

**OAKWOOD ESTATES COMMUNITY ASSOCIATION, INC.**  
**SECURITY MEASURES POLICY**

STATE OF TEXAS                   §  
  §  
COUNTY OF HARRIS           §

**I.       PURPOSE**

The purpose of this Security Measures Policy is to provide guidance regarding security measures on Lots as authorized by Texas Property Code 202.023 (the “Code”). The Board of Directors (the “Board”) of the Oakwood Estates Community Association, Inc. (the “Association”) has determined that it is in the best interest of the Association to establish this Policy regarding security measures on property subject to its jurisdiction.

**II.       APPLICABILITY AND AUTHORITY**

The property encumbered by this Policy (the “Policy”) is that property restricted by the Declaration of Covenants, Conditions, and Restrictions for Oakwood Estates, recorded under Clerk’s File No. RP-2022-380139 in the Official Public Records of Harris 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 into Oakwood Estates and made subject to the authority of the Association.

All capitalized terms used in this Policy are defined in the same manner as set forth in the Declaration and the interpretation provision set forth in the Declaration applies to this Policy, which definitions and interpretation provision are incorporated in this Policy by this reference.

Any reference made in this Policy to approval by the Architectural Review Committee (the “ARC”), means prior written approval by the ARC.

Pursuant to the Dedicatory Instruments governing the Property, the Association is vested with the authority to adopt policies, rules, and guidelines.

Pursuant to the authority granted in the Code, the Board adopts this Policy, which runs with the land and is 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. This Policy is effective upon the recording of same. After the effective date, 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.

Invalidation of any one or more of the covenants, conditions, restrictions, or provisions contained in this Policy will in no way affect any one of the other covenants, conditions, restrictions, or provisions of this Policy, which remain in full force and effect.

RP-2022-410736

### III. SECURITY MEASURES POLICY

1. **ARC Application Required.** Before any security measure contemplated by Section 202.023(a) of the 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 has 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 acknowledge and agree that the Association has 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 must 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 may be installed in any manner that would prevent someone from accessing property that they have a right to use or access.

5. **Disputes; Disclaimer; Indemnity.** Security measures, including, but not limited to, security cameras and security lights, may not be permitted to be installed in a manner that the security measure is aimed or 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 has no obligation to participate in the resolution of the dispute. The dispute will 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 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 is considered a violation of the Dedicatory Instruments governing the Property.

[SIGNATURE PAGE FOLLOWS]



RP-2022-410736  
# Pages 6  
08/11/2022 09:02 AM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
TENESHIA HUDSPETH  
COUNTY CLERK  
Fees \$34.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

THE STATE OF TEXAS  
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



*Teneshia Hudspeth*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

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