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CERTAIN DEDICATORY INSTRUMENTS OF THE  
CAT MOUNTAIN HOMEOWNERS ASSOCIATION, INC.

The undersigned, Dee Blanchard, as the duly elected, qualified and acting Secretary of the Cat Mountain Homeowners Association, Inc., a Texas non-profit corporation (the "Association"), hereby certifies on behalf of the Association that the following documents attached hereto are true and correct copies of the following dedicatory instruments of the Association:

- Attachment A Architectural Guidelines and Standards for Construction in Cat Mountain Villas adopted by the Members of the Association at a duly called and constituted meeting of the Membership held on February 21, 1990.
- Attachment B Listing of Certain Fees and Charges adopted by the Board of Directors of the Association at a duly called and constituted meeting of the Board held on December 19, 2011.
- Attachment C Clubhouse Use Agreement adopted by the Board of Directors of the Association at a duly called and constituted meeting of the Board held on December 19, 2011.
- Attachment D Swimming Pool Rules adopted by the Board of Directors of the Association at a duly called and constituted meeting of the Board held on December 19, 2011.
- Attachment E Tennis Court Rules adopted by the Board of Directors of the Association at a duly called and constituted meeting of the Board held on December 19, 2011.

IN WITNESS WHEREOF, the undersigned has executed this Certificate as Secretary on behalf of the Association this 22 day of December, 2011.

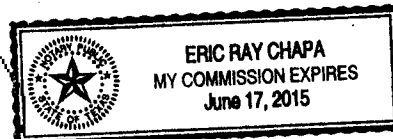
By: Lee Blanchard  
Printed Name: Lee Blanchard  
Title: Secretary

STATE OF TEXAS

COUNTY OF TRAVIS

This instrument was acknowledged before me on December 22, 2011, by Lee Blanchard, Secretary of the Cat Mountain Homeowners Association, Inc., a Texas non-profit corporation, on behalf of said non-profit corporation.

[Signature]  
Notary Public Signature



**AFTER RECORDING PLEASE RETURN TO:**

Gregory S. Cagle  
4330 Gaines Ranch Loop, Ste. 150  
Austin, Texas 78735

**CERTAIN DEDICATORY INSTRUMENTS OF THE  
CAT MOUNTAIN HOMEOWNERS ASSOCIATION, INC.**

**Attachment A**

## **ARCHITECTURAL GUIDELINES AND STANDARDS FOR CONSTRUCTION IN CAT MOUNTAIN VILLAS**

The purpose of this document is to set forth the policies and procedures by which plans will be formulated and prepared for construction of new homes, alterations to existing homes or any other construction which affects the exterior surfaces of the house or lot.

The authority and responsibility for the implementation and enforcement of these controls rests with the Cat Mountain Homeowners Association through the Environmental Control Committee (ECC). This committee derives its authority from the Declaration of Covenants, Conditions, and Restrictions which were placed on file by the developer at the time this planned unit development was created,

The committee may establish rules for the submittal and processing of plans such as a written application, multiple copies of drawings, reasonable fees, samples of materials to be used, etc.

The Board of Directors has appointed the members of the committee and the address of the committee shall be the address of the principle office of the Association, 6007 Mount Bonnell Road, Austin, Texas 78731.

The Association may move this meeting place within the confines of Travis County at its discretion.

In the event of a conflict between this document and the Declarations, the Declarations shall prevail.

### **I. CONSTRUCTION WHICH MUST BE REVIEWED BY THE COMMITTEE**

- A. All construction affecting the exterior of the house and/or lot which include, but is not limited to, initial construction of the house, and accessory building(s), garage, fence, retaining wall, mailbox, steps, awnings, trellises, decks, pools, recreational apparatus, antennas, etc.
- B. Installation of hard surfaces and/or grading of the lot which will affect existing drainage.
- C. Remodeling of existing structures which will change their original appearance as approved.

