

AJ DILLON RANCHES
PROPERTY OWNERS' ASSOCIATION

**AJ DILLON RANCHES
RULES
AND
REGULATIONS**

(INCLUDES GUIDELINES AND RECOMMENDATIONS)

In accordance with Texas Property Codes Chapter 204 (Association powers) and Chapter 209 (governance, records, member protection from liens/foreclosures) the following rules are provided for the Association. These rules and regulations (including guidelines and recommendations) support the authorities, conditions, and restrictions as outlined in ARTICLE VII, section 8.01 and 8.02

These rules and regulations (including guidelines and recommendations) are intended to support the authorities and restrictions as outlined in the Covenants and Bylaws (governing documents) duly recorded with Houston County. If there exists any conflict with the specifications of these governing documents, the stipulations of Covenants and Bylaws are authoritative and binding.

POA Rules and Regulations

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INTRODUCTION / AUTHORITY

Statement of Declarations of Covenants, Conditions, and Restrictions of AJ Dillon Ranches

ARTICLE VIII
ADOPTION OF RULES AND REGULATIONS

(This article reviews commons and rules)

Section 8.01 Use of Commons and Facilities.

Rules and regulations governing the use of all commons and facilities will be made and enforced by the Association to ensure the best and mutual enjoyment of all owners and their guests. Any owner who fails to pay assessments or fails to comply with any requirements or rules and regulations governing the use of said commons and facilities will be denied their use. These rules and regulations will include, but not be limited to, rules concerning guest privileges to use of commons and any recreation facilities; speed limits on roads, type of vehicles on roads and other commons; control of noise; use of irrigation water, channels or canals; use of any lakes, ponds or streams within the commons; and use of water from a limited commons. Section

8.02 AJ Dillon Ranches Rules.

In addition to the rights set out in Section 9.01, the Board shall have the right to make, establish, and promulgate, and in its discretion to amend, repeal, or re-enact, such AJ Dillon Ranches Rules, not in conflict with this Declaration, as it deems proper covering any and all aspects of its functions.

1. These rules and regulations are provided for AJ Dillon Ranches property owners. The rules, regulations, and restrictions are provided to support the general membership (good of the many) while providing maximum freedom to its individual members. State and county laws and regulations are authoritative. Additional restrictions are addressed only where required ... Less is More ... respect for individual rights and laws and regulations of the state and county are supplemented here only as needed to ensure the common good while ensuring respect for each member of the community.
2. In accordance with Texas Property Codes Chapter 204 (Association powers) and Chapter 209 (governance, records, member protection from liens / foreclosures) the following rules are provided for the Association.
3. These rules and regulations (including guidelines and recommendations) support the authorities, conditions, and restrictions as required and authorized in ARTICLE VIII, Section 8.01 and 8.02. Any conflict with the specifications of these governing documents are void; stipulations of the Covenants and ByLaws are authoritative and binding.
4. These rules and regulations are a consolidation and supersede all previous rules and regulations of the association that supplement the governing documents (Covenants and By Laws).

DATED this _____ day of _____, 20_____.

BOARD OF DIRECTORS:

AJ DILLON RANCHES PROPERTY OWNERS' ASSOCIATION, HOUSTON COUNTY

By:

President Pro Tem, AJ Dillon Ranches Property Owners'
Association

ACKNOWLEDGEMENT:

STATE OF TEXAS)
) ss.
County of HOUSTON)

This instrument was acknowledged before me on the _____ day of _____,
20_____ by _____, President Pro Tem, AJ Dillon Ranches Property Owners' Association.

Notary Public for State of Texas
Residing at

My Commission Expires: _____

- **ADMINISTRATION**

- Members, Guests, Renters
- Annual Assessments
- Safety
- Yard / Garage / Estate Sales
- Noise Control
- Family Cemeteries Restriction
- Control of Pets

Members, Guests, Renters / Lessees

- **MEMBERS**

In addition to other obligations and duties that are defined in the Declaration and the Bylaws every Tract Owner and Homeowner will a) pay annual assessment; (b) maintain, repair and replace as is necessary on their property or home as approved by the Architectural Review Committee and (c) follow the AJDR restrictions as to the use of their property and the Commons at AJDR. Source: Article 10 ByLaws in Article VI of the Covenants there is an explanation of Membership and Voting Rights.

