

**TERRAMAR BEACH COMMUNITY IMPROVEMENT  
ASSOCIATION  
SECURITY MEASURES POLICY**

STATE OF TEXAS           §  
COUNTY OF GALVESTON §

WHEREAS, the property encumbered by this Security Measures Policy (the "Policy") is that property restricted by the Declaration of Covenants, Conditions and Restrictions for **TERRAMAR BEACH COMMUNITY IMPROVEMENT ASSOCIATION** recorded in the Official Public Records of Galveston County, Texas, as same has been or may be amended from time to time (the "Declaration"), and any other property which has been or may be annexed thereto and made subject to the authority of the **TERRAMAR BEACH COMMUNITY IMPROVEMENT ASSOCIATION** (the "Association"); and

WHEREAS, pursuant to the Dedicatory Instruments governing the Property, the Association is vested with the authority to adopt policies, rules and/or guidelines; and

WHEREAS, the Board of Directors of the Association (the "Board") has determined that, in order to provide guidance regarding security measures authorized by Texas Code Section 202, 204, and/or 209 (the "Code"), it is appropriate for the Association to adopt a Security Measures Policy for the properties under the jurisdiction of the Association; and

WHEREAS, reference is hereby made to the Declaration for all purposes, and any and all capitalized terms used herein shall have the meanings set forth in the Declaration, unless otherwise specified in this Policy.

NOW THEREFORE, pursuant to the authority granted in the Dedicatory Instruments and Code, the Board hereby adopts this Policy, which shall run with the land and be binding on all Owners and Lots within the Property. The provisions of this Policy are in addition to any other applicable guidelines, rules or policies. In the event of a conflict between the terms of this Policy and any previously adopted guidelines, rules, and/or policies addressing security measures, this Policy will control.

**SECURITY MEASURES**

**1. ACC Application Required.** Before any security measure contemplated by Section 202.023(a) of the Texas Property Code is constructed or otherwise erected on a Lot, an Architectural Control Committee (ACC) application must be submitted to the Association and approved in writing in accordance with the Dedicatory Instruments. The following information must be included with the application:

- a. Type of proposed security measure;
- b. Location of proposed security measure;

- c. General purpose of proposed security measure; and
- d. Proposed design, materials, construction plans, installation details, and/or site plan.

Owners are encouraged to be aware of the following issues when seeking approval for and installing a security measure:

- a. The location of property lines for the Lot. Each Owner should consider obtaining a survey before installing a security measure when applicable;
- b. Easements in the area in which the security measure is to be installed;
- c. Underground utilities in the area in which the security measure is to be installed.

**The Association is not obligated to and will not review an Owner's ACC security measure application for the above-referenced issues (a. thru c. directly above.) Owners should be aware that a security measure may have to be removed if a person or entity with superior rights to the location of a security measure objects to the placement of the security measure.**

**2. Type of Fencing.** The Dedicatory Instruments and Code authorizes the Association to regulate the type of security measure fencing that an Owner may install on a Lot.

- a. The following types of security fencing are approvable:

**Permitted:** Owners have the right to fence their entire lot, provided that such fence shall not be more than five (5) feet maximum height above the lot grade, and shall not obstruct the view of neighboring lot owners, and shall not obstruct the free flow of air and breezes to neighboring lot owners. It is further provided that all fences shall be subject to approval of the Architectural Control Committee by submitting fencing plans in writing to the Committee.

- b. Placement, design, and engineering of all fencing must comply with all state and local regulations. The homeowner is responsible for ensuring compliance with these regulations.

**The ACC has the discretion to approve or decline security fencing materials, designs, and specifications that do not comport with this Policy.**

**3. Burglar Bars and Security Screens.** All color of all burglar bars, security screens, and front door entryway enclosures shall be approved by the ACC. The ACC shall have the

discretion to approve color for burglar bars, security screens and front door entry enclosures if, in the sole and absolute discretion of the ACC (subject to an appeal to the Board in the event of an ACC denial), the proposed color of the burglar bars, security screens, and front door entryway enclosures complements the exterior color of the Dwelling. All burglar bars and front door entry enclosures must be comprised of straight horizontal cross-rails and straight vertical pickets. Decorative elements and embellishments must be detailed when seeking ACC approval.

4. **Location.** A security measure may be installed only on an Owner's Lot, and may not be located on, nor encroach on, another Lot, street right-of-way, Association Common Area, or any other property owned or maintained by the Association. No fence shall be installed in any manner that would prevent someone from accessing property that they have a right to use/access.

