

**Ashmore Tyler Homeowners Association, Inc.**

**Architectural Policy Manual**

Adopted by the Ashmore Tyler Homeowners Association, Inc. Board

May 22, 2023

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**ASHMORE TYLER HOMEOWNERS ASSOCIATION, INC.**

**ARCHITECTURAL POLICY MANUAL**

**INTRODUCTION**

Practically every covenant-controlled community has established policies to ensure architectural harmony. Properly implemented, the effective review of all exterior changes can create and preserve the aesthetic quality and property values of the community.

In accordance with Texas Property Code § 209.00505, the Architectural Review Committee is composed of three (3) or more representatives appointed by the Board of Directors. The Architectural Review Committee is granted indemnification by the Amended and Restated Declaration of Protective Covenants for the Ashmore Tyler Homeowners Association, Inc.

The Architectural Review Committee shall function as the representative of the Board of Directors for the purposes herein set-forth as well as for all other purposes consistent with the creation and preservation of a first-class residential community. The Architectural Review Committee is authorized and empowered to consider and review any and all aspects of any exterior changes or improvements, which may, in the reasonable opinion of the Architectural Review Committee, adversely affect the living enjoyment of one or more owners or the general value of the property.

No exterior changes or improvements shall be erected, placed or altered on any lot without the written approval by the Architectural Review Committee.

**I. GOVERNING ARTICLES**

- A. Article V of the Amended and Restated Declaration of Protective Covenants for the Ashmore Tyler Homeowners Association, Inc., provides for the review and approval of Exterior Change Requests for exterior changes to a dwelling or improvements upon a lot. All such requests must be in compliance with the Amended and Restated Declaration of Protective Covenants, as may be amended from time to time, and the Architectural Policy Manual as specified herein. These policies are subject to revision from time-to-time and are not intended to be all inclusive.
- B. Texas Property Code § 202, states that property owners' associations cannot prohibit but can regulate certain changes or improvements.
- C. Exterior Change Requests are reviewed and acted upon by the Architectural Review Committee under the direction of the Ashmore Board of Directors.
- D. An essential element of a successful design review is the recognition by all members of the community that it is a benefit and not a burden.

**II. PURPOSE OF ARCHITECTURAL REVIEW COMMITTEE**

The purpose of the Architectural Review Committee is to carry out the responsibility of the Board of Directors to ensure that no exterior changes shall be made to dwellings, or improvement upon lots, unless they conform to the Amended and Restated Declaration of Protective Covenants and the Architectural Policy Manual, and they:

- A. Ensure harmony of external design materials and location in relation to surrounding buildings, lots and topography within the Ashmore properties.

- B. Protect, conserve and enhance the value and desirability of the properties as a residential community.
- C. Keep the community attractive for the enjoyment of the residents.

### III. **SCOPE OF ARCHITECTURAL REVIEW**

No exterior change or improvements shall be made to any residential dwelling or lot nor shall any fences, walls, structures or improvements be made to a lot after it has been purchased by the homeowner until the plans and/or specifications showing the nature, kind, shape, height, materials and color to be used on the exterior and location of the same, shall have been submitted to and approved in writing by the Architectural Review Committee. Exterior changes include but are not limited to:

- Extensions or additions of rooms
- Installation or extensions of patios or porches
- Installation of back porch enclosures
- Installation of gazebos or pergolas
- Erection of utility sheds
- Replacement of roofs
- Installation of rooftop solar facilities
- Repainting or changing the exterior color, surfaces or materials
- Replacing, resurfacing or painting of driveways, walks, curbs or mailboxes
- Erection or replacement of fences
- Major landscaping or planting or removing of trees
- Installation of drought-resistant landscaping
- Installation of swimming pools or spas
- Installation of standby electric generators

### IV. **ASPECTS AND OBJECTIVES OF ARCHITECTURAL REVIEW**

The Architectural Review Committee evaluates all properly completed Exterior Change Requests on the merits of the individual requests. Design decisions made by the Architectural Review Committee are not based on personal opinion or taste but on the following criteria:

#### A. Conformance with covenants and design policies

All applications are reviewed to confirm the project is in conformance with the Amended and Restated Declaration of Protective Covenants and approved design policies as described in the Architectural Policy Manual.

