

DOC #2017113541

DEDICATORY DOCUMENTS

OF

**WALDEN ON LAKE CONROE COMMUNITY IMPROVEMENT
ASSOCIATION, INC.**

BEFORE ME, the undersigned authority, on this day personally appeared the below named person, who, being by me first duly sworn, states the following:

My name is David L. Hartman Jr. I am over 21 years of age and of sound mind. I am capable of making, and am authorized to make this affidavit. I am personally acquainted with the facts herein stated. I am the agent and General Manager of Walden on Lake Conroe Community Improvement Association, Inc. Pursuant to the Texas Property Code, Section 202.006, the following document is the original, or a true and correct copy of the original, of the governing instruments of the Association:

Walden on Lake Conroe Community Improvement Association – Walden Deed Restriction Fine Enforcement Policy for Property Owners Revised

WITNESS MY HAND, to this document this 11th day of December, 2017

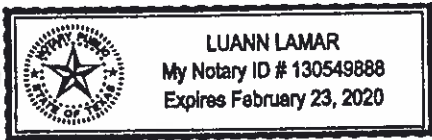
Walden on Lake Conroe Community Improvement Association, Inc., a Texas non-profit corporation

BY: 
Agent and General Manager

Print Name: David L. Hartman Jr

**THE STATE OF TEXAS
COUNTY OF MONTGOMERY**

THIS affidavit was acknowledged before me on the 11th day of December, 2017 by David L. Hartman Jr., who stated that he is the Agent and General Manager for Walden on Lake Conroe Community Improvement Association, Inc.




NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

AFTER RECORDING, RETURN TO:
David Hartman, General Manager
Walden on Lake Conroe
Community Improvement Association, Inc.
13301 Walden Rd.
Montgomery, TX
Phone: (936) 582-1622

WALDEN DEED RESTRICTION ENFORCEMENT POLICY FOR PROPERTY OWNERS

The Walden Deed Restrictions were developed to insure that the ambiance, amenities and property values of Walden are maintained and enhanced.

The following Enforcement and Fine policy has been developed to accomplish that objective.

Deed restriction Violations are listed in Appendix A.

The multi - step, time sequenced Deed Restriction violation process follows these steps:

DISCOVERY, DISCLOSURE, CORRECTION, CLOSURE DISCOVERY:

DISCOVERY:

Deed Restriction violations will primarily occur through periodic Walden CIA staff in-field surveillance of all Walden properties.

When a violation is found, the CIA staff person takes an evidentiary photo and inputs the pertinent information into the Master Violation log according to Appendix B.

DISCLOSURE:

The nature, extent, and consequences of each violation will be conveyed to the property owner of record within the first four (4) business days after Violation Discovery. The Walden CIA staff must attempt informal (telephone or E-mail) contact of the property owner to inform them on all aspects of the violation as it will be documented in the formally-tendered First Notice letter.

Use of the "Doorknob Hanger Tag" (Attachment 4) to provide informal notice is acceptable for occupied premise violations.

When a violation is observed and documentary photos obtained, the property owner is given notice of the violation via Certified Mail. This First Notice letter will contain essential information as per Attachment 1, shall request action to bring compliance within a ten (10) calendar day period that begins on the date of the First Notice letter postmark. The First Notice letter will also indicate the possible penalty/fees.

In the First Notice letter, the obligatory notice-of-appeal rights will be given.

The Walden CIA staff shall maintain informal (telephone, E-mail, or tag) contact with the property owner to convey all aspects of the violation as noted in the First Notice letter.

CORRECTION:

The owner/violator is to remedy the violation, either through corrective action or the submittal of a formal appeal request within the ten (10) calendar day period.

If a request to appeal at a Board of Directors meeting is received from the owner within the ten days of First Notice date, a hearing will be entered on the Board agenda, with such hearing to take place at the earliest opportunity, but no later than the date of the next scheduled monthly Board meeting.

If no request to appear at a Board of Directors meeting is received, or if after the hearing a violation is found to exist, and the violation is not corrected within the ten (10) calendar day period, the Walden CIA where applicable, can independently correct the violation and invoice the owner for all action taken.

