

Liz Q. Gonzalez
County Clerk
San Marcos, Texas 78666



70 2013 13018952

Instrument Number: 2013-13018952

Recorded On: June 07, 2013

As
OPR RECORDINGS

Parties: ELLIOTT RANCH

Billable Pages: 4

To

Number of Pages: 5

Comment:

(Parties listed above are for Clerks reference only)

**** Examined and Charged as Follows: ****

OPR RECORDINGS	28.00
Total Recording:	28.00

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Record and Return To:

JEFFREY USAKEWICZ
ORIGINAL TO CUSTOMER
SAN MARCOS TX 78666



State of Texas |
County of Hays

I hereby certify that this instrument was filed for record in my office on the date and time stamped hereon and was recorded on the volume and page of the named records of Hays County, Texas

Liz Q. Gonzalez

Liz Q. Gonzalez, County Clerk

ELLIOTT RANCH

AMMENDED FEE RESOLUTION AND UPDATED GUIDELINES

JUNE 7, 2013, FRIDAY

INCLUSIONS

- AMMENDED IMPROVEMENT APPLICATION FEE RESOLUTION
- AMMENDED FENCE GUIDELINES

ELLIOTT RANCH

Addendum to the Improvement Application Fee Resolution

Whereas Article 4, subsection (b) of the Amended and Restated Declarations of Covenants and Restrictions (DCR's) for Elliott Ranch states that "no improvement shall be constructed on any lot within Elliott Ranch without the approval of the Architectural Control Committee (ACC) as to the quality of workmanship and materials, harmony of external design with the existing improvements, and as to the location with respect to topography and finished grade elevations; "

Whereas in its efforts to carry out its duties to ensure that improvements meet the standards set forth in Article 4, subsection(b), the ACC has instituted a post- completion inspection and compliance procedure; and

Whereas the efficacy of that procedure will be enhanced by the implementation of an application fee for improvements; and

Whereas Article 4, subsection(b) grants the ACC the power to "require the payment by each applicant of a fee in the amount as established from time to time by the Committee to aid in its review, approval and tracking of improvement;

The ACC hereby amends the Improvement Application Fee Schedule effective June 2013. These fees are intended to assist the ACC and the Elliott Ranch HOA Board of Directors to ensure that any fence complies with Elliott Ranch DCR's, that it has been built according to ACC approved "as built" plans, to ensure all fences comply with the current Fence Guidelines; to ensure that the application fee is fair and balanced; regarding the latter, the application fee is a progressive fee dependent on the total linear feet of fence;

The amended Improvement Application Fee is intended to supplement the Improvement Application Fee (January2012) and does not supersede, restrict or replace or conflict with any provisions or fees currently scheduled.

Addendum to the Fee Schedule:

For wood or metal fences that are 200 linear feet or less the fee is \$250

For wood or metal fences that are between 201 and 500 linear feet the fee is \$400

For wood or metal fences that exceed 501 linear feet or more the fee is \$500.

All fees will be returned following a favorable compliance inspection to ensure that the fence was constructed in accordance with ACC approved plans; and that the maintenance program (staining/preservative) has been done.

June 2013

Amendment to Elliott Ranch Fence Guidelines

Whereas Article 4, subsection (b) of the Amended and Restated Declarations of Covenants and Restrictions (DCR's) for Elliott Ranch states that "no improvement shall be constructed on any lot within Elliott Ranch without the approval of the Architectural Control Committee (ACC) as to quality of workmanship and materials, Harmony of external design with existing improvements, and as to the location with respect to topography and finished grade elevations";

Whereas fences can have a significant impact on the appearance of our community, have the propensity to affect the value of not only the lot on which they are erected but also affect the value of adjacent lots, and have been a source of difficulties in our community;

Whereas the effect referenced in the above paragraph is highly influenced by the size and location of the fence;

Whereas the DCR's are not uniform with regard to fence location; specifically, the DCR's allow fences to extend beyond the rear corner of the house for lots in Phases 1 – 3 lots, while fences located on phase 4 lots cannot extend beyond the rear corner of the house;

Whereas the ACC wishes to provide further guidance for the construction of fences in Elliott Ranch in order to promote uniformity and harmony within the community while providing fairness in the process;

Whereas this amended guidance does not supersede, replace or restrict or conflict with any covenant or conditions in the DCR's or the current Fence Guidelines.

The ACC hereby wishes to amend the current Fence Guidelines that were published in January 2012. These amended guide lines are intended to supplement current Fence Guidelines, promote external design harmony and consistency among the four Phases of development in the community, provide clarity around the application process, and facilitate the ACC's review process while ensuring compliance with approved plans; therefore per Article 4 section (e) of the Amended and Restated Declaration of Covenants and Restrictions (DCR's) or Elliott Ranch which in part, empowers the ACC to adopt development guidelines as it may deem necessary or proper for the orderly development of Elliott Ranch, the ACC amends the Fence Guidelines of January 2012 as follows:

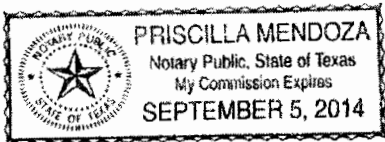
1. For lots located in Phases 1 -3: All fences constructed of cedar or pressure treated wood (solid wood fences) that extend beyond the rear corner of the house outward toward the road but not beyond the front corner of the house and do not have a front fence connecting to the house, must be double picketed from the rear corner of the house forward so that supporting structures or framing materials are concealed and not visible from the road on both sides.

