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RULES AFFECTING BANDERA RIVER RANCH SUBDIVISION

AS OF

April 11, 2021

Double R Ranch Owners' Association, Inc. (DRROA) is a Texas non-profit corporation duly incorporated to serve as the property owners' association for Bandera River Ranch Subdivision. It is authorized and empowered by the Declaration of Covenants and Restrictions filed at the time that the subdivision was established. DRROA has the authority and the assigned task of establishing rules and regulations and the enforcement of such rules and regulations for the benefit of the owners and occupants of the subdivision. The following rules and regulations are set forth herein as amended and restated and these restated rules supersede all prior published rules, to-wit:

ARCHITECTURAL CONTROL COMMITTEE

WHEREAS, the residents and land owners of Bandera River Ranch Subdivision both present and prospective are governed by various "restrictive covenants". This term is inclusive of any covenant, condition or restriction contained in a dedicatory instrument whether mandatory, prohibitive, permissive or administrative, and:

WHEREAS, this term is inclusive of the declaration subjecting the subdivision property to such restrictive covenants together with any by-laws and properly adopted rules and regulations of the property owners' association including all lawfully adopted amendments to the covenants, by-laws, instruments, rules or regulations, and;

WHEREAS, the covenants, conditions and restrictions filed at the inception of the subdivision created a property owners' association, to-wit, Double R Ranch Owners' Association, Inc. (DRROA), a Texas non-profit corporation, and an Architectural Control Committee (ACC) and empowered each with the duty and authority to interpret existing conditions, make additional rules, and the ACC to receive applications and rule on such applications as well as to enforce compliance.

NOW THEREFORE, the property owners' association (DRROA) and the Architectural Control Committee (ACC) hereby jointly adopt these rules and regulations pursuant to the provisions of Chapter 202 of the Property Code, Vernon's Annotated Texas Statutes:

Article 8 in the Declaration of Covenants and Restrictions provides in part: *"no building, fence, wall improvement, or other structure shall be commenced, erected or maintained upon the property, nor shall any exterior addition to or change or alterations therein be made until the plans and the specifications showing the nature, kind, height, materials and location of the same shall have been submitted to and be approved in writing by the Architectural Control Committee"*.

Building Permit

- 1. The Architectural Control Committee (ACC) shall issue a "Building Permit" as evidence of its approval of an application and the owner or contractor shall maintain a copy for display at the construction site. The approval of the ACC shall expire unless extended in writing if construction is not started within ninety (90) days following approval. The application must be signed by the owner advising the ACC of the "start date" and "completion date" of construction. Completion of the exterior of any structure is required within six (6) months from the date of the start of construction and completion of the interior within twelve (12) months following such date unless a different time requirement has been approved in writing by the ACC. No construction shall begin before 7:00 am or continue after 7:00 pm.

Application

- 2. The ACC shall promulgate an Application form to be used by applicants in obtaining the approval of the ACC which form may be amended and modified from time to time by action of the ACC.

Filing of Application

- 3. An application to the ACC shall not be considered "filed" until such time as all required component parts thereof are received by the ACC whereupon it shall be stamped "filed" and the date it is received and a written acknowledgment to the applicant shall be sent indicating the date that the application is "filed" with the committee. A signed Building Permit will be returned to the Applicant if approved otherwise a letter identifying the reason for disapproval will be returned to the Applicant.

Applicant's fee

- 4. A fee of \$850.00 and a Security Deposit of \$2000.00 shall be required with each application to the ACC for construction of a residence. A portion of the residence fee will be used for capital improvements as determined by the DRROA Board. The Security Deposit will be refunded, less any fines for violations, upon completion of the residence. There is a fee of \$35.00 for other applications, to help defray the costs of processing the application, response and monitoring of the construction.

Amendments

- 5. If the owner desires to amend the plans or specifications as they were approved, he or she must first obtain the approval of the ACC. Variations between plans "as approved" and "as built" shall be considered in violation of these rules and restrictive covenants.

Minimum Size Residence

- 6. The main dwelling unit constructed on each lot shall contain at least 1850 square feet of living area, exclusive of porches, garages and breezeways. A two-story dwelling must have a minimum of 1700 square feet of living area exclusive of porches, garages and breezeways on the first (ground) level of the structure.

