AMENDED AGREEMENT OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR TAHITIAN VILLAGE, UNIT I

The following covenants, conditions and restrictions are the amended covenants, conditions and restrictions for Unit I as originally adopted by Property Investments, Inc. as filed of record in Volume 208, Page 752, of the Official Records of Bastrop County, Texas. These amendments, updating the Agreement of Covenants, Conditions and Restrictions were adopted in accordance with the amendment provisions under Article VII, Paragraph 7.04, of the original Agreement of Covenants, Conditions and Restrictions. Evidence of compliance with said Paragraph 7.04 is contained at the end of the Amended Agreement of Covenants, Conditions and Restrictions.

The covenants, conditions and restrictions shall be binding on all owners of lots in the Subdivision and all parties and persons claiming under them until January 1, 1999, and will be automatically extended for additional 10-year periods thereafter unless the owners of two-thirds (2/3) of the lots in said Subdivision shall agree in writing to terminate the covenants, conditions and restrictions and shall cause a written agreement executed by the owners of two-thirds (2/3) of the lots terminating these covenants, conditions and restrictions to be filed in the office of the County Clerk of Bastrop County, Texas.

ARTICLE I RESTRICTIONS

GRANTOR does hereby create the following set of restrictions, conditions and covenants in order to insure that the property will be developed and maintained in a uniform manner for the mutual benefit of itself and all future owners. Each contract, deed or deed of trust which may be hereafter executed with respect to any property in the Subdivision shall be deemed and held to have been executed, delivered and accepted subject to all of the provisions of this instrument, including, without limitation, the reservations, restrictions and covenants herein set forth, regardless of whether or not any of such provisions are set forth in said contract, deed or deed of trust, and whether or not referred to in any such instrument.

1.01. All lots shall be used for single family residential purposes only, excepting those tracts labeled "Reserve", "Commercial", "Tract", "Park", "School", "Multi-Family" or "Church". Tracts so labeled shall be used as designated to assure the availability of these areas which are essential to a well-planned community. Those areas designated as "Reserve", "Commercial" or "Tract" shall be used to provide a wide range of light business and commercial activity to serve the residential areas and only those businesses or industries which do not create offensive sounds or noxious odors or wastes shall be allowed. All such commercial business shall be subject to the approval of the Architectural Control Committee and the Tahitian Village Property Owner's Association, Inc. ("Association").

1.02. No lot shall be used or occupied for any vicious or immoral purpose, nor in violation of the laws of the local, State or Federal governments. No animals or poultry, other than household pets, shall be maintained on any tract provided they are not kept, bred or maintained for any commercial purposes, and shall be confined to the owner's premises. No hunting or discharge of firearms of any type shall be permitted.

1.03. No residence shall be built or maintained on an area of less than 1200 square feet of living area, exclusive of garages and open porches. No improvement shall be erected or constructed on any lot nearer than twenty (20) feet of the front property line, nor near than five (5) feet to the side property line, except that in the case of corner lots no improvements shall be erected or constructed within twenty (20) feet of the side property lines adjacent to the streets. All residences shall be constructed in accordance with the building lines set out on the map or plat of said Subdivision, section or unit thereof, as recorded in the map records of Bastrop County, Texas.

1.04. The exterior of the residence, if of a material other than brick or material not commonly decorated or painted, shall be painted with at least two (2) coats of paint. All buildings shall be finished within six (6) months from the date of construction is commenced. Drainage culverts between driveways and designated streets shall installed before completion of any improvements. No mobile home, trailer, tent, shack or barn or other outbuildings shall at any time be used as a residence, either temporarily or permanently, except in designated areas.

1.05. All outbuildings shall be located to the rear of the residence. Only one single family main residence and one secondary single family resident (for guests or servants) shall ever be built or maintained on any building site. The moving of used buildings onto any building site in the Subdivision is prohibited.

1.06. It is specifically agreed that lot owners shall not excavate, remove or sell the soil, nor cut, sell or remove timber other than as necessary for the construction of residential and associated improvements upon the property and as may be necessary for the reasonable use, upkeep and maintenance of the property which would not in any manner decrease the value of the same, and shall at all times maintain such property in conformity with the general plan and scheme of residential development as herein set forth, to the end and purposes that the property herein sold, as well as other properties in the Subdivision will maintain uniform conformative development. No leaves, brush, timber, debris or trash of any nature shall be permitted to be placed, disposed of or burned within the road right-of-ways. However, it is specifically agreed that all garbage and/or trash will be promptly hauled away by the lot owner or at his expense.

