



The Homestead
@ Turtle Creek

ACC
GUIDELINES

***The Homestead @ Turtle Creek* 21-06588**

ARCHITECTURAL REGULATIONS & GUIDELINES

The Homeowners' Association: Homestead @ Turtle Creek Homeowners' Association, a Texas nonprofit corporation established by the certificate of formation filed with the Secretary of State of Texas on May 9, 1996, under file number 139955401.

Homeowners' Association Address: c/o Kerr Business Services, P.O. Box 290991, Kerrville, Texas 78029

Authorization: The Declaration of Covenants, Conditions and Restrictions for The Homestead @ Turtle Creek, recorded in the Real Property Records of Kerr County, Texas, as amended, specifies in Section 4.3 that no building, fence or other structure or improvement shall be erected, placed or altered in the Subdivision until the plans and specifications have been approved in writing by the Architectural Control Committee [ACC]. These plans and specifications shall conform to the most current Board-approved Architectural Regulations & Guidelines; Notice To Owners & Contractors; Reminders & Recommendations; ACC Plan Checklist & Report; and Pre- Construction Agreement filed with the Kerr County Clerk, and shall among other things, include exterior elevations and exterior colors and all exterior materials for such building, fence or other structure, and showing the location of such building, fence or other structure. In approving any structure or improvement, the ACC shall consider the quality of workmanship, materials, and conformity and harmony of exterior design with existing structures in the Subdivision, as well as the location with respect to topography, existing trees and finished elevation.

The following pre-construction documents must be submitted to the ACC for approval BEFORE COMMENCEMENT OF CONSTRUCTION of any improvement in the Subdivision.

1. **Two complete sets of plans and specifications shall be submitted to the ACC for review.** One set will be returned to the Owner at the conclusion of the ACC review. One set shall be kept on record by the HOA.

Scaled site plans (1"=20'), shall include all the following applicable to the Lot and proposed project:

- A. Building setbacks
- B. Location of all existing & proposed structures on Property
- C. Location of all driveways, sidewalks and ramps
- D. Drainage plan and berm location
- E. Septic system locations
- F. Location of underground electrical, water and telephone lines from the street to the house, and to any outbuildings
- G. Fences [including cross-sections of fence construction]
- H. Location of trees on the Lot [including those identified for removal if any]
- I. Private water well location [if present]
- J. Propane tank location [if present]
- K. Location of swimming pool [if present]

2. **Engineered foundation plan** designed and signed by a Professional Engineer licensed to practice in the State of Texas. (Showing all materials and details of the finished foundation.)

3. **Architectural/structural plans** which include the following:

- A. Floor plans all levels
- B. Exterior elevations - all views
- C. Roof plan if not shown clearly in elevations

4. **Guide specifications** which include the following:

- A. Material list [Listing of type and description of material to be used in the construction]
- B. Windows and doors
- C. Thickness of all slabs, driveways and walkways including specifications and detail on material, reinforcement, and layout
- D. Roofing material, including color selection
- E. HVAC- show location of the HV AC compressor and blower units
- F. Exterior -- describe siding, stone veneer, stucco, etc. - including colors

5. **Signed Pre-Construction Agreement** by the Owner and the Contractor and receipt of a \$1,750.00 damage deposit check as required by the ACC when the project includes the use of heavy equipment and/or deliveries. Make the check payable to: The Homestead@ Turtle Creek HOA.

NOTICE TO OWNERS & CONTRACTORS

Governing Procedures for Lot Improvements:

Prior to beginning the construction of any improvements in the Homestead @ Turtle Creek, Lot Owners are required to first receive approval from the Architectural Control Committee [ACC]. The ACC's charge and procedures may be found in Article 4 of the DECLARATION of COVENANTS, CONDITIONS and RESTRICTIONS for THE HOMESTEAD @ TURTLE CREEK [hereafter referred to as DECLARATION]. Summarized, the Architectural Control Committee has the responsibility and authority to gather information, and has the power to construe and interpret any Covenant, Condition or Restriction specifically in reference to the construction of structures and/or improvements in the Subdivision.