#### B. Design Compatibility

Compatibility is defined as similarity in architectural style, quality of workmanship, use of similar materials, color or colors, and construction details.

C. Location and impact on neighborhood

The proposed alteration should relate favorably to the landscape, the existing structure and neighborhood. Neighbors' signature may be required to indicate they have been advised of the proposed project.

D. Materials

When a construction material is specified herein, another material may be substituted, provided that such material is determined by the Architectural Review Committee to be equivalent to or better than, the specified material. Continuity is established by the use of the same color or colors and compatible materials as were used in the original construction.

E. Construction

Each owner shall take care not to cause damage and shall repair any damage to any private street, public street, easement, utility, landscaped area, common areas or any other portion of or improvements on the property during construction or alteration of any improvements on any lot.

F. Work started prior to approval

**No work shall be started prior to approval of an Exterior Change Request.** Each Owner shall be solely responsible for the compliance of its plans and specifications with all applicable laws, rules and regulations.

V. APPLICATIONS FOR EXTERIOR CHANGE OR IMPROVEMENT

A homeowner wishing to make an exterior change or improvement to his dwelling or lot must apply for and receive approval for such change or improvement prior to the start of the project. Application is made by completing the Exterior Change Request which are available from the Architectural Review Committee or the Ashmore website. The completed request together with all applicable information is submitted to the Architectural Review Committee. All requests must include an estimated start and completion date. **The approved Exterior Change Request form expires 90 days from approval, unless extended. VERBAL REQUESTS ARE NOT ACCEPTED.**

The consensus of a majority of the members of the Architectural Review Committee is required for any Exterior Change Request decision.

No approval shall be given by the Architectural Review Committee pursuant to the provisions of this article unless it determines, in its sole discretion that such approval shall:

- A. Ensure harmony of external design, material and location in relation to surrounding buildings and topography within the properties;
- B. Protect and conserve the value and desirability of the properties as a residential community;
- C. Be consistent with the provisions of the Amended and Restated Declaration of Protective Covenants and the Architectural Policy Manual;
- D. Conform to or enhance, in the sole opinion of the Architectural Review Committee, the aesthetic appearance of the properties.

## **VI. SUPPORTING DOCUMENTS AND MATERIALS**

In order for each Exterior Change Request to receive a timely review and for the Architectural Review Committee to confirm the design, policies and objectives of the Board of Directors are being met, all necessary supporting documents, color chips or samples of materials to be used must accompany the request.

- A. Requests for installation of swimming pools or spas must include a lot survey clearly depicting the location, size, and measurements to lot boundary lines.
- B. Replacement of driveways or walks must be constructed of similar material.
- C. Exterior paint color must be approved prior to work and include new color chip.
- D. Requests for major landscaping, drought-resistant landscaping, planting of trees and shrubs must include a sketch or drawing showing the name or type of shrub or tree together with the approximate location of each.
- E. No trees in front yards or the side yard along the street for corner lots are to be removed without approval. Requests to remove tree(s) should include the reason for their removal. Dead trees or trees that are damaged by a storm may be removed, without approval, for the safety of the community. All stumps shall be removed or ground as close to the ground as possible.

To avoid damage to utility lines and before any digging, trenching or planting of large shrubs or trees contact the City of Tyler Utility Department or 811 to locate utility lines on your property.

## **VII. CHANGES OR IMPROVEMENTS MADE WITHOUT APPROVAL**

If changes or improvements are made to any dwelling or lot without an approved Exterior Change Request, those changes will be inspected by the Architectural Review Committee. If such changes or improvements do not conform to the Amended and Restated Declaration of Protective Covenants and the Architectural Policy Manual, the homeowner will be required to modify or promptly remove the change or improvement from the property at the homeowner's expense.