1.07. No billboards or other advertising signs of any nature, either commercial or private (except in areas designated as "Commercial" or "Reserve") shall be erected or maintained, save and except, reasonable "For Sale" or "For Rent" signs pertaining to the sale or rental of the tract or tracts and improvements thereon, except promotional signs erected by Grantor.

1.08. Whenever a residence is established on any tract, it shall provide an inside toilet and shall be connected with a septic tank and drain field. No cesspool shall ever be dug, used or maintained on any parcel of land in this Subdivision, and drainage of septic tanks or sewage into roads, lakes, streets, alleys, ditches, ravines or upon the open ground shall be prohibited and enforceable

as any other violation of these restrictions by any resident in the Subdivision or by the Association or by public body. The purchaser of a parcel of land in the Subdivision shall, upon constructing any residence upon his tract, or any person making use of his tract of land, place a culvert of sufficient size to permit the free flow of water at a point between the roadway and his property, and shall fill in sufficient dirt over and around the same to construct a driveway to the premises. The inside bottom of said culvert must be even with or below the level of the ditch. Outside toilets are strictly prohibited.

1.09.(a) The streets and roads shown on said recorded plats are dedicated to the use of the public. The utility easements shown thereon are dedicated subject to the reservations hereinafter set forth.

(b) No interest in the oil, gas or other minerals in, on or under the property will be conveyed by Grantor; all interest in the same being expressly reserved by Grantor, or its predecessors in title.

(c) The utility easements shown on the recorded plats are dedicated with the reservation that such utility easements are for the use and benefit of any public utility operating in Bastrop County, Texas, as well as for the benefit of the Grantor and the property owners in the Subdivision to allow for the construction, repair, maintenance and operation of a system or systems of electric light and power, telephone lines, gas, water, sanitary sewers, storm sewers and any other utility or gas which the Grantor may find necessary or proper.

(d) The title conveyed to any property in the Subdivision shall not be held or construed to include the title to the water, gas, electricity, telephone, storm sewer or sanitary sewer lines, poles, pipes, conduits or other appurtenances or facilities constructed by the Grantor or public utility companies upon, under, along, across or through such public utility easements; and the right (but no obligation) to construct, maintain, repair and operate such systems, utilities, appurtenances and facilities is reserved to the Grantor, its successors and assigns.

(e) The right to sell or lease such lines, utilities, appurtenances or other facilities to any municipality, governmental agency, public service corporation or other party is hereby expressly reserved to the Grantor.

(f) The Grantor reserves the right to make minor changes in and minor additions to such utility easements for the purpose of more efficiently serving the Subdivision or any property therein.

1.10. No used or new building materials whatsoever shall be placed or stored on any tract in said Subdivision.

1.11. If any lot owner in this Subdivision shall violate or attempt to violate any of the covenants or restrictions herein contained, then any other lot owner in the Subdivision or the Association shall have the right to prosecute any proceeding, at law or in equity, against any person violating or attempting to violate any of the covenants or restrictions, and either prevent such person or persons from so doing by prohibitive or mandatory injunction and/or to recover damages for such violation. In the event that any portion of the provisions hereof shall become or be held invalid,

whether by reason of abandonment, waiver, estoppel, judicial decision or otherwise, such partial invalidity shall not affect, alter or impair any other provision hereof which was not thereby held invalid; and such other provisions, including restrictions, reservations and covenants shall remain in full force and effect, binding in accordance with their terms.

1.12. **DELETED IN ITS ENTIRETY EFFECTIVE JANUARY 1, 1999.**

1.13. No power motors (excepting electric motors not exceeding ten (10) horsepower) shall be used on the lakes in the Subdivision. Piers may not extend more than four (4) feet into lakes other than public piers in the park areas.