Specifically, no building, fence or other structure or improvement shall be erected, placed or altered on any Lot in the Subdivision until the plans and specifications have been approved in writing by the ACC. Owners are encouraged to contact members of the Board or the ACC to obtain copies of the ARCHITECTURAL REGULATIONS & GUIDELINES, NOTICE TO OWNERS and BUILDERS, REMINDERS & RECOMMENDATIONS, and THE PRE-CONSTRUCTION AGREEMENT. Owners will find the DECLARATION and these documents helpful in the preparation and submittal of plans prior to starting a project. Article 5 of the DECLARATION, LAND USE REGULATIONS, should be reviewed as the plans are developed to ensure compliance. Members should plan ahead to provide adequate time for the ACC to complete the review process.

The ACC is guided by the DECLARATION in approving any proposed structure or improvement, and by the details provided in the plans submitted, the conformity and harmony of exterior design with existing structures in the Subdivision; as well as the location with respect to topography, existing trees and finished elevation. Within thirty (30) days after the Owner has submitted all improvement requirements, the ACC shall notify the Owner in writing whether the submitted plans are approved or disapproved.

- ACC approval of the plans and specifications as submitted, is binding and plans shall not be modified or changed without ACC approval. Proposed changes in the plans and/or specifications that impact the location on the Lot, the elevation, size, shape, exterior appearance and materials used shall be re-submitted to the ACC for review. Failure to obtain approval of said changes may result in the withdrawal of all ACC approvals, and the initiation of legal action. In the event of non-compliance, the ACC shall have the power to halt all work on the project, until such time as the ACC determines the project has been brought into compliance.
- All appropriate Texas statutes, regulations, codes, etc., shall be complied with. It is the Owner's responsibility to work with their contractor to ensure the project is in compliance with the applicable codes. The ACC is not responsible for code compliance. Owners who are unfamiliar with construction are encouraged to have plans and inspections done by a qualified third party to ensure compliance as required.
- Vehicles servicing any Homestead construction site shall comply with the following regulations/restrictions when using the private roads of the Homestead subdivision, unless prior special approval is given by the ACC in writing for an exception:
 - The GROSS VEHICLE WEIGHT [GVW] of any vehicle in question shall not exceed 60,000 pounds.
 - Semi-trucks hauling construction material or equipment require 1) prior ACC approval, and 2) a guide through the subdivision to ensure long trailers stay on the roadway when making tight turns.
 - Single body trucks, such as dump trucks, shall have no more than tandem axles in the rear. Triple and quad rear axle single body trucks are not allowed on the subdivision roads.
- Building materials may not be stored in the common areas or on rights of way.
- All driveways and sidewalks will be paved with all-weather material, such as concrete or an asphalt/stone mix.
- The exterior construction, including painting, must be completed within six months from the beginning of construction.
- Building set-backs for the primary residence are: Front= 75' [seventy-five feet]; Back= 50' [fifty feet]; and Sides= 20' [twenty feet].
- Non-residential buildings cannot be constructed in front of the residence, or closer than 80' [eighty feet] from the front, 30' [twenty feet] from the sides and 30' [thirty feet] from the back Lot lines.

Additional rules and regulations can be found in the Declaration under ARTICLE 5.

REMINDERS & RECOMMENDATIONS

- It is understood and accepted by all Owners requesting approval on improvements, that the ACC may make site visits to review the construction progress and to ensure compliance with the governing documents and approved plans. No such site visit or inspection shall be considered a trespass; rather an obligation of the HOA & ACC. It is the duty of the Owner to notify the ACC when progress is ready for review as defined below.
- Required site visits for structural improvements are as follows:
 - First Site Visit: The ACC shall verify that the Property boundary survey markers are in place and the locations of all proposed improvements have been marked out to ensure compliance with the required setbacks and that the foundation is laid out in accordance with the approved plan.
 - Second Site Visit: The ACC shall determine that foundation excavations are as indicated in the first site visit.
 - Third Site Visit: Prior to calling for final building inspection, the Lot Owner shall request the third and final inspection by the ACC. The ACC shall ensure that the final construction is in conformance with the original improvement plan as submitted and approved.

