

Property Owner's Association of Lake Ridge

Construction Site Policy (2023)

WHEREAS, Lake Ridge at Joe Pool Lake residential subdivision ("*Lake Ridge*") is comprised of multiple geographic areas established by the Developer as "Sections", with each such Section being subjected to and governed by its own Declaration of Covenants, Conditions and Restrictions for Lake Ridge at Joe Pool Lake (the "*Declaration*") as identified in that certain Management Certificate for the Property Owners Association of Lake Ridge (the "*POALR*") recorded on July 5, 2022, as Instrument No. 2022-202200183318 in the Official Public Records of Dallas County, Texas, and on July 1, 2022, as Instrument No. 2227019 in the Official Public Records of Ellis County, which instruments are incorporated herein by reference as if set forth in full; and

WHEREAS, the Declarations for the various Sections of Lake Ridge contain the same or similar provisions, though the specific Article and/or Section number designation may differ; and

WHEREAS, POALR is the mandatory property owners association for the multiple Sections of Lake Ridge pursuant to the Declaration for each Section; and

WHEREAS, the Board of Directors has determined there is a need to establish and enforce a policy and rules for the new construction of residential dwellings and for renovation projects related to the exteriors of residential dwellings within Lake Ridge (renovation projects to the interior of residential dwellings are excluded from this policy); and

WHEREAS, Article VIII, Section 8.01 and Section 8.10 of the Declaration for the each Section of Lake Ridge, or the equivalent provision thereof, authorize the Board of Directors of POALR to adopt and enforce rules and regulations, fines, levies and enforcement provisions deemed necessary or desirable to further the purposes of, and to benefit, the Lake Ridge community and to enhance the attractiveness of the Lake Ridge Subdivision; and

WHEREAS, the POALR has previously adopted "Mandatory Workplace Standards" for work conducted within Lake Ridge, which Mandatory Workplace Standards are attached hereto as Exhibit "A" and incorporated herein by reference as if set forth in full.

NOW, THEREFORE, IT IS RESOLVED that the following rules, procedures and practices are established by the POALR Board of Directors for the construction of, and exterior renovation projects related to, residential dwellings in the Sections of Lake Ridge, with the exception that this Policy does not apply to any designated Sub Association in Lake Ridge that has adopted its own construction site and/or construction deposit related rules, procedures and practices, and this Policy does not supersede any such Sub Association policy or rules:

1. **Builder/Contractor Credentials.** During the period of construction/renovations at Lake Ridge, the Builder/Contractor must post its company or business name at the work site. The Builder/Contractor must not have any outstanding assessments or fines owed to the POALR and must not be identified by the Cities of Cedar Hill or Grand Prairie as an unacceptable or problem contractor or builder. Notwithstanding the foregoing, the POALR makes no warranty or endorsement of any Builder/Contractor. The individual Owner of the Tract (lot) who retained the services of the Builder/Contractor shall be solely responsible for verification of the Builder/Contractor's credentials and qualifications.

2. **Workplace Standards.** The Workplace Standards set forth in Exhibit "A" attached hereto

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shall remain effective as part of this Construction Site Policy.

3. Tract Surface and Vegetation. If construction of the residential dwelling does not begin within sixty (60) days of the Owner's purchase of the Tract, the Owner is responsible for ensuring that erosion resistant vegetation or other appropriate ground cover is in place to control erosion.

4. Maintenance of Silt Fences. Prior to and during the construction or renovation of a dwelling on a Tract, wire-backed erosion/silt fences shall be erected and maintained to prevent any soils, dirt, mud or debris from flowing onto any adjacent property, street or Common Areas. Such wire-backed silt fences shall be constructed in accordance with guidelines approved by the POALR Architectural Control Committee (the "ACC") and shall be placed on the property line of any slope that is either naturally occurring or that is created by construction debris. With respect to new construction, such erosion control fences shall be maintained until the turf and landscaping materials installed with the construction of the residential dwelling are sufficient to prevent erosion of the soil, dirt or debris on the Tract. The Tract Owner shall be responsible for taking reasonable measures to ensure that no soil, dirt, mud or debris flows onto adjacent property, streets or Common Areas. The POALR will use its best efforts to enforce the provisions contained herein regarding silt and erosion control. However, the POALR is not liable to any Owner due to any failure by another Owner or Builder/Contractor to abide by this rule or for any damage caused by erosion or silt.

5. Maintenance of Lots. All Tracts shall at all times be kept in a sanitary and attractive condition. No Tract shall be used or maintained as a dumping ground for garbage, trash, junk, construction debris or other waste matter. All trash, garbage, construction debris or waste matter shall be kept in adequate containers. Construction waste and debris shall not become unsightly or a nuisance and shall be removed promptly. Excess cement materials shall not be deposited onto empty lots. The provisions of Article III, Section 3.07 of the Declarations shall apply. No Tract shall be used for open storage of any materials whatsoever, except that new building materials may be placed upon such Tract at the time construction or renovation is commenced and may be maintained thereon for a reasonable time, so long as the construction progresses without unreasonable delay, until completion of the improvements, after which these materials shall either be removed from the Tract or stored in suitable enclosures on the Tract. No garbage, trash, wood, construction debris or other waste material of any kind shall be burned on any Tract. No adjacent Tract(s) shall be used for construction staging or as a dumping ground for rubbish.