- **GUESTS**

Must meet all requirements and restrictions of the community. It is the responsibility of the hosts to ensure their guests abide by the community rules and regulations.

- **RENTERS / LESSEES**

Must meet all requirements of homeowners but will not have voting rights. Must comply with disclosure of e-mail address to ensure community information is distributed. Encouraged to participate in community events and commons. See Rental and Lease of Real Property below:

Rental and Lease of Real Property

During the term of any rental or lease agreement between a property owner and renter/lessee, membership in the Association and all rights, privileges, and responsibilities of membership are retained by the property owner. Renters/lessees are encouraged to participate in all formal and informal meetings and social events of the community and participate in community and neighborhood programs. Voting and assessment responsibilities remain with the property owner.

1. Property Owners will notify the Association Secretary and Management Company when property is rented or leased. If a Property Management Agent is used in the absence of the property owner, it will also be identified. The property owner is responsible for providing the Property Management agent with copies (or access) to the Association governing documents and rules and regulations. (Specific reference to the location of these documents within the Association website constitutes providing copies of required declarations.)
2. Property Owners will ensure that any lease to rent AJ Dillon Ranches property includes the following provision: "Renters and lessees are subject to the rules and restrictions contained in the Covenants, Bylaws, and Rules and Regulations of the AJ Dillon Ranches Property Owners' Association." The lease agreement will also include, "Tenant acknowledges receipt of the Covenants, Bylaws, and Rules and Regulations of the AJ Dillon Ranches Property Owners' Association and the responsibility to comply with all rules. Tenant acknowledges that membership in the organization remains with the property owner."
3. It is the responsibility of the property owner to ensure the renters/lessees are provided copies of the Covenants, Bylaws and Rules of the Association. (Requiring the Property Management Agent to provide the governing declaration through specific access to the website fulfills this requirement)
4. Owner or property management agent will notify the Association Secretary and CMA of new tenants and confirm they have been provided notice of the Association declarations and regulations. Rents/lessees will follow the rules and restrictions of the association. Violations will be addressed with the tenants and reported to the property owner as required.
5. Renters/lessees will abide by speed and caution traffic signs and respect the rights and private property of neighbors within the community. They are expected to abide by the rules and governing documents of the Association. They may use any of the Association common areas (parks, trails) under the same restrictions a guest of the property owner / member.
6. The Association will notify the renter/lessee of concerns or violations of such rules and restrictions that may require action. Copies of notifications will be provided to property owners/property management agents to ensure compliance. Such notification will meet the requirement of member notification under certain specifications of Association Declarations and Rules.
7. Renters/lessees are encouraged to participate in all community activities with the understanding that voting privileges remain with the property owner.

Annual Assessments

Notice of Annual Assessment Amount for the Year 2021

Each owner of a tract is deemed to covenant by acceptance of his contract or deed for such tract, whether or not it shall be so expressed in his contract or deed, to pay the Association annual assessments. Such assessments will be established and collected by the Board as provided. Multiple tract owners must pay an assessment on each tract owned.

The fiscal year of the Association is the calendar year: January 1 st to December 31st.

The board has established the annual assessment per tract owner as determined by the HOA, due January 1 st of each year. All assessments, late fees, interest and costs of collection shall be made payable to "AJ Dillon Ranches POA" and addressed to:

AJ DILLON RANCHES POA

3233 US Hwy 287 S.

Crockett, TX 75835

Payment Options

1. Annually - Fees as determined by the HOA are due if there is an unpaid balance by February 15th or fees as determined by the HOA if the account is paid in full by February 15th.
2. Quarterly - Fees as determined by the HOA are due January 1st, April 1 st, July 1 st and October 1st.