ARTICLE II ASSESSMENT OF ANNUAL CHARGE

DELETED IN ITS ENTIRETY EFFECTIVE JANUARY 1, 1999

ARTICLE III IMPOSITION OF CHARGE AND LIEN UPON THE PROPERTY

DELETED IN ITS ENTIRETY EFFECTIVE JANUARY 1, 1999

ARTICLE IV USE OF FUNDS

4.01. The Association shall apply all funds received by it for the benefit of the lands lying within the Subdivision in the following manner:

(i) The payment of all principal and interest, when due, on all amounts owed by the Association;

(ii) The costs and expenses of the Association; and

(iii) For the benefit of the Subdivision, by devoting the same to the acquisition, construction, reconstruction, conduct, alteration, enlargement, laying, renewing, placement, repair, maintenance, operation and subsidizing of such of the following as the Association in its discretion, may from time to time establish or provide; any and all projects, sources, facilities, studies, programs, systems and properties relating to parks, recreational facilities or services; drainage systems; streets, roads, highways, walkways, curbing, gutters, sidewalks, trees, flowers and landscaping, fountains, benches, shelters, directional and information signs, bridges, and street, road and highway lighting facilities; facilities for the collection, treatment and disposal of garbage, sewage and refuse; mass transit systems, stations and terminals, airfields, airports, air terminals and associated facilities; facilities for the fighting and preventing of fires; public utility systems, including plants, systems, facilities or properties used or useful in connection with the manufacture, production, distribution, delivery and storage of electric power and manufacture of natural gas or any other potential power source, and any integral part thereof, utility lines, poles, surface and underground ducts, relay stations, cables, pipes, pipelines, valves, meters and equipment and appurtenances, and all properties, rights, easements and franchises relating thereto, communication systems and facilities, including all buildings, systems, facilities and properties used or useful in connection with the operation of communication networks and

facilities, stations, towers, relay systems and facilities, cables, underground and surface ducts, lines, poles, receiving, transmitting and relay equipment and appurtenances and all properties, rights, easements and franchises relating thereto; auditoriums, galleries, halls, amphitheaters, theaters, arenas and stadiums, educational buildings and facilities, including equipment, supplies and accessories in connection therewith; buildings, storage and maintenance yards, garages and other buildings and facilities deemed necessary or desirable by the Association in connection with the administration, management, control and operation of the Association; hospitals and clinics, including equipment, medicines, supplies and accessories in connection therewith; libraries, including equipment, books, supplies and accessories in connection therewith; traffic engineering programs and parking facilities; facilities for animal rescue and shelter; lakes, dams, parks, golf courses, tennis courts, zoos, playgrounds, boat basins and marinas, equestrian centers and facilities; skeet ranges, bowling alleys and other related or unrelated recreational facilities; and any and all other improvements, facilities and services as the Association may deem to be necessary, desirable or beneficial to the Subdivision or its residents.

4.02. The Association shall not be obligated to spend in any calendar year any part of or all of the sums collected in such year by way of annual charges, or otherwise, and may carry forward, as surplus any balances remaining; nor shall the Association be obligated to apply any such surpluses or the reduction of the amount of annual charge in the succeeding year, but may carry forward from year to year such surplus as the Association in its discretion may determine to be desirable for the greater financial security of the Association and the effectuation of its purposes.

4.03. The Association shall be entitled to contract with any corporation, firm or any other entity in order to carry out the performance of the various functions of the Association hereunder.

ARTICLE V RIGHTS OF ENJOYMENT IN COMMUNITY FACILITIES

5.01. Every lot owner, by reason of such ownership, shall have a right and easement of enjoyment in and to all community facilities, and such easement shall be appurtenant to and shall pass with every lot upon transfer. All residents in the Subdivision shall have a non-transferable privilege to use and enjoy all community facilities for so long as they are residents within the previously defined meaning of that term. All such rights, easements and privileges, however, shall be subject to the right of the Association to adopt and promulgate reasonable rules and regulations pertaining to the use of community facilities which shall enhance the preservation of such facilities, the safety and convenience of the users thereof, or which, in the discretion of the Association, shall serve to promote the best interests of the owners and residents, including making available of certain community facilities to school

children, with or without charge. The Association shall have the right to charge owners and residents reasonable admission and other fees in connection with the use of any community facility. In establishing such admission and other fees, the Association may, in its discretion, establish reasonable classifications of owners and residents; such admission and other fees must be uniform within each such class but need not be uniform from class to class. The Association shall have the right to borrow money for the purpose of improving any community facility and in the aid thereof, to mortgage the same and the rights of any such mortgagee shall be superior to the easements herein granted and assured.