Foundation

- 7. All dwelling units shall be required to have a substantial and permanent foundation consisting of either a steel reinforced concrete slab, or a steel reinforced perimeter pier and beam system built to the

standards and specifications generally recommended by engineers for construction in soil conditions for our area. All foundations must be engineered by a licensed engineer and contain his seal. The engineer must provide an inspection report to the ACC Board of the DRROA.

Garages/Outbuildings

8. A minimum of a double enclosed garage is required.

Every outbuilding, inclusive as such structures as a storage building, garage, greenhouse, or RV/boat storage, shall be compatible with the dwelling to which it is appurtenant in terms of its design and material composition.

Metal storage containers cannot and will not be allowed to be used for storage or any other purposes on any platted lot within Bandera River Ranch aka DRROA.

Driveways

9. All driveways must be paved with steel reinforced concrete or asphalt with the minimum width as the garage doors plus two feet and maintain that width for the first 25 feet. After the first 25 feet the driveway may narrow down to a minimum width of 12 feet. Circular drives in front of house must be at least 12 feet wide. Proper drainage must be provided under the driveway. Driveways must be completed before sale or occupancy of a new home.

Fences

10.

a) Fencing shall be of the following composition:

- Chain link; or
- Ranch fencing no larger than 6 in. x 6 in.; or
- All masonry, or
- All wrought iron; or
- Any combination of wrought iron and masonry; or
- Wood fencing made of: cedar, redwood, cypress, or treated lumber; or a combination of masonry and the above listed woods.
- All fences must have a top rail. (Unless approved by the ACC)

b) Metal T-Posts are not permitted in fencing.

c) Privacy fences may not be installed forward of the front wall line of the main structure.

d) Containment fencing shall only be erected in back of the front wall line of the main structure. Only decorative fencing will be allowed forward of the front wall line of the main structure.

e) No fence, wall, hedge, or shrub planting which obstructs vehicular traffic sight lines shall be permitted.

f) The Architectural Control Committee is empowered to waive the composition and or set back limitations if, in its sole discretion, such waiver is advisable in order to accommodate a unique,

attractive, or advanced building concept, and the resulting fence or wall will not detract from the general appearance of the neighborhood.

On Site Sewage Facilities

11. On-site sewage facilities (OSSF), commonly referred to as septic systems, shall be built in accordance with the requirements of the Texas Natural Resource Conservation Commission and the application to the ACC shall show on a plot plan the exact location of all improvements including the site for the septic tank, all lateral lines in the drain field and the specifications of the design and capacity. Permits required by law must be obtained from local authorities, as well, before construction of the OSSF and copies must be filed with the ACC.

Wind Generated Energy Devices

12. At the current time no windmills or other wind devices will be approved for use in Bandera River Ranch. As new technology becomes available the ACC will review on a case by case basis.

Water Wells

13. Water wells shall not be drilled within the subdivision without prior written approval of the ACC. Any proposed well must comply with all state and local rules as to construction and proper casing and also be a safe distance from possible sources of pollution. Wells shall be:

- a) Must have sign off by the Bandera County River Authority prior to drilling, stating proposed well site and comply with all State and County rules.
- b) Drilled by a licensed well driller and a copy of the well log filed with the ACC.
- c) When well is completed a sign off by Bandera County River Authority is required stating that the well meets all State and County rules.

Clean Job Site

14. Owners and/or contractors are required to keep a reasonably clean job site and to avoid allowing building materials, paper or other refuse to litter the area. All brush, tree limbs or other cuttings must be chipped or removed from the site within thirty (30) days from the time of cutting and shall not be stacked in the road right-of-way during such time. A dumpster is required on all new building sites.

Fires

15. No fires or burning of any type is permitted at the construction site including fires inside of burn barrels without prior written permission from DRROA. Property owners may apply to the board of DRROA for a controlled burn permit. If granted it may require the presence of trained firefighters adequately equipped, at property owners' expense and the property owner shall assume in writing strict liability for any damages to others that result. Trees, tree limbs or other cuttings may be chipped and either removed from the property or saved for later use as mulch on said property.

