

OMEGA BAY IMPROVEMENT COMMUNITY, INC.

SECURITY MEASURES POLICY

STATE OF TEXAS §

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COUNTY OF GALVESTON §

WHEREAS, Omega Bay Improvement Community, Inc. (the "Association"), is the governing entity for all sections of Omega Bay, according to the maps or plats thereof, recorded in Map Records of Galveston County, Texas, respectively, along with any amendments and re-plats thereto, and any additional real property brought within the jurisdiction of the Association (the "Community"); and,

WHEREAS, the Board of Directors of the Association is authorized to administer the affairs of the Association and provide for the health, safety and welfare of the members and property within the Association and this Security Measures Policy is applicable to the Community and Association; and,

WHEREAS, all terms used herein that are defined in Chapter 202 of the Texas Property Code shall have the meaning as defined in the statute; and,

WHEREAS, Section 202.023 of the Texas Property Code was amended to establish the right of property owners whose property is subject to restrictive covenants to install and maintain certain types of security measures; and,

WHEREAS, to the extent this policy conflicts with any existing governing document of the Association or Community, this policy shall be controlling inasmuch as existing governing documents are pre-empted by State law; and,

WHEREAS, to the extent any existing governing document does not conflict with this policy or Section 202.023 of the Texas Property Code, such provision remains in full force and effect, including requirements that application for and approval of improvements be obtained prior to installation; and,

WHEREAS, this Dedicatory Instrument constitutes Restrictive Covenants as those terms are defined by Texas Property Code §202.001, et. seq, and the Association shall have and may exercise discretionary authority with respect to these Restrictive Covenants;

NOW THEREFORE, in view of the foregoing and in compliance with the Texas Property Code, the Association hereby adopts and imposes on the Community and the Association the following policies, rules, and regulations:

Pursuant to Section 202.023 of the Texas Property Code, a property owner may install security measures, including but not limited to, a security camera, motion detector, or perimeter fence, to the extent such measure complies with the regulations set forth below.

1. An owner is prohibited from installing a security camera in a place other than on the property owner's private property. Cameras should be compact in size and as obscured from view as possible so as not to detract from the appearance of the home.
2. Any security perimeter fence to be installed at or behind the front building line (and as to corner lots, the front and side street building lines and sight lines) must meet all Association

requirements in its dedicatory instruments relative to materials, height, location and appearance for privacy fencing.

3. Any security perimeter fences to be installed forward of the front (or side street) building line are subject to the right of the Association to require different types of fencing front of the building line than the type behind the building line (including without limitation the type of material, color, style and design) and must comply with regulations to be established by the board of directors of the Association, if any. No such fencing shall be placed within any right of way, within any easement or any intersection sight line. Such fencing shall be kept in good condition and repair at all times.
4. No Owner may install a security measure that is visible from any street in the Community until they have submitted a written application to, and receiving written approval prior to installation from, the association representatives responsible for architectural review for the Community to ensure harmony with the exterior with the exterior of the residence and neighboring properties.

CERTIFICATION

"I, the undersigned, President of Omega Bay Improvement Community, Inc., hereby certify that the foregoing was adopted by at least a majority of Omega Bay Improvement Community, Inc.'s Board of Directors, at a properly noticed, open board meeting, at which a quorum of the board was present."

By: Daniel C. Barnes
DANIEL C. BARNES, PRESIDENT

ACKNOWLEDGEMENT

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THIS INSTRUMENT was acknowledged before me by the said DANIEL C. BARNES, PRESIDENT of OMEGA BAY IMPROVEMENT COMMUNITY, INC., a Texas non-profit corporation, on behalf of said corporation.

Given under my hand and seal of office this the 26th day of August, 2021.

Taylor Kelley
Notary Public, State of Texas

