

# Hidden Lakes Community Association, Inc.

## DESIGN ARC GUIDELINES REGARDING BASKETBALL GOAL APPROVAL

**WHEREAS**, Hidden Lakes Community Association, Inc. (the "Association") is charged with administering and enforcing those certain covenants, conditions, and restrictions contained in the recorded Declaration of Covenants, Conditions and Restrictions (the "Declaration", DCCR);

**WHEREAS**, these Design ARC Guidelines Regarding Basketball Goal Approval are applicable to the Hidden Lakes subdivisions, additions in Galveston County, Texas as reflected by the plats thereof filed in the Galveston County real property records under the following clerk's file numbers:

Section One	2008035059
Section Two	2008035060
Three Phase 1	2013044406
Three Phase 2	2015023562
Four Phase 1A	2013057761
Four Phase 1B	2013077471
Four Phase 2	2016052217
Five Phase 1A	2013057763
Five Phase 1B	2014011724
Five Phase 2	2016052219
Six	2014053002
Seven Phase 1	2014052999
Seven Phase 2	2017013230
Eight Phase 1	2015020134
Eight Phase 2	2017043006
Nine	2017028744
Ten	2017048875; and

**WHEREAS**, this Board of Directors of the Association desires to regulate Basketball Goals by establishing guidelines relating to such items in compliance with the DCCR's of Hidden Lakes Community Association Article I, Item (k) "Design Guidelines" and Article II, Section 2.9, Item (s) "Uses Specifically Prohibited" in the DCCRS.

**WHEREAS**, to the extent, the regulations contained herein conflict with any previously existing Rules, Regulations or Architectural Guidelines of the Association, the regulations contained herein control;

**NOW, THEREFORE**, pursuant to the foregoing and as evidenced by the Certification hereto, the Association hereby adopts the following ARC Guidelines:

**Basketball Goals are permitted to the extent required by Article II, Section 2.9, Item (s) the Associations DCCRS, subject to the following guidelines, which shall be reasonably applied and enforced:**

- 1) **“Basketball Goal” hereinafter refers to both portable and in-ground permanent styles and includes the backboard, rim, net, all support system poles and supports, portable base and all related equipment in its meaning.**
- 2) **No Basketball Goal, of any type, may be placed, or installed, on a Lot without the prior written approval of the ARC Committee. Plans and specifications for a proposed Basketball Goal shall be submitted to the ARC Committee for review, and must include details of the design, dimensions and construction of the Basketball Goal and a lot plat showing the desired location as provided for in Article III, Section 3.2 in the Declaration of Covenants, Conditions and Restrictions (DCCR). The ARC Committee reserves the right to request any additional documentation or information, that the ARC Committee should determine is reasonably necessary in review of the ARC request.**
- 3) **This resolution replaces the prior architectural guideline that did not allow any basketball goal at any location on a property other than in the back yard. As a result of this prior restriction, any basketball goal that has been placed or installed on a Lot at any time prior to the adoption of the ARC design guidelines contained herein, was installed in violation of requirements and must be removed if approval is not granted under these new requirements. To retain any such goal, or to install a new goal, an application for approval shall be submitted to the ARC Committee for review.**
- 4) **A Lot shall have no more than one (1) Basketball Goal at any time.**
- 5) **Any basketball goal that will replace an existing basketball goal, regardless of whether the existing basketball goal was approved by the ARC Committee or not, must be submitted to the ARC Committee for review and must include details of the design, dimensions and construction of the Basketball Goal, support system and any related equipment for the replacement, and a plot plat showing the desired location.**
- 6) **A Basketball Goal shall not encroach into any easement. A Basketball Goal placed, or installed, in the front of the Lot shall not be located any closer to the street than the midpoint of the driveway, as measured between the garage and the curb, and shall be located on the side of the driveway opposite the front door of the main structure. Locations for a Basketball Goal placed, or installed, in the back of the Lot or beside the main structure will be reviewed by the ARC Committee on a case-by-case basis. No basketball goals will be permitted to be placed, or installed, in the street, or in the Lot area between the sidewalk and the curb adjacent to the street. Once approved by the ARC Committee, a new ARC Committee review will be required should the Homeowner desire to move or relocate the Basketball Goal to a new location.**
- 7) **No goals may be mounted on the main residential structure, breezeway or garage.**
- 8) **A Basketball Goal shall not be located in any location, or utilized in any manner which, may cause a noise nuisance, or which shall in any way**

interfere with the quiet enjoyment of Homeowner(s), or which shall degrade property values, or distract from the aesthetic beauty of the Hidden Lakes community. Determination of such violations shall be at the sole discretion of the ARC Committee. Upon determination of such violations, the Lot Owner will be required to correct the issue or remove the Basketball Goal from the Lot within thirty (30) days. A Basketball Goal that is determined to be a re-occurring noise nuisance shall not be permitted to remain on any Lot, and upon notification from the ARC Committee must be removed from the Lot within thirty (30) days. As a general guideline, acceptable hours of use are Monday – Thursday from 8:00am – 9:00pm and Friday – Sunday from 8:00am to 11:00pm.

