



Twin Harbors Property Owners Association, Inc.
Architectural Review Authority (ARA)
274 Valleyview Drive
Onalaska, Texas 77360
(936) 646-2242
ARA@twinharborslakelivingston.com

ARA Guidelines

This document has been generated to enhance and clarify the Architectural Restrictions contained in the Twin Harbors First Amended Deed Restriction filed for record in Polk County, August 24th, 1978. The definitions and language utilized here are considered to be a more specific reflection of the restrictions as written.

Resolution

With the change in the law governing POAs and the Architectural Review Authority, notably SB. 1588 Sec. 209.00505, Architectural Review Authority. Twin Harbors "on Lake Livingston" Sections II through V, declares that as of October 30th, 2021, any lots containing construction methods and/or outbuildings deemed nonconforming in the Deed Restrictions, shall forever and always be accepted, as is, in current state. From the October 30th, 2021, date, it is the requirement of the newly installed ARA to enforce all Deed Restrictions as outlined in this document in a fair and consistent manner in all areas under the control of the ARA.

Definitions

Association - The Twin Harbors "on Lake Livingston" POA

ARA - Architectural Review Authority for the Association

Deed Restrictions - The Declaration of Covenants, Conditions and Restrictions applicable to Twin Harbors "on Lake Livingston" Sections I through V and The Point.

Harmony - the visually satisfying effect of combining similar or related elements, i.e., adjacent colors, materials, shapes, textures, etc.

Conformity - when all entities or objects comply to the same standard, rules, or laws. Creating a balance and stability between entities that are subjected to the same environment.

Overview

The purpose of the architectural design review is to keep the community attractive for the enjoyment of residents and the protection of property values. The Deed Restrictions, along with the current revision of our Bylaws, authorizes the Architectural Review Authority to establish rules, standards, and procedures for the orderly development of the subdivision and requires property owners to obtain written approval from the ARA for any buildings, additions or other exterior improvements to their property. This is to ensure that the improvements comply with the provisions of the Deed Restrictions and the ARA Guidelines. The ARA and



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Board have established these guidelines in accordance with the authority granted to them by the provisions of the Deed Restrictions and Bylaws.

These guidelines have been established to assure uniform and fair application of the Deed Restrictions and are intended to provide all lot owners in the Association with information about: the type and quality of materials which may be used in the construction of various kinds of improvements, the size and locations of such improvements and information about how the procedures are used by the ARA in reviewing applications for proposed improvements.

With the exception of Section I, which are lots primarily designed for the placement of mobile homes to be used as residences, Twin Harbors, sections II through V and The Point, consist of custom designed homes built utilizing conventional stick method frame construction, with various finishing materials such as wood siding, engineered concrete/fiber siding, stone, brick veneers, stucco and/or a combination of any of these finishes. If natural wood is not used on the exterior finishes for home or garage construction, the materials used for finishing must present the appearance of simulated wood grain or stucco finish. Additionally, any structure constructed on the lot that is detached from the residence, must incorporate identical exterior finishes as the residence. If the home's prominent exterior finish is brick or stone, a minimum of 35% of the detached structure must be covered with the same material. Roofs in our community consist of asphalt shingles and/or metal composition with gable, hip, mansard, dormers, and gambrel configurations. Roofs also require no less than a 12" overhang (eave) and must incorporate the use of facias with soffits on all sides and incorporate hidden fasteners as the securing method. The ARA will review all building, addition and exterior improvement construction permits to confirm their harmony and conformity to these construction methods and materials. When considering whether a new build or modification is in harmony or conformity with the homes in the neighborhood, the ARA will take into consideration the designs and characteristics of the homes on the street on which construction will take place. If a street has homes and garages with no set of prevalent designs or characteristics, then a potential design can be different from the various designs present on the street due to a lack of harmony or conformity on the street in question.

The ARA reserves the authority to review and approve applications for buildings, additions, or exterior improvements which are described by the guidelines and are found to be consistent with existing home exteriors, providing harmony and conformity within our neighborhood. The ARA may amend these guidelines as it deems necessary or appropriate with the approval of the Board of Directors.

Maintenance vs. Remodel

Construction permits are not required for the normal repair and maintenance of the exterior of homes in Twin



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Harbors. If exterior painting is to be done, and the colors chosen to match the original paint scheme approved in the application process, no permit is required. If alternate colors are desired, then a permit application must be submitted and approved before work can begin. Interior changes also do not require a permit from the ARA, but care should be taken by the property owner to verify the necessity of a city building permit. The permit needed matrix can be used to help the homeowner in determining the need for permits, but it is not designed to be all encompassing. It is the homeowner's responsibility to verify the need for any permits before starting any work on the property.