## **VIII. CHANGE OR IMPROVEMENT RESTRICTIONS**

In order to ensure the harmony of exterior design, promote stability in appearance and maintain architectural uniformity the following restrictions along with additions to this list that may be deemed necessary in the future, **shall require approval**:

- A. Accessory Structure
  - 1. No shack, barn, tree house or metal utility shed shall be erected on a lot for any purpose. An approved utility shed may be allowed for the purpose of storage only.
  - 2. No utility shed may be erected without written approval by the Architectural Review Committee. No utility shed is allowed in any easement or set-back.
  - 3. All utility sheds must be maintained in good condition.

4. The footprint and height of the utility shed will be determined by lot size and location per the owner's application. The following types of utility sheds will be considered:
  - a. A utility shed made of the same or similar material as the main residence. The material, color and roof color must conform to the esthetics of the main residence.
  - b. A resin or vinyl utility shed. The color must conform to the esthetics of the main residence.
  - c. A factory manufactured or similar wooden utility shed. The color and roof color must conform to the esthetics of the main residence.
5. Utility sheds erected or replaced after May 22, 2023, must comply with the Architectural Policy Manual.

**It is the responsibility of the homeowner to comply with City utility easements, codes and building set-back requirements when erecting a utility shed on a lot.**

**B. Gazebos and Pergolas**

Gazebos and pergolas are permitted. However, said structures shall be subject to the written approval of the Architectural Review Committee and shall conform to the requirements set-forth in the Amended and Restated Declaration of Protective Covenants and the Architectural Policy Manual. Lot size and location will be considered before approval. These structures must comply with City utility easements, codes and set-back requirements.

**C. Fences**

1. Except for the security perimeter fencing described in paragraph 4 of this Section, any fence, wall, gate or similar structure located on a lot must be built of wood, brick, wrought iron, aluminum fencing or a material that is determined by the Architectural Review Committee to be equivalent to or better and shall not exceed eight (8) feet in height. No chain link type or barbed wire fences shall be located on any lot.
2. Except for the security perimeter fencing described in paragraph 4 of this Section, no fence, wall, gate or other similar structure shall be located on a lot any closer to the street than the residential structure. However, the approval for fences or walls located between dwellings will be determined by the characteristics of each lot affected and the impact the fence or wall may have on the adjoining lot. Some of the items that will be considered are: the distance between dwellings; the location of air conditioning units, utilities or other items located on the adjoining lot; or if the fence or wall restricts or prevents access to any portion of the adjoining lot.
3. For security purposes, no gate or other opening from any residential lot shall be installed through any exterior perimeter wall or fence surrounding the Ashmore community perimeter.

4. Security perimeter fencing in the front yard (any portion of fencing in line with or in front of the front-most building line of the home) must consist of wrought iron or metal fencing, all portions of such fencing must be black in color. It must be approved in writing by the Architectural Review Committee and shall comply with the following specifications, as permitted by the Texas Property Code § 202.023:
  - a. Pickets 1.75" square;
  - b. Rails 1.5" square;
  - c. Standard post 2.5' square;
  - d. Picket spacing of at least 3" and not more than 4";
  - e. Post spacing at least 8' on center;
  - f. Height of between 48" and 60";
  - g. No ornamentation (for example no picket tops or rail tops);
  - h. No slats, planks or other solid material;
  - i. No portion shall restrict or prevent access to any portion of the adjoining lot;
  - j. Gates shall be closed at all times;
  - k. The Architectural Review Committee may require a particular setback so as to maintain a more uniform appearance.
5. Perimeter fencing when referenced in paragraph 4 of this Section and the Texas Property Code § 202.023, means any ground-mounted fence that is installed on or near the property line of the lot and that is installed in a contiguous manner around the entirety of the lot boundaries. A gate in a fence is part of the fence for all purposes considered.
6. To avoid damage to utility lines and before any digging or trenching, contact the City of Tyler Utility Department or 811 to locate utility lines on your property.
7. All fences and walls must be maintained in good condition at all times.