NOTE: Site visits conducted by the ACC shall not be construed as confirmation of compliance with required codes and regulations governing construction.

- Have a plan to control TRASH on the site during construction.
- Keep all building materials stored in a neat, clean and orderly condition.
- All materials must be new as approved by the ACC.
- Fifty percent of exterior walls and all the first story of a two-story building must be masonry.
- Roofs shall be installed at a minimum 6 in 12 pitch. Composition shingle roofs shall utilize dimensional shingles with a minimum weight of 240 pounds per 100 square feet. Metal roofing shall be a standing seam design utilizing concealed fasteners and a minimum of 26-gauge material, including any factory applied coatings and anti-corrosion processes. All roofing systems shall be in a color approved by the ACC and shall carry a minimum manufacturer's warranty of 25 years.
- All fences are subject to approval by the ACC and must be constructed of new materials and/or re-purposed materials in good condition and commonly used in fence construction. Fences must be attractively designed and in keeping with styles commonly found in residential and rural residential settings. Residents should be guided by fences currently installed in the neighborhood. Fence materials must be mechanically fastened or welded. Tying materials using wire is not permitted. Maximum fence height may not exceed 8' [eight feet]. The following fence types are specifically not permitted in the Homestead: metal fences utilizing vertical steel "T" posts, or metal post/rails less than 16-gauge wall thickness; any wire fencing less than welded 4 gauge; agricultural fences such as barbed wire fencing, temporary corral type fencing; and chain link fencing (also known as hurricane fencing, cyclone fencing or diamond fabric fence).
- Residents, especially those who may be considering pools, are encouraged to consult with their insurance providers to ensure the fence type considered is acceptable for the purpose and meets insurance requirements.
- Modifications made to existing fences must be designed to blend well with the existing fence and must be approved by the ACC.
- Animal shelters must be at least 75' from sides or back Lot lines and must be behind the residence.
- Propane [Liquefied Petroleum Gas] tanks should be located in the least visible location from the street and in compliance with NFPA [National Fire Protection Association] residential container distance requirements by a certified propane professional.
- No sub-contractor signs are allowed. Worker parking shall be provided on the Lot. Street parking and/or parking on the shoulder is prohibited.
- All Lots must be maintained and kept in a neat and clean condition.
- A chemical toilet must be provided and maintained for all workers during the construction period.
- *The weight limit on the roads in the Homestead at Turtle Creek is 60,000 lbs. For concrete, this is typically 7 yards. Accordingly, a 10-yard truck would need to be loaded at a reduced capacity and a third axle, if present, would need to be hydraulically lifted when operating within the subdivision.*

Please contact a member of the ACC or Board if you have questions. Thanks for observing all of the above.

ACC Plan Checklist & Report

THE HOMESTEAD @ Turtle Creek

To: The Homestead Home Owners' Association
The Owner(s) submitting plans

Date _____

From: The Homestead Architectural Control Committee

Re: Review of Plans and Specifications for Lot # _____

Owner Name(s): _____

Contact Phone # _____

Builder Name: _____

Contact Phone # _____

Date All Plans Submitted: _____

Date Damage Deposit Check received [if required] _____

The ACC has received and reviewed the necessary plans and specifications for the proposed Lot improvement.