### **II. SUBMITTAL PROCEDURE**

- A. Preliminary sketches must be submitted that describe the desired location of the house on the lot, the various living levels, the outside dimensions, the requested ridge line height and location and setbacks.
- B. Affected property owners (generally within 200 feet) will be mailed a notice of the pending construction and copies of the sketches will be available for review. The ECC may require installation of ridge line height poles on the lot. Affected property owner comments and those of the applicant will be heard at hearing scheduled before the ECC within a reasonable time. Comments must be submitted in writing in order to be included in the ECC files. This requirement may be waived by the ECC if in its judgment a meeting is not justified to act on the preliminary plans.
- C. The ECC will preliminarily approve, modify, or disapprove the sketches within reasonable time after the hearing(s) is/are complete.

### **FINAL CONSTRUCTION PLANS**

- D. The applicant must submit the following for final approval:
  - 1. Two (2) copies of the plans and specifications.
  - 2. A letter from a registered Engineer, Architect or Survey that states that the structure described in the final plans will meet the approved ridge line heights described in the Preliminary sketches.

## ARCHITECTURAL GUIDELINES AND STANDARDS FOR CONSTRUCTION IN CAT MOUNTAIN VILLAS

3. After completion a similar letter must certify that the ridge line height is in compliance with the approved plans submitted to the ECC.
- B. Final approval must be granted before construction begins.
- F. The final plans must conform to the Preliminary sketches that were approved earlier. The approved ridge line heights and other main features are to be clearly presented on the final plans submitted to the ECC.
- G. Approval of the committee does not imply that the proposed construction meets with city building codes. The committee will not knowingly approve proposed construction which is in violation of the codes.

### III. DEVELOPMENT STANDARDS

- A. Zero Lot line — in instances where the plat does not reflect a building setback on one side of the lot (zero lot line), the committee will require that the structure be built with one side, or wall, on the lot line intended for that purpose.
  1. It is the intent of these criteria to create privacy for the occupants adjacent to the "zero" side of the house. The overall design should accommodate this concept.
  2. The committee will not approve plans which include windows in the wall which are placed on the lot line (zero side).
  3. A fence or wall may be constructed on the balance of the lot line not occupied by the wall of the house. This fence must be compatible with the finish of the house.
  4. The Austin Building Code currently requires that the surfaces of a wall or roof overhang on or over the lot line ("zeroed") must have a one hour fire rating.
- B. The setbacks are noted on the plat. Note that the structure may not extend beyond the rear setback or property line into any common area. However, decks and roofs over decks may be cantilevered five feet into a common area lot or easement. These decks must not be supported outside the property line of the lot.
- C. Fences, walls or hedges exceeding six (6) feet in height will not normally be permitted. The design of the fence or wall must be approved by the committee and the structural supports of the fence, i.e., the "skeleton framing" shall not be exposed to public view. Specifics as to height and location must be approved by the committee prior to construction.
- D. Patios, Sunshades and Gazebos — in general, these structures must complement the architectural features of the house. The design, materials and height will be subject to the approval of the committee.
- E. Garages and Carports — Will be approved at the time the plans for construction are submitted. Additions after construction will require separate set of plans illustrating the method by which the structure will be integrated with the existing dwelling.
- F. Electrical, electrical panels, gas meters, AC units, etc. — These items shall be screened from view and/or painted to match the existing wall or dominant color which surrounds them.
- G. Paved Areas — Walks and driveways which are exposed to the public view shall consist of concrete (trowel finished or exposed aggregate), wood, masonry units or combinations of these.

## ARCHITECTURAL GUIDELINES AND STANDARDS FOR CONSTRUCTION IN CAT MOUNTAIN VILLAS

- H. Mailboxes — Shall be designed to complement the architectural style and color of the house. Mailbox structures shall be subject to the approval of the committee.
- I. In the event that posts or columns are used to support the structure (as sloping sites), the underside of the building and the support must be hidden from view by walls or acceptable covering.
- J. The use of common areas for access to construction sites is prohibited without prior written approval of the Environmental Control Committee.

