Covenants applicable to Point Aquarius Subdivision, Section Six, being _____ acres in the Timothy Cude Survey A-12, Montgomery County, Texas.	06/29/72	291427
1	Amendment to Point Aquarius Restrictions, Section I	12/20/74	363418
2	Amendment to Point Aquarius Restrictions, Section II	12/20/74	363419
3	Amendment to Point Aquarius Restrictions, Section III	12/20/74	363420
6	Amendment to Point Aquarius Restrictions, Section VI	12/20/74	363423
7	First Amendment of Point Aquarius Section Seven Covenants, Conditions and Restrictions	11/06/89	8947594
8	Declaration of Covenants, Conditions and Restrictions Point Aquarius, Section 8	05/25/90	9021168
9	Declaration of Covenants, Conditions and Restrictions Point Aquarius, Section 9	05/25/90	9021170
5	Amendment and Restatement of Restrictions and Covenants	10/11/91	9147286

CERTIFICATION

I, the undersigned, do hereby certify that I am the duly elected and acting Secretary of the Point Aquarius Property Owners Association, Inc., a Texas corporation;

That the foregoing Rules and Regulations were duly adopted at a meeting of the Board of Directors, where a quorum was present, held on the 9 day of January, 2003.

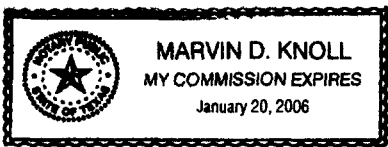
IN WITNESS WHEREOF, I have hereunto subscribed my name on this the 15 day of January, 2003.

Brenda S. Mitchell
Print Name: **BRENDA S. MITCHELL**
Title: Secretary

STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

BEFORE ME, on this day personally appeared Brenda Mitchell the Secretary of Point Aquarius Property Owners Association, Inc. known by me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that s/he executed the same for the purposes and consideration therein expressed and in the capacity therein and herein stated, and as the act and deed of said corporation.

Given under my hand and seal of office, this 15 day of January, 2003.



[Signature]
Notary Public – State of Texas

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12-12-02

After Recording Return To:



MARVIN KNOLL (936) 856-4927

FILED FOR RECORD

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Mark Turnbull
COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF MONTGOMERY
I hereby certify this instrument was filed in
File Number Sequence on the date and at the time
stamped herein by me and was duly RECORDED in
the Official Public Records of Real Property at
Montgomery County, Texas.

JAN 15 2003



Mark Turnbull
County Clerk
Montgomery County, Texas