- | | | | |
|--|--|---|---|
| <input type="checkbox"/> Plot Plan | <input type="checkbox"/> Guide Specs | <input type="checkbox"/> Exterior Materials | <input type="checkbox"/> Septic Plan |
| <input type="checkbox"/> Set Back Lines | <input type="checkbox"/> Exterior Elevations | <input type="checkbox"/> Ext Wall Material | <input type="checkbox"/> Out Buildings |
| <input type="checkbox"/> Building Location | <input type="checkbox"/> Building Height | <input type="checkbox"/> Roof Materials | <input type="checkbox"/> Construction Storage |
| <input type="checkbox"/> Foundation Plan | <input type="checkbox"/> Square Footage | <input type="checkbox"/> Fence Specs | <input type="checkbox"/> Trash Containment |
| <input type="checkbox"/> Drainage Plan | <input type="checkbox"/> Exterior Colors | <input type="checkbox"/> Fence Materials | <input type="checkbox"/> Other |

The decision of the ACC on the proposed improvement is as follows:

APPROVED-

Special comments to Owner and Builder:

DENIED-

Reason(s) for denial:

Signatures of ACC members:

_____ Date _____

_____ Date _____

_____ Date _____

PRE-CONSTRUCTION AGREEMENT

In addition to the rules and regulations set forth in the Declaration, the following defines a binding agreement made between the Owner, the Contractor, and the Architectural Control Committee (ACC) and the Homeowners' Association – the Homestead @ Turtle Creek. This agreement is designed to minimize inconvenience to the residents, to provide specific guidance to the General Contractor and his sub-contractors while working in the subdivision, to alleviate problems for vendors delivering materials, supplies and equipment to the construction site, and to provide for financial restitution should damage to property occur as a result of the construction project.

Please read each item listed and affix the appropriate signatures below, thereby allowing construction to commence without delay.

The following requirements must be met before any construction commences:

1. Plans approved and signed by the ACC.
2. A damage deposit of one thousand dollars (\$1,750.00) shall be delivered to the Architectural Control Committee (ACC) by the Lot Owner if required by the ACC. The check shall be made payable to: The Homestead @ Turtle Creek. The funds will be held by the Homestead Homeowners' Association until the completion of the project, and returned when the ACC verifies no damage was done to property or the roadway by the Lot Owner or the Lot Owner's contractors.

Additionally, the following requirements must be observed during construction:

1. **LOT ACCESS:** An entrance to undeveloped Lots from the Homestead roadway (roadway) to the construction site must be completed with a culvert (if required for proper water drainage). Base material from the roadway to the construction site must be laid and compacted before construction begins. Existing driveways on developed Lots may be used as an entrance for lighter vehicles at the discretion of the Lot Owner.
2. **PARKING:** All vehicles and workmen (contractor, sub-contractors and employees) must enter the construction site on the roadway provided and must park their vehicles on the site and inside the Lot boundary. No vehicles may be parked in the Homestead roadway, in the ditches along the roadway or on adjacent Properties. Driving on adjacent Property is not allowed for any reason without written permission from that Owner.
3. **DELIVERIES:** Deliveries of building materials and equipment to the construction site must enter the site on the entrance provided. All delivered materials and equipment shall be unloaded within the construction Lot perimeter and not on the Homestead roadway. The Lot Owner or the general contractor must stake and tape (flag) the perimeter of the Lot/s to protect the Homestead roadway and adjacent properties during the construction period.
4. **HEAVY EQUIPMENT:** Lot Owners and their contractors shall inform suppliers of material and equipment to have their delivery drivers use the center of the Homestead roadways, rather than driving heavy loads/equipment on the roadway shoulders or in the ditches. Concrete trucks and other heavy units may not park on the shoulders of the roadway or in the ditches while waiting to deliver their loads. Concrete trucks must perform their post-delivery cleaning either on the construction Lot or off site. Postdelivery cleaning is not allowed on Homestead roadway shoulders, ditches or adjacent Lots. Owners and Contractors are responsible for communicating and enforcing the weight and axle limitations defined in the "NOTICE TO OWNERS & CONTRACTORS" to all participants in the construction project.

5. **SUBDIVISION ROADS:** The Homestead entrance and all roadways within the subdivision are private roads; designed and built for residential traffic; owned and maintained by the Homestead Home Owners Association; and as such are restricted in their use from heavy loads and large truck traffic.

