

**THE LANDING COMMUNITY ASSOCIATION, INC.**  
**ACCESS, PRODUCTION AND COPYING POLICY**

STATE OF TEXAS                   §  
  §  
COUNTY OF MONTGOMERY       §

WHEREAS, the property encumbered by this Access, Production and Copying Policy (“Policy”) is that property restricted by the Declaration of Covenants, Conditions and Restrictions for The Landing, recorded in the Official Public Records of Montgomery County, Texas under Clerk’s File No. 2022051250, as same has been or may be amended from time to time (the “Declaration”), and any other property which has been or may be subsequently annexed thereto and made subject to the authority of The Landing Community Association, Inc. (the “Association”); and

WHEREAS, pursuant to Chapter 209 of the Texas Property Code, the Board of Directors (the “Board”) of the Association hereby adopts this Policy for the purposes of prescribing (i) accessibility to Association books and records, and (ii) the costs the Association will charge for the compilation, production and reproduction of information requested under Section 209.005 of the Texas Property Code; and

WHEREAS, the Board has determined that it is in the best interest of the Association to establish this Policy concerning the production and copying of information, books, and records of the Association.

NOW, THEREFORE, BE IT RESOLVED THAT the Association does hereby adopt this Access, Production and Copying Policy, which shall run with the land and be binding on all owners and lots within the subdivision. This Policy shall become effective upon recording of same. After the effective date, this Policy shall replace any previously recorded or implemented policy that addresses the subjects contained herein.

**1. ACCESS**

The books and records of the Association, including financial records, shall be open to and reasonably available for examination by an owner, or a person designated in writing signed by the owner as the owner’s agent, attorney, or certified public accountant. An owner is entitled to obtain from the Association copies of information contained in the books and records. An owner, or the owner’s authorized representative, must submit a written request for access or information by certified mail, with sufficient detail describing the books and records requested, to the mailing address of the Association as reflected on the Association’s most current management certificate. The request must contain an election either to inspect the books and records before obtaining copies, or to have the Association forward copies of the requested books and records.

An attorney’s files and records relating to the Association, excluding invoices requested by an owner under Section 209.008(d) of the Texas Property Code, are not records of the Association and are not subject to inspection by the owner or production in a

legal proceeding. If a document in an attorney's files and records relating to the Association would be responsive to a legally authorized request to inspect or copy Association documents, the document shall be produced by using the copy from the attorney's files and records if the Association has not maintained a separate copy of the document. Any document that constitutes attorney work product or that is privileged as an attorney-client privileged communication is not required to be produced.

The Association is not required to release or to allow inspection of any books or records that identify (a) the dedicatory instrument violation history of an owner, (b) an owner's personal financial information, including records of payment/nonpayment of amounts due the Association, (c) an owner's contact information other than the owner's address, or (d) information related to an employee of the Association, including personnel files. These records may be made available only (i) with the express written approval of the owner whose records are the subject of the request, or (ii) if a court of competent jurisdiction orders the release of the records. Information may be released in an aggregate or summary manner that would not identify an individual owner.

If inspection is requested, the Association, on or before the tenth (10<sup>th</sup>) business day after the date the Association receives the request, shall send written notice of dates that the owner may inspect the requested records to the extent the records are in the possession or control of the Association. The inspection shall take place at a mutually agreed upon time during normal business hours.

If copies are requested, the Association shall produce the requested records for the owner on or before the tenth (10<sup>th</sup>) business day after the date the Association receives the request except as otherwise provided herein. The Association may produce the requested records in hard copy, electronic, or other format reasonably available to the Association.

If the Association is unable to produce the records on or before the tenth (10<sup>th</sup>) business day after the date the Association receives the request, the Association shall give the owner notice that it is unable to produce the records within ten (10) business days and state a date by which the information will be sent or made available for inspection, on a date not more than fifteen (15) business days after the date the notice is given.

Notwithstanding anything contained herein to the contrary, all records shall be produced subject to the terms of this Policy as set out below. The Association may require advance payment of estimated costs per its adopted policy.

## **2. CUSTODIAN OF RECORDS**

The Secretary of the Board or other person designated by the Board, is the designated Custodian of the Records of Association. As such, the Secretary of the Board or other person designated by the Board, as applicable, is responsible for overseeing compliance with this Policy. Any questions regarding this Policy shall be directed to the Custodian of the Records of the Association.

### **3. PROCEDURES FOR RESPONDING TO REQUEST FOR INFORMATION**

All requests for information must comply with the requirements set forth hereinabove. The dated and signed, written request must state the specific information being requested.

Requests for information will **NOT** be approved when the information (1) regards pending legal issues, unless specifically required by law; (2) regards personnel matters such as individual salaries; (3) regards other owners; or (4) is privileged or confidential.

### **4. COST OF COMPILING INFORMATION AND MAKING COPIES OF RECORDS**

The costs of compiling information and making copies shall not exceed those set forth in 1 TAC §70.3. The following fee schedules and explanations comply with this code section.

The following are the costs of materials, labor, and overhead which shall be charged to the owner requesting. The Association may require advance payment of the estimated costs of compilation, production, and reproduction of the requested information. If the estimated costs are lesser or greater than the actual costs, the Association shall submit a final invoice to the owner on or before the thirtieth (30<sup>th</sup>) business day after the date the information is delivered. If the final invoice includes additional amounts due from the owner, the additional amounts, if not reimbursed to the Association before the thirtieth (30<sup>th</sup>) business day after the date the invoice is sent to the owner, may be added to the owner's account as an assessment. If the estimated costs exceeded the final invoice amount, the owner is entitled to a refund, and the refund shall be issued to the owner not later than the thirtieth (30<sup>th</sup>) business day after the date the invoice is sent to the owner.

#### **4.1 Copy Charge:**

- (1) Standard paper copy: The charge for paper copies reproduced by means of an office machine copier or a computer printer is \$0.10 per page or part of a page. Each side that has recorded information is considered a page.
- (2) Nonstandard copy: These charges cover materials onto which information is copied and do not reflect any additional charges, including labor, that may be associated with a particular request. The charges for nonstandard copies are:
  - (A) Diskette – \$1.00
  - (B) Magnetic tape – actual cost
  - (C) Data cartridge – actual cost
  - (D) Tape cartridge – actual cost
  - (E) Rewritable and non-rewritable CD – \$1.00
  - (F) Digital video disc – \$3.00

- (G) JAZ drive – actual cost
- (H) Other electronic media – actual cost
- (I) VHS video cassette – \$2.50
- (J) Audio cassette – \$1.00
- (3) Oversize paper copy (e.g. 11 x 17, green bar, blue bar, not including maps and photographs using specialty paper): \$0.50
- (4) Specialty paper (e.g. Mylar, blueprint, blueline, map, photographic): actual cost

**4.2 Labor Charge:**

For locating, compiling, manipulating data, and reproducing public information, the following charges shall apply:

- (1) Labor charge – \$15.00/hour. This charge includes the actual time to locate, compile, manipulate data, and reproduce the requested information.
- (2) When confidential information is mixed with public information on the same page, a labor charge may be recovered for time spent by an attorney, legal assistant, or any other person who reviews the requested information to redact, blackout, or otherwise obscure confidential information in order to release the public information.
- (3) No labor charge to be billed for requests that are fifty (50) or fewer pages of paper records, unless the documents to be copied are located in:
  - (A) Two (2) or more separate buildings that are not physically connected with each other; or
  - (B) A remote storage facility.

**4.3 Overhead Charge:**

Whenever a labor charge is applicable to a request, the Association may include in the charges direct and indirect charges, in addition to the specific labor charge. This overhead charge would cover such costs as depreciation of capital assets, rent, maintenance and repair, utilities, and administrative overhead. If the Association chooses to recover such costs, the charge shall be made in accordance with the methodology described hereafter:

- (1) The overhead charge shall not be made for requests for copies of fifty (50) or fewer pages of standard paper records unless the request also qualifies for a labor charge;
- (2) The overhead charge shall be computed at twenty percent (20%) of the charge made to cover any labor costs associated with a particular request.

**4.4 Miscellaneous Supplies:**

The actual cost of miscellaneous supplies, such as labels, boxes, and other supplies used to produce the requested information, may be added to the total charge. Related postal or shipping expenses which are necessary to transmit the reproduced information may be added to the total charge. If payment by credit card is accepted and a transaction fee is charged by the credit card company, that fee may be added to the total charge.

**5. DENIAL OF REQUESTED INFORMATION**


If it is decided that a request for information is inappropriate or unapproved, the Board, or its designee, will notify the requesting member of that decision and the reason for it in a timely manner. The Board, or its designee, will inform the owner, in writing, of their right to appeal to the Board.

[SIGNATURE PAGE FOLLOWS]

**CERTIFICATION**

I hereby certify that, as Secretary of The Landing Community Association, Inc., the foregoing Access, Production and Copying Policy was approved on the 11th day of April, 2022, at a meeting of the Board of Directors at which a quorum was present.

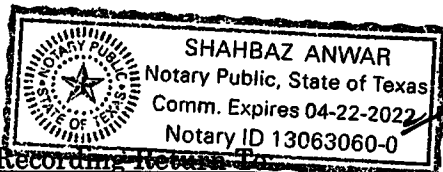
DATED this the 11 day of April, 2022.