Blasting

16. No blasting may be utilized in any excavation work.

Equipment

17. All hazardous equipment and materials must be securely stored or disabled in a safe manner when not in use.

Portable Toilets

18. A portable restroom must be provided during the entire period of construction. It must be serviced regularly.

Building Codes

19. Beginning 1 June 2001 all construction must comply with the "2000 International Residential Code for One and Two Family Dwellings."

a) A minimum of 25% of the exterior material on the dwelling must be masonry (stone, brick or stucco); hardy plank is not considered masonry. If stucco is used there must be stone at least 48" high on the front wall of the house.

b) The house should be at least 40 feet from the front boundary line of the property when practical. If the property does not allow for this requirement, there must be an explanation when the application is submitted. If houses already exist on the street, the builder must take into consideration the distance of those houses from the street and propose an appealing distance for the house being constructed. The distance should be different from the existing houses to improve the appearance of the neighborhood.

c) Composition roof material for the house shall be 30-year minimum dimensional shingles. Metal and masonry roofing is also allowed and must be approved by the ACC. The minimum roof pitches for any house is 8 on 12.

d) As indicated in Exhibit A, Protective Covenant #14, mobile home is interpreted to include any modular or pre-fabricated construction.

e) All trimming and cutting of oak trees in site preparation during construction of new homes will require immediate follow up treatment of open areas from cutting with sealant or coating to protect from potential damage from insects and oak wilt.

Release of Easements:

20. When a property owner decides to construct a house or any type of construction that straddles the property line of two adjoining lots, he/she must obtain from the developer, Planned Properties, a "Release of Easement" and provide a copy of the Recorded Release to the ACC. He/She can also

have the property re-platted. If the latter action is taken, the property owner will still be required to pay the annual dues assessments on the two (2) lots as originally platted by the Developer.

Review by Committee:

21. Ref: Article VIII, section 8.01. The 30-day approval or disapproval statement does not apply if the applicant for a building permit has not complied with all the prescribed rules and requirements.

Private pools

22. Private pools are allowed but first fill must not be from subdivision water system.

Fines

23. The ACC is authorized to levy fines up to \$500.00 for violation of the ACC rules. A specific fine of \$100.00 will be levied on any home owner or property owner for starting a project without an approved building permit. When the ACC determines a violation of the ACC rules, a violation letter will be sent to the owners of the property requesting corrective action. If there is no response to the first letter or the proposed corrective action is not accomplished in the proposed time frame, the ACC may asses a fine of at least \$200.00 and set a time for the correction of the violation. If corrective action is not taken by the required time frame, the ACC will refer the action to the DRROA Board for a \$500.00 lien action on the owners' property.

GENERAL RULES

1. All brush, tree limbs or other cuttings must be removed from the site within thirty (30) days from the time of cutting and shall not be stacked in the road right-of-way during such time. This will be subject to the County burning rules. All trimming and cutting of oak trees must be followed with all cut or damaged areas sealed or coated to prevent insect or oak wilt damage.
2. Property owners shall not burn brush, leaves or other cuttings in the subdivision without a written permit for a controlled burn obtained from DRROA.
3. No fire arms may be discharged at any time in the subdivision.
4. No hunting of animals or fowl is permitted in the subdivision.
5. Fireworks of any type are prohibited.
6. Dogs or other pets must be maintained in such a manner as to not cause a nuisance or a threat to the neighbors. All pet owners must comply with the county leash law. Dogs may not roam freely within the subdivision. Vicious dogs may not be maintained in the subdivision even in a fenced area.
7. No person shall use any lot in this residential subdivision for storage or parking of commercial, construction or farm equipment, supplies or items of any type not related to residential areas, unless this equipment is stored in a storage shed or behind a privacy fence. Equipment such as a lawn mower which is used in residential lawn maintenance may be stored on the premises but all such equipment should be inside a storage facility or behind a privacy fence.
8. Only those automobiles or other vehicles which have a current license, insurance and inspection decal and are in regular use may be kept on the property owners' property. Back yards or adjacent lots may not be used for storage of multiple vehicles unless stored in a storage building or behind a privacy fence. Lawn tractors, golf carts, ATV's, small work trailers and other lawn implements must be stored in a storage building or behind a privacy fence.
9. The DRROA Board is authorized to levy fines up to \$500.00 for violation of the General Rules or rules set forth in the Covenants and Restrictions. When DRROA determines a violation of the rules or Covenants and Restrictions, a violation letter will be sent to the owners of the property requesting corrective action. If there is no response to the first letter or the proposed corrective action is not accomplished in the proposed time frame, the DRROA Board may assess a fine of at least \$250.00 and set a time for the correction of the violation. If corrective action is not taken by the required time frame, the DRROA Board may assess an additional fine of \$250 and place a \$500.00 lien, plus lien and administration fees, on the owners' property.
10. No residence may be used for short term rentals of any sort, such as: Air BnB, VRBO, Bed & Breakfasts, within the DRROA borders aka Bandera River Ranch. The minimum lease term for any residence is 12 months and a copy of the lease may be requested to be filed in the DRROA offices.