6. Establishment of Gravel Pathway for Vehicles. It is the responsibility of the Owner of the Tract and the Owner's Builder/Contractor to construct gravel pathways on the Tract for all construction traffic driving onto the Tract and to take other appropriate measures to eliminate dirt/dust from blowing onto neighboring Tracts, streets, and Common Areas, and to eliminate the flow of mud onto neighboring Tracts, streets, and Common Areas during the construction period. The POALR is not liable to any Owner for any damage caused by the failure of another Owner or Builder/Contractor to abide by this rule. All construction traffic will drive at or below posted speed limits.

7. Notice of Violation and Enforcement. The POALR will provide written notice to both the Owner of the Tract and to the Owner's Builder/Contractor of an identified violation of this Policy. If the violation is not corrected within the time period specified in the Violation Notice, the POALR may, in addition to any other remedies available to the POALR pursuant to the applicable Declaration or other POALR policies and rules, impose a fine upon the Builder/Contractor in an amount of \$100.00 per each

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day that the violation continues and the POALR may undertake measures to correct the violation at the expense of the Tract Owner pursuant to this Policy.

8. Construction Deposit.

a. The Owner of a Tract shall not allow construction of a dwelling or a renovation project to the exterior of his/her residential dwelling to commence until the Owner's Builder/Contractor posts a refundable deposit of Three Thousand and No/100 Dollars (\$3,000.00) (the "Construction Deposit") with the POALR. However, the Construction Deposit is to be made by the Builder/Contractor, rather than the Tract Owner (unless the Owner of record is the Builder). The Builder/Contractor may not transfer ownership of the Construction Deposit to the Tract Owner unless authorized in writing by the POALR.

b. The Construction Deposit shall be held by the POALR as security for the repair of any Common Areas or private property damaged during the course of construction, renovation and/or landscape installation and to ensure the removal of dirt and debris during construction/renovation, and for other purposes as described herein.

c. Should the Builder/Contractor accrue any fines during the project, the amount of the fine will be deducted from the Construction Deposit. The Builder/Contractor will be required to replenish the amount deducted from the Construction Deposit within fifteen (15) days of incurring the fine or deduction or be subject to the remedies for non-payment as set forth herein. The Builder/Contractor shall replenish the Construction Deposit to the original \$3,000.00.

d. Should the Builder/Contractor fail to satisfactorily and promptly replace or repair any damage or comply with any other rule of construction adopted by the POALR, after having received a written request from the POALR to do so, the POALR may affect the repair, replacement or cleanup and deduct the expense from the Construction Deposit. If the amount of the Construction Deposit is insufficient to reimburse the POALR for the full cost of such repair, replacement, or cleanup, any such deficiency shall be charged to the Builder/Contractor.

e. The POALR may deposit the Construction Deposit funds into an account belonging to the POALR. Any interest accrued shall be the property of the Builder/Contractor.

f. When all construction is complete, including landscaping and other ancillary work per 9 e. below, the Builder/Contractor must request and obtain within six months of occupancy of the dwelling by the Tract Owner a compliance inspection by the POALR (the "*Final Inspection Approval*"). The POALR will assign an appropriate representative to inspect the project for compliance with the approved plans. If the site complies, the POALR will return the Construction Deposit and any accrued interest to the Builder/Contractor and provide the Tract Owner with a certificate stating that the project is in compliance. If the site is not in compliance, the POALR will submit a letter to the Tract Owner and to the Builder/Contractor identifying the deviations from the approved plans. The Tract Owner and the Builder/Contractor shall submit a written plan and schedule for bringing the property into compliance. In the event Final Inspection Approval is not obtained by Builder/Contractor and/or Tract Owner within six (6) months following occupancy of the dwelling by the Tract Owner or other third-party, the Construction Deposit will be forfeited, and fines will be imposed for incomplete work. At the sole discretion of the

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POALR Architectural Control Committee, a variance may be granted. Any unapproved deviation from plans approved by the POALR may result in fines.

g. If the Tract Owner changes his/her Builder/Contractor after the Construction Deposit is submitted to the POALR., the Construction Deposit and any accrued interest will be returned to the Builder/Contractor that submitted the deposit upon written notification to the POALR by either the Builder/Contractor or the Tract Owner. The Tract Owner shall be responsible for ensuring that his/her new Builder/Contractor submits the required Construction Deposit. Should the Tract Owner fail to do so, the Tract Owner will be responsible for any charges or fines that would otherwise be assessed against the Builder/Contractor under this Policy.