By:   
Print Name: Travis Janik  
Title: Secretary

STATE OF TEXAS                   §  
  §  
COUNTY OF Fort Bend       §

BEFORE ME, on this day personally appeared Travis Janik, the Secretary of The Landing Community Association, Inc., known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that he executed the same for the purposes herein expressed, in the capacity herein stated, and as the act and deed of said corporation.

Given under my hand and seal of office, this 11<sup>th</sup> day of April, 2022.



  
Notary Public – State of Texas

~~After Recording Return To:~~  
Casson Wen  
Isabella Vickers  
Roberts Markel Weinberg Butler Hailey PC  
2800 Post Oak Blvd., 57<sup>th</sup> Floor  
Houston, Texas 77056

**E-FILED FOR RECORD**

**04/25/2022 10:15AM**



COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,  
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number sequence on the date and time stamped herein by me and was duly e-RECORDED in the Official Public Records of Montgomery County, Texas.

**04/25/2022**



County Clerk  
Montgomery County, Texas

THE LANDING COMMUNITY ASSOCIATION, INC.  
DOCUMENT RETENTION POLICY

STATE OF TEXAS                   §  
  §  
COUNTY OF MONTGOMERY       §

WHEREAS, the property encumbered by this Document Retention Policy (“Policy”) is that property restricted by the Declaration of Covenants, Conditions and Restrictions for The Landing, recorded in the Official Public Records of Montgomery County, Texas, under Clerk’s File No. 2022051250, as same has been or may be amended from time to time (the “Declaration”), and any other property which has been or may be subsequently annexed thereto and made subject to the authority of The Landing Community Association, Inc. (the “Association”); and

WHEREAS, pursuant to Chapter 209 of the Texas Property Code, the Board of Directors (the “Board”) of the Association hereby adopts this Policy for the purpose of prescribing the document retention policy pursuant to Section 209.005 of the Texas Property Code; and

WHEREAS, the Board has determined that it is in the best interest of the Association to establish this Policy concerning the retention of records of the Association.

NOW, THEREFORE, BE IT RESOLVED THAT the Association does hereby adopt this Document Retention Policy, which shall run with the land and be binding on all owners and lots within the subdivision. This Policy shall become effective upon the recording of same. After the effective date, this Policy shall replace any previously recorded or implemented policy that addresses the subjects contained herein.

This Policy provides for the future systematic review, retention, and destruction of documents received or created by the Association in connection with the transaction of the Association’s business. This Policy covers all records and documents, regardless of physical form, and contains guidelines for how long certain documents should be kept and how records should be destroyed.

The Association retains specific documents for the time periods outlined in the attached Exhibit “A.” Documents that may not be specifically listed will be retained for the time period of the documents that are most closely related to them as listed in the schedule. Electronic documents will be retained as if they were paper documents. Therefore, any electronic files that fall into one of the document types on the attached Exhibit “A” will be maintained for the identified time period.

The Custodian of Records of the Association is responsible for the ongoing process of identifying the Association’s records which have met the required retention period and overseeing their destruction. Destruction of any physical documents will be accomplished via shredding. Destruction of any electronic records of the Association shall be made via a reasonable attempt to remove the electronic records from all known electronic locations and/or repositories.



**CERTIFICATION**

I hereby certify that, as Secretary of The Landing Community Association, Inc., the foregoing Document Retention Policy was approved on the 11th day of April, 2022, at a meeting of the Board of Directors at which a quorum was present.

DATED this the 11 day of April, 2022.

By: [Signature]  
Print Name: Travis Janik  
Title: Secretary

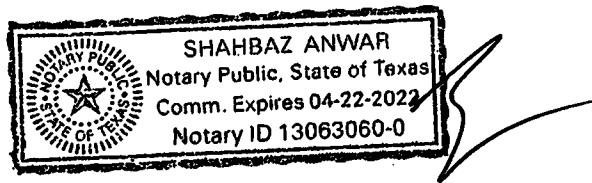
STATE OF TEXAS           §  
  §  
COUNTY OF Fort Bend   §

BEFORE ME, on this day personally appeared Travis Janik, the Secretary of The Landing Community Association, Inc., known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that he executed the same for the purposes herein expressed, in the capacity herein stated, and as the act and deed of said corporation.

Given under my hand and seal of office, this 11<sup>th</sup> day of April, 2022.

[Signature]  
Notary Public – State of Texas

After Recording Return To:  
Casson Wen  
Isabella Vickers  
Roberts Markel Weinberg Butler Hailey PC  
2800 Post Oak Blvd., 57<sup>th</sup> Floor  
Houston, Texas 77056



| <b>EXHIBIT "A"</b>                            |   |   |   |
|---|---|---|---|
| <b>DOCUMENT RETENTION POLICY</b>              |   |   |   |
| <b>DOCUMENT TYPE</b>                          | <b>DEFINED</b>  | <b>TIME PERIOD</b>  | <b>EXCEPTION</b>  |
| <b>Account Records of Current Owners</b>      | Member assessment records   | Five (5) years  | Unless period of ownership exceeds five (5) years, then retain last five (5) years. |
| <b>Audit Records</b>                          | Independent Audit Records   | Seven (7) years   |   |
| <b>Bylaws</b>                                 | And all amendments  | Permanently   |   |
| <b>Certificate of Formation</b>               | And all amendments  | Permanently   |   |
| <b>Contracts</b>                              | Final contracts between the Association and another entity                      | Later of completion of performance or expiration of the contract term plus four (4) years |   |
| <b>Financial Books &amp; Records</b>          | Year End Financial Records and supporting documents                             | Seven (7) years   |   |
| <b>Minutes of Board &amp; Owners Meetings</b> | Board minutes and written consents in lieu of a meeting; Annual member meetings | Seven (7) years   |   |
| <b>Restrictive Covenants</b>                  | And all amendments  | Permanently   |   |
| <b>Tax Returns</b>                            | Federal and State Income and Franchise Tax Returns and supporting documentation | Seven (7) years   |   |

**E-FILED FOR RECORD**

**04/25/2022 10:15AM**



COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,  
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number sequence on the date and time stamped herein by me and was duly e-RECORDED in the Official Public Records of Montgomery County, Texas.

**04/25/2022**



County Clerk  
Montgomery County, Texas

**THE LANDING COMMUNITY ASSOCIATION, INC.**  
**FLAG DISPLAY POLICY**

STATE OF TEXAS                   §  
  §  
COUNTY OF MONTGOMERY       §

WHEREAS, the property encumbered by this Flag Display Policy (“Policy”) is that property restricted by the Declaration of Covenants, Conditions and Restrictions for The Landing, recorded under Clerk’s File No. 2022051250 in the Official Public Records of Montgomery County, Texas, as same has been or may be amended or supplemented from time to time (the “Declaration”), and any other property which has been or may be annexed thereto and made subject to the authority of The Landing Community Association, Inc. (“Association”); and

WHEREAS, any reference made herein to approval by the Architectural Review Committee (“ARC”), means prior written approval by the ARC.

NOW THEREFORE, pursuant to the authority granted in Section 202.012 of the Texas Property Code, the Board of Directors (the “Board”) hereby adopts this Policy, which shall run with the land and be binding on all owners and lots within the subdivision. This Policy replaces any previously recorded or implemented policy that addresses the subjects contained herein.

**I.       FLAG DISPLAY**

The display of flags is permitted under the following parameters:

**A. NUMBER OF FLAGPOLES**

Owners may have a total of one (1) flagpole per lot.

**B. TYPES OF FLAGS**

The following flags may be displayed in accordance with this Policy:

1. United States flag
2. Texas flag
3. Official or replica flag of a branch of the United States armed forces

**C. TYPE/LOCATION OF FLAGPOLE**

1. The flagpole may be either freestanding or mounted to the residential structure under the following parameters:
  - a. A freestanding flagpole:
    - (i) must not be taller than twenty feet (20’) when measured from ground level (including the pole ornamentation);

- (ii) must be mounted on an appropriate footing;
  - (iii) is subject to ARC approval and any and all applicable zoning ordinances, easements and setbacks of record; and
  - (iv) may be placed in either:
    - (a) the back yard (preferred location); or
    - (b) the front yard, if the lot has a front building setback line with a setback of not less than fifteen feet (15'), extending the full width of the lot between the front lot line and the front building setback line. If front building setbacks of record are greater than fifteen feet (15'), then the greater setbacks will control.
- b. A flagpole mounted to the residential structure:
- (i) must be no greater than five feet (5') in length; and
  - (ii) may be attached to the front or rear of the residential structure.
2. Owners are prohibited from placing a flagpole within an easement on an owner's lot or in a location that encroaches on a setback on an owner's lot.
  3. Owners are prohibited from locating a flag or flagpole on property owned or maintained by the Association.
  4. Owners are prohibited from locating a flag or flagpole on property owned in common by the members of the Association.

