

**RESOLUTION REGARDING ADOPTION OF
SECURITY MEASURES POLICY
THE BAL HARBOUR ASSOCIATION**

WHEREAS, the By-Laws governing The Bal Harbour Association, ("the Association"), as well as the Association's Articles of Incorporation, the respective Declaration of Covenants, Conditions and Restrictions encumbering all properties governed by the Association (the "Declarations") and all amendments and/or supplements thereto, and the Texas Business Organizations Code, authorize the Association, acting through its Board of Directors, to exercise all powers reasonable and necessary for the governance and operation of the Association;

WHEREAS, the Texas Property Code further authorizes the Association to regulate the use, maintenance, repair, replacement, modification, and appearance of the subdivision, and the properties within same;

WHEREAS, the Texas Property Code provides that the Association may exercise other powers necessary and proper for the governance and operation of the Association;

WHEREAS, Chapter 202 of the Texas Property Code was amended to add Sections 202.022 and 202.023, addressing the regulation of Security Measures; and

WHEREAS, the Board of Directors of the Association ("the Board") has determined that in keeping with the new laws, and in connection with maintaining the aesthetics and architectural harmony of the community, and to provide clear and definitive guidance regarding surveillance cameras which are installed on any Lot, and with regard to the construction / installation of fences to be located forward of the front portion of a home on any Lot.

NOW, THEREFORE, BE IT RESOLVED that the attached Security Measures Policy is hereby adopted on behalf of the Association, to become effective upon being recorded in the office of the County Clerk.

Adopted on this 7th day of February, 2022.

THE BAL HARBOUR ASSOCIATION

CERTIFICATION

“The undersigned, being a Director of The Bal Harbour Association, hereby certify that the foregoing Resolution Regarding Adoption of Security Measures Policy was adopted by the Board of Directors of The Bal Harbour Association, at a meeting of such Directors at which a quorum was present, or as otherwise authorized by law.”

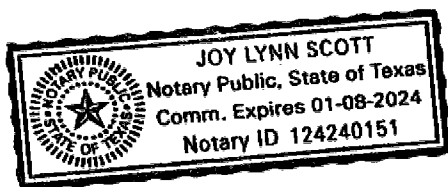
By: Tricia Lotz
Director, The Bal Harbour Association

Print Name: Tricia Lotz

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

Before me, the undersigned authority, on this day personally appeared Tricia Lotz, a Director of The Bal Harbour Association, Inc., a Texas non-profit corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he/she had executed the same as the act of said entity for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 7th day of February, 2022.



[Signature]
Notary Public, State of Texas

RP-2022-70423

**THE BAL HARBOUR ASSOCIATION
SECURITY MEASURES POLICY**

Installation, Placement and Maintenance of Cameras and Motion Detectors

At this time, Architectural Control Committee (“ACC”) approval is not required to install security cameras and/or motion detectors within a home or garage.

Exterior cameras and/or motion detectors should be installed in such a manner, to the extent possible, that such devices do not extend or exceed beyond the trim / eaves of the home. Such items should be either black, white, or metallic in color. In addition, the position of any such camera should, to the extent possible, not invade the privacy of neighbors. In the event that a neighbor should complain to the Board, a revision and/or adjustment of the cameras’ location and angle may be requested. Cameras must be positioned so as to not willfully intrude on another homeowner’s property or privacy without express written consent of that homeowner, nor in any manner which would invade privacy of a neighbor. Cameras shall not be pointed in a direction of any room or space which a neighbor would reasonably expect to be private.

Camera “viewing area” or “scope of coverage” should be restricted to the following portions of a Lot: between the front door of a home and the street curb; the front lawn area; the back door and back lawn areas; rear patio areas; areas where owner / tenant automobiles are parked; areas where air conditioning and/or generators are located; and, garage areas.

The installation of any camera or motion detector on property other than the owner’s private property is prohibited. Cameras and/or motion detectors may be installed on the exterior of private homes only. Such devices shall be mounted flush with the exterior siding / fascia, to the extent possible. Installation of such devices in/on trees, poles, tripods, free-standing poles and/or similar items is not allowed. Property owners are not allowed to install any such device on common area property and/or property which is owned and/or maintained by the Association.

The Association is not involved in regulating, monitoring or otherwise policing an owner’s viewing, keeping, sharing or other use of recorded materials, video footage, still photos and the like. The Association expressly objects to any illegal or improper use of recorded materials. In connection with each application for the approval of installation of one or more exterior cameras, the Association may require an owner to execute an appropriate Release form, to be promulgated by the Association and/or its Board of Directors, inasmuch as the Association is in no way responsible for any use of recorded materials, improper camera placement, nor any invasion of privacy.

Construction / Installation of Perimeter Fences

Fences enclosing the rear portion of a Lot shall comply with existing restrictive covenants, Bylaws, Policies and/or Guidelines adopted by the Association.

Fences which are installed on the front and/or side areas of a Lot, shall be constructed only of wrought iron, with a minimum of four inches (4") between the vertical components, shall not be less than five feet (5') in height, and shall not exceed six feet (6') in height, measured from the surface of the ground to the upper-most portion of such fence. Such fences shall be painted or otherwise coated in a manner whereby the appearance of such fence is black in color, with a matte finish. Other colors and/or high-gloss finish are not permitted. Such fences shall not encroach on any Building Line and/or any Easement which appears on the pertinent subdivision Plat and/or on the Survey of such Lot. Under no circumstances shall such a fence be installed within three feet (3') of any existing sidewalk or boardwalk. No landscaping, hedge, bush, vines, greenery or other vegetation shall be planted adjacent to such fences, in order that visual line-of-sight obstructions may be avoided. Property owners are responsible for obtaining all required permits from local, City and/or County permitting authorities prior to commencement of construction / installation of any fence. Other than those properties which are owned and maintained by the Association, fences shall not be installed in any manner which would enclose common areas and/or common properties.

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Pages 5
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e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
TENESHIA HUDSPETH
COUNTY CLERK
Fees \$30.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



Teneshia Hudspeth
COUNTY CLERK
HARRIS COUNTY, TEXAS

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