9. Schedules Related to Forfeiture of Application Fee or Construction Deposit.

a. Upon notification of an application approval by the Architectural Control Committee, the Tract Owner and/or the Builder/Contractor will have ninety (90) days to obtain a city permit. Once the city permit has been issued, the Tract Owner and/or the Builder/Contractor will have an additional one hundred twenty (120) days to complete the site preparation and the foundation pour. The foregoing schedule or timeline is applicable to all new builds or additions, outbuildings, detached garages, or any approved structure requiring a foundation. The Architectural Control Committee approval for any project not meeting the foregoing schedule or timeline will be terminated, no further construction will be permitted, and the Construction Deposit will be refunded to the Builder/Contractor. To restart the project, (i) a new application fee must be submitted along with plans for review by the Architectural Control Committee, (ii) Architectural Control Committee approval of the plans must be obtained, and (iii) a new Construction Deposit must be tendered to the POALR (the "*Restart Requirements*"). Restarting the project without compliance with each of the Restart Requirements is prohibited. Upon restarting the project (following satisfactory completion of the Restart Requirements), the Tract Owner will have ninety (90) days to obtain a city permit and one hundred twenty (120) days to pour the foundation or the project will be terminated again with the loss of application fee.

b. Upon completion of the foundation pour for the applicable project, there will be a period of eighteen (18) months to complete the project. Failure to complete the entire project within the eighteen (18) month timeframe will result in: (i) termination of approval from the Architectural Control Committee for the project, (ii) forfeiture of the application fee, (iii) forfeiture of the Construction Deposit, and (iv) the imposition of fines for incomplete construction. If more time is required, the property owner can request for a variance from the POALR Architectural Control Committee.

c. A city permit is required to be kept current while a project remains active and/or construction activities are continuous and ongoing. The Tract Owner will have thirty (30) days to renew/reactivate/obtain reissuance of a city permit from the date of the expiration of any city permit. Failure to comply with this requirement will be cause for: (i) termination of approval from the Architectural Control Committee for the project, (ii) forfeiture of the application fee, (iii) forfeiture of the Construction Deposit, and (iv) the imposition of fines for incomplete construction.

d. To restart the project terminated after the foundation pour, the Restart Requirements set forth in a. above must be met and, in addition, a timeline for construction and completion must be submitted to and approved by the of approval from the Architectural Control Committee for the

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project,. Restarting the project without compliance with each of the Restart Requirements and the construction timeline requirement is prohibited.

e. After occupancy of a newly completed dwelling, the Tract Owner will have six (6) months to complete installation of all landscaping and any remaining ancillary work, i. e. drainage, mailbox, etc., required to obtain Final Inspection Approval from the of approval from the Architectural Control Committee for the project. Failure to obtain Final Inspection Approval from the Architectural Control Committee for the project, will result in forfeiture of the Construction Deposit and the imposition of fines for incomplete construction.

IT IS FURTHER RESOLVED that this Construction Site Policy supplements any Architectural Control Committee guidelines or standards with respect to new construction on Tracts and exterior renovation projects, is in addition to the restrictions set forth in the applicable Declaration, as may be amended or supplemented from time to time, and supplements, and is deemed to be in addition to, any policy or resolution for recovering costs and/or expenses incurred by the POALR for enforcing the Declarations and for enforcing the POALR policies, rules and regulations.

IT IS FURTHER RESOLVED that this Construction Site Policy shall serve to replace the policy addressing the same subject matter which has been recorded by POALR in the Official Public Records of Dallas and Ellis Counties.

IT IS FURTHER RESOLVED that the foregoing is effective upon recordation in the Official Public Records of Dallas and Ellis Counties, and shall remain in force and effect until revoked, modified or amended by the Board of Directors of POALR.

This is to certify that the foregoing Policy was adopted by the Board of Directors via electronic mail on the 25th day of June, 2023, and shall remain in full force and effect until modified, rescinded or revoked by the Board of Directors.

6/25/2023

Date



President, Property Owners Association of Lake Ridge

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NOTICE TO ALL BUILDERS /CONTRACTORS

Exhibit A

All contractors are required to follow these Mandatory Workplace Standards for all work conducted within this Lake Ridge POA Community.

1. Lake Ridge POA Community is a "Clean Site"

All contractors are required to maintain plans and on-site controls for the following:

- No construction prior to ACC Approval
- Culvert installed prior to construction - see CC&R's
- Gravel Driveway laid to prevent mud from getting into the street
- Mud must be removed from the street
- Erosion control fencing properly installed at all times during construction.
- Garbage and Litter (Dumpster required at all times and emptied as necessary)
- Porte John (Required at all times and placed on construction site not adjacent lots or in the street)
- Construction Waste & Debris removed in a timely manner
- Builder Signs no Larger than 36" x 36"
- No Sub-Contractor Signs Permitted
- No access to construction area through adjoining property without owner's prior written approval and all damages that occur must be repaired at no cost to that owner and restored back to the original condition of lot
- Cement will not be dumped on empty lots

Contractors are required to continuously abide by these workplace standards to work on the Lake Ridge POA Community. Daily inspections are conducted by the POA. Violations are subject to fines and/or dismissal from the project.

Thank you,
POA of Lake Ridge

Property Owners Signature

Builder's Signature

Property Address

Date