**D. MATERIALS, MAINTENANCE AND ETIQUETTE**

1. All flagpoles must be constructed of permanent, long-lasting materials, with a finish appropriate to the materials used in the construction of the flagpole and harmonious with the dwelling.
2. All flagpoles must be installed per the manufacturer's guidelines.
3. All flags and flagpoles must be properly maintained at all times, including, but not limited to, immediate replacement of faded, frayed or torn flags and replacement of poles that are scratched, bent, rusted, faded, leaning or damaged in any way.
4. The size of the flag must be appropriate for the length of the flagpole, and the ARC shall have sole discretion as to this determination.
5. Flagpole halyards must be securely fastened at all times and must not make noise under any conditions.
6. Telescoping flagpoles must not make noise under any conditions.

7. The United States flag must be displayed in accordance with federal law. Additionally, if more than one flag is displayed along with the United States flag on a flagpole, the United States Flag must be flown above all other flags on such flagpole.
8. The Texas flag must be displayed in accordance with Texas state law.
9. If evening display of the flag is desired, the flag may be lit from the base of the flagpole (maximum of two (2) bulbs) with a total of no more than 150 watts. The light must shine directly up at the flag and may not cause any type of light spillover onto adjoining properties. All exterior lighting must be submitted to the ARC for prior approval.
10. Flags must be attached to a flagpole in order to be displayed.
11. A flagpole mounted to the residential structure must be removed from view when no flag is displayed.

## **II. ARC APPROVAL**

### **A. MOUNTED FLAGPOLES**

A flagpole mounted to a residential structure does not require approval from the ARC if it complies with the terms of this Policy.

### **B. FREESTANDING FLAGPOLES**

1. Freestanding flagpoles require prior written approval from the ARC. Completed applications must be submitted to the ARC in accordance with the following:
  - a. If a back yard location is desired, an application must be submitted with a copy of the applicable plat or survey showing the proposed location of the freestanding flagpole along with pictures showing the location of the improvement and the manufacturer's brochures or sample of material, if applicable;
  - b. If a front yard location is desired, an application must be submitted with a copy of the applicable plat and/or survey indicating the front lot line, front building setback line, and proposed location of the freestanding flagpole, along with pictures showing the location of the improvement and the manufacturer's brochures or a sample of material, if applicable;
  - c. Locations closer to the dwelling are typically preferred; and
  - d. Regardless of desired location, the color of the materials being used in relation to house color, the location of the flagpole in relation to the dwelling, and any noise created are of specific concern.

Any installation not in compliance with this Policy will be considered a violation of the dedicatory instruments governing the subdivision.

This Flag Display Policy does not apply to property that is owned or maintained by the Association.

**CERTIFICATION**

I hereby certify that, as Secretary of The Landing Community Association, Inc., the foregoing Flag Display Policy was approved on the 11<sup>th</sup> day of April, 2022, at a meeting of the Board of Directors at which a quorum was present.

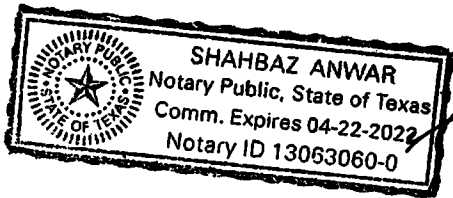
DATED, this the 11 day of April, 2022.

By: [Signature]  
Print Name: Travis Janik  
Title: Secretary

STATE OF TEXAS §  
  §  
COUNTY OF Fort Bend §

BEFORE ME, on this day personally appeared Travis Janik, the Secretary of The Landing Community Association, Inc., known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that he executed the same for the purposes herein expressed, in the capacity herein stated, and as the act and deed of said corporation.

Given under my hand and seal this the 11<sup>th</sup> day of April, 2022.



[Signature]  
Notary Public - State of Texas

After Recording, Return To:  
Casson Wen  
Isabella Vickers  
Roberts Markel Weinberg Butler Hailey PC  
2800 Post Oak Blvd., 57th Floor  
Houston, Texas 77056

**E-FILED FOR RECORD**

**04/25/2022 10:15AM**



COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,  
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number sequence on the date and time stamped herein by me and was duly e-RECORDED in the Official Public Records of Montgomery County, Texas.

**04/25/2022**



County Clerk  
Montgomery County, Texas



**THE LANDING COMMUNITY ASSOCIATION, INC.**  
**STANDBY ELECTRIC GENERATOR POLICY**

STATE OF TEXAS                   §  
  §  
COUNTY OF MONTGOMERY       §

WHEREAS, the property encumbered by this Standby Electric Generator Policy is that property restricted by the Declaration of Covenants, Conditions and Restrictions for The Landing, recorded in the Official Public Records of Montgomery County, Texas under Clerk's File No. 2022051250, as same has been or may be amended from time to time (the "Declaration"), and any other property which has been or may be subsequently annexed thereto and made subject to the authority of The Landing Community Association, Inc. (the "Association"); and

WHEREAS, any reference made herein to approval by the Architectural Review Committee (the "ARC") means prior written approval by the ARC.

NOW THEREFORE, pursuant to the authority granted in Section 202.019 of the Texas Property Code, the Board of Directors (the "Board") hereby adopts this Standby Electric Generator Policy (the "Policy"), which shall run with the land and be binding on all owners and lots within the subdivision. This Policy replaces any previously recorded or implemented policy that addresses the subjects contained herein.

**I.       DEFINITIONS**

For purposes of this Policy, "Standby Electric Generator" shall mean a device that converts mechanical energy to electrical energy and is:

1.     Powered by natural gas, liquefied petroleum gas, diesel fuel, biodiesel fuel, or hydrogen;
2.     Fully enclosed in an integral manufacturer-supplied sound attenuating enclosure;
3.     Connected to the main electrical panel of a residence by a manual or automatic transfer switch; and
4.     Rated for a generating capacity of not less than seven (7) kilowatts.

**II.     PARAMETERS FOR APPROVAL**

The installation and operation of permanently installed Standby Electric Generators are permitted, subject to approval by the ARC, under the following parameters:

1.     Standby Electric Generators must be installed and maintained in compliance with:

- (a) the manufacturer's specifications; and
  - (b) applicable governmental health, safety, electrical, and building codes;
2. All electrical, plumbing, and fuel line connections for Standby Electric Generators shall be installed only by licensed contractors;
3. All electrical connections for Standby Electric Generators shall be installed in accordance with applicable governmental health, safety, electrical, and building codes;
4. All natural gas, diesel fuel, biodiesel fuel, or hydrogen fuel line connections for Standby Electric Generators shall be installed in accordance with applicable governmental health, safety, electrical, and building codes;
5. All liquefied petroleum gas fuel line connections for Standby Electric Generators shall be installed in accordance with rules and standards promulgated and adopted by the Railroad Commission of Texas and other applicable governmental health, safety, electrical, and building codes;
6. Nonintegral Standby Electric Generator fuel tanks shall be installed and maintained to comply with applicable municipal zoning ordinances and governmental health, safety, electrical, and building codes;
7. All Standby Electric Generators and their electrical lines and fuel lines shall be maintained in good condition;
8. Any deteriorated or unsafe component of a Standby Electric Generator, including electrical or fuel lines, shall be repaired, replaced, or removed, as appropriate;
9. A Standby Electric Generator shall be screened if it is:
  - (a) visible from the street that the residence faces;
  - (b) located in an unfenced side or rear yard of a residence and visible either from an adjoining residence or from adjoining property owned by the Association; or
  - (c) located in a side or rear yard fenced by a wrought iron or residential aluminum fence and visible through the fence either from an adjoining residence or from adjoining property owned by the Association;
10. Periodic testing of Standby Electric Generators should be in accordance with the manufacturer's recommendations, and shall occur between the hours of 10:00 a.m. and 4:00 p.m.; and
11. The preferred location for Standby Electric Generators is:

- (a) at the side or back plane of the home;
- (b) outside of any easements located upon such lot; and
- (c) outside of all side setback lines for such lot.

However, in the event that the foregoing preferred location either (i) increases the cost of installing the Standby Electric Generator by more than ten percent (10%), or (ii) increases the cost of installing and connecting the electrical and fuel lines for the Standby Electric Generator by more than twenty percent (20%), then the Standby Electric Generator shall be located on the lot in a position that complies as closely as possible with the preferred location without violating either (i) or (ii) noted herein.

### III. PROHIBITIONS

1. Standby Electric Generators shall not be used to generate all or substantially all of the electrical power to a residence, except when utility-generated electrical power to the residence is not available or is intermittent due to causes other than nonpayment for utility service to the residence.
2. Owners are prohibited from locating Standby Electric Generators on property owned or maintained by the Association.

### IV. ARC APPROVAL

Owners are required to obtain written approval from the ARC prior to the installation of a Standby Electric Generator. The submission of plans must include a completed application for ARC review, a site plan showing the proposed location of the Standby Electric Generator, the type of screening to be used (if required as noted in Article II), and a copy of the manufacturer's brochures. The Association may not withhold approval of a Standby Electric Generator if the proposed installation meets or exceeds the provisions set forth in Article II.

Any installation not in compliance with this Policy will be considered a violation of the dedicatory instruments governing the subdivision.

This Standby Electric Generator Policy does not apply to property that is owned or maintained by the Association.

[SIGNATURE PAGE FOLLOWS]

**CERTIFICATION**

I hereby certify that, as Secretary of The Landing Community Association, Inc., the foregoing Standby Electric Generator Policy was approved on the 11th day of April, 2022, at a meeting of the Board of Directors at which a quorum was present.