Application Procedure

Submission - all applications for approval to build, complete building additions, or make any exterior changes, to include fencing, retaining walls, swimming pools, detached or attached garages, car ports, docks, boat houses, etc., must be submitted to the ARA in writing by completing the application form currently in use or such form as may hereafter be adopted by the ARA. If new construction and lot(s) need to be cleared, the

Timber Clearing and Lot Preparation Permit shall be obtained, and work completed before a building construction permit will be issued. Plans and specifications for any building or exterior change, addition or improvement should be attached to the application. All applications, additional information, or requests for appeal shall be mailed or delivered to the office and not to any members of the ARA or Board of Directors. Instructions are available for completing the application (found and downloadable on the Twin Harbors "on Lake Livingston" web site under the Architect Permit tab) along with the **Permit and Fee Matrix** for various improvements.

The application must be supported by the following information, as necessary, for the type of permit required

- (a) drawing(s) of the proposed structure showing the top, front, side, rear, and exterior views (elevation). Overall dimensions (length, width, height) for the structure.
- (b) a copy of the plot plan of the lot showing location of easements, any existing buildings or structures, and the proposed locations of addition/improvement. All construction must conform to the setback lines for each lot (Deed Restrictions #9).
- (c) a description of all materials to be used, paint colors, roofing color and style including product name, if possible, for all exterior features.



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(d) Photographs are very helpful particularly helpful with addition/improvement placement.

(e) proposed finished ground elevation high to low points.

(f) if a 3rd party home builder/contractor will be employed to construct any building or make improvements to the property, the contact information of the 3rd party home builder/contractor needs to be supplied with the Permit application.

All building materials utilized in exterior construction shall be new and of accepted commercial quality. No used or seconds material may be used unless approved in advance by the ARA.

The ARA reserves the right to request additional information deemed by it to properly evaluate the application. If the ARA requests additional information and such information is not submitted to the ARA by the applicant in a timely manner (so that the application can be approved or disapproved within thirty (30) days of its receipt), the application shall be denied. However, the applicant may thereafter submit a new application with the requested information to the ARA for review.

All communications to and from the ARA regarding the application process for a building permit needs to be conducted by physical and/or electronic mail.

ARA Decisions

ARA committee members shall consider each application with the Deed Restrictions and with these guidelines. The decision of the majority of the members to approve or disapprove an application shall be considered the decision of the ARA. ARA decisions shall be conveyed in writing by the ARA as a whole to the applicant and shall include a statement of conditions under which the application is approved, if any, or the primary reason(s) for disapproving the application.

In accordance with the Deed Restrictions, any application that is not approved or disapproved within thirty (30) days of the date of its receipt shall be deemed to have been automatically approved provided, however, (a) that any such approval shall extend only to architectural guidelines and not to any of the use restrictions set forth in the Deed Restrictions and (b) in no event shall non-action be deemed to constitute approval of the application for any change, addition or improvement or any other item that would violate the restrictive covenants in the Deed Restrictions. Unless otherwise stated in the ARA written response, all approved exterior changes, additions or improvements shall be completed within four (4) months of the date construction, installation, or erection is commenced. If construction does not commence within the period allowed when



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submitting the application, the approval shall no longer be effective. The preparation of the lot(s) for construction, such as clearing and/or leveling shall be completed utilizing the Timber Clearing and Lot Preparation Permit, before the application for building permit is submitted. Guidelines for removal of trees are contained on the Twin Harbors web site. No commercial harvesting equipment is allowed to be used in the development.

Board of Directors Appeals

If the application is denied by the ARA, the applicant may within thirty (30) days submit an appeal to the Board of Directors. The Board shall review the appeal within thirty (30) days to hold a hearing and will provide notice of the hearing including date, time, and location at least ten (10) days before the hearing date. Both the Board and the Owner shall have the right to a continuance of not more than ten (10) days. All decisions of the Board of Directors shall be final. The **ARA Appeal** form can be found on the ARA Guidelines web page.

Status of Application During Appeal

During the appeal period, the decision of the ARA on the original application shall remain in effect. Failure of the Board of Directors to respond to a request for reconsideration within thirty (30) days of the date of its receipt shall not automatically result in approval of the original application.



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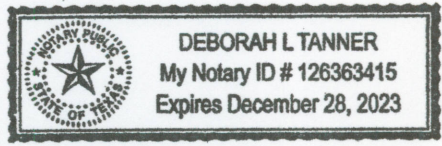
This document was duly adopted by majority vote of the Board of Directors of Twin Harbors Property Owners' Association on the 12 day of February 2022.

Barbara Dickens
Twin Harbors Property Owners' Association President

STATE OF TEXAS*
COUNTY OF POLK

This instrument was acknowledged before me on the 12 day of February 2022 by Barbara Dickens on behalf of the Twin Harbors Property Owners' Association, Inc., a Texas non-profit corporation on behalf of said corporation.

Deborah L. Tanner



NOTARY PUBLIC, STATE OF TEXAS
POLK COUNTY RECORDING STAMP:

FILED FOR RECORD
Feb 14 2022 10:12:38

SCHELANA HOCK
POLK COUNTY CLERK



I, SCHELANA HOCK hereby certify that the instrument was FILED in the file number sequence on the date and at the same time stamped hereon by me and was duly RECORDED in the Official Public Records in Volume and Page of the named RECORDS OF Polk County, Texas as stamped hereon by me.
Feb 14, 2022
COUNTY CLERK
POLK COUNTY, TEXAS