D. Roofing

Roofing material shall be high quality heavy composition shingles, shake tile or metal that resembles shingles. Notwithstanding the foregoing, pursuant to Texas Property Code § 202.011, a property owner may also install shingles that:

1. Are designed primarily to:
  - a. Be wind and hail resistant;
  - b. Provide heating and cooling efficiencies greater than those provided by customary composite shingles; or;
  - c. Provide solar generating capabilities, and;



2. When installed:
  - a. Resemble the shingles used or otherwise authorized for use on property in the community;
  - b. Are more durable than and are of equal or superior quality to the shingles described by the paragraph above, and;
  - c. Match the aesthetics of the property surrounding the owner's property.

E. Standby Electric Generators

Pursuant to the Texas Property Code § 202.019, permanent standby electric generators are approved, but must be installed, operated and maintained in accordance with the following:

1. The manufacture's specifications;
2. Applicable government health, safety, electrical and building codes.
3. All electrical, plumbing and fuel line connections must be installed only by licensed contractors;
4. All electrical connections must be installed in accordance with applicable government health, safety, electrical and building codes;
5. All natural gas connections to be installed in accordance with applicable governmental health, safety, electrical and building codes;
6. All electrical lines and fuel lines are to be maintained in good condition;
7. Any deteriorated or unsafe components of a standby electric generator must be repaired, replaced or removed, including electrical or fuel lines;
8. The use of a standby electric generator to generate all or substantially all of the electrical power to a residence, except when utility-generated electrical power to the residence is not available or is intermittent due to causes other than nonpayment for utility service to the residence is PROHIBITED;
9. Standby electric generators shall be tested periodically, during reasonable hours, in accordance with the manufacture's recommendation.

F. Rooftop Solar Facilities

No solar heating or electricity systems of any kind shall be attached to or placed on the roof of any dwelling or improvement constructed or placed on any lot, except to the extent that (1) such system qualifies as a "solar energy device" as defined by Texas Tax Code § 171.107; and (2) the installation of such solar energy devices may not otherwise be restricted or prohibited pursuant to the Texas Property Code § 202.010.

G. Drought-Resistant Landscaping

Pursuant to the Texas Property Code § 202.007, drought-resistant landscaping is permitted. Submit a detailed description or a plan for the installation of drought-resistant landscaping to ensure, to the extent practicable, maximum aesthetic compatibility with other landscaping within the community.

H. Front Porch

No front porch will be permitted to be screened or enclosed.

I. Windows

Mirrored windows are not permitted.

J. Encroachment

No construction, building addition, or extension is to encroach on the front, rear or side set-backs.

**IX. ITEMS NOT REQUIRING APPROVAL BUT MAY HAVE RESTRICTIONS**

The following items, along with additions to this list that may be deemed necessary in the future, are guidelines and do not require approval:

A. Mailboxes

The same or similar material shall be used for the repair or replacement of mailboxes (other than the mailbox door). The design for the replacement of mailboxes shall be the same or similar. Mailboxes, including concrete caps and bases, shall not be painted.

B. Antennas

No radio or other similar antennas, mast or receiving or sending apparatus shall be erected on any portion of any lot or structure. No lot or improvement shall be used as a base for any radio or similar broadcasting systems. Notwithstanding the above, small television satellite dish antennas are permitted and shall be mounted according to the installers recommended location.

C. Signs

1. The following signs are permitted and shall not exceed five (5) square feet in size:
  - a. For Sale or For Lease sign;
  - b. Contractor's signs, only displayed while work is in progress;
  - c. Alarm company signs;
  - d. Seasonal décor signs;
  - e. School or church signs;
2. Political signage, in accordance with the State of Texas Election Code § 259.002, shall comply with the following:
  - a. Only one sign per candidate or measure is allowed;
  - b. May not be displayed any earlier than 90 days before the election;
  - c. Must be removed before 10 days after the election.
3. Personal business signs are prohibited

D. Religious Displays

Pursuant to the Texas Property Code § 202.018, religious displays are approved, except that any such display shall not be allowed if it:

1. Threatens the public health or safety;
2. Violates a law other than a law prohibiting the display of religious speech;
3. Contains language, graphics, or any display that is patently offensive to a passerby for reasons other than its religious content;
4. Is installed on property owned or maintained by the Association or owned in common by members of the Association;
5. Violates any applicable building line, right-of-way, setback, or easement;
6. Is attached to a traffic control device, street lamp, fire hydrant, or utility sign, pole, or fixture.