If these fines, charges and fees are not paid within thirty days (30) of the date on the invoice, the invoice will be processed for collection through the Walden CIA Delinquent Property Assessments and Dues system, and/or directed to the Association's attorney with instructions to seek legal action. A letter of notification of the invoicing action shall follow the form and content shown in Attachment 2.

CLOSURE:

Violation closure occurs when the violation remedy is implemented by the property owner, or any "forced correction" on the part of the Walden CIA is implemented, or the violation appeal process is completed, with the violation disposed of, and any penalties, surcharges and fees are either paid in full, or invoiced for payment through the CIA Delinquent Property Assessments and Dues system. The violation does not remain in active status solely for the financial collection activity.

The property owner will be notified in writing that the violation has been corrected to the satisfaction of the Walden CIA.

PENALTY/FEE SCHEDULE

Penalties and fees are a necessary part of our Policy and Procedures to ensure violators understand the importance of adhering to the Deed Restrictions, and the consequences of not doing so.

First Violation: \$100.00 + \$50.00 Administrative Fee
Second Violation: \$150.00 + \$50.00 Administrative Fee
Third Violation: \$200.00 + \$50.00 Administrative Fee
Administration fee is a fixed charge of \$50.00

Appendix A: Deed Restriction & ACC Violations

VIOLATION ID	VIOLATION	DR Location
Unauthorized Use		
100.1	Residential property being used for Business, Professional, Commercial or Manufacturing purposes	Board Policy Business Operation
100.2	Attached garage not in a functional configuration for the parking of automobiles	Design Guidelines pg. 19
Annoyance or Nuisance		
200.1	Exterior speakers, horn, whistle, bell, or sound device used or placed on a Lot	Deed Restriction Article III
200.2	Storage of flammable liquids in excess of 10 gallons	Deed Restriction Article III
200.3	Discharge of Firearm or Fireworks	Deed Restriction Article III
200.4	Conducting an offensive or hazardous activity by reason of: Fire, Explosive, Odor, Fumes, Dust, Smoke, Vibration, or Pollution	Deed Restriction Article III
200.5	Unauthorized liquefied hydrocarbon storage container in use (other than small grill-type containers)	Deed Restriction Article III
200.6	Improper exterior lighting used on property	Design Guidelines page 36
Temporary Structure		
300.1	Temporary structure placed on lot: Manufactured home, Mobile home, Outbuilding	Deed Restriction Article III, Section 8
300.2	Temporary structure placed on lot: Travel Trailer, RV, Trailered Boat	Storage Policy
300.3	Temporary structure placed on lot: Tent, Shack	Storage Policy
Improper/Unauthorized Signage		
400.1	Improper or unauthorized signage, displays, banners, advertising device, etc. posted on property	Sign & Wrapped Vehicle Policy
Garbage & Refuse		
500.1	Trash or Rubbish on property not in approved containers	Deed Restriction Sec 14 Lot Maintenance
500.2	Open storage of materials visible from street other than approved construction	Storage Policy
Obstruction of View		
600.1	Unauthorized removal of in-place trees	Tree Removal Policy
Walls, Fences and Hedges		
700.1	Improper location of wall or fence relative to platted build lines and easements	Deed Restriction Article III Section 14 & Wall & Fence Policy
700.2	Waterfront Lot fence not black ornamental iron (iron, aluminum)	Deed Restriction Article III Section 14 & Wall & Fence Policy
700.3	Waterfront Lot fence over 4 feet in height	Deed Restriction Article III Section 14 & Wall & Fence Policy
700.4	Chain link fence erected or otherwise placed on Lot	Deed Restriction Article III Section 14 & Wall & Fence Policy
700.5	Interior Lot fence greater than 6 feet (plus "rot board" dimension)	Deed Restriction Article III Section 14 & Wall & Fence Policy
700.6	Interior fence not of approved materials	Deed Restriction Article III Section 14 & Wall & Fence Policy
700.7	Wooden fence finished face not facing street side	Deed Restriction Article III Section 14 & Wall & Fence Policy
700.8	Installed fence impeding natural water flow	Deed Restriction Article III Section 14 & Wall & Fence Policy
Views, Obstructions and Privacy		
800.1	Clothes lines, exterior clothes drying devices used on lot	Deed Restriction Article III Section 14 & Design Guidelines page 46
800.2	Above ground swimming pool installed	
800.3	Window air conditioner installed	Deed Restriction Article III Section 4 & Design Guidelines page 44
800.4	Inoperable motor vehicle stored on Lot	Deed Restriction Article III Section 15
800.5	Unapproved landscape yard art, fountains, statuary, streamers	Design Guidelines page 40
800.6	Unapproved playground equipment or basketball goal	Basketball Goal Policy
800.7	Unapproved Flagpole	Flag Display Policy

