

HIGH MEADOW ESTATES PROPERTY OWNERS ASSOCIATION, INC.
BUILDER APPROVAL GUIDELINES

STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

WHEREAS, High Meadow Estates Property Owners Association, Inc. (the “Association”), a Texas nonprofit corporation, is the governing entity for High Meadow Estates, Sections 1, 1A, 2, 2A, 3, 4, 5, 7, 9, 10 and 11 additions in Montgomery County, Texas, according to the maps or plats thereof, recorded in the Map Records of Montgomery County, Texas, under Clerk’s File Nos. 2009019987, 2021012191, 2012033936, 2018023454, 2013118476, 2014125457, 2021039686, 2019085520, 2021104611, 2022084466 and 2022047989, respectively, along with any amendments, replats and supplements thereto, and the property described in Clerk’s File Nos. 2008106439 (Section 6), 2017022187 (Section 6A), and 2015113290 (Section 50), and any additional real property made subject to the jurisdiction of the Association now and in the future (the “Subdivision”); and

WHEREAS, Section 5.04E of the Declaration of Covenants, Conditions and Restrictions governing the Subdivision, provides that the Association has the option to establish additional guidelines for a builder approval and has the right to approve or disapprove builders; and

WHEREAS, in order to ensure the quality and professionalism of builders constructing homes in the Subdivision and to minimize noncompliance with Association dedicatory instruments throughout the construction process, the Board of Directors deems it necessary and desirable to adopt uniform guidelines for approval and disapproval of such builders; and

WHEREAS, this Dedicatory Instrument represents Restrictive Covenants as those terms are defined by Texas Property Code §202.001, et seq., and the Association shall have and may exercise discretionary authority with respect to these Restrictive Covenants; and

WHEREAS, the Association, through its Board of Directors, is authorized to amend these Guidelines from time to time as it determines, by a written instrument filed in the Real Property Records of Montgomery County, Texas;

NOW THEREFORE, pursuant to the foregoing and as evidenced by the Certification hereto, the Association hereby adopts, establishes and imposes upon the Subdivision, the following BUILDER APPROVAL GUIDELINES, as follows:

- I. Before an application may be submitted for construction of a new home, and before construction of a new home may commence on any Homesite or Lot in the Subdivision, the Builder performing the construction must first be approved in writing by the Association through its Board of Directors. In order to be approved the Builder must meet the following standards:

A. New Builders:

1. The builder must show proof, in such form satisfactory to HME, of completing a minimum of 3 CUSTOM homes in the previous 2 years, all completed under the Builder's name.
2. Such completed homes must have a minimum value of 80% of the median home value in High Meadow Estates (HME).
3. The builder must show proof that they were the builder for such completed homes, and not a subcontractor or project superintendent on the completed homes.
4. The builder must be a member of a recognized home builder association.
5. The builder must show proof of adequate liability and workers compensation insurance.
6. New builders will be subject to the *Disqualification Criteria* shown below.

B. Builders with previous experience building homes in High Meadow Estates

1. The builder must not have a past history of recurring infractions and/or disregarding HME Covenants, Conditions and Restrictions (CCR's), Building Guidelines and New Home or Improvement Applications.
2. The builder can be disqualified by a vote of the HME Architectural Control Committee (ACC) based on the *Disqualification Criteria* below.
 - a. The builder may appeal a disqualification by requesting a hearing with the HME Board of Directors. The Board of Directors decision is final.

C. High Meadow Estates Builder Disqualification Criteria (including, but not limited to):

1. Recurring noncompliance with or disregard of High Meadow Estates CCR's, Building Guidelines and New Home and/or Improvement Applications:
 - a. Builders must not commit more than two (2) major infractions of the HME CCR's and Building Guidelines at a single building site. A major infraction is defined as having a fine of \$1000 or more.
 - b. Builders must not commit more than three (3) minor infractions to the HME CCR's and Building Guidelines at a single building site. A minor infraction is defined as having a fine of less than \$1000.

- c. Any combination of major and minor infractions of the HME CCR's and Building Guidelines at a single or multiple building site(s) can be cause for disqualification by the ACC.
- 2. Failure to adhere to the HME Minimum Standards for Landscaping prior to and during construction.
- 3. Continued disregard of permitted building times and dates.
- 4. Noticeable pattern of builder performance found to be unsatisfactory (leaving jobs incomplete, landscaping not consistent with the approved landscape plan, visible utilities).
- 5. Theft from, or damage to, other properties.
- 6. Theft of utilities.
- 7. Unauthorized access across adjacent properties.
- 8. Failure to pay fines assessed against the builder in accordance with the approved fine schedule.

CERTIFICATION

“I, the undersigned, being a Director of the Association, hereby certify that the foregoing Builder Approval Guidelines was adopted by at least a majority of the Association Directors at a properly noticed open meeting of the Directors, at which a quorum of the Board was present.”

By: _____

Print Name: _____

Title: _____

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BEFORE ME, the undersigned authority, on this ____ day of _____, 2024, personally appeared _____, a Director of High Meadow Estates Property Owners Association, Inc., and being the person whose name is subscribed to the foregoing instrument and acknowledged to me that they signed it with the authority and for the purposes expressed therein.

 Notary Public, State of Texas

E-FILED FOR RECORD

09/30/2024 03:13PM



L. Brandon Steinmann

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.

09/30/2024



L. Brandon Steinmann

County Clerk,
Montgomery County, Texas