- 9) The Basketball Goal owner is responsible for the cost of any damages that may be incurred by an adjacent homeowner or the Hidden Lakes Community Association arising directly or indirectly from the Basketball Goal.
- 10) A Basketball Goal must be kept in “like new” condition, including, but not limited to, the surface of the backboard, the rim, the net, any support system poles and any related equipment or padding.
- 11) A Basketball Goal must have a white net, that is in “like new” condition attached to the rim at all times. No chain link, metal nets of any kind or nets that contain any color other than white.
- 12) Both portable and permanent Basketball Goals must be placed, or installed, and maintained in a reasonably vertical plane, so that it is not leaning in any plane, and is horizontally parallel to the main living structure.
- 13) No additional graphics, stickers, or other markings that are not included with and installed by the original manufacturer of the Basketball Goal shall be permitted.
- 14) Backboards and mounting brackets shall not be modified in any way from the design of the original equipment manufacturer. Backboards must be clear and made of polycarbonate, acrylic, glass or similar composition. Backboards that have a frosted appearance, are cracked, shattered, or broken are deemed to not be in “like new” condition. A backboard shall not exceed fifty-four (54) inches in height or width when measured from edge to edge. Mounting brackets for the backboard must be black in color and remain undamaged and in “like new” condition.
- 15) Support system poles and other supports shall not be modified in any way from the design of the original equipment manufacturer. The main support system pole must be round or square metal tubing that is sufficient to support the backboard and mounting brackets. No support pole shall be wider than six inches (6”) in width. For front yard installations, the main support pole must not be setback more than twenty-four inches (24”) from the edge of the

adjacent driveway. The support system pole and other supports must be black in color and remain undamaged and in "like new" condition.

- 16) The base of a portable Basketball Goal shall not be modified in any way from the design of the original equipment manufacturer. The base must be black in color and remain undamaged and in "like new" condition. Nothing shall be permitted to be stacked, or laid, upon the base to secure and stabilize the Basketball Goal.
- 17) Any related equipment that is attached to a Basketball Goal shall not be modified in any way from the design of the original equipment manufacturer. Any related equipment that is attached to a basketball Goal must be in black in color and remain undamaged and in "like new" condition.
- 18) Basketballs and other related equipment that is not attached to the Basketball Goal shall not be left out on the Lot when the Basketball Goal is not in use.
- 19) No permanent or semi-permanent markings, or markings of any other kind are permitted to be applied to the street, driveway or any other intended playing surface for the basketball goal.
- 20) A portable Basketball Goal that is temporarily placed on a Lot is not subject to these design guidelines. A portable Basketball Goal that is used frequently, or left out overnight, is deemed to not be temporarily placed on a Lot and is subject to these design guidelines.
- 21) Reasonable exception requests to these design guidelines will be reviewed by the ARC Committee and in their sole discretion make a determination to grant or to deny such an exception.
- 22) Any denial of a request for installation of a Basketball Goal will specify the reason for denial.
- 23) If, in the sole opinion of the ARC Committee, the Basketball Goal becomes unsafe, unsightly, in poor repair, or in violation of any of the design guidelines contained herein, the Lot Owner will be required to correct the issue or remove the Basketball Goal from the Lot within thirty (30) days.
- 24) The Association has a duty to enforce the design guidelines contained herein. Should a Basketball Goal conflict with any guideline contained herein, the Association reserves the right to bring non-compliant Basketball Goals into compliance with these design guidelines. Any reasonable expenses incurred by the Association in bringing a Basketball Goal into compliance will be the sole responsibility of the homeowner. A homeowner will have a minimum of thirty (30) days to bring a Basketball Goal into compliance, prior to any such action by the Association.

**CERTIFICATION**

I, the undersigned, being a Director of the Hidden Lakes Community Association, Inc., hereby certify that the foregoing Design ARC Guidelines regarding Basketball Goal was adopted by at least a majority of the Association's Board of Directors.

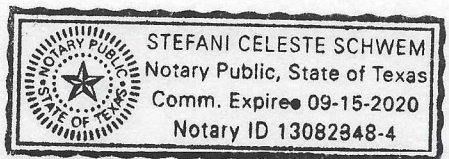
By: Gina Conklin  
Director, Hidden Lakes Community Association

Print Name: Gina Conklin

STATE OF TEXAS                   §  
  §  
COUNTY OF GALVESTON       §

BEFORE ME, the undersigned authority, on the day personally appeared the person whose name is subscribed to this instrument, and being by me first duly sworn, declared that (s)he signed the foregoing document in his representative capacity, as the act and deed of the corporation, and that the statements contained therein are true and correct.

Given under my hand and seal of office this the 1<sup>st</sup> day of May, 2020.



Stefani Schwem  
Notary Public, State of Texas

## FILED AND RECORDED

Instrument Number: 2020025959

Recording Fee: 42.00

Number Of Pages:6

Filing and Recording Date: 05/14/2020 2:46PM

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Galveston County, Texas.



*Dwight D. Sullivan*

Dwight D. Sullivan, County Clerk  
Galveston County, Texas

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