DATED, this the 11 day of April, 2022.

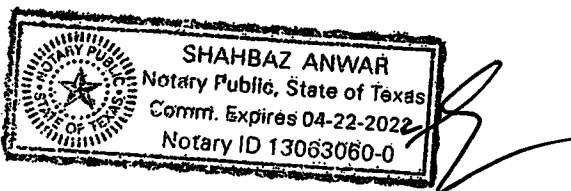
By: [Signature]  
Print Name: Travis Janik  
Title: Secretary

STATE OF TEXAS                   §  
   §  
COUNTY OF Fort Bend       §

BEFORE ME, on this day personally appeared Travis Janik, the Secretary of The Landing Community Association, Inc., known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that he executed the same for the purposes herein expressed, in the capacity herein stated, and as the act and deed of said corporation.

Given under my hand and seal this the 11<sup>th</sup> day of April, 2022.

[Signature]  
\_\_\_\_\_  
Notary Public – State of Texas



**After Recording Please Return To:**  
Casson Wen  
Isabella Vickers  
Roberts Markel Weinberg Butler Hailey PC  
2800 Post Oak Blvd., 57th Floor  
Houston, Texas 77056

**E-FILED FOR RECORD**

**04/25/2022 10:15AM**



COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,  
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number sequence on the date and time stamped herein by me and was duly e-RECORDED in the Official Public Records of Montgomery County, Texas.

**04/25/2022**



County Clerk  
Montgomery County, Texas

**THE LANDING COMMUNITY ASSOCIATION, INC.**  
**PANDEMIC POLICY**

**(Amenity Use Guidance Pursuant to Chapter 148, Texas Civil Practice & Remedies Code)**

STATE OF TEXAS                                   §  
   §  
COUNTY OF MONTGOMERY                   §

WHEREAS, the property encumbered by this Pandemic Policy (the "Policy") is that property restricted by the Declaration of Covenants, Conditions and Restrictions for The Landing, recorded in the Official Public Records of Montgomery County, Texas under Clerk's File No. 2022051250, as same has been or may be amended from time to time (the "Declaration"), and any other property which has been or may be subsequently annexed thereto and made subject to the authority of The Landing Community Association, Inc. (the "Association"); and

WHEREAS, on June 14, 2021, Chapter 148 of the Texas Civil Practices & Remedies Code was amended to state that a person (as the term is defined in Section 311.005(2) of the Texas Government Code) is not liable for injury or death caused by exposing an individual to a pandemic disease during a pandemic emergency unless the claimant establishes certain facts, including a failure to implement or comply with government-promulgated standards, guidance, or protocols intended to lower the likelihood of exposure to the disease that were applicable to the person's business; and

WHEREAS, the Association has taken affirmative steps to comply with applicable state, local, and federal guidance throughout the pendency of the COVID-19 pandemic; and

WHEREAS, the Centers for Disease Control (the "CDC") and the State of Texas have issued guidance and recommendations for avoiding the spread of COVID-19 (collectively, the "Government-Promulgated Guidance"); and

WHEREAS, reference is hereby made to the Declaration for all purposes, and any and all capitalized terms used herein shall have the meanings set forth in the Declaration, unless otherwise specified in this Policy.

NOW THEREFORE, the Board of Directors of the Association (the "Board") hereby adopts this Policy for purposes of implementing the relevant Government-Promulgated Guidance with respect to Association amenities and other Common Areas, and to comply with the terms of Chapter 148 of the Texas Civil Practices & Remedies Code and the Government-Promulgated Guidance.

**Amenity Use Guidance Pursuant to  
Chapter 148, Texas Civil Practice & Remedies Code**

1. Warning Regarding Use of Amenities and Other Common Areas. **THERE ARE INHERENT RISKS INVOLVED IN THE USE OF THE ASSOCIATION'S AMENITIES AND OTHER COMMON AREAS DUE TO HIGH FOOT TRAFFIC AND CLOSE PROXIMITY TO OTHERS. THESE RISKS INCLUDE, BUT ARE NOT LIMITED TO, BODILY INJURY, SICKNESS, DISEASE, AND DEATH RESULTING FROM EXPOSURE TO THE VIRUS THAT CAUSES COVID-19.**

2. Precautionary Measures. Per the Government-Promulgated Guidance, individuals are encouraged to practice the following precautionary measures when visiting Association amenities or when entering other Common Areas:

- a. If not up-to-date on COVID-19 vaccines, practice social distancing by maintaining six feet (6') of distance from others who are not a member of your household; and
- b. While indoors, wear a well-fitting mask over your nose and mouth when the COVID-19 Community Level is high.

3. Self-Isolation for all Symptomatic Individuals. Vaccinated and unvaccinated individuals should self-isolate in accordance with current CDC guidance if they begin to exhibit symptoms of COVID-19. As of the date of this Policy, the Government-Promulgated Guidance provides that you should suspend self-isolation only when:

- a. at least five (5) days have passed since your symptoms first appeared;
- b. you have gone at least twenty-four (24) hours without a fever without the use of fever-reducing medication; and
- c. your other COVID-19 symptoms are improving.

4. Quarantine for Individuals who are not Up-to-Date on COVID-19 Vaccinations and who were Exposed to COVID-19. Individuals who are not up-to-date on COVID-19 vaccinations should additionally quarantine in accordance with CDC guidance after having close contact with someone who has COVID-19, unless the exposed individual has had COVID-19 in the preceding three (3) months. As of the date of this Policy, the Government-Promulgated Guidance provides that such quarantine should last for a period of five (5) days after the last occurrence of close contact. Close contact means:

- a. You were within six feet (6') or less of someone who has COVID-19, for a total of fifteen (15) minutes or longer;
- b. You provided care at home to someone who is sick with COVID-19;
- c. You had direct physical contact with someone who is sick with COVID-19 (e.g., hugged or kissed them);

- d. You shared eating or drinking utensils with someone who is sick with COVID-19; or
- e. Someone who is sick with COVID-19 sneezed, coughed, or otherwise got respiratory droplets on you.

5. For purposes of this Policy, you are considered up-to-date on COVID-19 vaccinations when (a) you have had either 2 doses of a Moderna vaccine, 2 doses of a Pfizer-BioNTech vaccine, or 1 dose of a Johnson & Johnson's Janssen vaccine ("**Primary Series Vaccine**"); (b) 2 weeks have lapsed since the final dosage of your Primary Series Vaccine; and (c) you have obtained a booster shot if 5 months have lapsed since the final dosage of your Primary Series Vaccine. .

Should the Government-Promulgated Guidance change, the Association will implement and the Owners and Occupants must comply with such altered guidelines without further need to amend this Policy.

The provisions of the foregoing Policy are in addition to any other applicable rules or policies. To the extent the provisions of this Policy conflict with any other applicable rules or procedures (other than those contained in the Bylaws or Declaration), the provisions of this Policy control.

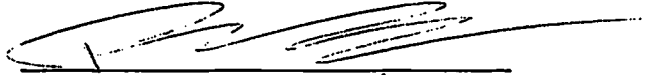
[SIGNATURE PAGE FOLLOWS]



**CERTIFICATION**

I hereby certify that, as Secretary of The Landing Community Association, Inc., the foregoing Pandemic Policy was approved on the 11th day of April, 2022, at a meeting of the Board of Directors at which a quorum was present.

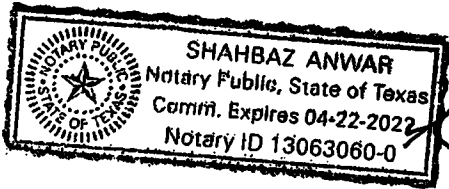
DATED, this the 11 day of April, 2022.


By:   
Print Name: Travis Janik  
Title: Secretary

THE STATE OF TEXAS    §  
  §  
COUNTY OF Fort Bend   §

BEFORE ME, on this day personally appeared Travis Janik, the Secretary of The Landing Community Association, Inc., known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that s/he executed the same for the purposes herein expressed, in the capacity herein stated, and as the act and deed of said corporation.

Given under my hand and seal this the 11<sup>th</sup> day of April, 2022.



  
Notary Public – State of Texas

After Recording, Return To:  
Casson Wen  
Isabella L. Vickers  
Roberts Markel Weinberg Butler Hailey PC  
2800 Post Oak Blvd., 57<sup>th</sup> Floor  
Houston, Texas 77056

**E-FILED FOR RECORD**

04/25/2022 10:15AM



COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,  
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number sequence on the date and time stamped herein by me and was duly e-RECORDED in the Official Public Records of Montgomery County, Texas.

**04/25/2022**



County Clerk  
Montgomery County, Texas

**THE LANDING COMMUNITY ASSOCIATION, INC.**  
**RAIN BARREL POLICY**

STATE OF TEXAS                                   §  
  §  
COUNTY OF MONTGOMERY                   §

WHEREAS, the property encumbered by this Rain Barrel Policy is that property restricted by the Declaration of Covenants, Conditions and Restrictions for The Landing, recorded in the Official Public Records of Montgomery County, Texas, under Clerk's File No. 2022051250, as same has been or may be amended from time to time (the "Declaration"), and any other property which has been or may be subsequently annexed thereto and made subject to the authority of The Landing Community Association, Inc. (the "Association"); and

WHEREAS, any reference made herein to approval by the Architectural Review Committee (the "ARC") means prior written approval by the ARC.