A twenty-five dollar (\$25) (or higher charge) will be applied to any check returned by the bank.

Delinquency

Any installment of an assessment not paid by its due date shall be deemed in default. The owner of each tract which as assessment is levied shall be personally responsible for each unpaid assessment together with all late fees, interest and costs of collection including attorney's fees and costs of court as required. A sale or transfer of any tract shall not affect the assessment lien.

If the delinquent installments of the assessments and any charges not paid in full on or before the date specified in the notice, the Board may declare all of the unpaid balance of the Annual Assessment for the current fiscal year to be immediately due and payable. See governing documents for payment plan provisions.

**INFORMATION REGARDING Board or MANAGEMENT COMPANY PREPARED:
STATEMENTS OF ACCOUNT
RESALE CERTIFICATES**

During the process to sell or resale a home or tract, the title company completes a title search which should show the property is part of a planned community. To verify dues and violation status, the title company then requests written documentation of this information from Board or POA management company.

Two main packages are offered to document the sale and resale of homes or tracts.

1. A statement of account for a fee as determined by the HOA. This details the account balance, verifies violation status, list any transfer fees, and the HOA dues yearly assessment and dues amount. This is the most cost effective way to transfer property, however, it does not give any detail of the community HOA rules, process, procedures or other reference documents.
2. A resale certificate for a fee as determined by the HOA. This details the account balance, verifies violation status, list any transfer fees, and the HOA dues yearly assessment and dues amount. In addition, this package includes the CC&R's, The Bylaws, Articles of Incorporation, Budget, Rules & Regulations, Insurance Declaration, and the Reserve information.

Safety

Speed and traffic (like HWY 287 entry) – posted for the safety of the community

NOTE: AJDR roads are public (county) and often used by members to move about the community. Please take caution and watch for these vehicles on our road network.

Water Safety – Individual responsibility; report unsafe acts to the Board of Directors.

Hunting (See Wildlife Management). State and County law and individual property rights are the guidelines and restrictions enforced by local enforcement via community watch and report.

Discharge of Firearms/Hunting

AJDR

- **Discharge of Firearms at AJ Dillon Ranches bound by Texas Law**
 - Counties (Commissioners' Court) may restrict discharge of firearms on acreage of less than 10 acres
 - State of Texas and Houston County may restrict discharge in the ETJ (Houston County has no restrictions)
 - Projectiles may not cross property lines (without the approval of affected property owner)

- **Report violations of law to ensure the safety of the members of this community. Don't let an accident change the character of this community forever and force the Commissioners' Court to take action.**

Yard / Garage / Estate Sales

Garage, yard, or estate sales are prohibited unless approved by the Board of Directors. This would allow the community run sale but restrict outsiders from unauthorized access to the community.

Noise Control

AJDR falls outside the city's jurisdiction. Please be considerate of your neighbors when holding outdoor parties and for example, please do not:

- (a) Make noise or play a musical instrument or other equipment plainly audible to a nearby business or residence during the nighttime.
- (b) Operate, permit, or cause the operation of any device that creates vibration which is above the vibration perception threshold of an individual at or beyond the property of the source if no private property or at fifty (50) feet from the source if in a public space or public right-of-way.
- (c) Create, generate, produce, or emanate an unreasonable noise or noise which, by its manner, volume, intensity, or duration annoys, distresses or disturbs the comfort or repose of any reasonable person or ordinary nervous sensibilities within.