Lot/Yard Maintenance		
900.1	Failure to cut weeds and grass and maintain property in a sanitary, healthful, and attractive manner	Deed Restrictions Section 14 Lot Maintenance & Exterior Home Maintenance Policy
900.2	Lot erosion/silting into ditches or canals; No effective erosion control measures in use or measures in disrepair	Drainage Plan Policy
900.3	Improper storage of materials & equipment other than for original construction	Storage Policy
900.4	Yard equipment, wood piles or storage piles, residential materials not properly screened or stored	Storage Policy
900.5	Burning of trash and debris on property	Deed Restrictions Article III Section 14 Lot Maintenance
900.6	Standing dead tree hazard not removed	Dead Tree Removal Policy
900.7	Fallen dead tree(s) not removed	Deed Restrictions Article III Section 14 & Dead Tree Removal Policy
Motor Vehicle Operation, Storage, Repair		
1000.1	Improper operation of unlicensed or unregistered golf cart or electric vehicle	Golf Cart & Electric Vehicle Policy
1000.2	Non-motorized vehicle, trailer, boat, or marine-type improperly parked or stored on any part of Lot, easement, or right-of-way	Parking & Storage Policy
1000.3	Dismantling and repair, or storage, of motorized vehicle on any part of Lot, easement, or right-of-way	Parking & Storage Policy
Antenna and Satellite Dish, Panels		
1100.1	Antenna/dish improper size, color, # of Dishes	Design Guidelines page 44
1100.2	Solar panels improperly located	Design Guidelines page 45
1100.3	Satellite dish outside of building lines or in front of a building or visible from the street	Design Guidelines page 44
Pets		
1200.1	Horses, cows, poultry or other livestock (other than inside-house pets) maintained on Lot	Deed Restrictions Article III Section 17 & Pet Policy
1200.2	Pets running at large; pets not on leash; animals causing resident threat or nuisance	Deed Restrictions Article III Section 17 & Pet Policy
Architectural Control – Construction Guidelines		
1300.1	Unauthorized or Premature Improvement startup – no prior approval	Design Guidelines Introduction page iii
1300.2	Improper Improvement construction: style, color, roofing selection/material, elevation, topography, community harmony	Harmony in the Neighborhood Policy
1300.3	Improvement not constructed according to subdivision construction requirements and specifications	Design Guidelines Introduction page iii
1300.4	Improper Improvement location on Lot; Construction initiated without location verification	Design Guidelines Introduction page iii
1300.5	Unauthorized/unapproved carport put in place	Design Guidelines page 19
1300.6	Protective patio screening deteriorated and needing repair or maintenance	Exterior Home Maintenance Policy
1300.7	Unauthorized mailbox design or use of construction materials	Exterior Home Maintenance Policy
1300.8	Failure to remove construction site downed trees, stumps, limbs, branches	Deed Restrictions Article III Section 14 Lot Maintenance
1300.9	Improper entry or use of adjacent Lot; unauthorized trash and debris on adjacent Lot	Deed Restrictions Article III Section 14 Lot Maintenance
1300.10	Entry culvert at incorrect grade or slope	Exterior Home Maintenance Policy
1300.11	Alteration of established drainage: unauthorized, improper, incomplete	Deed Restrictions Article III Section 14 Lot Maintenance & Design Guidelines Unauthorized Improvement
1300.12	Entrance lip, culvert, driveway curb ties in disrepair and unattractive	Exterior Home Maintenance Policy
1300.13	Unauthorized boat slip cover (homemade type)	Boat Cover Policy
1300.14	Unauthorized bulkhead	Deed Restrictions Article III Section 13
1300.15	Bulkhead, boat slip not properly repaired or maintained	Deed Restrictions Article III Section 13
1300.16	Plastic construction fencing not installed or in disrepair	Construction Site Guidelines