June 2013

THE STATE OF TEXAS
COUNTY OF HAYS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON
June 7, 2013, BY Jeffrey Usakewicz,
BEHALF OF THE ARCHITECTURAL COMMITTEE OF THE ELLIOTT
RANCH HOMEOWNER'S ASSOCIATION. *Jeffrey Usakewicz*
member of ACC
@ Elliott Ranch

Priscilla Mendoza
NOTARY PUBLIC
STATE OF TEXAS



NOTARY SEAL

(b) Approval of Plans and Specifications:

Addendum to the Improvement Application Fee Resolution.

Whereas Article 4, subsection (b) of the Amended and Restated Declarations of Covenants and Restrictions (DCR's) for Elliott Ranch states that "no improvement shall be constructed on any lot within Elliott Ranch without the approval of the Architectural Control Committee (ACC) as to the quality of workmanship and materials, harmony of external design with the existing improvements, and as to the location with respect to topography and finished grade elevations;

Whereas in its efforts to carry out its duties to ensure that improvements meet the standards set forth in Article 4, subsection(b), the ACC has instituted a post- completion inspection and compliance procedure; and

Whereas the efficacy of that procedure will be enhanced by the implementation of an application fee for improvements; and

Whereas Article 4, subsection(b) grants the ACC the power to "require the payment by each applicant of a fee in the amount as established from time to time by the Committee to aid in its review, approval and tracking of improvement;

The ACC hereby amends the Improvement Application Fee Schedule effective June 2013. These fees are intended to assist the ACC and the Elliott Ranch HOA Board of Directors to ensure that any fence complies with Elliott Ranch DCR's, that it has been built according to ACC approved, as built, plans, to ensure all fences comply with the current Fence Guidelines; to ensure that the application fee is fair and balanced; regarding the latter, the application fee is a progressive fee dependent on the total linear feet of fence;

The amended Improvement Application Fee is intended to supplement the Improvement Application Fee (January 2012) and does not supersede, restrict or replace or conflict with any provisions or fees currently scheduled.

Addendum to the Fee Schedule:

For wood or metal fences that are 200 linear feet or less the fee is \$250.

For wood or metal fences that are between 200 linear and 500 linear feet the fee is \$400.

For wood or metal fences that exceed 500 linear feet or more the fee is \$500.

All fees will be returned following a favorable compliance inspection to ensure that the fence was constructed in accordance with ACC approved plans; and that the maintenance program (staining/preservative) has been done.

June 2013

Amendment to Elliott Ranch Fence Guidelines

Whereas Article 4, subsection (b) of the Amended and Restated Declarations of Covenants and Restrictions (DCR's) for Elliott Ranch states that "no improvement shall be constructed on any lot within Elliott Ranch without the approval of the Architectural Control Committee (ACC) as to quality of workmanship and materials, Harmony of external design with existing improvements, and as to the location with respect to topography and finished grade elevations";

Whereas fences can have a significant impact on the appearance of our community, have the propensity to affect the value of not only the lot on which they are erected but also affect the value of adjacent lots, and have been a source of difficulties in our community;

Whereas the effect referenced in the above paragraph is highly influenced by the size and location of the fence;

Whereas the DCR's are not uniform with regard to fence location; specifically, the DCR's allow corner of the house for lots in Phases 1- 3 lots, while fences located on phase 4 lots cannot extend beyond the rear corner of the house;

Whereas the ACC wishes to provide further guidance for the construction of fences in Elliott Ranch in order to promote uniformity and harmony within the community while providing fairness in the process;

Whereas this amended guidance does not supersede, replace or restrict or conflict with any covenant or conditions in the DCR's or the current fences to extend beyond the rear Fence Guidelines.

The ACC hereby wishes to amend the current Fence Guidelines that were published in January 2012. These amended guide lines are intended to supplement current Fence Guidelines, promote external design harmony and consistency among the four Phases of development in the community, provide clarity around the application process, and facilitate the ACC's review process while ensuring compliance with approved plans; therefore per Article 4 section (e) of the Amended and Restated Declaration of Covenants and Restrictions (DCR's) or Elliott Ranch which in part, empowers the ACC to adopt development guidelines as it may deem necessary or proper for the orderly development of Elliott Ranch, the ACC amends the Fence Guidelines of January 2012 as follows:

1. For lots located in Phases 1- -3: All fences constructed of cedar or pressure treated wood (solid wood fences) that extend beyond the rear corner of the house outward toward the road but not beyond the front corner of the house and do not have a front fence connecting to the house, must be double picketed from the rear corner of the house forward so that supporting structures or framing materials are concealed and not visible from the road on both sides.

June 2013