Control of Pets Following extracted from:

AN ORDER OF THE HOUSTON COUNTY COMMISSIONERS COURT
ADOPTING THE RABIES CONTROL ACT OF 1981 AND ESTABLISHING RELATED
RULES

Section 1 – Definitions

"At large" means off the premises of the owner and not under the complete control of any person by leash, cord, chain, halter, cage, or other means of secure confinement, or not under the effective verbal command of the owner who is then physically present; or on the premises of the owner and not within the direct, constant and immediate presence of a person having effective verbal command, or otherwise confined to said premises by means of a leash, cord, chain, halter, cage, or other means of secure confinement, only where said animal is creating a nuisance. "Nuisance" means such actions on the part of an animal that constitute a legitimate threat to a person or property, or to the animal itself, or that cause a reasonable concern for the welfare of a person, property, or the animal itself

Section 3 - Stray Cats and Dogs

1. It shall be unlawful for the owner of a dog in the unincorporated area of Houston County to fail to restrain said dog or to allow said dog to run at large, and any stray dog shall be declared a public nuisance, subject to the requirements of this order. It shall be unlawful for the owner of a cat that has not been vaccinated for rabies to allow said cat to run at large, and any cat at large that has not been vaccinated for rabies shall also be declared a public nuisance, subject to the requirements of this order.

- OPERATIONS

- Construction – Architectural Control Committee Procedures
- Security
- Use of Commons
 - Parks
 - Trails
 - Roads
- Burning Debris (State Guidelines)
- Wildlife Management

Construction

Architectural Control Committee (ACC) Procedures

1. Purpose

The Architectural Control Committee (ACC) is established pursuant to Article III of the Covenants. The purpose of the ACC is to sustain a quality, private residential neighborhood, consistent with existing community standards, to ensure the security and enjoyment of residents and maintain competitive property values.

These Architectural Control Committee (ACC) Rules are established in accordance with Article IV of the Covenants. They summarize the requirements set out in the Covenants and supplement the Covenants where necessary. These Rules carry the same authority as the Covenants. The Rules are intended to be a “living” document which will be revised by the Committee, as needed, based on Association activity and Board approval.

2. Prior Approval of Plans

No construction may be initiated or completed prior to plans being approved by the ACC. The ACC will only accept construction plans from property owners who have officially joined the Association and are current in their dues. Builders and contractors may not act on behalf of property owners without written authority provided to the ACC by the property owner.

The ACC recognizes that, due to differences in tract sizes and shapes, limited exceptions to these Rules may be appropriate. Property owners shall submit requests for exceptions to ACC Rules, in writing, to the committee for consideration. The request should specifically state the proposed exception, the rationale for the exception, and any foreseeable consequences that might result from the exception. The ACC will provide a written response to each request.

The following information shall be submitted to the Chairman of the ACC:

- Section of AJ Dillon Ranches (AJDR) including tract number or street address.
- Type of construction, for example, residence, garage, pool, barn, workshop, shed.
- Site plan -- location of structures, well, septic system, road or driveway, entrance and fences.
- Construction plans and specifications -- exterior material description (rock, brick, stone, etc.).
- Estimated construction start date and completion date Construction must begin within 24 months of plan approval by the Association (ACC) or plans must be resubmitted for re-evaluation and approval. This ensures approval meets current guidelines and restrictions and has current board and ACC understanding and support for any approved variances.

3. Driveway

Prior to construction, a driveway of four inches minimum of compacted rock, gravel, crushed limestone or better shall be installed from the street to the slab to prevent tracking of mud on the streets. (Ensure that your builder is aware of the requirement that mud is not to be tracked from the building site onto the community streets.)

4. Construction Requirements

The primary dwelling shall be a minimum of 1750 air conditioned square feet (single story) and 2100 air conditioned square feet (2-story), exclusive of porches, shops, garages, patios, and other non-air conditioned areas. There will be a minimum 3-car garage, either attached or detached, or a 2 car garage and a separate barn or workshop. Neither the garage nor shop overhead doors shall face the roadway in the front of the house.

Any guest quarters shall be a minimum of 1000 square feet, and any servant quarters shall be a minimum of 800 square feet, both designed in harmony with the primary dwelling.

"New home and barndominium construction requires exterior construction to be a minimum of 65%/30% masonry materials, or other suitable material as approved by the ACC. Masonry material is defined as stucco, rock, stone, or brick. Materials such as hardy plank do not meet the masonry requirement. Exceptions for log cabins, for example, may be submitted. All new construction sites are required to be furnished at the beginning of the project with a Port-a-Jon portable toilet or equivalent which will be removed after construction is complete.