E. Front Lawn Ornaments

1. Statues, birdbaths, lawn ornaments, flower pots or benches may be displayed, but must be maintained in an aesthetically pleasing presentation.
2. Patio furniture is limited to patios and porches.

F. Outdoor Ornamentation

Outdoor ornamentation visible from the street must be maintained in an aesthetically pleasing presentation.

G. Home and Yard Maintenance

Lawns shall be regularly cut. Flower beds should be weeded and bushes, hedges and other vegetation be regularly trimmed so that its appearance is in harmony with the neighborhood.

Trees should be trimmed in such a manner that tree limbs do not obscure street signs, street lights or hang over mailboxes and roadways to prevent damage to any vehicles.

If the homeowner is out of town for an extended period of time, arrangements must be made for maintenance of the yard and home care.

H. Flags

The display of flags is subject to the provisions of the Texas Property Code § 202.012.

1. No flag of any nation other than the flag of the United States of America may be displayed.
2. The flag of the State of Texas may be displayed.
3. An official or replica flag of any branch of the United States armed forces may be displayed.
4. Décor, seasonal or team flags may be displayed.

5. Flags must be replaced if faded or tattered or in poor condition.

I. Vehicle Covers

Vehicle covers are not permitted on vehicles parked on streets or driveways.

J. Garbage Cans

Garbage cans shall not be visible from the street when stored.

**X. REQUEST REVIEW AND PROCESSING PROCEDURE**

A. Requests for change are:

1. APPROVED
2. APPROVED WITH CONDITIONS
3. RETURNED FOR ADDITIONAL INFORMATION
4. DISAPPROVED

B. Exterior Change Requests are available from the Architectural Review Committee or the Ashmore website. The completed Exterior Change Request together with all applicable information shall be submitted to the Architectural Review Committee. The Exterior Change Requests are reviewed and acted upon, in a timely manner, by the Architectural Review Committee within 14 days.

C. Homeowners whose requests have been APPROVED, APPROVED WITH CONDITIONS OR RETURNED FOR ADDITIONAL INFORMATION will be notified by the Architectural Review Committee. The original request and all supporting information will be maintained by the Architectural Review Committee and a copy of the application will be returned to the applicant.

D. The approved Exterior Change Request expires 90 days from the date of approval, unless extended by the Architectural Review Committee.

E. Homeowners whose requests have been DISAPPROVED will be notified within three (3) days of the Architectural Review Committee's decision and an established appeals process may then be initiated at the discretion of the applicant.

F. In any event it is the responsibility of every applicant to obtain any necessary city permits as may be required and to have in his or her possession, an approved, signed Exterior Change Request *BEFORE* undertaking any exterior change.

G. The Architectural Review Committee will, as it deems necessary, inspect work in progress and the completed work. These inspections are to confirm that the work is performed in accordance with the approved request and/or conditions.

**XI. REQUESTS INCOMPLETE OR DISAPPROVED**

Homeowners will be notified promptly of requests that are incomplete or disapproved.

**XII. REQUESTS DISAPPROVAL - RIGHT TO APPEAL**

A. Pursuant to the Texas Property Code § 209.00505, if after its evaluation, the Architectural Review Committee disapproves the Exterior Change Request, the homeowner will be informed by telephone and followed with a written explanation sent via certified mail,

hand delivered or electronically as to the reason for the action. The homeowner may modify the request and then re-submit for approval, or withdraw the request.