POOL RULES

MEMBERS MUST HAVE CURRENT MEMBERSHIP CARD IN THEIR POSSESSION WHEN USING THE POOL OR ANY PARK FACILITIES.

Host members **must** accompany their guest. **You are responsible for their conduct and safety.**
DO NOT LOAN YOUR CARD TO ANYONE.

Swim at your own risk. No lifeguard is provided. DRROA is not responsible for any accidents.
Maximum Capacity 25 people.

POOL HOURS Days and Hours will be posted on the Bandera River Ranch website and the bulletin boards.

A Responsible adult must accompany children under 12 inside the pool area.

No running or "horseplay" is permitted inside the pool enclosure.

Proper swimwear is required for use of the pool. Cutoffs, jeans, diapers (**of any kind**), etc. **are not permitted.**

Pets are NOT allowed inside the pool enclosure. They are permitted **OUTSIDE** the pool enclosure and must be **leashed.**

NO TOBACCO ALLOWED IN THE POOL ENCLOSURE.

NO GLASS CONTAINERS OF ANY KIND ALLOWED IN THE POOL ENCLOSURE.

NO FOOD OF ANY KIND ALLOWED IN THE POOL ENCLOSURE.

Pool furniture **SHALL NOT** be removed from the pool enclosure. PLEASE DO NOT USE THE POOL FURNITURE AS DIVING BOARDS. Misuse of pool furniture will result in member or guest being charged for any required repairs/ replacement.

NO HIGH POWERED WATER GUNS OF ANY KIND ALLOWED IN THE POOL ENCLOSURE.

NO HOUSEHOLD GARBAGE IS TO BE DUMPED IN THE TRASH BARRELS AT THE POOL AREA. SUCH GARBAGE ATTRACTS ANTS AND VARMINTS.

Disorderly persons, persons under the influence of alcohol or drugs, or using foul language will be required to leave the premises.

Stay off rope in water, Individuals playing on the rope will be asked to leave

MEMBERS WHO DO NOT ABIDE BY THESE RULES CAN HAVE THEIR PRIVILEGES SUSPENDED FOR THE REST OF THE POOL SEASON. TRESPASSERS CAN BE PROSECUTED!

RULES GOVERNING USE OF PARKS, POOL & TENNIS COURTS

DUES AND FEES

- 1. All owners' and residents must be current with annual dues, fees, and in compliance with the rules and regulations of Bandera River Ranch Subdivision in order to use the DRROA facilities.

PARK COORDINATOR

- 2. The Park Coordinator has the responsibility to issue and post Park Permits, Camping Permits, Pool Permits and collect cleaning/damage deposits.

INSURANCE LIABILITY:

- 3. Bandera River Ranch facilities are for the use of property owners, family and friends. Property owners may not host activities for organizations due to insurance liability.

PARK ATTENDANTS:

- 4. Park Attendants are a volunteer group of members or paid employees that check membership and guest cards at the pool to make sure it is used by members in good standing with a current membership card. The Board of Directors of DRROA has given the Park Attendants the authority to enforce all rules.