5. Property Line Requirements

No dwelling or building shall be placed nearer to a property line than:

- 200 feet from the front of the property line in.
- 50 feet from the side or back of the property line.

6. Sewer System

Be advised that Houston County requires that the system be inspected by a qualified inspector and that a copy of the permit be on file with the county.

7. Entranceways, Fencing, Culverts and Mailbox

Construction of an entrance and fence, approved by the ACC, shall be completed no later than 12 months after moving in. Approved material for the entrance includes rock, stone, or ornamental steel/aluminum. Entrances shall be in compliance with existing community standards. The fence shall be three-board or better, and different or inconsistent styles of fence or fence materials are not acceptable.

Fencing is required along all developed tracts of any property fronting the roadway. A developed tract is defined as one that has a dwelling located on it. Property owners with an adjacent track to their developed track must fence the adjacent track if any structure (barn, shed, etc) is placed on it. Undeveloped tracts can be fenced at the owner's option.

Culverts (when necessary) shall be completed no later than 12 months after moving in. They shall be installed with headers or retainers on each end to prevent erosion and to dress culvert ends. Mailboxes should be consistent with entranceways and fencing and comply with United States Postal Service regulations. See PS Form 4056 for the minimal acceptable mailbox requirements.

8. Temporary and Additional Structures

No temporary structure such as a trailer, tent, shed, or other outbuilding shall be used as a primary residence (this does not prohibit short-term recreational camping). Outbuildings shall be constructed of a design and materials in keeping with the primary dwelling. Any additional improvements to a property, including structures proposed after closing or initial construction is completed, for example, detached garages, workshops, perimeter fencing, swimming pools, gazebos, barns, sheds, or other buildings, shall be approved by the ACC before construction begins.

9. Property Clean-up

Before the construction project can be completed and the bond returned, all debris including but not limited to dirt, masonry supplies, and excess building supplies shall be properly removed or burned. This includes all trees and brush which were cleared to provide for any building sites. (See the Burning Guidelines and comply with Texas Commission on Environmental Quality (TCEQ) Rules for Outdoor Burning in Texas.)

10. Builders and Subcontractors

AJ Dillon Ranches is a residential community. Music/radios must be played only at a volume that will not disturb nearby homeowners.

All trash, including construction materials, food, and drinks, shall be placed in a suitable trash container and disposed of properly on a regular basis.

Offloading of any equipment on AJ Dillon Ranches streets must not block public road ingress or egress, except as allowed by Houston County regulations. Equipment should be offloaded on the construction lot.

11. Contact Information

Prior to any construction, submit plans to:

Architectural Control Committee Pro Tem
Attn: Charles Stockton
3233 US Hwy 287 South
Crockett, TX 75835
Cell: 512-801-5919
Email: stocktonbuildersDFW@yahoo.com

AJ Dillon Ranches

Property Owners Association

ACC ACKNOWLEDGEMENT FORM

Property Owner (print)

Property Address

I (we) acknowledge that I (we) have been informed by the Architectural Control Committee Chairman of the construction requirements in the AJ Dillon Ranches Covenants and the Architectural Control Committee Rules. I (we) will read and comply with these and all referenced documents.

I (we) further acknowledge that I (we) have been informed by the Architectural Control Committee Chairman that this is notice under Covenants Section 2.03 that the ACC will be entering our tract to inspect the construction site on a regular basis. I (we) accept and approve of these inspections.