- B. Pursuant to the Texas Property Code § 209.00505, if the homeowner wishes to appeal the Architectural Review Committee's disapproval, a written request for an appeal hearing may be made with the Architectural Review Committee within 30 days of the date the notification of disapproval was mailed to the owner. The chairman of the Architectural Review Committee will inform the President of the Board of Directors of the appeal request.
- C. Pursuant to the Texas Property Codes § 209.00505, and § 209.0051, the Board of Directors shall hold a hearing not later than the 30 days after the date the Board receives the owner's request for a hearing and shall notify the owner of the date, time, and place of the hearing not later than the 10 days before the date of the hearing. Only one hearing is required.
- D. During a hearing, the Board of Directors and the owner or the owner's designated representative will each be provided the opportunity to discuss, verify facts and resolve the denial of the owner's request, and the changes, if any, requested by the Architectural Review Committee in the notice provided to the owner.
- E. The final authority on appeals is the decision of the Board of Directors.

### **XIII. NO WAIVER OF FUTURE APPROVALS**

Each owner acknowledges that the members of the Board of Directors and Architectural Review Committee will change from time to time and that interpretation, application and enforcement of the Amended and Restated Declaration of Protective Covenants and the Architectural Policy Manual may vary accordingly. Approval of proposals, plans and specifications or drawings for any work done or proposed, or in connection with any other matter requiring approval, shall not be deemed to constitute a waiver of the right to withhold approval as to any similar proposals, plans and specifications, drawings or other matters subsequently or additionally submitted for approval.

### **XIV. LIMITATION OF LIABILITY**

Review and approval of any application pursuant to the Amended and Restated Declaration of Protective Covenants and the Architectural Policy Manual is made on the basis of aesthetic considerations only and not for engineering, structural design or quality of materials. Neither the Association, the Architectural Review Committee, the Board of Directors nor the officers, directors, members, employees and agents of any of them shall bear any responsibility for ensuring the structural integrity or soundness of approved construction or modifications, for reviewing plans or ensuring the effectiveness thereof, nor for ensuring compliance with building codes and other governmental requirements. Neither the Association, the Board of Directors, the Architectural Review Committee nor any member of any of the foregoing shall be held liable for any injury, damages or loss arising out of the manner or quality of approved construction or modifications to any lot, nor for any defect in any structure constructed from approved plans.

Neither the Association, the Architectural Review Committee, the Board of Directors nor the officers, directors, members, employees and agents of any of them, shall be liable in damages to anyone submitting plans and specifications to any of them for approval, or to any owner of property affected by these restrictions, by reason of mistake in judgment, negligence or nonfeasance arising out of or in connection with the approval or disapproval or failure to approve or disapprove any such plans or specifications. Every person who submits plans and every owner agrees that he will not bring any action or suit against the Association, the Architectural Review Committee, the Board of Directors or the officers, directors, members, employees and agents of any of them, to recover any such damages and hereby releases, promises, quitclaims and covenants not to sue for all claims, demands and causes of action arising out of or in connection

with any judgment, negligence or nonfeasance and hereby waives the provisions of any law which provides that a general release does not extend to claims, demands and causes of action not known at the time the release is given.

Neither the Association, the Architectural Review Committee, the Board of Directors nor the officers, directors, members, employees and agents of any of them, shall have any liability to anyone by reason of any acts or action taken in good faith pursuant to this document.

**XV. CONFLICTION BETWEEN DOCUMENTS**

In the event any provision of this Architectural Policy Manual shall conflict with any applicable law or city ordinance, such law or city ordinance shall prevail.

**XVI. AMENDMENTS**

This Architectural Policy Manual may be amended as necessary by the Board of Directors. Any amendment must be recorded with the County Clerk of Smith County, Texas.

**XVII. SEVERABILITY**

The invalidation of any one or more of the provisions contained herein, or any part thereof, shall not affect any of the other provisions hereof, which shall remain in full force and effect.