6. **DAMAGE:** Any damage to the Homestead roadway system, roadway shoulders, adjacent Property or other Homestead Property occurring during the project construction period shall be the sole responsibility of the Lot Owner identified below. When heavy equipment is involved with the project construction, a \$1,750.00 dollar damage deposit shall be required prior to the start of construction. The ACC shall determine the necessity for collecting a damage deposit at the time the plans are reviewed. Should damage occur, the ACC shall make repairs to the affected Property and shall charge the cost thereof against the damage deposit. To the extent the repair costs exceed the damage deposit, Lot Owner shall pay the balance upon written demand, accompanied by an invoice for the repair costs, by the ACC. Failure to pay these charges will result in a lien being filed against the Lot Owner's property. The ACC reserves the right to select the company which will repair the damage.

7. **FINAL:** After completion of construction, including any major landscaping, the Lot Owner shall notify the ACC in writing that the project has been completed. Within ten (10) days after the ACC has received written notice, an inspection committee shall inspect the roadway system, ditches, adjacent property and any other portion of the Homestead property which may have been adversely affected during the construction. If no damage is noted by the inspection committee, the damage deposit shall be promptly returned to the Lot Owner.

The Lot Owner and Contractor accept responsibility for the above stated requirements, regulations & guidelines, and agree to the implementation of said requirements as evidenced by the signatures below:

Lot Owner	Date	Lot #
Contractor	Date	
Witnessed:		
ACC Member	Date	
ACC Member	Date	
ACC Member	Date	

I, Madge Wood, President of THE HOMESTEAD @ TURTLE CREEK HOMEOWNERS' ASSOCIATION, do hereby certify that this is a true and correct copy of the Architectural Regulations & Guidelines, Notice to Owners and Contractors, Reminders & Recommendations, ACC Plan Checklist & Report and Pre-Construction Agreement, all of which was adopted by the Homestead @ Turtle Creek Board of Directors on July 26 2021.

SIGNED this 27 day of July, 2021.

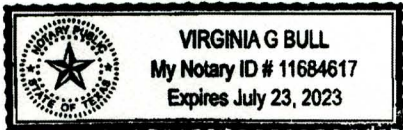
THE HOMESTEAD @ TURTLE CREEK HOMEOWNERS' ASSOCIATION

By: Madge Wood
Madge Wood, President

State of Texas County of Kerr

This instrument was acknowledged before me on the 27 of July 2021 by Madge Wood

Virginia G Bull
Notary Public



Filed by & Returned to:
Homestead at Turtle
Creek HOA
713 Saddle Club Dr. Kerrville
TX 78603



FILED AND RECORDED
At 10:52'clock A M
STATE OF TEXAS
COUNTY OF KERR

July 27, 2021
I hereby certify that this instrument was filed in the numbered sequence on the date and time stamped above by me and was duly recorded in the Official Public Records of Kerr County Texas.
Jackie Dowdy County Clerk
Carole Kadey Deputy

Official Receipt (Original) Printed on 07/27/2021 at 11:00 am

Jackie Dowdy
Kerr County Clerk
700 Main St., Rm 122
Kerrville, TX 78028



Receipt Number : 144714
Date Paid : 7/27/2021 11:00:46AM
User: Dianer

Payment No:141068 Paid Amount :50.00
Payment Type:Check Payment Check No :3234

Cost Code	Type	Amount Owed	Amount Paid	Balance Owed
Instrument : Daily Non Cases Fees				
	Inst Type:		Book:	Page:
COURT HOUSE SECURITY	CL	1.00	1.00	0.00
RECORDS ARCHIVAL	CL	10.00	10.00	0.00
RECORDS MANAGEMENT	CL	10.00	10.00	0.00
RECORDING FEE	CL	29.00	29.00	0.00
Totals		50.00	50.00	0.00

Paid By : MADGE WOOD

Payment Remarks : 21-06588 ARCHITECTURAL REG & GUIDELINES

Original Balance : 50.00
Amount Paid : 50.00
Amount Applied : 50.00
Amount Unapplied 0.00