Signed and dated,

ACC Chairman

Property Owner

Property Owner

AJ DILLON RANCHES CONSTRUCTION APPROVAL CHECKLIST

Property Owner: _____

Street Address of Property: _____

Legal Address: _____

Phone: _____

Email: _____

Date: _____

Date of tract purchase: _____

Insert Y or N or NA on lines below:

_____ Has property owner signed the ACC Road Inspection Form?

_____ Has property owner signed the ACC Acknowledgement Form?

_____ Does primary dwelling meet 1750/2100 (2-story) SF minimum?

_____ Garage shall not face roadway in front of house?

_____ Are guest quarters 1000 SF minimum?

_____ Are servant quarters 800 SF minimum?

_____ Does new home have a minimum of 30% masonry (rock, stone, brick, or stucco, not hardy)?

_____ Is builder aware that a driveway is required before construction can begin?

_____ Does house meet setback (200 ft from front and 50 ft from side or back of property line)?

_____ Is sewer system located?

_____ Is well house needed (if required)?

Property Owner: _____

_____ Are exterior materials defined?

_____ Is primary dwelling the closest building to the front property line?

Estimated completion date: _____

_____ Variance needed? If so, describe. _____

Construction: Approved

Committee Member

Committee Member

Committee Member

Disapproved - Explain: _____

Property Owner: _____

Street Address of Property: _____

Phone: _____ Email: _____

Plan Approval Date: _____ Move In Date: _____

Debris Removed: _____

Entrance and Fence Installed: _____

Culvert Headers Installed: _____

House Number Posted On Mailbox: _____

Comments: _____

Road Deposit Refund Date: _____

Committee Member

Date

AJ Dillon Ranches Property Owners Association

ACC ROAD INSPECTION

Property Owner

Property Address

Pre-Construction Observations

- _____
- _____
- _____
- _____

ACC Chairman - Sign & Date

Property Owner - Sign & Date

Post-Construction Observations

- _____
- _____
- _____
- _____

ACC Chairman - Sign & Date

Property Owner - Sign & Date

AJ DILLON ACC PROJECT APPROVAL CHECKLIST

Property Owner: _____

Street Address of Property: _____

Phone: _____ Email: _____

Date: _____ Estimated Completion Date: _____

Project - Describe: _____

Location: _____

Materials:

_____ Project design and material in keeping with primary dwelling.

Comments: _____

Construction: Approved

Committee Member

Committee Member

Committee Member

Disapproved - Explain: _____

Security

- Promotion of the AJ Dillon Ranches Neighborhood Watch Program
- AJ Dillon Ranches Directory (enabling contacts for Neighborhood Watch)

AJ Dillon Ranches Neighborhood Watch

This program requires your active participation to be effective. Neighbors watching out for neighbors.

Members are asked to:

- Monitor unusual or suspicious vehicles or activities in the community
- Look out for your neighbor
- Report suspicious activities to the board / sheriff's department

CONTRACTOR ACCESS

It is the responsibility of association members building a home to ensure that their contractor, sub-contractors, and anyone working on the construction on their property understands and complies with the applicable laws/regulations while on their property.

Construction personnel are not allowed access to any other property on AJDR other than your construction site. All others areas of AJDR are private property, including the parks and common areas.

Use of Commons - Rules and Restrictions

1. ARTICLE 5, DIRECTORS, Section 4.(j) of the Bylaws and Article IX, Section 2 of the Third Amendment and Restatement of Declaration of Covenants, Conditions and Restrictions of AJ Dillon Ranches, authorizes the Board of Directors to (1) adopt, (2) mail - to each Member, and (3) post in a conspicuous place on the Common Properties rules and regulations governing the use of the Common Properties, ensuring the personal conduct of the members and their guests thereon; and establishing penalties for the infraction thereof.
2. To maintain and protect the long term beauty and cleanliness of the Commons (roads/creeks) and the safety of the POA members and guests for today and into the future, the Board establishes the following rules:

Definitions: For the purposes of this policy, the following definitions apply:

- **Arms and Firearms.** Any device from which a bullet, pellet, projectile, arrow, or bolt is fired by the force of an explosion, compressed air, gas, or mechanical device, including, but not limited to, rifle, shotgun, handgun, air rifle, pellet gun, bow, cross bow, sling shot, paint ball gun, blow gun, or dart gun.
- **All-terrain vehicle.** Any motor vehicle having a saddle or seat for the use of the rider and designed to propel itself with three or four tires in contact with the ground.
- **Licensed Vehicle.** Any vehicle requiring licensing by the State in order to legally operate the vehicle.
- **ATV/UTV/MOTORCYCLE (Two wheels)** A vehicle propelled by an internal combustion engine/electric motor, including motorbikes, mini-bikes, and trail bikes.
- **Minor.** A child or ward 17 years of age and under.
- **Wildlife.** Any wild animal, bird, amphibian, reptile, fish, shellfish, aquatic life, or invertebrate

Water Activities. Members are advised to follow common safety practices when engaging in water activities, including but not limited to use of buoyancy devices, the buddy system, and a life guard or observer, as well as evaluation of the swimming ability of participants. The AJDR POA provides no security with respect to water activities, and members and guests participate at their own risk, including but not limited to man made or natural crossings.

Members and guests are requested to respect the owners' rights only to creeks/ponds access directly.

Trash and litter. AJDR POA members are encouraged to keep common areas policed of litter, trash, debris, etc. Help keep your community clean.

Wildlife. It is an offense to:

Harm, harass, disturb, trap, confine, catch, possess, or remove any wildlife, or portions of wildlife from any park, except by a permit or license issued by the State of Texas and within the season permitted.

Release any fish into the waters of any park, except that which was caught in the particular park location and is being returned to its natural habitat.

Deposit fish parts in any park.

Liability. AJ DILLON RANCHES Property Owners Association is not responsible nor liable for any injury caused to any person while on, proceeding to, or departing from any AJ DILLON RANCH creek, pond, road, or bridges, either public or private.

Dangerous Activities. The safety of members and guests using AJ DILLON RANCHES is of the utmost importance. Users are expected to use good judgment in conducting activities and take immediate action to stop/report to authorities any activity that may be dangerous to the participant or to others.

Waivers and Exceptions. Recognizing that rules do not cover all possible situations, members may request a waiver or an exception to any rule by writing the AJDR POA Board of Directors. The request must state the purpose of the waiver and its effect. The Board of Directors will review the request and advise the member of its decision within seven days of the receipt of the request.

Policy Scope and Changes. The primary consideration in the adoption of this Policy is to maintain an enduring community of excellence for the good of the many while maintaining the respect for the individual member, enabling the POA members and their guests to obtain maximum enjoyment from the use of the facilities while at the same time considering the important aspects of health, safety and general welfare. This Policy is subject to change by the Board of Directors of the Association at any time without prior notice to the POA members. Changes will be reported to tract owners.

3.

AJ Dillon Ranches has no designated common areas. The access to the surrounding 150 acres is strictly on a case-by-case basis between tract owners and the owners of the adjacent 150 acres, owned by Charles and Patricia Stockton. Access is not guaranteed by the Covenants, Restrictions, Rules & Regulations. Access to the 150 acres is an opportunity pursuant to a separate arrangement and contract with the 150-acre landowners and is contingent upon proper behavior of tract owners, as specified in that contract.

Burning Debris (State Guidelines)

The following are excerpts from the Texas Commission on Environmental Quality regulations that address Fires for Disposal or Land Clearing:

Summary of Rule: The Outdoor Burning rule first prohibits outdoor burning anywhere in Texas, and then allows exceptions for specific situations in which burning is necessary or does not pose a threat to the environment. The rule also prescribes conditions that must be met to protect the environment and avoid other adverse impacts when burning is allowed.

In addition to common courtesy, the Outdoor burning Rule requires that certain kinds of burning be conducted downwind of, or at least 300 feet from, any structure (e.g. residence, barn, or greenhouse) unless written approval from owner is provided.

See the TCEQ guidelines for burning of animal remains.

Domestic waste (household trash and rubbish) burning is not allowed in our county situation where waste removal is authorized.

On-Site burning of waste plant growth. Trees, brush, grass, leaves, branch trimmings or other plant growth may be burned on the property on which the material grew. The plant growth must be burned by the property owner or any other person authorized by the owner.