5.02. The Association shall have the right to suspend the right of any lot owner (and the privilege of each resident claiming through such owner) for any period during which the annual charge remains overdue and unpaid, or in connection with the enforcement of any rules or regulations relating to such facilities in accordance with the provisions hereof.

5.03. Notwithstanding the rights, easements and privileges granted under this Article V, the Association shall nevertheless have the right and power to convey any property referred to in Section 5.01 hereof free and clear of all such rights, easements and privileges if such conveyance is to a public body for public use.

ARTICLE VI ARCHITECTURAL CONTROL

6.01. No building or other improvement of any character shall be erected or placed, or the erection or placing thereof commenced, or changes made in the design thereof or any addition made thereto or exterior alteration made therein after original construction, on any property in the Subdivision until the obtaining of the necessary approval (as hereinafter provided) of the construction plans and specifications and a plat showing the location of such building or other improvements. Approval shall be granted or withheld based on matters of compliance with the provisions of this instrument, quality of materials, harmony of the external design with existing and proposed structures and location with respect to topography and finished grade elevation.

6.02.(a) The authority to grant or withhold architectural control approval as referred to above is vested in the Grantor; except, however, that such authority of the Grantor shall cease and terminate upon the election of the Tahitian Village Architectural Control Committee, in which event such authority shall be vested in and exercised by the Tahitian Village Architectural Control Committee (as provided in "(b)" below), hereinafter referred to, except as to plans and specifications and plats theretofore submitted to the Grantor which shall continue to exercise such authority over all such plans, specifications and plats.

(b) At such time as 75% of the lots in the Subdivision and in all others sections of Tahitian Village (as platted, from time to time, hereafter) shall have been sold by the Grantor, the Grantor shall cause a statement of such circumstances to be placed of record in the Deed Records of Bastrop County, Texas. Thereupon, the owners in Tahitian Village may by vote as hereinafter provided, elect a committee of five (5) members to be known as the Tahitian Village

Architectural Control Committee (hereinafter referred to as the "Committee"). Each member of the Committee must be an owner of property in some section of Tahitian Village. Each lot owner shall be entitled to one (1) vote for each whole lot or building site composed of more than one (1) whole lot, such building site owner shall be entitled to one (1) vote for each whole lot contained within such building site.

The Grantor shall be obligated to arrange for the holding of such election within sixty (60) days following the filing of the aforesaid statement by the Grantor in the Deed Records of Bastrop County, Texas, and give notice of the time and place of such election (which shall be in Bastrop County, Texas) not less than five (5) days prior to the holding thereof. Nothing herein shall be interpreted to require that the Grantor actually file any such statement so long as it has not subdivided and sold the entirety of the property, nor to affect the time at which the Grantor might take such action, if, in fact, the Grantor does take such action.

The results of each such election shall promptly be determined on the basis of the majority of those owners then voting in such election.

After the first such election shall have been held, thereafter the Committee shall be obligated to arrange for elections (in the manner and after notice as set forth above) for the removal and/or replacement of Committee members when so requested in writing by thirty (30) or more lot owners in the Subdivision. Members of the Committee may, at any time, be relieved of their position and substitute members therefor designated by vote as set forth above.

Upon the death, resignation, refusal or inability of any member of the Committee to serve, the remaining members of the Committee shall fill the vacancy by appointment, pending an election as hereinabove provided for.

6.03. Approval or disapproval as to architectural control matters as set forth in the preceding provisions shall be in writing. In the event that the authority exercising the prerogative of approval or disapproval (whether the Grantor or the Committee) fails to approve or disapprove in writing any plans and specifications and plat submitted to it in thirty (30) days following such submission, such plans and specifications and plat shall be deemed approved and the construction of any such building and other improvements may be commenced and proceeded with in compliance with all such plans and specifications and plat and all of the other terms and provisions hereof.