### IV. BUILDING MATERIALS

The final plan submission must include by illustration and/or printed specifications the following:

- A. Exterior surface shall be wood, masonry, stucco, or combinations of these.
  - 1. Exposed concrete block is unacceptable.
  - 2. Wood trim, siding and beams are to be stained or sealed.
  - 3. Shingle siding may be weathered.
- B. Exposed sheet metal:
  - 1. Gutters and downspouts shall be painted to match or blend with the colors on the house. Gutters will be required on any roof overhang which extends past the property line.
  - 2. All flashing such as at the chimney or sidewall and all metal caging at the eave line shall be painted an appropriate color to blend with the predominant color surrounding the flashing.
- C. Roofing material preferred are wood and clay or concrete tile. Metal roofs may be used on certain architectural design only if painted. Built up roofs will be permitted on flat surfaces only. These following types of composition shingles are permitted: (1) Elk Prestique, (2) Flintkote Firehalt I, (3) GAF Timberline. All of the above shall be equivalent to 300 lb. shingle or like quality or better. Roof pitch shall be a minimum of 4 in 12 or flat.
- D. Walls and Fences — shall be of wood, slump block, stucco, wrought iron, plexiglass panels or a continuation of the use of the same materials used on the dwelling. All fence or wall details are subject to committee approval including the colors used. Any other materials which are desired must receive a specific exception to the above by the committee.
- E. Patio structures, sunshades, trellises, gazebos and sun decks shall utilize wood as the primary material and shall follow the architectural detailing of the house. Roofing materials shall match the materials used on the house. Any exception from this material specification shall require an exception from the committee.
- F. Venting of plumbing, heating equipment or kitchen hoods shall be directed to the rear behind the ridge line, except in cases of conflict with city requirements. All such vents must be painted to match the color of the shingles as closely as possible.
- G. Antenna for the reception of electromagnetic wave radiation shall be located inside the dwelling. Any deviation from this requirement must be granted by the committee.
- H. Trash containers — must be screened from public streets and adjacent properties.

## **ARCHITECTURAL GUIDELINES AND STANDARDS FOR CONSTRUCTION IN CAT MOUNTAIN VILLAS**

- I. Drainage — It is the responsibility of each lot owner to provide for drainage from his lot so as not to create large amounts of water runoff across the lots adjacent to his.

### **V. LANDSCAPING**

It is mandatory that the front of each home shall be landscaped within six months of completion.

### **VI. CONDITIONS OF APPROVAL**

Approval of the submitted plans shall be subject to the following conditions:

- A. Construction operations on the exterior shall be confined to reasonable daylight hours. Excessive noise from interior or exterior construction is not permitted on Sundays or at night.
- B. All debris from construction shall be properly disposed off promptly. Excessive materials shall be kept in a neat and orderly condition. Trash shall be removed as needed, preferably prior to weekends.
- C. If signs are posted by the builders and/or realtors, the sign must be clean and freshly painted and properly maintained. See Article VII, Section 18 of the Declaration of Covenants, Conditions and Restrictions for the Cat Mountain Homeowners Association for other requirements.
- D. If the design is changed from the plan, the committee is to be notified with a plan of the revision.

### **VII. AMENDMENT PROCEDURE**

These standards may be revised by the Board of Directors subject to the approval of a majority vote of the homeowners attending, or represented by proxy, a duly constituted meeting complying with quorum requirements under Article VI of the Bylaws.

### **VIII. GENERAL**

The Committee shall have the right to permit any owner without consent of other owners to deviate from these standards; provided such deviation is necessary in order to carry out the general purpose of Article XI of the Declaration of Covenants, Conditions and Restrictions and it is approved by the Board of Directors.

This revised edition of the Architectural Guidelines and Standards for Construction in Cat Mountain Villas Subdivision was approved by the Board of Directors and the Cat Mountain Homeowners Association, Inc. on February 21, 1990.