Most attainment counties (e.g. Houston County) Burning of waste plant growth is allowed regardless of the activity that generated the material. Practical alternatives need not be considered. Burning carried out under this exception must conform to some of the general requirements for outdoor burning, specifically the burning must conform to the requirements in 30 TAC 111.219 (3, 4, 6, and 7) Appendix C. (below)

§111.219. General Requirements for Allowable Outdoor Burning.

Outdoor burning which is otherwise authorized shall also be subject to the following requirements when specified in any section of this subchapter.

3 Burning shall be commenced and conducted only when wind direction and other meteorological conditions are such that smoke and other pollutants will not cause adverse effects to any public road, landing strip, navigable water, or off-site structure containing sensitive receptor(s).

4 If at any time the burning causes or may tend to cause smoke to blow onto or across a road or highway, it is the responsibility of the person initiating the burn to post flag-persons on affected roads.

6 Burning shall be conducted in compliance with the following meteorological and timing considerations:

a. The initiation of burning shall commence no earlier than one hour after sunrise. Burning shall be completed on the same day not later than one hour before sunset, and shall be attended by a responsible party at all times during the active burn phase when the fire is progressing. In cases where residual fires and/or smoldering objects continue to emit smoke after this time, such areas shall be extinguished if the smoke from these areas has the potential to create a nuisance or traffic hazard condition. In no case shall the extent of the burn area be allowed to increase after this time.

b. Burning shall not be commenced when surface wind speed is predicted to be less than six miles per hour (mph) (five knots) or greater than 23 mph (20 knots) during the burn period.

c. Burning shall not be conducted during periods of actual or predicted persistent low level atmospheric temperature inversions.

7 Electrical insulation, treated lumber, plastics, non-wood construction/demolition materials, heavy oils, asphaltic materials, potentially explosive materials, chemical wastes, and items containing natural or synthetic rubber must not be burned.

SUGGESTIONS FOR BURNING DEBRIS IN OUR COMMUNITY

The most important point to remember with brush burning is that the area immediately adjacent to the piles should be clear of burnable material and the pile should not be under a tree canopy that will be exposed to heat from the fire.

Piles should be kept small. The burning should be carried out when ground moisture and wildfire burning conditions are generally most favorable for safe burning.

The landowner should pay careful attention to the predicted weather. Increases in wind speed or changes in wind direction are usually the biggest problem. As the brush piles often have considerable soil mixed in with the brush, these piles often burn for days.

Never use gasoline or any other highly flammable liquid to start a fire. Burning large piles of brush causes deep heat penetration into the ground. When this occurs over an area with stumps, fires can rekindle in the stump days after the open fire appears to be out.

Guidelines:

- Never burn during a Houston County Burn Ban
- Only burn after recent rains and the wind speed is under 10 mph w/o gusts
- Notify Houston Co Volunteer Fire Dept. and neighboring property owners of the intent to burn
- Ask the POA for assistance in monitoring the burn
- Be sure to have plenty of clear space around the burn pile
- Mow or clear grass around burn pile
- Have a supply of water to extinguish any unwanted burning
- Only use diesel fuel to ignite burn pile, NEVER use gasoline
- Always monitor the fire; NEVER leave until the fire is completely extinguished
- After the fire appears to be extinguished, separate the ashes and add water to reduce pent-up heat

Wildlife Management

The AJDR Board monitors wildlife management issues for major trends and concerns.

However, Wildlife management on private property is an individual land owner's responsibility within the guidelines of state and county's laws and regulations.

The game warden and sheriff have been responsive when called. Consent and consideration with neighbors is important in regards to legal hunting.

Bow hunting is encouraged because of limited range of projectile. Report violations of existing laws and unsafe acts.

Report animals that appear sick or hurt.

Contacts:**Animal Control:**

Houston County Precinct 3

Game Warden contacts:

Sheriff's Office: 936-544-2862