

ARCHITECTURAL COMMITTEE POLICY
Additional Fence & Screening Wall Requirements
LBV PROPERTY OWNERS ASSOCIATION, INC
Established August 2017 & Effective August 15, 2017

This Policy was approved by the Architectural Committee of the La Buena Vida Property Owners Association, Inc. on the 15th day of August 2017, and is effective immediately.

Regarding what limitations should be placed on construction of fences and screening walls, pertinent Articles in the Declaration of Covenants, Conditions and Restrictions (CCR's) for La Buena Vida are as follows:

- Article 1.16 defines improvements as every structure and all appurtenances thereto of every kind and type (including fences and screening walls) ... used in connection with or placed on the property.
- Article 3.1 states that no improvements shall be constructed upon any Lot without prior written approval of the Architectural Committee.
- Article 3.5 allows the Architectural Committee to prevent construction of any improvement which would unreasonably obstruct the view, or unreasonably interfere with the privacy of an adjoining Lot Owner.
- Article 3.6 provides approved fence materials, the approved height at the building line and from the building line to the adjacent Beach or Channel, and it states that no fence shall be constructed on any portion of Beach adjacent to an Owner's Lot. In addition, it states that additional fence requirements may be established by the Architectural Committee.
- Article 5.4 allows the Architectural Committee to adopt rules and guidelines as it may deem necessary and desirable, and each Owner shall comply with said rules and guidelines as amended from time to time.
- Article 2.16 states that no fence, wall, hedge or shrub may obstruct sightlines at the corners of a lot, at intersections of streets, or driveways.

As of this date, fences and screening walls constructed at all completed homes within LBV (including residences constructed on Lot Numbers 8, 9, 20, 26, 27, 29, 30, 32, 33, 34, 35 and 44) appear to comply with the current fence policy in regards to placement, height and material. In addition, all front fences and screening walls have been constructed within the front building line or in line with the front building lines of adjacent properties (40.0' from the street as shown on the plat), some side fences extend to the bulkhead, but no fences exist along the rear of the property at the bulkhead.

In consideration of the above, to establish consistency regarding fencing and screening walls while protecting views and allowing for privacy, the Architectural Committee of the LBV Property Owners' Association hereby adopts this Additional Fence & Screening Wall Policy for La Buena Vida:

- In general, fences and screening walls - shall honor the CCR- Fence Policy Article 3.6, as amended and filed as document number 318836 in the Official Public Records of Aransas County, including the following:
 - No fence or wall permitted on a Lot shall be higher than 6.0' from the front building line to the rear building line
 - No fence or wall higher than 4.0' from the rear building line to the adjacent Beach or Channel. As an exception, if a combination of wrought iron design and solid wall is used, the total height limit shall be 6.0', with no more than 4.0' as solid or walled construction.

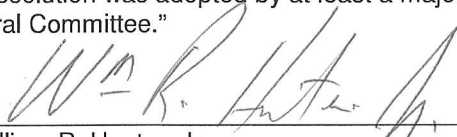
- o All fences/walls shall be constructed of brick, stucco, wrought iron, aluminum, masonry, PVC (vinyl) or composite material. Wood is allowed for gates, only.
- o Additional fence or wall requirements may be established by the Architectural Committee.

The following additional requirements are approved:

- All front fencing and screening walls must be no closer to the street than the front 40.0' building line (as shown on the plat).
- Side fencing and screening walls are permitted from the rear building line to the bulkhead, beach or channel, but are not permitted from the front building line to the street.
- A "back" fence or screening wall - i.e., running in the direction approximately parallel to the rear building line or bulkhead - is allowed, but shall be located no less than 25 feet from the bulkhead, beach or channel. However, this rule shall not limit the placement of the fence or wall to further away from the bulkhead, beach or channel than the rear building line of the Lot.
- Approved height of a back fence or screening wall shall be no higher than 4.0', with the exception if a combination of wrought iron design and solid wall is used, the total height limit shall be 6.0', with no more than 4.0' as solid or walled construction.
- No fence or screening wall that will adversely affect drainage for the other properties in the subdivision will be allowed.
- Refusal of plans and specifications or required changes, deletions or revisions in same may be based upon any reasonable grounds, including purely aesthetic grounds, which in the sole discretion of the Committee shall be deemed conclusive and controlling.

CERTIFICATION

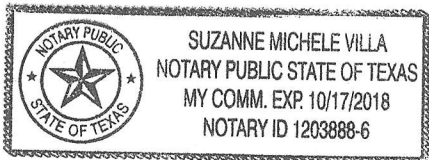
"I, the undersigned, being the Chairman of the Architectural Committee of LBV Property Owners Association, Inc. hereby certify that the foregoing Resolution was adopted by at least a majority of the Members of the LBV Property Owners Association Architectural Committee."




William R. Hunter, Jr.
Chairman, Architectural Committee
LBV Property Owners' Association, Inc.

THE STATE OF TEXAS §
 §
COUNTY OF ARANSAS §

This instrument was acknowledged before me on the 20th day of October, 2017, by William R. Hunter, Jr. of LBV Property Owners' Association, Inc., on behalf of said Association.




Notary Public, State of Texas
My Commission expires: October 17, 2018

✓ AFTER FILING, RETURN TO: Jeanne Hunter, Secretary, LBV Property Owners' Association, Inc.
19 La Buena Vida Drive, Aransas Pass, TX 78336

0000357153

File No. _____
County Clerk, Aransas County, Texas

**FILED FOR RECORD IN
OFFICIAL PUBLIC RECORDS**

AT 2:42 P. M.

(2) 3 pages
total

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STATE OF TEXAS - COUNTY OF ARANSAS
I hereby certify that this Instrument was FILED on the date and at the time affixed
hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS of
ARANSAS COUNTY, TEXAS, as stamped hereon by me.



Valerie K. Amason
VALERIE K. AMASON, COUNTY CLERK,
ARANSAS COUNTY, TEXAS

✓ La Buena Vida Property
Owners Assoc.

✓ See bottom page 2