

ACCOMMODATION

**SUPPLEMENTAL DECLARATION
OF COVENANTS
CONDITIONS AND RESTRICTIONS**

**HIGH MEADOW
ESTATES**

SECTION 9

THIS SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS ("Supplemental Declaration") is made this day by FREY, INC., hereinafter called the "Declarant".

PREAMBLE

A Declaration of Covenants, Conditions and Restrictions ("Declaration") has been established for High Meadow Estates, Section 1, by instrument recorded under Clerk's File No. 2009-039700 of the Real Property Records of Montgomery County, Texas. Section 2.03 of the Declaration provides, in part, that the Declarant, Frey, Inc., may add to the scheme of the Declaration any property it owns by filing of record a Supplemental Declaration. Said Section 2.03 further provides that the Supplemental Declaration may contain additions, deletions, and modifications from those contained in the original Declaration to reflect the different character, if any, of the added properties.

Accordingly, Declarant hereby executes this Supplemental Declaration to include HIGH MEADOW ESTATES, SECTION 9, a subdivision in Montgomery County, Texas, according to the map or plat thereof recorded under Clerk's File No. 2021-104611, Cabinet Z, Sheet 7619, of the Map Records of Montgomery County, Texas, as part of the scheme of the Declaration for High Meadow Estates. The owners of all lots in High Meadow Estates, Section 9 will be members of the High Meadow Estates Property Owners Association and will be subject to the same annual maintenance charges and other assessments as those in High Meadow Estates, Section 1, and shall have the same rights, privileges and obligations pertaining to Recreation Centers and common areas as those lots in the original Declaration. Likewise, all owners of lots in the original Declaration will have the same rights, privileges and obligations pertaining to Recreation Centers and common areas shown on the recorded plat of High Meadow Estates, Section 9.

MODIFICATIONS

The following Sections of the Declaration are hereby modified to read as follows with respect to High Meadow Estates, Section 9:

1) **Section 6.01**

M. ANTENNAS AND SATELLITE DISHES:

Any antenna, satellite dishes or appurtenant structure shall be located behind the ridge line of the residence or in the backyard and shielded from view. Any antenna which will be more than fifteen (15) feet taller than the ridge line of the residence and will be easily visible from any street must be approved by the Architectural Control Committee. PROVIDED, that any federal, state county or municipal laws or regulations that conflict with these restrictions will in all cases govern to the extent of any such conflict.

P. ACCESS ROADS

Any Developer that uses the roads built for the benefit of High Meadow Estates for access to any contingent development automatically falls under the deed restrictions of High Meadow Estates and must immediately adhere to all restrictions. At a minimum, this modification shall follow any and all contingent developments beyond Section 9.

2) **SECTION 7.05**

F. PRIVACY FENCES:

Declarant has the right to build privacy fences deemed necessary at the time of construction and throughout the development of Section 9. Specifically for Section 9, there is a privacy fence between Section 9 and the Shady Oaks neighborhood. The HMEPOA is responsible for maintaining this fence where it is against Morningbrook Dr between Lots 1 & 2, Block 2, Section 9. Individual property owners are responsible for the portion of the Shady Oaks fence that lines their lot(s). Any replacement of said fence must have ACC approval.

3) **Section 7.09**

B. CULVERT CROSSINGS:

Add subsection 2 and 3 as followings:

2. Construction driveways must have culverts and a gravel, rock or mulch surface to minimize tracking the roads with mud and obstructing the drainage of water in the ditch.

3. Culvert Crossing, clearing and dirt building pad.

Property owners have the right to clear their property, place the correct culvert crossing and build a dirt building pad on property prior to approval on home construction plans from ACC. Owner must put the culvert in prior to any clearing or pad work is done. The culvert must be the proper size according to the engineered drainage plans determined by either the developer or the county. Owner is responsible to mow and maintain property if they clear the property to the street.

- 4) **Section 7.06**
A. SODDING
Front ditches must have solid sodding, all the way to the street at the property owner's expense, upon completion of the home build.
- 5) **Section 7.10 Mailbox:**
All homes are required to use an area cluster mail box by the U.S. Postal Service. The developer will donate mail kiosk areas for Section 9 and will pay for the construction and installation for all necessary homeowner P.O. boxes. Additional improvements or additions to these kiosks will be at the expense of the HMEPOA.
- 6) **Section 7.11 Address Numerals:**
All assigned address numbers shall be prominently displayed in the location, manner with the lighting according to detailed plans and specifications designated by and available from the Architectural Control Committee.
- 7) **Section 3.03 Voting Rights**
Class B: The Class B Member shall be the Declarant. The Class B Member shall be entitled to three (3) votes for each homesite in the Subdivision in which it holds the interest required for membership by this Declarant or any Supplemental Declaration: provided that the Class B membership under this Declaration shall cease and become converted to Class A membership on the happening of the following events, whichever occurs earlier:
(b) on January 1, 2018
- 8) **Section 4.09 Transfer Fee**
Declarant is exempt from any transfer fees on new lots and resale homesites.
- 9) **Section 7.08 Water**
Property owners have the right to drill a non-potable water well behind the build line at their discretion. The well must be a minimum of 30 feet inside the building line. Property owner is required to abide by all federal, state, county and local laws.
- 10) **Section 2.03 Additions to Property Subject to Declaration:**
D. Detention Ponds – Morningbrook Lake
1. Lots 2 & 3, Block 1, Section 9, further known as Morningbrook Lake Association lots or the MLA all have private access to a detention pond in Section Nine (9). The declarant has built a lake in the detention area for exclusive use of these homesites. The lake name for future references is Morningbrook Lake.