5. **Disputes; Disclaimer; Indemnity.** Security measures, including, but not limited to, security cameras and security lights, shall not be permitted to be installed in a manner that the security measure is aimed/directed at an adjacent property which would result in an invasion of privacy, or cause a nuisance to a neighboring Owner or Occupant. **In the event of a dispute between Owners or Occupants regarding security measure fencing, or a dispute between Owners or Occupants regarding the aim or direction of a security camera or security light, the Association shall have no obligation to participate in the resolution of the dispute. The dispute shall be resolved solely by and between the Owners or Occupants.**

EACH OWNER AND OCCUPANT OF A LOT WITHIN THE PROPERTY ACKNOWLEDGES AND UNDERSTANDS THAT THE ASSOCIATION, INCLUDING ITS DIRECTORS, OFFICERS, MANAGERS, AGENTS, EMPLOYEES AND THE ACC, ARE NOT INSURERS AND THAT EACH OWNER AND OCCUPANT OF ANY DWELLING AND/OR LOT THAT HAS A SECURITY MEASURE THAT HAS BEEN OR WILL BE INSTALLED PURSUANT TO THIS POLICY ASSUMES ALL RISKS FOR LOSS OR DAMAGE TO PERSONS, TO DWELLINGS AND IMPROVEMENTS AND TO THE CONTENTS OF DWELLINGS AND IMPROVEMENTS, AND FURTHER ACKNOWLEDGES THAT THE ASSOCIATION, INCLUDING ITS DIRECTORS, OFFICERS, MANAGERS, AGENTS, EMPLOYEES AND THE ACC, HAVE MADE NO REPRESENTATIONS OR WARRANTIES, NOR HAS ANY OWNER OR OCCUPANT RELIED UPON ANY REPRESENTATIONS OR WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE, RELATIVE TO ANY SECURITY MEASURE THAT MAY BE APPROVED BY THE ACC PURSUANT TO THIS POLICY.

OWNERS OF LOTS WITHIN THE PROPERTY HEREBY AGREE TO INDEMNIFY, PROTECT, HOLD HARMLESS, AND DEFEND (ON DEMAND) THE ASSOCIATION, INCLUDING ITS DIRECTORS, OFFICERS, MANAGERS, AGENTS, EMPLOYEES AND COMMITTEE MEMBERS COMPRISING THE ACC (COLLECTIVELY REFERRED TO AS THE "INDEMNIFIED PARTIES") FROM AND AGAINST ALL CLAIMS (INCLUDING, WITHOUT LIMITATION, CLAIMS BROUGHT BY AN OWNER OR OCCUPANT) IF SUCH CLAIMS ARISE OUT OF OR RELATE TO A SECURITY MEASURE GOVERNED BY THIS POLICY. THIS COVENANT TO

**INDEMNIFY, HOLD HARMLESS, AND DEFEND INCLUDES (WITHOUT LIMITATION) CLAIMS CAUSED, OR ALLEGED TO BE CAUSED, IN WHOLE OR IN PART BY THE INDEMNIFIED PARTIES' OWN NEGLIGENCE, REGARDLESS OF WHETHER SUCH NEGLIGENCE IS THE SOLE, JOINT, COMPARATIVE OR CONTRIBUTORY CAUSE OF ANY CLAIM.**

The installation of a security measure that is not in compliance with this Policy will be considered a violation of the Dedicatory Instruments governing the Property.

**CERTIFICATION**

I hereby certify that, as President of the **TERRAMAR BEACH COMMUNITY IMPROVEMENT ASSOCIATION**, the foregoing Security Measures Policy was approved on the 11th day of March, 2023, at a meeting of the Board of Directors at which a quorum was present.

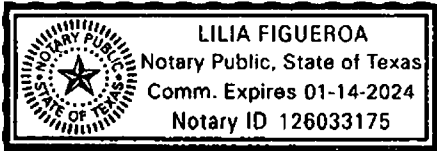
DATED, this the 8th day of May, 2023.

By: [Signature]  
Print Name: Jeff Walden  
Title: President

STATE OF TEXAS §  
COUNTY OF GALVESTON §

BEFORE ME, on this day personally appeared Jeff Walden, the President of **TERRAMAR BEACH COMMUNITY IMPROVEMENT ASSOCIATION**, known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that he executed the same for the purposes herein expressed, in the capacity herein stated, and as the act and deed of said Association.

Given under my hand and seal this the 8th day of May, 2023.



[Signature]  
Notary Public - State of Texas

After Recording, Return To:  
King Property Management  
720 N. Post Oak Rd  
Suite 300  
Houston, TX 77024

## FILED AND RECORDED

Instrument Number: 2023021400

Recording Fee: 38.00

Number Of Pages: 5

Filing and Recording Date: 05/11/2023 11:23AM

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Galveston County, Texas.



*Dwight D. Sullivan*

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Dwight D. Sullivan, County Clerk  
Galveston County, Texas

NOTICE: It is a crime to intentionally or knowingly file a fraudulent court record or instrument with the clerk.

**DO NOT DESTROY** - *Warning, this document is part of the Official Public Record.*