**XVIII. PRIOR CHANGES OR IMPROVEMENTS**

Changes or improvements to dwellings or lots completed prior to the adoption of this Architectural Policy Manual, dated May 22, 2023, shall be exempt from the provisions of this Manual. However, any changes, improvements or replacement of any previously completed change or improvement shall comply with the provision as established in the Amended and Restated Declaration of Protective Covenants and the Architectural Policy Manual.

**CONCLUSION**

The purpose of the Architectural Review Committee is not to discourage individual expression but rather to ensure that our surroundings are not overwhelmed by garish colors, plastics, concrete and décor not consistent with the existing aesthetics of the community.

Dedicated to preserving and enhancing, wherever possible, the natural beauty of our surroundings, we urge all of our residents to refer to the Amended and Restated Declaration of Protective Covenants and the Architectural Policy Manual before committing to any exterior changes or improvements to any dwelling or lot.

STATE OF TEXAS  
COUNTY OF SMITH

§  
§  
§

KNOW ALL MEN BY THESE PRESENTS

**2023 RULES AND REGULATIONS  
OF  
ASHMORE TYLER HOMEOWNERS ASSOCIATION, INC**

That Ashmore Tyler Homeowners Association, Inc., desiring, as the present Controlling Party of the Property (as hereinafter defined), to adopt a uniform plan for the orderly management of the Property, hereby imposes upon the Property the following rules and regulations (hereinafter referred to together as the "Architectural Policy Manual") which shall run with the land and be binding upon any Owner (as hereinafter defined), tenant or mortgagee of any Lot (as hereinafter defined) or structure on the Property and upon the respective heirs, legal representatives, successors and assigns of any such Owner, tenant or mortgagee. This Architectural Policy Manual is recorded in the Real Property Records of Smith County, Texas, and any amendments and supplements thereto.

WHEREAS the Declaration of Protective Covenants provides that owners of lots subject to the Declaration are automatically made members of the Ashmore Tyler Homeowners Association, Inc. (the "**Association**");

WHEREAS the Association, acting through its Board of Directors (the "**Board**"), is authorized to adopt and amend rules and regulations governing the property subject to the Declaration and the operations of the Association pursuant to Article V, Section 5.1, of the Amended and Restated Declaration of Protective Covenants;

THEREFORE, the Rules attached as the "Architectural Policy Manual" have been ADOPTED and APPROVED.

**ASHMORE TYLER HOMEOWNERS ASSOCIATION, INC.**  
Acting by and through its Board of Directors

*Exhibit: Architectural Policy Manual adopted May 22, 2023.*

***[Notary Block on Following Page]***

Executed this 22 day of MAY, 2023.

ASHMORE TYLER HOMEOWNERS ASSOCIATION, INC.,  
A Texas non-profit corporation  
Acting by and through its Board of Directors

Signature: 

Printed Name: Dennis A Santo

Title: PRESIDENT ASHMORE HOA

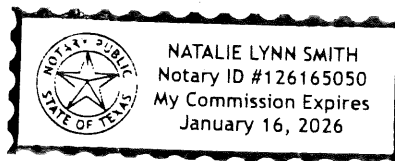
**Acknowledgement**

THE STATE OF TEXAS       §

COUNTY OF SMITH         §

This instrument was acknowledged before me on the 22 day of may, 2023, by  
Dennis A Santo, on behalf of ASHMORE TYLER HOMEOWNERS  
ASSOCIATION, INC., a Texas non-profit corporation.

  
NOTARY PUBLIC – STATE OF TEXAS





RECEIVED BY: \_\_\_\_\_

DATE: \_\_\_\_\_



### EXTERIOR CHANGE REQUEST

Name of Owner: \_\_\_\_\_

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

Telephone Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_

#### Proposed Change:

- |                          |                          |                          |                  |                          |                    |
|--------------------------|--------------------------|--------------------------|------------------|--------------------------|--------------------|
| <input type="checkbox"/> | Exterior Painting        | <input type="checkbox"/> | Fence            | <input type="checkbox"/> | Pool/Spa           |
| <input type="checkbox"/> | Landscaping              | <input type="checkbox"/> | Roof Replacement | <input type="checkbox"/> | Patio/Patio Cover  |
| <input type="checkbox"/> | Construction (Additions) | <input type="checkbox"/> | Generator        | <input type="checkbox"/> | Window Replacement |
| <input type="checkbox"/> | Utility Shed             | <input type="checkbox"/> | Solar            | <input type="checkbox"/> | Driveway/Walkway   |
| <input type="checkbox"/> | Gazebo/Pergola           | <input type="checkbox"/> | Other: _____     |                          |                    |