6.04. The granting of the aforesaid approval shall constitute only an expression of opinion, whether by the Grantor or the Committee, that the terms and provisions hereof shall be complied with if the building and/or other improvements are erected in accordance with said plans and specifications and plat; and such approval shall not constitute any nature of waiver or estoppel either as to the persons expressing such approval or any other person in the event that such building and/or improvements are not constructed in accordance with such plans and specifications and plat. Further, no person exercising any prerogative of approval or disapproval

shall incur any liability by reason of the good faith exercise thereof. Exercise of any such prerogative by one (1) or more members of the Committee in their capacity as such shall not constitute action by the Grantor after the election of such Committee members, notwithstanding that any such Committee member may be a director of the Grantor.

ARTICLE VII MISCELLANEOUS

7.01. No change of conditions or circumstances shall operate to extinguish, terminate or modify any of the provisions of this declaration.

7.02. The determination of any court that any provision of this declaration is unenforceable or void shall not affect the validity of any of the other provisions hereof.

7.03. The Association shall be empowered to assign its rights hereunder to any successor non-profit corporation (hereinafter referred to as "Successor Corporation") and, upon such assignment the Successor Corporation shall have the right and be subject to all the duties of the Association hereunder and shall be deemed to have agreed to be bound by all the provisions hereof, to the same extent as if the Successor Corporation had been an original party. If for any reason the Association shall cease to exist without having first assigned its rights hereunder to a Successor Corporation, the covenants, easements, charges and liens imposed hereunder shall nevertheless continue, and any owner may petition a court of competent jurisdiction to have a trustee appointed for the purpose of organizing a non-profit membership corporation and assigning the rights of the Association hereunder with the same force and effect, and subject to the same conditions as provided in this Section 7.03 with respect to an assignment and delegation by the Association to a Successor Corporation.

7.04. Any or all of the covenants or restrictions herein may be annulled, amended or modified at any time by the recommendation of the architectural control authority, or its successors, and ratified by a vote of two-thirds (2/3) of the lot owners in the Subdivision. All such lot owners shall be given thirty (30) days notice in writing of any proposed amendment before the same is adopted. There shall be no annulment, amendment or modification of these covenants without the prior recommendation of the architectural control authority.

7.05. All titles or headings of the Articles herein are for the purpose of referenced only and shall not be deemed to limit, modify or otherwise affect any of the provisions hereof. All references to a singular term shall include the plural where applicable.

WE, the undersigned, being all the members of the Architectural Control Committee of Tahitian Village, Unit I, do hereby certify that the above and foregoing covenants, conditions and restrictions reflect the Agreement of Covenants, Conditions and Restrictions as amended in accordance with Article VII, Section 7.04, of the original Agreement of Covenants, Conditions and Restrictions for Unit I originally filed in Volume 208, Page 752, of the Official Records of Bastrop County, Texas. This Amended Agreement of Covenants, Conditions and Restrictions was adopted by a two-thirds (2/3) vote

of the lot owners approving a recommendation for amendment made by the Architectural Control Committee. The members of the Committee, by signing this certification, do certify as to compliance with the requirements of Section 7.04.

EFFECTIVE DATE OF AMENDMENT

These amendments shall be effective on the date of filing if filed on or prior to December 31, 1998. Nothing contained in these amendments shall affect the liability of a property owner or the validity of a lien with regard to any property within the subdivision for fees or assessments which have accrued prior to the filing of these amendments in the Bastrop County Clerk's Office.

SIGNED on the 8th day of DECEMBER, 1998.

TAHITIAN VILLAGE ARCHITECTURAL CONTROL COMMITTEE

Bill O'Barr, Chair

David Pinard

Lynn Weiss, Secretary

Jim Aiello, Treasurer

Carl Fontenot

The undersigned officer of Tahitian Village Property Owners' Association, Inc. hereby approves the Amended Agreement of Covenants, Conditions and Restrictions for Tahitian Village, Unit I.

By: _____
Kenneth J. Keil, President

THE STATE OF TEXAS §
§
COUNTY OF BASTROP §

BEFORE ME, the undersigned Notary Public, on this day personally appeared **BILL O'BARR, DAVID PINARD, LYNN WEISS, JIM AIELLO and CARL FONTENOT**, Members of the Tahitian Village Architectural Control Committee, and **KENNETH J. KEIL**, President of Tahitian Village Property Owners' Association, Inc., and under oath, acknowledged to me that he executed the foregoing instrument for the purposes and consideration therein contained, in the capacity therein stated, and as the act and deed of the Committee.

