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RIVERSTONE HOMEOWNERS ASSOCIATION, INC.
SWIMMING POOL ENCLOSURES POLICY

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

I. PURPOSE

The purpose of this Swimming Pool Enclosures Policy (this “***Policy***”) is to provide guidance regarding swimming pool enclosures authorized by Texas Property Code Section 202.022 (the “***Code***”). The Board of Directors (the “***Board***”) of Riverstone Homeowners Association, Inc. (the “***Association***”) has determined that it is in the best interest of the Association to establish this Policy regarding swimming pool enclosures on property subject to its jurisdiction.

II. APPLICABILITY AND AUTHORITY

The property encumbered by this Policy is that property restricted by the First Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Riverstone Single Family Residential Areas, recorded in the Official Public Records of Fort Bend County, Texas, under Clerk’s File No. 2024054325, as same has been or may be amended from time to time (the “***Declaration***”), and any other property which has been or may be subsequently annexed into the Riverstone residential development and made subject to the authority of the Association.

The capitalized terms used in this Policy are defined in the same manner as set forth in the Declaration, which definitions are incorporated in this Policy by this reference.

Any reference made in this Policy to approval by the Riverstone Residential Architectural Review Committee (the “***Residential ARC***”), means prior written approval by the Residential ARC for the Association.

Pursuant to the Dedicatory Instruments governing the Properties, the Association is vested with the authority to adopt policies, rules, and guidelines.

Pursuant to the authority granted in the Code, the Board adopts this Policy which runs with the land and is binding on all Owners and Lots within the Properties. The provisions of this Policy are in addition to any other applicable guidelines, rules, or policies. This Policy is effective upon the recording of same. After the effective date, in the event of a conflict between the terms of this Policy and any previously adopted guidelines, rules, or policies addressing swimming pool enclosures, this Policy controls.

Invalidation of any one or more of the covenants, conditions, restrictions, or provisions contained in this Policy will in no way affect any one of the other covenants, conditions, restrictions, or provisions of this Policy, which remain in full force and effect.

III. SWIMMING POOL ENCLOSURES POLICY

A. DEFINITIONS

For purposes of this Policy, “*Swimming Pool Enclosure*” means a fence that:

1. Surrounds a water feature, including a swimming pool or spa, located on a Lot within the Properties;
2. Consists of transparent mesh or clear panels set in metal frames;
3. Is not more than 6 feet in height; and
4. Is designed to not be climbable.

B. SWIMMING POOL ENCLOSURES

1. **Approved Swimming Pool Enclosures**

The installation of a Swimming Pool Enclosure that is black in color, consists of transparent mesh set in metal frames, is less than or equal to 6 feet in height, and conforms to all applicable state or local safety requirements (“*Approved Swimming Pool Enclosure*”) is considered pre-approved by the Residential ARC and need not be submitted to the Residential ARC for review and approval.

2. **Swimming Pool Enclosures Requiring Residential ARC Approval**

The installation of a Swimming Pool Enclosure, other than an Approved Swimming Pool Enclosure, on a Lot requires prior written approval from the Residential ARC. Any such Swimming Pool Enclosure is subject to the following parameters:

- (a) Swimming Pool Enclosures may not exceed 6 feet in height, unless otherwise approved by the Residential ARC.
- (b) Swimming Pool Enclosures must conform to all applicable state or local safety requirements.
- (c) Swimming Pool Enclosures may contain frames (a) composed of materials such as, by way of illustration and not limitation, metal, wood, or polycarbonate plastic; and (b) composed of colors such as, by way of illustration and not limitation, white, silver, transparent, or black tones.
- (d) Swimming Pool Enclosures may contain panels or screens (a) composed of materials such as, by way of illustration and not limitation, transparent mesh, glass, or polycarbonate plastic; and (b) composed of colors such as, by way of illustration and not limitation, clear, white, or light blue.

The submission of plans related to a Swimming Pool Enclosure must include a completed application for Residential ARC review, a site plan showing the proposed location of the Swimming Pool Enclosure, the type of Swimming Pool Enclosure to be used, and a copy of the manufacturer's brochures or a sample of material, if applicable. In considering the appearance of a Swimming Pool Enclosure, the Residential ARC may take into account such factors including, but not limited to, the overall size of the pool, the size and configuration of the Lot, the location of the Lot in the Properties, the location of the pool and Swimming Pool Enclosure on the Lot, and the visibility of the Swimming Pool Enclosure from streets, other Lots, and Common Areas.

The installation of a Swimming Pool Enclosure that is not in compliance with this Policy is considered a violation of the Dedicatory Instruments governing the Properties.

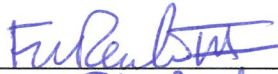
[SIGNATURE PAGE FOLLOWS]



CERTIFICATION

I certify that, as President of Riverstone Homeowners Association, Inc., the foregoing Swimming Pool Enclosures Policy was approved on the 26 day of June, 2024, at a meeting of the Board of Directors at which a quorum was present.

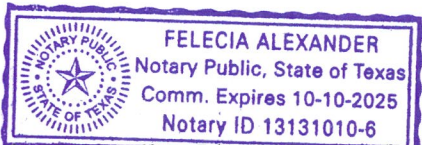
DATED, this the 26 day of June, 2024.

By: 
Print Name: F.W. Reichert III
Title: President

THE STATE OF TEXAS §
 §
COUNTY OF Fort Bend §

BEFORE ME, on this day personally appeared F.W. Reichert, the President of Riverstone Homeowners Association, Inc., known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that s/he executed the same for the purposes and in the capacity stated in this instrument, and as the act and deed of said corporation.

Given under my hand and seal this the 26 day of June, 2024.




Notary Public – State of Texas

After Recording Please Return To:
Lisa L. Gambrell
Isabella L. Vickers
Roberts Markel Weinberg Butler Hailey PC
2800 Post Oak Blvd., 57th Floor
Houston, Texas 77056

RETURNED AT COUNTER TO:

Ryan Evans

18353 University Blvd
Sugar Land, TX - 77479

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Laura Richard

Laura Richard, County Clerk

Fort Bend County Texas

June 27, 2024 04:09:07 PM

FEE: \$27.00 RR1

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