NOW THEREFORE, pursuant to the authority granted in Section 202.007(d) of the Texas Property Code, the Board of Directors (the "Board") hereby adopts this Rain Barrel Policy (the "Policy"), which shall run with the land and be binding on all owners and lots within the subdivision. This Policy replaces any previously recorded or implemented policy that addresses the subjects contained herein.

An application must be submitted for review by the ARC, and formal written approval from the ARC shall be required before installation may begin.

**I. RAIN BARRELS**

**A. Prohibited Rainwater Harvesting Systems/Rain Barrels**

Rainwater harvesting systems or rain barrels (collectively referred to herein as "Rain Barrels") are prohibited in the following circumstances:

1. Rain Barrels that are located on property owned by the Association;
2. Rain Barrels that are located on property that is owned in common by the members of the Association;
3. Rain Barrels that are located between the front of the owner's home and an adjoining or adjacent street;
4. Rain Barrels that are of a color not consistent with the color scheme of the home; and
5. Rain Barrels that display language or content other than the manufacturer's typical display.

B. Rain Barrels Located in Areas Visible from a Street, Lot, or Common Area:

Rain Barrels that are located on the side of a house or at any other location that is visible from a street, another lot, or a common area must comply with the following:

1. Rain Barrels must have adequate screening, as determined by the ARC;
2. Only commercial and professional grade Rain Barrels are permitted;
3. All Rain Barrels must be fully enclosed and have a proper screen or filter to prevent mosquito breeding and harboring; and
4. Rain Barrels may not create unsanitary conditions or be of nuisance to any neighboring properties.

**II. ARC APPROVAL**

An applicant's submission of plans must include a completed application for ARC review and a site plan showing the proposed location of the improvement, along with pictures showing the location of the modification and the manufacturer's brochures or a sample of material, if applicable. The color of the materials being used in relation to the house color, the visibility from public streets and neighboring properties/common areas and any noise created are of specific concern to the Association and the ARC.

Any installation not in compliance with this Policy will be considered a violation of the dedicatory instruments governing the subdivision.

This Rain Barrel Policy does not apply to property that is owned or maintained by the Association.

[SIGNATURE PAGE FOLLOWS]

**CERTIFICATION**

I hereby certify that, as Secretary of The Landing Community Association, Inc., the foregoing Rain Barrel Policy was approved on the 11th day of April, 2022, at a meeting of the Board of Directors at which a quorum was present.

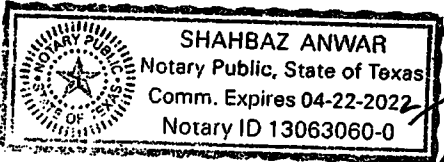
DATED, this the 11 day of April, 2022.

By: \_\_\_\_\_  
Print Name: Travis Janik  
Title: Secretary

STATE OF TEXAS            §  
   §  
COUNTY OF Fort Bend   §

BEFORE ME, on this day personally appeared Travis Janik, the Secretary of The Landing Community Association, Inc., known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that he executed the same for the purposes herein expressed, in the capacity herein stated, and as the act and deed of said corporation.

Given under my hand and seal this the 11<sup>th</sup> day of April, 2022.



\_\_\_\_\_  
Notary Public – State of Texas

After Recording Return To:  
Casson Wen  
Isabella Vickers  
Roberts Markel Weinberg Butler Hailey PC  
2800 Post Oak Blvd., 57th Floor  
Houston, Texas 77056

**E-FILED FOR RECORD**

04/25/2022 10:15AM



COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,  
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number sequence on the date and time stamped herein by me and was duly e-RECORDED in the Official Public Records of Montgomery County, Texas.

**04/25/2022**



County Clerk  
Montgomery County, Texas

**THE LANDING COMMUNITY ASSOCIATION, INC.**  
**DISPLAY OF RELIGIOUS ITEMS POLICY**

STATE OF TEXAS                   §  
  §  
COUNTY OF MONTGOMERY       §

WHEREAS, the property encumbered by this Display of Religious Items Policy (the “Policy”) is that property restricted by the Declaration of Covenants, Conditions and Restrictions for The Landing, recorded in the Official Public Records of Montgomery County, Texas, under Clerk’s File No. 2022051250, as same has been or may be amended from time to time (the “Declaration”), and any other property which has been or may be subsequently annexed thereto and made subject to the authority of The Landing Community Association, Inc. (the “Association”); and

WHEREAS, pursuant to the Dedicatory Instruments governing the Property, the Association is vested with the authority to adopt policies, rules, and guidelines; and

WHEREAS, the Board of Directors of the Association (the “Board”) has determined that, in order to provide guidance regarding the display of religious items authorized by Texas Property Code Section 202.018 (the “Code”), it is appropriate for the Association to adopt a Display of Religious Items Policy for the properties under the jurisdiction of the Association; and

WHEREAS, any reference made herein to approval by the Architectural Review Committee (the “ARC”) means prior written approval by the ARC; and

WHEREAS, reference is hereby made to the Declaration for all purposes, and any and all capitalized terms used herein shall have the meanings set forth in the Declaration, unless otherwise specified in this Policy.

NOW THEREFORE, pursuant to the authority granted in the Code, the Board hereby adopts this Policy, which shall run with the land and be binding on all Owners and Lots within the Property. This Policy replaces any previously recorded or implemented policy that addresses the subjects contained herein.

**DISPLAY OF RELIGIOUS ITEMS:**

Owners and Occupants are generally permitted to display or affix one or more religious items on the Owner’s or Occupant’s Lot or Dwelling, the display of which is motivated by the Owner’s or Occupant’s sincere religious belief.

**ARC Application Required.** Before a religious display contemplated by the Code is displayed or affixed on an Owner's or Occupant's Lot or Dwelling, an ARC application must be submitted to the Association and approved in writing in accordance with the Declaration. The following information must be included with the application:

1. Type and description of the proposed religious display; and
2. Site plan indicating the location of the proposed religious display with respect to any applicable building line, right-of-way, setback or easement on the Owner's or Occupant's Lot or Dwelling.

Notwithstanding the foregoing, one or more religious items displayed or affixed on the entry of an Owner's or Occupant's Dwelling and not exceeding twenty-five (25) square inches, shall not require ARC approval. All other religious displays shall require ARC approval as set forth above.

The display or affixing of a religious item on the Owner's or Occupant's Lot or Dwelling is prohibited under the following circumstances:

1. The item threatens public health or safety;
2. The item violates a law other than a law prohibiting the display of religious speech;
3. The item contains language, graphics, or any display that is patently offensive to a passerby for reasons other than its religious content;
4. The item is installed on property:
  - a. owned or maintained by the Association; or
  - b. owned in common by Members of the Association;
5. The item violates any building line, right-of-way, setback, or easement that applies to the religious item pursuant to a law or to the Association's Dedicatory Instruments; or
6. The item is attached to a traffic control device, street lamp, fire hydrant, or utility sign, pole or fixture.

The display of a religious item that is not in compliance with this Policy will be considered a violation of the Dedicatory Instruments governing the Property.

[SIGNATURE PAGE FOLLOWS]



**CERTIFICATION**

I hereby certify that, as Secretary of The Landing Community Association, Inc., the foregoing Display of Religious Items Policy was approved on the 11 day of April, 2022, at a meeting of the Board of Directors at which a quorum was present.

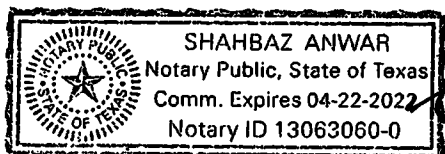
DATED, this the 11 day of April, 2022.

By: [Signature]  
Print Name: Travis Janik  
Title: Secretary

THE STATE OF TEXAS           §  
  §  
COUNTY OF Fort Bend       §

BEFORE ME, on this day personally appeared Travis Janik, the Secretary of The Landing Community Association, Inc., known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that s/he executed the same for the purposes herein expressed, in the capacity herein stated, and as the act and deed of said corporation.

Given under my hand and seal this the 11<sup>th</sup> day of April, 2022.



[Signature]  
Notary Public - State of Texas

**After Recording Please Return To:**  
Casson Wen  
Isabella L. Vickers  
Roberts Markel Weinberg Butler Hailey PC  
2800 Post Oak Blvd., 57<sup>th</sup> Floor  
Houston, Texas 77056

**E-FILED FOR RECORD**

04/25/2022 10:15AM



COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,  
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number sequence on the date and time stamped herein by me and was duly e-RECORDED in the Official Public Records of Montgomery County, Texas.

**04/25/2022**



County Clerk  
Montgomery County, Texas

**THE LANDING COMMUNITY ASSOCIATION, INC.**  
**DISPLAY OF RELIGIOUS ITEMS POLICY**

STATE OF TEXAS                   §  
  §  
COUNTY OF MONTGOMERY       §

WHEREAS, the property encumbered by this Display of Religious Items Policy (the “Policy”) is that property restricted by the Declaration of Covenants, Conditions and Restrictions for The Landing, recorded in the Official Public Records of Montgomery County, Texas, under Clerk’s File No. 2022051250, as same has been or may be amended from time to time (the “Declaration”), and any other property which has been or may be subsequently annexed thereto and made subject to the authority of The Landing Community Association, Inc. (the “Association”); and

WHEREAS, pursuant to the Dedicatory Instruments governing the Property, the Association is vested with the authority to adopt policies, rules, and guidelines; and

WHEREAS, the Board of Directors of the Association (the “Board”) has determined that, in order to provide guidance regarding the display of religious items authorized by Texas Property Code Section 202.018 (the “Code”), it is appropriate for the Association to adopt a Display of Religious Items Policy for the properties under the jurisdiction of the Association; and

WHEREAS, any reference made herein to approval by the Architectural Review Committee (the “ARC”) means prior written approval by the ARC; and

WHEREAS, reference is hereby made to the Declaration for all purposes, and any and all capitalized terms used herein shall have the meanings set forth in the Declaration, unless otherwise specified in this Policy.

NOW THEREFORE, pursuant to the authority granted in the Code, the Board hereby adopts this Policy, which shall run with the land and be binding on all Owners and Lots within the Property. This Policy replaces any previously recorded or implemented policy that addresses the subjects contained herein.

**DISPLAY OF RELIGIOUS ITEMS:**

Owners and Occupants are generally permitted to display or affix one or more religious items on the Owner’s or Occupant’s Lot or Dwelling, the display of which is motivated by the Owner’s or Occupant’s sincere religious belief.

**ARC Application Required.** Before a religious display contemplated by the Code is displayed or affixed on an Owner's or Occupant's Lot or Dwelling, an ARC application must be submitted to the Association and approved in writing in accordance with the Declaration. The following information must be included with the application:

1. Type and description of the proposed religious display; and
2. Site plan indicating the location of the proposed religious display with respect to any applicable building line, right-of-way, setback or easement on the Owner's or Occupant's Lot or Dwelling.

Notwithstanding the foregoing, one or more religious items displayed or affixed on the entry of an Owner's or Occupant's Dwelling and not exceeding twenty-five (25) square inches, shall not require ARC approval. All other religious displays shall require ARC approval as set forth above.

The display or affixing of a religious item on the Owner's or Occupant's Lot or Dwelling is prohibited under the following circumstances:

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2. The item violates a law other than a law prohibiting the display of religious speech;
3. The item contains language, graphics, or any display that is patently offensive to a passerby for reasons other than its religious content;
4. The item is installed on property:
  - a. owned or maintained by the Association; or
  - b. owned in common by Members of the Association;
5. The item violates any building line, right-of-way, setback, or easement that applies to the religious item pursuant to a law or to the Association's Dedicatory Instruments; or
6. The item is attached to a traffic control device, street lamp, fire hydrant, or utility sign, pole or fixture.

The display of a religious item that is not in compliance with this Policy will be considered a violation of the Dedicatory Instruments governing the Property.

[SIGNATURE PAGE FOLLOWS]

**CERTIFICATION**

I hereby certify that, as Secretary of The Landing Community Association, Inc., the foregoing Display of Religious Items Policy was approved on the 11th day of April, 2022, at a meeting of the Board of Directors at which a quorum was present.

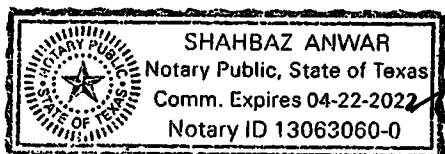
DATED, this the 11 day of April, 2022.

By: [Signature]  
Print Name: Travis Janik  
Title: Secretary

THE STATE OF TEXAS           §  
  §  
COUNTY OF Fort Bend       §

BEFORE ME, on this day personally appeared Travis Janik, the Secretary of The Landing Community Association, Inc., known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that s/he executed the same for the purposes herein expressed, in the capacity herein stated, and as the act and deed of said corporation.

Given under my hand and seal this the 11<sup>th</sup> day of April, 2022.



[Signature]  
Notary Public - State of Texas

**After Recording Please Return To:**  
Casson Wen  
Isabella L. Vickers  
Roberts Markel Weinberg Butler Hailey PC  
2800 Post Oak Blvd., 57<sup>th</sup> Floor  
Houston, Texas 77056

**E-FILED FOR RECORD**

04/25/2022 10:15AM



COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,  
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number sequence on the date and time stamped herein by me and was duly e-RECORDED in the Official Public Records of Montgomery County, Texas.

**04/25/2022**



County Clerk  
Montgomery County, Texas

**THE LANDING COMMUNITY ASSOCIATION, INC.**  
**SECURITY MEASURES POLICY**

STATE OF TEXAS                   §  
  §  
COUNTY OF MONTGOMERY       §

WHEREAS, the property encumbered by this Security Measures Policy (the “Policy”) is that property restricted by the Declaration of Covenants, Conditions and Restrictions for The Landing, recorded under Clerk’s File No. 2022051250 in the Official Public Records of Montgomery County, Texas, as same has been or may be amended from time to time (the “Declaration”), and any other property which has been or may be annexed thereto and made subject to the authority of The Landing Community Association, Inc. (the “Association”); and

WHEREAS, pursuant to the Dedicatory Instruments governing the Property, the Association is vested with the authority to adopt policies, rules, and guidelines; and

WHEREAS, the Board of Directors of the Association (the “Board”) has determined that, in order to provide guidance regarding security measures authorized by Texas Property Code Section 202.023 (the “Code”), it is appropriate for the Association to adopt a Security Measures Policy for the properties under the jurisdiction of the Association; and

WHEREAS, any reference made herein to approval by the Architectural Review Committee (the “ARC”), means prior written approval by the ARC; and

WHEREAS, reference is hereby made to the Declaration for all purposes, and any and all capitalized terms used herein shall have the meanings set forth in the Declaration, unless otherwise specified in this Policy.

NOW THEREFORE, pursuant to the authority granted in the Code, the Board hereby adopts this Policy, which shall run with the land and be binding on all Owners and Lots within the Property. The provisions of this Policy are in addition to any other applicable guidelines, rules, or policies. In the event of a conflict between the terms of this Policy and any previously adopted guidelines, rules, or policies addressing security measures, this Policy will control.

**SECURITY MEASURES**

1. **ARC Application Required**. Before any security measure contemplated by Section 202.023(a) of the Texas Property Code is constructed or otherwise erected on a Lot, an ARC application must be submitted to the Association and approved in writing in accordance with the Dedicatory Instruments. The following information must be included with the application:

- a. Type of proposed security measure;

- b. Location of proposed security measure;
- c. General purpose of proposed security measure; and
- d. Proposed construction plans or site plan.

Owners are encouraged to be aware of the following issues when seeking approval for and installing a security measure:

- a. The location of property lines for the Lot. Each Owner should consider obtaining a survey before installing a security measure;
- b. Easements in the area in which the security measure is to be installed; and
- c. Underground utilities in the area in which the security measure is to be installed.

**The Association is not obligated to and will not review an Owner's ARC security measure application for the above-referenced issues. Owners should be aware that a security measure may have to be removed if a person or entity with superior rights to the location of a security measure objects to the placement of the security measure.**

**2. Type of Fencing.** The Code authorizes the Association to regulate the type of security measure fencing that an Owner may install on a Lot.

- a. The following types of security measure fencing are prohibited:
  - i. Security measure fencing consisting of barbed wire, razor wire, chain link, or vinyl; and
  - ii. Electrically charged security measure fencing.

The ARC has the discretion to determine any other types of prohibited security measure fencing that are in addition to the types listed in this Policy.

- b. The following type of security measure fencing is approvable:
  - i. Perimeter fencing that (1) is ground-mounted on the boundary line of the Lot boundaries; (2) is installed in a contiguous manner around the entirety of the Lot boundaries; (3) is not greater than 6 feet in height; and (4) is not less than 4 feet in height. For purposes of this Policy, a gate in a perimeter fence is considered a part of the perimeter fence for all purposes and must be installed in accordance with the provisions of this Policy.



- ii. Placement of fencing must comply with all state and local regulations.

The ARC shall have the discretion to determine any other types of approvable security measure fencing that are in addition to the type listed in this Policy.

- c. If the proposed security measure fencing is located on one or more shared Lot lines with adjacent Lot(s) (the “Affected Lots”), all Owners of record of the Affected Lots must sign the ARC application evidencing their consent to the security measure fencing before the requesting Owner (the “Requesting Owner”) submits the ARC application to the ARC. In the event that the Affected Lot Owner(s) refuse to sign the ARC application as required by this section, the Affected Lot Owner(s) and Requesting Owner hereby acknowledge and agree that the Association shall have no obligation to participate in the resolution of any resulting dispute in accordance with this Policy.

3. **Burglar Bars and Security Screens.** Burglar bars, security screens, and front door entryway enclosures are permitted on a Lot, provided they are installed on the interior of the Dwelling and comply with the window treatment provisions provided for in the Declaration. Burglar bars, security screens, and front door entryway enclosures must be black, or any color approved by the ARC. Notwithstanding the foregoing, the ARC has the discretion to approve another color for burglar bars, security screens, and front door entry enclosures if, in the sole and absolute discretion of the ARC (subject to an appeal to the Board in the event of an ARC denial), the proposed color of the burglar bars, security screens, and front door entryway enclosures complements the exterior color of the Dwelling. All burglar bars and front door entry enclosures will be comprised of straight horizontal cross-rails and straight vertical pickets. Decorative elements and embellishments (whether part of the original construction of the burglar bar or security screen or an add-on) of any type are prohibited on burglar bars, security screens, and front door entryway enclosures.

4. **Location.** A security measure may be installed only on an Owner’s Lot, and may not be located on, nor encroach on, another Lot, street right-of-way, Association Common Area, or any other property owned or maintained by the Association. No fence shall be installed in any manner that would prevent someone from accessing property that they have a right to use/access.

5. **Disputes; Disclaimer; Indemnity.** Security measures, including, but not limited to, security cameras and security lights, shall not be permitted to be installed in a manner that the security measure is aimed/directed at an adjacent property which would result in an invasion of privacy, or cause a nuisance to a neighboring Owner or Occupant. **In the event of a dispute between Owners or Occupants regarding security measure fencing, or a dispute between Owners or Occupants regarding the aim or direction of a security camera or security light, the Association shall have no obligation to participate in the resolution of the dispute. The dispute shall be resolved solely by and between the Owners or Occupants.**

EACH OWNER AND OCCUPANT OF A LOT WITHIN THE PROPERTY ACKNOWLEDGES AND UNDERSTANDS THAT THE ASSOCIATION, INCLUDING ITS DIRECTORS, OFFICERS, MANAGERS, AGENTS, EMPLOYEES AND THE ARC, ARE NOT INSURERS AND THAT EACH OWNER AND OCCUPANT OF ANY DWELLING OR LOT THAT HAS A SECURITY MEASURE THAT HAS BEEN OR WILL BE INSTALLED PURSUANT TO THIS POLICY ASSUMES ALL RISKS FOR LOSS OR DAMAGE TO PERSONS, TO DWELLINGS AND IMPROVEMENTS AND TO THE CONTENTS OF DWELLINGS AND IMPROVEMENTS, AND FURTHER ACKNOWLEDGES THAT THE ASSOCIATION, INCLUDING ITS DIRECTORS, OFFICERS, MANAGERS, AGENTS, EMPLOYEES AND THE ARC, HAVE MADE NO REPRESENTATIONS OR WARRANTIES, NOR HAS ANY OWNER OR OCCUPANT RELIED UPON ANY REPRESENTATIONS OR WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE, RELATIVE TO ANY SECURITY MEASURE THAT MAY BE APPROVED BY THE ARC PURSUANT TO THIS POLICY.

OWNERS OF LOTS WITHIN THE PROPERTY HEREBY AGREE TO INDEMNIFY, PROTECT, HOLD HARMLESS, AND DEFEND (ON DEMAND) THE ASSOCIATION, INCLUDING ITS DIRECTORS, OFFICERS, MANAGERS, AGENTS, EMPLOYEES AND COMMITTEE MEMBERS COMPRISING THE ARC (COLLECTIVELY REFERRED TO AS THE "INDEMNIFIED PARTIES") FROM AND AGAINST ALL CLAIMS (INCLUDING, WITHOUT LIMITATION, CLAIMS BROUGHT BY AN OWNER OR OCCUPANT) IF SUCH CLAIMS ARISE OUT OF OR RELATE TO A SECURITY MEASURE GOVERNED BY THIS POLICY. THIS COVENANT TO INDEMNIFY, HOLD HARMLESS, AND DEFEND INCLUDES (WITHOUT LIMITATION) CLAIMS CAUSED, OR ALLEGED TO BE CAUSED, IN WHOLE OR IN PART BY THE INDEMNIFIED PARTIES' OWN NEGLIGENCE, REGARDLESS OF WHETHER SUCH NEGLIGENCE IS THE SOLE, JOINT, COMPARATIVE OR CONTRIBUTORY CAUSE OF ANY CLAIM.


The installation of a security measure that is not in compliance with this Policy will be considered a violation of the Dedicatory Instruments governing the Property.

[SIGNATURE PAGE FOLLOWS]

**CERTIFICATION**

I hereby certify that, as Secretary of The Landing Community Association, Inc., the foregoing Security Measures Policy was approved on the 11th day of April, 2022, at a meeting of the Board of Directors at which a quorum was present.

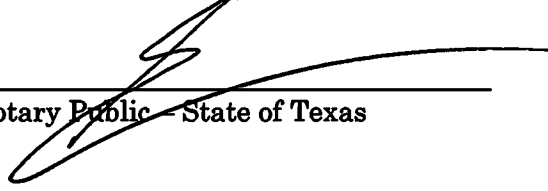
DATED, this the 11 day of April, 2022.

By:   
Print Name: Travis Janik  
Title: Secretary

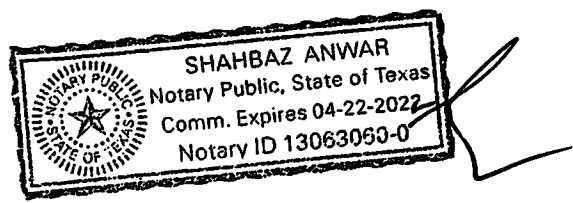
STATE OF TEXAS §  
  §  
COUNTY OF Fort Bend §

BEFORE ME, on this day personally appeared Travis Janik, the Secretary of The Landing Community Association, Inc., known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that s/he executed the same for the purposes herein expressed, in the capacity herein stated, and as the act and deed of said corporation.

Given under my hand and seal this the 11<sup>th</sup> day of April, 2022.

  
\_\_\_\_\_  
Notary Public - State of Texas

**After Recording, Return To:**  
Casson Wen  
Isabella L. Vickers  
Roberts Markel Weinberg Butler Hailey PC  
2800 Post Oak Blvd., 57<sup>th</sup> Floor  
Houston, Texas 77056



**E-FILED FOR RECORD**

04/25/2022 10:15AM



COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,  
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number sequence on the date and time stamped herein by me and was duly e-RECORDED in the Official Public Records of Montgomery County, Texas.

**04/25/2022**



County Clerk  
Montgomery County, Texas

**THE LANDING COMMUNITY ASSOCIATION, INC.**  
**SOLAR ENERGY DEVICES AND ROOFING MATERIALS POLICY**

STATE OF TEXAS                    §  
  §  
COUNTY OF MONTGOMERY       §

WHEREAS, the property encumbered by this Solar Energy Devices and Roofing Materials Policy is that property restricted by the Declaration of Covenants, Conditions and Restrictions for The Landing, recorded in the Official Public Records of Montgomery County, Texas, under Clerk’s File No. 2022051250, as same has been or may be amended from time to time (the “Declaration”), and any other property which has been or may be subsequently annexed thereto and made subject to the authority of The Landing Community Association, Inc. (the “Association”); and

WHEREAS, any reference made herein to approval by the Architectural Review Committee (the “ARC”), means prior written approval by the ARC.

NOW THEREFORE, pursuant to the authority granted in Sections 202.010 and 202.011 of the Texas Property Code, the Board of Directors (the “Board”) hereby adopts this Solar Energy Devices and Roofing Materials Policy (the “Policy”), which shall run with the land and be binding on all owners and lots within the subdivision. This Policy replaces any previously recorded or implemented policy that addresses the subjects contained herein.

**I.       SOLAR ENERGY DEVICES**

Pursuant to Texas Property Code §202.010, solar energy devices, including solar panels, shall be restricted in the following manner:

A.     Prohibited Solar Energy Devices

Solar energy devices, as referred to herein, shall be defined as set forth in the Texas Tax Code §171.107. Solar energy devices are prohibited in the following circumstances:

1.     Solar energy devices that have been adjudicated by a court to be a threat to public health or safety or to violate a law;
2.     Solar energy devices that are located on property owned or maintained by the Association;
3.     Solar energy devices that are located on property that is owned in common by the members;
4.     Solar energy devices that are located on the owner’s property, other than:
  - a.     On the roof of the dwelling or another permitted structure;

- b. In a fenced yard or patio owned and maintained by the owner;
- 5. Roof-mounted solar energy devices that extend higher than or beyond the roofline;
- 6. Subject to Item 7 below, if roof mounted, solar energy devices that are mounted in an area other than the back of the home;
- 7. Roof-mounted solar energy devices that are located in an area *other* than an area designated by the Association, unless the alternate location increases the estimated annual energy production by more than ten percent (10%) above the area designated by the Association (as determined by a publicly available modeling tool provided by the National Renewable Energy Laboratory);
- 8. Roof-mounted solar energy devices that do not conform to the slope of the roof and have a top edge that is not parallel to the roofline;
- 9. Roof-mounted solar energy devices that have frames, support brackets, or visible piping or wiring containing colors other than silver, bronze, or black tones;
- 10. Solar energy devices that are located in a fenced yard or patio that are taller than the fence;
- 11. Solar energy devices that, as installed, void material warranties; and
- 12. Solar energy devices that were installed without prior approval by the Association or ARC.

If the proposed solar energy devices do not fall within one of the above-prohibited categories, the Association or ARC may not withhold approval of the installation of solar energy devices unless the Association or ARC determines in writing that placement of the solar energy devices, as proposed by the owner, constitutes a condition that substantially interferes with the use and enjoyment of land by causing unreasonable discomfort or annoyance to a person of ordinary sensibilities. The written approval of the owner's proposed location by all owners of adjoining property constitutes prima facie evidence that such a condition does not exist.

## II. ROOFING MATERIALS

Pursuant to Texas Property Code §202.011, the installation of the following roofing materials is permitted:

- 1. Wind or hail resistant roofing materials;

2. Materials that provide heating and cooling efficiencies greater than those provided by customary composite shingles; or
3. Materials that provide solar generation capabilities.

The above-enumerated acceptable materials, when installed, must:

1. Resemble the shingles used or otherwise authorized for use within the subdivision;
2. Be more durable than, and of equal or superior quality to, the shingles authorized for use within the subdivision; and
3. Match the aesthetics of the property surrounding the owner's property.

### **III. ARC APPROVAL**

An applicant's submission of plans must include a completed application for ARC review, a site plan and/or roof plan showing the proposed location of the improvement, along with pictures showing the location of the modification and the manufacturer's brochures or a sample of material, if applicable. The color of the materials being used in relation to the roof or house color, the visibility from public streets and neighboring properties/common areas, and any noise created and/or light reflected are of specific concern to the Association and the ARC.

Any installation not in compliance with this Policy will be considered a violation of the dedicatory instruments governing the subdivision.


This Policy does not apply to property that is owned or maintained by the Association.

[SIGNATURE PAGE FOLLOWS]

**CERTIFICATION**

I hereby certify that, as Secretary of The Landing Community Association, Inc., the foregoing Solar Energy Devices and Roofing Materials Policy was approved on the 11th day of April, 2022, at a meeting of the Board of Directors at which a quorum was present.

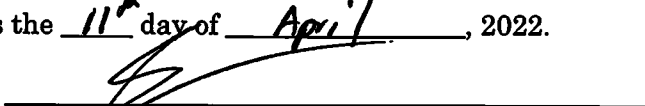
DATED, this the 11 day of April, 2022.

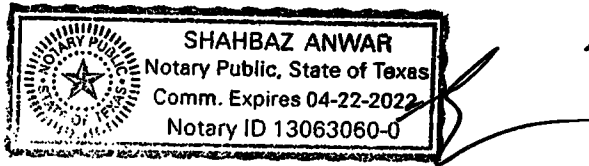
By:   
Print Name: Travis Janik  
Title: Secretary

STATE OF TEXAS       §  
  §  
COUNTY OF Fort Bend §

BEFORE ME, on this day personally appeared Travis Janik, the Secretary of The Landing Community Association, Inc., known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that he executed the same for the purposes herein expressed, in the capacity herein stated, and as the act and deed of said corporation.

Given under my hand and seal this the 11<sup>th</sup> day of April, 2022.

  
\_\_\_\_\_  
Notary Public – State of Texas



**After Recording Return To:**

Casson Wen  
Isabella Vickers  
Roberts Markel Weinberg Butler Hailey PC  
2800 Post Oak Boulevard, 57th Floor  
Houston, Texas 77056



**E-FILED FOR RECORD**

**04/25/2022 10:15AM**



COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,  
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number sequence on the date and time stamped herein by me and was duly e-RECORDED in the Official Public Records of Montgomery County, Texas.

**04/25/2022**



County Clerk  
Montgomery County, Texas

**THE LANDING COMMUNITY ASSOCIATION, INC.**  
**SWIMMING POOL ENCLOSURES POLICY**

STATE OF TEXAS                   §  
  §  
COUNTY OF MONTGOMERY       §

WHEREAS, the property encumbered by this Swimming Pool Enclosures Policy (the “Policy”) is that property restricted by the Declaration of Covenants, Conditions and Restrictions for The Landing, recorded in the Official Public Records of Montgomery County, Texas, under Clerk’s File No. 2022051250, as same has been or may be amended from time to time (the “Declaration”), and any other property which has been or may be subsequently annexed thereto and made subject to the authority of The Landing Community Association, Inc. (the “Association”); and

WHEREAS, pursuant to the Dedicatory Instruments governing the Property, the Association is vested with the authority to adopt policies, rules, and guidelines; and

WHEREAS, the Board of Directors of the Association (the “Board”) has determined that, in order to provide guidance regarding swimming pool enclosures authorized by Texas Property Code Section 202.022 (the “Code”), it is appropriate for the Association to adopt a Swimming Pool Enclosures Policy for the properties under the jurisdiction of the Association; and

WHEREAS, any reference made herein to approval by the Architectural Review Committee (the “ARC”), means prior written approval by the ARC for the Association; and

WHEREAS, reference is hereby made to the Declaration for all purposes, and any and all capitalized terms used herein shall have the meaning set forth in the Declaration, unless otherwise specified in this Policy.

NOW THEREFORE, pursuant to the authority granted in the Code, the Board hereby adopts this Policy which shall run with the land and be binding on all Owners and Lots within the Property. The provisions of this Policy are in addition to any other applicable guidelines, rules, or policies. In the event of a conflict between the terms of this Policy and any previously adopted guidelines, rules, or policies addressing swimming pool enclosures, this Policy will control.

**I.       DEFINITIONS**

For purposes of this Policy, “Swimming Pool Enclosure” shall mean a fence that:

1.       Surrounds a water feature, including a swimming pool or spa, located on a Lot within the Property;
  
2.       Consists of transparent mesh or clear panels set in metal frames;

3. Is not more than six feet (6') in height; and
4. Is designed to not be climbable.

## **II. SWIMMING POOL ENCLOSURES**

### **A. Approved Swimming Pool Enclosures**

The installation of a Swimming Pool Enclosure that is black in color, consists of transparent mesh set in metal frames, is less than or equal to six feet (6') in height, and conforms to all applicable state or local safety requirements ("Approved Swimming Pool Enclosure") is considered pre-approved by the ARC and does not need to be submitted to the ARC for review and approval.

### **B. Swimming Pool Enclosures Requiring ARC Approval**

The installation of a Swimming Pool Enclosure, other than an Approved Swimming Pool Enclosure, on a Lot requires prior written approval from the ARC. Any such Swimming Pool Enclosure is subject to the following parameters:

1. Swimming Pool Enclosures may not exceed six feet (6') in height, unless otherwise approved by the ARC.
2. Swimming Pool Enclosures shall conform to all applicable state or local safety requirements.
3. Swimming Pool Enclosures may contain frames (a) composed of materials such as, by way of illustration and not limitation, metal, wood, or polycarbonate plastic; and (b) composed of colors such as, by way of illustration and not limitation, white, silver, transparent, or black tones.
4. Swimming Pool Enclosures may contain panels or screens (a) composed of materials such as, by way of illustration and not limitation, transparent mesh, glass, or polycarbonate plastic; and (b) composed of colors such as, by way of illustration and not limitation, clear, white, or light blue.


The submission of plans related to a Swimming Pool Enclosure must include a completed application for ARC review, a site plan showing the proposed location of the Swimming Pool Enclosure, the type of Swimming Pool Enclosure to be used, and a copy of the manufacturer's brochures or a sample of material, if applicable. In considering the appearance of a Swimming Pool Enclosure, the ARC may take into account such factors including, but not limited to, the overall size of the pool, the size and configuration of the Lot, the location of the Lot in the Property, the location of the pool and Swimming Pool Enclosure on the Lot, and the visibility of the Swimming Pool Enclosure from streets, other Lots, and Common Areas.

The installation of a Swimming Pool Enclosure that is not in compliance with this Policy will be considered a violation of the Dedicatory Instruments governing the Property.

**CERTIFICATION**

I hereby certify that, as Secretary of The Landing Community Association, Inc., the foregoing Swimming Pool Enclosures Policy was approved on the 11th day of April, 2022, at a meeting of the Board of Directors at which a quorum was present.


DATED, this the 11 day of April, 2022.

By:   
Print Name: Travis Janik  
Title: Secretary

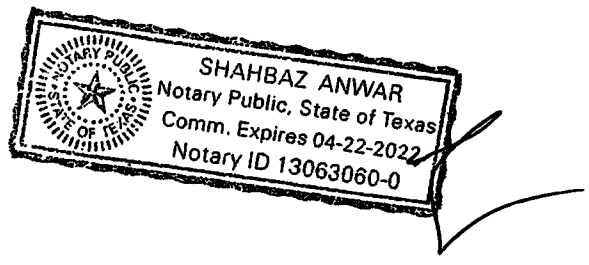
THE STATE OF TEXAS                   §  
   §  
COUNTY OF Fort Bend               §

BEFORE ME, on this day personally appeared Travis Janik, the Secretary of The Landing Community Association, Inc., known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that s/he executed the same for the purposes herein expressed, in the capacity herein stated, and as the act and deed of said corporation.

Given under my hand and seal this the 11<sup>th</sup> day of April, 2022.

  
\_\_\_\_\_  
Notary Public – State of Texas

After Recording Please Return To:  
Casson Wen  
Isabella L. Vickers  
Roberts Markel Weinberg Butler Hailey PC  
2800 Post Oak Blvd., 57<sup>th</sup> Floor  
Houston, Texas 77056



**E-FILED FOR RECORD**

04/25/2022 10:15AM



COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,  
COUNTY OF MONTGOMERY

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**04/25/2022**



County Clerk  
Montgomery County, Texas