Architectural Control Cont'd – Construction Guidelines		
1300.17	Improper concrete contractor washout of cement trucks	Construction Site Guidelines
1300.18	Dirt and construction debris allowed to remain on street; no broom cleaning	Construction Site Guidelines
1300.19	No dumpster or authorized trash receptacle on construction site	Construction Site Guidelines
1300.20	Worker lunch litter, debris, alcohol consumption on construction site	Construction Site Guidelines
1300.21	Dirt and construction debris in drainage ditches	Construction Site Guidelines
1300.22	Property erosion control means not in place or in disrepair	Construction Site Guidelines
1300.23	Port-a-Can sanitary facility not installed at time of construction start	Construction Site Guidelines
1300.24	Construction workers improperly parking on street; traffic flow obstruction	Construction Site Guidelines
1300.25	Construction activity outside of approved construction-time hours	Construction Site Guidelines

Appendix B: Walden Deed Restriction and ACC Violations Log

The violations processed through the Walden CIA Policy and Procedures (P&P) "computer tool" shall have the following events and data attributes entered/recorded at the time each is recognized or executed. The purpose is to maintain an official time-sequence history/record of each violation from first discovery to final disposition. The DR Violation Log shall contain an "As of" date to ensure the latest log can be easily ascertained.

1. **Identification Code & Sequence Number** ("Violation ID" from Appendix A plus 3 or 4-digit Sequence Number for Unique Violation Identification, e.g., 100.1 or 1200.3)
2. **Violation** (Brief descriptive phrase from Attachment A)
3. **Violation Discovery Date** (Date upon which violation is first observed and photographed - at least one file photo is mandatory)
4. **Legal Description** (Lot ID, e.g., 10-54-003 for Lot, Block, Section)
5. **Street Address** (Location of Violation)
6. **Owner's last Name** (As listed in our property owner Database)
7. **Owner Notified** (Date and method of informal notification)
8. **Certified letter Mailed** (Date written correspondence is mailed for each violation)
9. **Owner's Response** (Narrative entry of the position the owner is taking on the violation and its remedy. Entry can be as many words as necessary to clearly convey status)
10. **Revisit Date** (Date Walden CIA Staff revisited violation location either to verify corrected for closure or current conditions)
11. **Penalty Notice Letter and Amount** (Date "Final Notice" letter is mailed detailing all charges, fees, and fines)
12. **Violation Invoiced with Photo**
13. **Date of Completion** (Date the violation is determined to need no further attention/activity- Photo not mandatory)

ATTACHMENT 1: VIOLATION "FIRST NOTICE" LETTER (*Required information in Red*)

Walden On Lake Conroe Community Improvement Association

13301 Walden Rd.
Montgomery TX 77356

Date: _____
Sequence #: _____

Property Legal: Sec. ___ Blk. ___ Lot ___
Property Address: _____

Name: _____
Mailing Address: _____
City, State & Zip: _____

REF: DEED VIOLATION – EXPLANATION OF THE VIOLATION

Dear Property Owner,

The Walden On Lake Conroe Community Improvement Association is responsible for subdivision Deed Restrictions Enforcement. The specifics of this responsibility are contained in the enforcement Policy and Procedure available for viewing at: www.waldenonlakeconroe.com

A violation of our subdivision's Deed Restrictions has been identified on the referenced property, in that the property at *Address* is in violation of the following Deed Restriction Article *NUMBER*, which indicates that:

Insert Violation info from Deed Restriction Article/Number or Appendix A Description

Please be advised your violation is a Type: X, subject to the attached Penalty/Fee Schedule. As the property owner of record, the Walden Community Improvement Association is looking for you to expeditiously remedy this situation.

This violation must be cleared within Ten (10) days of the date of this notification letter's postmark. If there are extenuating circumstances as to why you have not or cannot cure this violation, please contact the Walden Deed Restriction Staff during regular business hours with your explanation:

Insert responsible Walden Deed Restriction Officer's name, phone #, and email address

According to Walden On Lake Conroe Community Improvement Association's Policy and Procedures, you also have the right to appeal this asserted violation to the Walden Board of Trustees by requesting a meeting through the contact above within this same Ten (10) day window of opportunity.