ACKNOWLEDGED, SUBSCRIBED AND SWORN TO on this the 8th day of December, 1998, to which witness my hand and seal of office.

Notary Public In and For
The State of T E X A S
Printed Name: _____
My Commission Expires: _____

CINDY ROBINSON
Notary Public, State of Texas
My Commission Expires
MAY 09, 2002

FILED AND RECORDED

VOL 951 PAGE 64

Shirley Wilhelm

1998 DEC 08 09:07 AM 199813771
Shirley Wilhelm
COUNTY CLERK
BASTROP COUNTY, TEXAS
By _____

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SECOND AMENDMENT TO THE:
TAHITIAN VILLAGE PROPERTY OWNERS' ASSOCIATION, INC.
BYLAWS

ARTICLE I
DEFINITIONS

SECTION 1. "Association" shall mean and refer to the Tahitian Village Property Owners' Association, Inc., a nonprofit corporation organized and existing under the laws of the State of Texas.

SECTION 2. "The Properties" shall mean and refer to those properties as set forth and particularly described in Article FOUR of the Articles of Incorporation of Tahitian Village Property Owners' Association, Inc., and such additions thereto as may hereafter be brought within the jurisdiction of the Association as in said article provided.

SECTION 3 Deleted

SECTION 4. "The Covenants" shall mean and refer to The Agreement of Covenants, Conditions and Restrictions to which the properties are or will be subjected and which are recorded in the office of the County Clerk of Bastrop County, Texas.

SECTION 5. "Member in Good Standing" shall mean and refer to any member of the Association, as defined in Article FIVE, of the Articles of Incorporation of the Association, whose membership rights are not currently suspended for any reason.

SECTION 6. "Voting Rights" shall mean and refer to the right of members in good standing to vote on any matter presented to the membership of the Association for a vote. Voting rights shall be separate and distinct from all other membership rights and privileges, and are solely controlled by Article IV of these Bylaws.

SECTION 7. "Fiscal Year" shall mean and refer to the Association's financial accounting period of one year, January 1 through December 31.

SECTION 8. "Director Place" shall mean and refer to the assigned Director position designated by numbers one through six. The Board of Directors assigns the number to a Place and the election year for the Place.

ARTICLE II
LOCATION

SECTION 1. The principal office of the Association shall be located at 106 Conference Dr., Bastrop, TX 78602 until changed by the Board of Directors. The principal mailing address of the Association shall be P0 Box 636, Bastrop, Texas, 78602, until changed by the Board of Directors.

ARTICLE III
MEMBERSHIP

SECTION 1. The membership shall be as set forth in Article FIVE of the Articles of Incorporation.

Approved on March 24, 2007
TVPOA Special Membership Meeting

ARTICLE IV
VOTING RIGHTS

SECTION 1. Member in Good Standing shall be entitled in matters before the membership to cast a vote for each lot the member owns as set forth in Article FIVE of the Articles of Incorporation and as ownership shows in the records of the Association.

SECTION 2.
A Member in Good Standing may vote for each Director Place vacancy when the Association records show the member owns a lot by January 1 preceding the annual membership meeting. Excluded from voting for a Director Place vacancy is any public entity or any corporate entity acting as a fiduciary.

SECTION 3. A Member in Good Standing may vote for each proposition of Association business that comes before a special membership meeting and Association records show the member owns a lot ninety days preceding that membership meeting.

ARTICLE V
Deleted

ARTICLE VI
ASSOCIATION PURPOSES AND POWERS

SECTION 1. The Association has been organized for the purposes and shall have the powers as set forth in its Articles of Incorporation.

ARTICLE VII
BOARD OF DIRECTORS

SECTION 1. The Association shall be governed by a Board of Directors (hereinafter called "the Board') as provided in Article SEVEN of the Articles of Incorporation of the Association.

SECTION 2. The election to a Director Place is for a two year term. A member begins the elected position of Director upon adjournment of the annual membership meeting. A Director shall vacate a Director Place no later than the member elected or appointed to the Place is to begin the position.