CERTAIN DEDICATORY INSTRUMENTS OF THE  
CAT MOUNTAIN HOMEOWNERS ASSOCIATION, INC.

Attachment B



# CAT MOUNTAIN HOMEOWNERS ASSOCIATION INC.

## CERTAIN FEES AND CHARGES

### Homeowner Monthly Maintenance Assessment

The monthly maintenance assessment established pursuant to the Declaration of Covenants, Conditions and Restrictions is forty-five dollars (\$45.00) per month.

### Fees Charged for the Resale Certificate and Homeowners Packet

The Cat Mountain Homeowners Association imposes fees in connection with certain documents which are provided when a lot within the Association is sold. The Association has the authority to do so based on Texas Property Code Section 207.003(c), which states: "A property owners' association may charge a reasonable fee to assemble, copy, and deliver the information required by this section and may charge a reasonable fee to prepare and deliver an update to a resale certificate."

The Association's Manager prepares the following materials, which are included in the documentation for the sale of a lot:

- A Homeowner Packet, which includes Association documents (Covenants, Conditions, and Restrictions; Bylaws; Architectural Guidelines and Standards; Collection Policy; Joinders; Articles of Incorporation; and Articles of Amendment.
- A waiver letter regarding the Association's right of first refusal and Resale Certificate. This letter includes information about the homeowner maintenance assessment and also advises the title agent to collect the Resale Certificate Fee and Homeowner Packet Fee.
- As necessary, additional information about property liens, etc. may also be included.

### Homeowner Packet

A one hundred and twenty-five dollar (\$125.00) fee is charged for the documents comprising the Homeowner Packet and is included as a closing cost on the buyer's closing statement.

### Resale Certificate

A one hundred dollar (\$100.00) is charged for the Resale Certificate and is included as a closing cost on the seller's closing statement.

### **Key Deposit**

The Cat Mountain Homeowners Association imposes a deposit fee for the key provided for: (a) access to the swimming pool and (b) access to the tennis court. The deposit fee is ten dollars (\$10.00) per key. A separate deposit fee applies to the swimming pool key, and a separate deposit applies to the tennis court key.

**Treatment of deposit upon the sale of a lot:** Upon the sale of a lot, the deposit for a key will be returned to the selling homeowner if the selling homeowner returns the key to the Association.

### **Architect Review**

The Cat Mountain Homeowners Association imposes a fee for the review by the Association's architect of the final plans for the construction of a house on a lot. The Architect fee is seventy-five dollars (\$75.00) and reimburses the Association for the amount charged by the Association's architect to review the final plans for the construction of a house.

CERTAIN DEDICATORY INSTRUMENTS OF THE  
CAT MOUNTAIN HOMEOWNERS ASSOCIATION, INC.

Attachment C

Unofficial Document

## CAT MTN CLUBHOUSE USE AGREEMENT

CMHOA homeowners in good standing are permitted rental and use of our clubhouse

### RESERVATIONS:

312-451-3884 or email [cmhoa@sbcglobal.net](mailto:cmhoa@sbcglobal.net)

Date: \_\_\_\_\_ Day: \_\_\_\_\_ Time: \_\_\_\_\_

Homeowner: \_\_\_\_\_ Signature: \_\_\_\_\_

The above acknowledges reading this agreement and agrees to comply in all respects.

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Deposit **\$200.00** (refundable) and pay **\$100.00** use fee to reserve rental date and key will be provided.

Clubhouse and facilities must be returned to their original condition by \_\_\_\_\_ the next day.

**Return key to the Manager by 1:00 p.m. the following day**

1. Music shall not be played or performed so as to be heard by our homeowners. The doors shall remain closed while music is being played or performed.