2. Each property owner of the listed homesites that has private access to Morningbrook Lake is responsible for grass maintenance and erosion control on the banks on their portion of the lake that is on their property.
3. The Declarant is not responsible for the water level.
4. No fence of any kind will be allowed in the water. All fencing must meet minimum standards for HMEPOA and the MLA. All fencing behind the back plain of the house must be approved by the MLA. The MLA must write and make available fence construction standards for association members. Further there will be no chain link or privacy fences allowed on the lake side of any home on Morningbrook Lake.

E. Detention Ponds – Iron Valley Lake Supplemental Restrictions

1. Lots 27, 28, 29, 30, 39, 40, 42 & 43, Block 1, Section 9, further known as Iron Valley Lake Association lots or IVLA all have private access to a detention pond in Section Nine (9). The declarant has built a lake in the detention area for exclusive use of these homesites. The lake name for future references is Iron Valley Lake.
2. Each property owner of the listed homesites that has private access to Iron Valley Lake is responsible for grass maintenance and erosion control on the banks on their portion of the lake that is on their property.
3. The Declarant is not responsible for the water level.
4. When the additional land adjacent to and part of Iron Valley Lake detention easement is developed there will be lake lots added to the Iron Valley Lake Association.
5. No fence of any kind will be allowed in the water. All fencing must meet minimum standards for HMEPOA and the IVLA. All fencing behind the back plain of the house must be approved by the IVLA. The IVLA must write and make available fence construction standards for association members. All fencing must meet minimum standards for HMEPOA and the IVLA. Further there will be no chain link or privacy fences allowed on the lake side of any home on Iron Valley Lake.

F. Detention Ponds – Magnolia Hollow Lake Supplemental Restrictions

1. Lots 46, 47 & 55, Block 1, Section 9, further known as Magnolia Hollow Lake Association lots or MHLA all have private access to a detention pond in Section Nine (9). The declarant has built a lake in the detention area for exclusive use of these homesites. The lake name for future references is Magnolia Hollow Lake.
2. Each property owner of the listed homesites that has private access to Magnolia Hollow Lake is responsible for grass maintenance and erosion control on the banks on their portion of the lake that is on their property.

3. The Declarant is not responsible for the water level.
4. When the additional land adjacent to and part of Magnolia Hollow Lake detention easement is developed there will be lake lots added to the Magnolia Hollow Lake Association.
5. No fence of any kind will be allowed in the water. All fencing must meet minimum standards for HMEPOA and the MHLA. All fencing behind the back plain of the house must be approved by the MHLA. The MHLA must write and make available fence construction standards for association members. All fencing must meet minimum standards for HMEPOA and the MHLA. Further there will be no chain link or privacy fences allowed on the lake side of any home on Magnolia Hollow Lake.

G. Maintenance for Section Nine Detention Ponds:

After the county has accepted the detention areas future maintenance is High Meadow Estates Property Owners Association and Montgomery County responsibility. The detention ponds in Section 9 has been engineered and built to the county's specifications and turned over to the county along with the county roads for future maintenance. If the county requires any repair and maintenance to the detention pond dam, detention area and drainage easements in general it is the responsibility of High Meadow Estates Property Owner's Association.

IN WITNESS WHEREOF, the undersigned, being the Declarant herein and Owner has executed this Supplemental Declaration, acting by and through its duly authorized and empowered officers, to be effective on this the 6 day of August, 2021.

ATTEST:

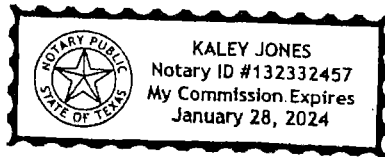
David R. Frey
DAVID R. FREY, Vice President

FREY, INC.
Paul T. Frey - President
BY: *Paul T. Frey*
PAUL T. FREY, President

THE STATE OF TEXAS §

COUNTY OF Montgomery §

This instrument was acknowledged before me on August 6, 2021, by Paul T. Frey, President of FREY INC., a Texas corporation on behalf of said corporation.



Kaley Jones
NOTARY PUBLIC in and for
THE STATE OF TEXAS

E-FILED FOR RECORD

08/10/2021 03:12PM



COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number sequence on the date and time stamped herein by me and was duly e-RECORDED in the Official Public Records of Montgomery County, Texas.

08/10/2021



County Clerk
Montgomery County, Texas