SECTION 3. Vacancies in the Board of Directors shall be filled by the affirmative vote of a majority of the remaining Directors, regardless of the number of remaining Directors. A member appointed to a Director Place shall hold office for the remainder of the unexpired term of that Director Place.

SECTION 4. Eligibility to be elected to, or to continue to serve on, the Board of Directors shall be restricted to members of the Association in good standing as defined in Article I Section 5 of these Bylaws.

SECTION 5. A Director either elected or appointed may serve with consecutive numbers of terms limited to three.

SECTION 6. Any Director may be removed from office as provided in Article IX Section 1(e), or by a majority of votes cast by members present in person at:

a) The Annual Membership Meeting of the Association or

b) Any Special Membership Meeting
provided notice is given as required by Article XII Section 3 of the proposed removal vote.

ARTICLE VIII
ELECTION OF DIRECTORS
ELECTION COMMITTEE

SECTION 1. The election of the Board of Directors, the appointment of an Election Committee, an Election Judge and the receiving of Director Candidates shall occur annually. The election shall be by written ballot as hereinafter provided in Section 5 of this Article. For each Director Place vacancy on the Board of Directors, the manner to vote is defined in Article IV of these Bylaws. There shall not be any cumulative voting at this election. All members eligible to vote who wish their vote counted must fill out and return individual ballots, and do so in accordance with these By-Laws.

SECTION 2. The Board of Directors shall appoint an Election Committee consisting of at least three (3) Members in Good Standing, one of whom shall be a Board Member whose term is not expiring. The Election Committee is appointed when the date of an annual membership meeting is set by the Board. It shall be the duty of the Election Committee to:

a) Verify that the signers of each member's petition are eligible voters, and notify the candidate within ten (10) days if the petition is found to have less than the required ten eligible vote signatures,
b) Select three or more eligible candidates to be placed on the ballot,
c) Ensure the ballot lists the candidates' names by random drawing,
d) Verify that all eligible voters have been mailed the appropriate ballot packet within 20 days before completed ballots are due to the Association,

SECTION 3. All members of the Association in good standing shall be eligible to have their names placed on the ballot for the election to the Board of Directors upon presentation to the Election Committee of the following:

a) A petition to be placed on the ballot signed by no less than ten (10) eligible voters (as distinguished from persons eligible to vote ten votes) (Mandatory)
b) A resume submitted, although optional, is preferred for the voting membership
c) The petition must be received by the Association's official address by the date set by the Board of Directors.
(d) Beginning with the 2006 Board of Directors each Director's position shall be named "Place" and identified with a number one through six. A Director Place number shall be determined by the total number of votes received by each Director in the 2006 Board of Directors elections. The Director who received the most votes is Place 1; the second most votes received is Place 2. The assignment of Places for Directors proceeds as above with Place 6 having been the Director receiving the least votes in that election.
(e) Three Director Places become vacant each year beginning with the Board election in 2007. The election process to attain electing three Director Places each year is:

1) Places 4, 5 and 6 will become vacant in 2007 and subsequent odd numbered years.
2) Places 1, 2 and 3 will become vacant in 2008 and subsequent even numbered years.
3) Election of a Director for a Place is the candidate receiving the most votes and placement shall be in descending order of votes received.

SECTION 4. The Board of Directors shall, on or before the 30th day of each fiscal year and before the mailing of election ballots, select an Election Judge to receive and count the ballots for the election of the Board of Directors for that year. The Election Judge may be any Certified Public Accountant or Attorney licensed to practice in the State of Texas, or a Notary Public whose commission does not expire before the end of the current calendar year. The sole restriction placed on the selection is that the individual or firm selected may not be, or have as a member of their staff, any member or employee of the Associations.

SECTION 5. All elections of the Board shall be made on written ballots which shall:

a) Describe the Place vacancies in numerical order to be filled;

b) Set forth by random drawing the names of those candidates nominated;

c) Deleted

The ballot package shall be prepared and mailed by the Association to all eligible voters, and shall include the following:

a) Resumes provided by the candidates (if any),

b) Notice and agenda of the annual membership meeting as set by the Board of Directors,

c) A plain pre-addressed envelope clearly marked "BALLOT", and lines for the printing and the signature of the voter

d) