

Nancy E. Rister

Nancy E. Rister, County Clerk

2013 May 10 04:09 PM

Fee: \$ 28.00 Pages: 4

Williamson County Texas

STATE OF TEXAS §

COUNTY OF WILLIAMSON §

**ADOPTION OF RULES AND REGULATIONS
OF
GABRIELS OVERLOOK P.O.A., INC.,
(D/B/A GABRIELS OVERLOOK PROPERTY OWNERS ASSOCIATION, INC.)
[Regarding Construction]**

Document reference. Reference is hereby made to that certain Declaration of Covenants, Conditions, Easements & Restrictions Gabriels Overlook – Section One filed as Document No. 2000025866, that certain Declaration of Covenants, Conditions, Easements & Restrictions Gabriels Overlook – Section Two filed as Document No. 2000061650; that certain First Amendment to Declaration of Covenants, Conditions, Easements & Restrictions Gabriels Overlook – Sections One and Two filed as Document No. 2001003269; that certain Second Amendment to Declaration of Covenants, Conditions, Easements & Restrictions Gabriels Overlook – Sections One and Two filed as Document No. 2004048610; that certain Third Amendment to Declaration of Covenants, Conditions, Easements & Restrictions Gabriels Overlook – Section One and Two filed as Document No. 2005092203 (the “**Third Amendment to Section One and Two Declaration**”); and that certain Declaration of Covenants, Conditions, Easements & Restrictions Gabriels Overlook – Section Five filed as Document No. 2005014178; that certain First Amendment to Declaration of Covenants, Conditions, Easements & Restrictions Gabriels Overlook – Section Five filed as Document No. 2005038090; and that certain (Second) First Amendment to Declaration of Covenants, Conditions, Easements & Restrictions Gabriels Overlook – Section Five filed as Document No. 2005092204 (the “**Second Amendment to Section 5 Declaration**”); all in the Official Public Records of Williamson County, Texas (cumulatively, and together with any other amendments filed of record, the “**Declarations**”).

Reference is further made to those certain documents numbered: 2008085936 (priority of payments); 2009028771 (fines/enforcement); 2012003403 (indemnification); 2012042938 (violations/self-help); and 2012000679 (legislatively required rules / collection enforcement / general rules) all in the Official Public Records of Williamson County, Texas (cumulatively, together with all amendments, the “**Rules**”).

The Declarations provide that persons owning residential lots subject to the Declarations are automatically made members of the Gabriels Overlook P.O.A., Inc., d/b/a Gabriels Overlook Property Owners Association (the “**Association**”);

The Association is governed in accordance with the Declaration and Bylaws;

Section 2.01(a) of the Bylaws authorizes the Association’s Board of Directors (the “**Board**”) to adopt and amend rules and regulations governing the property subject to the Declaration; and

The Board has voted to adopt the additional Rules as provided herein.

The following Rules are approved and adopted to supplement the previously-adopted Rules:

SILT FENCING AND ROCK BERMS: Silt fencing down-grade from the construction site is required for the entire length of the lot, unless otherwise approved in writing by the ACC, before construction can begin. If rock berms are located on the lot, they are permanent and must be maintained (i.e. cleaned).

UTILITIES: Utilities (electric, telephone, etc.) must be underground from the street to the residence.

REVEGETATION: Owners must restore and re-vegetate the road shoulder and bar ditches from the front lot line to the edge of the pavement promptly (within 14 days) after construction completion. This must be done on the lot in question and any neighbor's lots where contactors have crossed a lot with written permission from the neighbor.

TRASH AND TOILETS: All trash from the job site must be contained, not be allowed to blow around the subdivision and must be removed immediately. Trash containers must be provided on site to contain all trash on the lot. Unless otherwise approved in writing by the ACC (for smaller, remodel type jobs not involving heavy trash loads, exceptions may be considered) trash containers must consist of a metal, commercial-grade dumpster of at least a 30-yard size, serviced by a commercial dumpster service (BFI, TDS, etc.). Any trash container must not be allowed to be over-filled, and all construction trash must be placed in the dumpster or other approved trash receptacle and not allowed to accumulate on the Lot. Unless otherwise approved in writing by the ACC, (for smaller, remodel type jobs where a contractor is working primarily inside an already- constructed home, exceptions may be considered) every job site must have a port-a-toilet before construction begins and maintain the port-a-toilet in good working order until construction is complete.

DRIVEWAYS: If you are installing a concrete "dip" driveway to cross the bar-ditch instead of a culvert, the top of the concrete driveway must be flush with the ground so that your driveway does not block water flowing in the bar ditch. If a culvert is being installed, please see item 1.04 in the restrictions for the minimums, however, in most cases, the minimum pipe size will not carry the water in the bar ditch. The design and size of any pipes in the right of way must be designed by an engineer. If a pipe is undersized and water runs on the roadway, the owner will be responsible for rebuilding the driveway to protect the integrity of the roadway, and responsible for all damage to the roadway and right of way.

RIGHT-OF-WAY: Sprinkler pipes and sprinkler heads may be put in the road right-of-way at an owner's own risk and expense. When water ditches are cleaned out, sprinkler pipes and heads may be damaged or destroyed. The Association is not responsible for any damage to pipes and heads in this area. Any additional costs incurred by the Association due to the presence of heads in the right-of-way may be assessed to the Owner. In lieu of putting sprinkler heads in this area, rotary heads can be put behind a Lot's front property line, spraying towards the road to water the grass in that area.

NEW RESIDENCE PLAN APPLICATION FEE. A plan review fee¹ of \$315 is due and payable as a condition of plan review by the Architectural Committee for any new residence. Payment of this fee must accompany submittal for new residence construction plans.

¹ See also Declaration (Third Amendment), which makes submittal of this fee a requirement.

GABRIELS OVERLOOK P.O.A., INC.,
D/B/A GABRIELS OVERLOOK PROPERTY OWNERS ASSOCIATION, INC.
Acting by and through its Board of Directors

Barry Caldwell
NAME: Barry Caldwell
TITLE: President

Acknowledgement

STATE OF TEXAS §

COUNTY OF Williamson §

This instrument was acknowledged before me on the 6th day of May, 2013, by Barry Caldwell in the capacity stated above.



Sarah M. Demattos
Notary Public, State of Texas

Marji Johnson
NAME: Marji Johnson
TITLE: _____

Acknowledgement

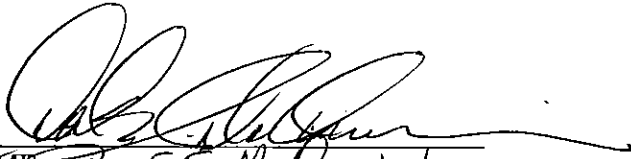
STATE OF TEXAS §

COUNTY OF Williamson §

This instrument was acknowledged before me on the 4th day of May, 2013, by Marji Johnson in the capacity stated above.



Sarah M. Demattos
Notary Public, State of Texas

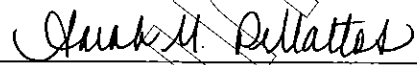

NAME: DALE E. MCGUINN
TITLE: DIRECTOR

Acknowledgement

STATE OF TEXAS §
COUNTY OF Williamson §

This instrument was acknowledged before me on the 04 day of May, 2013, by Dale McGuinn in the capacity stated above.




Notary Public, State of Texas

After recording, please return to:
Niemann & Heyer, L.L.P.
Attorneys At Law
Westgate Building, Suite 313
1122 Colorado Street
Austin, Texas 78701

Fileserver:CLIENTS:Gabriels Overlook POA:RulesConstruction2013.doc

Unofficial Document