2. All functions shall end on or before midnight.

3. Use is limited to homeowners in good standing.

4. Smoking is not permitted inside the clubhouse at any time.

5. The maximum number of people at any activity is 50 people (City Fire Code).

6. The homeowner reserving the clubhouse must host the activity and be present and personally be responsible at all times. The homeowner using the clubhouse must remain on the premises following the conclusion of the event until all attendees have departed and ensure that the clubhouse is safely secured (with all doors and windows locked before leaving the clubhouse).

7. The homeowner reserving the clubhouse is responsible for returning the premise to its original condition and agrees to do the following after use:

- a. Remove all trash and dispose of same at the member's residence.
- b. Clean refrigerator, bathrooms, microwave oven, and table tops.
- c. Vacuum carpet areas and mop floor.
- d. Remove all food and drinks.
- e. Turn off all lights, AC and lock all windows and doors.

## CAT MTN CLUBHOUSE USE AGREEMENT

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8. The clubhouse may not be used for regularly scheduled meetings unless they involve a majority of Association members.
9. Persons under eighteen years of age are prohibited from using the clubhouse unless one adult for every 10 minors is present at all times.
10. The clubhouse shall not be used for profit making activities.
11. It is the renter's responsibility to inspect and report any existing damage before use.
12. Renting the clubhouse allows pool usage, but residence usage continues.
13. The Clubhouse area, including the deck, the walkways, the parking area, and the playscape, are a no smoking area. No smoking or any tobacco product allowed.

**DAMAGE** If damage occurs, the deposit shall be applied to the amount of damage incurred and/or forfeited. If the deposit is not sufficient to cover all damages, then the member will immediately pay additional amount or be subject to Board or legal action. Otherwise, all or part of the deposit will be refunded, provided that all other rules and regulations have been followed.

CERTAIN DEDICATORY INSTRUMENTS OF THE  
CAT MOUNTAIN HOMEOWNERS ASSOCIATION, INC.

Attachment D

CAT MOUNTAIN HOMEOWNERS ASSOCIATION, INC.

**SWIMMING POOL RULES**

HOURS: 5:00 A.M. – 12: 00 P.M.

**NO LIFEGUARD ON DUTY**

1. Swim at own risk.
2. Never swim alone.
3. Children under 14 years must be accompanied by parent or guardian when no life guard is present (required by Texas State Law).
4. No running.
5. No glass containers.
6. No pets in pool or in pool enclosure.
7. Wear proper swimming attire.
8. Take all trash/litters with you.
9. Guest must be accompanied by member at all times.
10. No loud music.
11. Keep gates locked at all times.
12. No smoking or any tobacco product allowed. The clubhouse area, including the pool is a **NO SMOKING AREA.**

CERTAIN DEDICATORY INSTRUMENTS OF THE  
CAT MOUNTAIN HOMEOWNERS ASSOCIATION, INC.

Attachment E

Unofficial Document



**CAT MOUNTAIN HOMEOWNERS ASSOCIATION, INC.**

**TENNIS COURT RULES**

1. **PLAY AT YOUR OWN RISK.**
  2. **USE PLASTIC GUARDS ON WIRE RACKETS.**
  3. **NO BLACK SHOED SHOES.**
  4. **NO GLASS CONTAINERS.**
  5. **NOT PETS IN COURT AREA.**
  6. **DEPOSIT ALL LITTER IN TRASH CONTAINERS.**
  7. **GUESTS MUST BE ACCOMPANIED BY A MEMBER AT ALL TIMES.**
  8. **KEEP GATES CLOSE AT ALL TIMES.**
- **SIGN UP SHEETS IS LOCATED AT THE CLUBHOUSE OUTSIDE BY THE OFFICE.**

**TIME ALLOWANCE: Singles.....1 hour**

**Doubles.....1 hour & 30 minutes (1.5 hrs)**

**FORFEITURE: 15 MINUTES AFTER PERIOD STARTS IF NO SHOW**

**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS

*Dana DeBeauvoir*

Dec 27, 2011 08:27 AM

MITCHELLM: \$80.00

2011188490

Dana DeBeauvoir, County Clerk

Travis County TEXAS