#### Description of Change:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If applicable, please include or attach:

- 1) Lot survey
- 2) Color chips
- 3) Contractor's drawing
- 4) Sketch
- 5) Permits
- 6) Description of materials
- 7) Dimensions to Lot Lines
- 8) Contractor Name: \_\_\_\_\_
- 9) Contractor Phone #: \_\_\_\_\_

Estimated Start Date: \_\_\_\_\_ Estimated Completion Date: \_\_\_\_\_

I understand the Architectural Review Committee is a group of volunteers in the community and will do their best to act as quickly as possible in their determination regarding my Exterior Change Request. I hereby certify that the proposed changes or improvements is in full compliance with the Declaration of Protective Covenants and the Architectural Policy Manual and currently adopted by the Ashmore-Tyler Homeowners Association, Inc. I understand that the decisions are determined concerning only my Exterior Change Request. I am responsible to obtain whatever permits and approvals which may be necessary to change or improve the property in accordance with the submitted request.

**The Committee has 14 days from receipt to act on an Exterior Improvement Application. Approved Exterior Improvement Applications expire 90 days from Approval, unless extended.**

Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

1. Approved    2. Approved with Conditions    3. Returned for Additional Information    4. Disapproved Conditions or Reason

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*Architectural Review Committee Representative*

**Return the completed request to an Architectural Review Committee member.**

**Neighbor Signatures**

*(Neighbors' signature may be required to indicate they have been advised of proposed project)*

Neighbor #1: \_\_\_\_\_ Date: \_\_\_\_\_

Neighbor #2: \_\_\_\_\_ Date: \_\_\_\_\_

Neighbor #3: \_\_\_\_\_ Date: \_\_\_\_\_

**Periodic/Final Inspections**

**Inspection #1:** Date: \_\_\_\_\_ Inspected By: \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

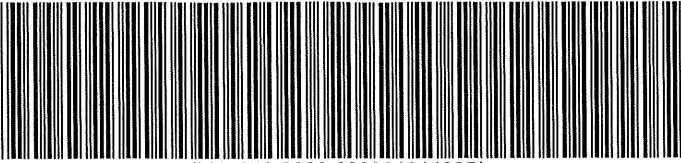
**Inspection #2:** Date: \_\_\_\_\_ Inspected By: \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Final Inspection:** Date: \_\_\_\_\_ Inspected By: \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The Architectural Review Committee will, as it deems necessary, inspect the work in progress and the completed work. These inspections are to confirm that the work is performed in accordance with the approved request and/or conditions.



\*VG-151-2023-202301014985\*

**Smith County  
Karen Phillips  
Smith County Clerk**

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**Document Number:** 202301014985

Real Property Recordings  
RESTRICTION

Recorded On: May 23, 2023 10:23 AM

Number of Pages: 19

Billable Pages: 18

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**" Examined and Charged as Follows: "**

Total Recording: \$94.00

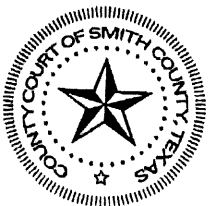
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**\*\*\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\***

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.

**File Information:**

Document Number: 202301014985  
Receipt Number: 20230523000063  
Recorded Date/Time: May 23, 2023 10:23 AM  
User: Suni W



**STATE OF TEXAS  
Smith County**

**I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of Smith County, Texas**

Karen Phillips  
Smith County Clerk  
Smith County, TX