It is our hope that the alleged violation will be cleared with minimum impact on all parties. Please understand that your inattention to this matter will eventually result in either monetary fine or more substantial legal proceedings as noted.

Sincerely,
Name and Position with Walden CIA

CC:
Property Owner's File

ATTACHMENT 2: INVOICE NOTICE LETTER *(Required information in Red)*

Walden On Lake Conroe Community Improvement Association

13301 Walden Rd.
Montgomery TX 77356

Date: _____

Property Legal: Sec. ____ Blk. ____ Lot ____

Sequence #: _____

Property Address: _____

Name: _____

Mailing Address: _____

City, State & Zip: _____

REF: INVOICE NOTICE OF WALDEN COMMUNITY IMPROVEMENT ASSOCIATION DEED RESTRICTION VIOLATION

Dear Property Owner,

On _____, you were notified of a violation of Walden Community Improvement Association Deed Restrictions as follows:

Explain again violation with specifics as noted in First Notice Letter

As the property owner of record, the Walden Community Improvement Association (Walden CIA) was looking to you to remedy this violation, but, as yet, there has been no satisfactory resolution. Also, the offer of an opportunity to appeal the situation with the Walden Board of Trustees was not taken. Therefore, according the Walden CIA Deed Restrictions Enforcement Policy and Procedures document (available for viewing at: www.waldenonlakeconroe.com), the recourse being taken by CIA Management for a Type **X** Violation is the immediate application of a penalty in accordance with the attached Penalty/Fee Schedule, and the accompanying invoice for Payment.

Please understand that further inattention to this matter will absolutely result in either a compounding monetary fine or substantial intervention through Walden CIA Legal Counsel. If you have any questions or need additional information, please contact the Walden CIA office at 936-582-1622 during regular business hours.

Sincerely,

Name and Position with Walden CIA

CC:

Property Owner's File

ATTACHMENT 3: TYPE D "ACC NOTICE" LETTER (*Required information in Red*)
Walden On Lake Conroe Community Improvement Association

13301 Walden Rd.
Montgomery TX 77356

Date: _____ Property Legal: Sec. ___ Blk. ___ Lot ___
Sequence #: _____ Property Address: _____
Name: _____
Mailing Address: _____
City, State & Zip: _____

Dear Property Owner,

The Walden Community Improvement Association (Walden CIA) is responsible for subdivision Deed Restrictions Enforcement. The specifics of this responsibility are contained in the enforcement procedure available for viewing at: www.waldenonlakeconroe.com

A violation of either: 1) the restrictions and conditions contained in the ACC New-Home Construction Application you, as the owner, and/or the builder, agreed to, or 2) the subdivision Deed Restrictions has been identified on the reference property as follows:

Explain Violation with specifics. Include at least one photo.

As the property owner of record, the Walden CIA is looking to you and/or the builder to immediately remedy this situation:

Explain what is needed to remove the violation

Because of this situation's time element, the violation must be cleared within Ten (10) days of the date of postmark of this letter, otherwise the recourse taken by the Walden CIA ACC will either be a Type **X** monetary fine (with the assessed amount withheld from the Builder's Refundable Deposit), or Walden CIA Attorney intervention.

If there are extenuating circumstances as to why you and your builder have not or cannot cure this violation, please contact the Walden CIA office immediately with your explanation:

Insert responsible Manager's name, phone # and email address

According to Walden On Lake Conroe Community Improvement Association's Policy and Procedures, you or a builder representative also have the right to appeal this asserted violation to the Walden Board of Trustees by requesting a meeting through the contact above within this same Ten (10) day window of opportunity.

It is yet our hope that the alleged violation can be cleared with minimum impact. However, please understand that further inattention to this matter will absolutely result in either a penalty or more substantial legal proceeding. If you have any questions or need additional information, contact the Walden CIA office during regular business hours.

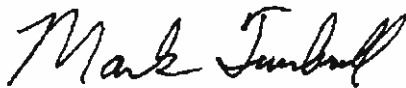
Sincerely,

Name and Position with Walden CIA

CC:

Property Owner's File

FILED FOR RECORD
12/18/2017 01:55PM



COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,
COUNTY OF MONTGOMERY

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

12/18/2017



County Clerk
Montgomery County, Texas