PERMITS GUIDELINES AND FEES:

- 5. **Permits are required for use of ANY PARK OR FACILITY when Host Member has ten (10) or more guests (the River Park always requires a permit no matter how many in party). Reservations must be made with the Executive Secretary (PARK COORDINATOR) at least two (2) weeks in advance. A cleaning/damage deposit of \$75.00 is required and must be submitted by check with a self-addressed stamped envelope. The deposit will be returned no later than ten (10) days following the use of the park or facility if it was left clean and orderly and all requirements have been met.**

REQUIREMENTS: Picking up and removing all trash and leaving the facility as found. Arrangements can be made with the DRROA to pick up "bagged trash" at a rate of \$10.00 per bag. A Board of Director will inspect the permit site and report the condition to the Park Coordinator.

Such a Permit does not restrict other members from using the park or facilities at the same time. Permits will not be issued on Sundays or Holidays for the pool.

POOL PERMIT:

Pool Permits shall require a cleaning/damage deposit of \$75.00; \$50 is non-refundable. Members may only reserve the pool two (2) times per year, only one (1) group reservation will be made per day and the maximum group size is 25.

This permit will allow up to twenty (20) swimmers for a two (2) hour period. The permit will state the hours requested and granted for use. The host member (property owner) will have the responsibility of maintaining the number of swimmers and the time allotted as well as cleaning the area and removing all trash.

OVERVIEW PARK PERMIT:

This permit requires a cleaning/damage deposit of \$75.00 which is refundable if all requirements have been met (see above requirements). This permit allows the use of the park grounds, picnic areas and bar-b-que pit (pool is not included). Charcoal grills are the only place fires are permitted and such fires must be extinguished before leaving the picnic area. Only one (1) group reservation will be made per day for a maximum of three (3) hours, the maximum group size is 50. No camping is permitted at Overview Park.

RIVER VIEW PARK PERMIT:

This permit requires a cleaning/damage deposit of \$75.00 which is refundable if all requirements have been met (see above requirements). This permit allows the use of the River View Park for overnight camping or day use (no electricity or water is available at campsites) and the restrooms at Overview Park. Campfires are NEVER permitted. Charcoal grills are the only place fires are permitted and such fires must be extinguished before leaving the campgrounds or picnic area. All trash must be picked up and removed unless an arrangement with the DRROA has been made in advance. The maximum group size is 50.

WINDOW DECAL:

- 6. Vehicle window decals must be prominently displayed to assist in identifying vehicles parked at facilities in Bandera River Ranch

MEMBERSHIP CARDS & GUEST CARDS:

- 7. Membership Cards are issued at the beginning of the fiscal year or when all dues are paid in full. Members MUST have their current membership card when using any DRROA facility. If the members' dues are delinquent their right to use such facilities is suspended until such time as their account is current.

If a member brings a guest to the pool they MUST also have a Guest Card which can be purchased at the DRROA Office during business hours.

TENNIS AND BASKETBALL COURTS

1. Soft-soled shoes are required for any and all use of the tennis & basketball courts.
2. The courts are for tennis and basketball only. No other activity will be permitted within the court enclosure.
3. **No pets** are allowed within the court enclosure.
4. **No Glass Containers** of any description are allowed within the court enclosure.
5. Hanging from the basketball rims is **Not** permitted.
6. Gates to courts are always locked and the combination is changed periodically. Members in good standing should call the DRROA office for the current combination.
7. Group organizations are not allowed to use the facilities.

The rules set forth herein were adopted by Double R Ranch Owners' Association in a joint meeting with the architectural Control Committee on August 11,2020 and are hereby certified by the Corporate Secretary of DRROA and by each chairman.

Filed for Record in:
Bandera County

On: May 13, 2021 at 12:54P

As a
Recording

Document Number: 00244311

Amount: 74.00

Receipt Number - 156534
By:
Dana Hoeller

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

STATE OF TEXAS
COUNTY OF BANDERA

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the volume and page of the official records of: Bandera County as stamped hereon by me.

May 13, 2021

Tandie Hensfield, County Clerk
Bandera County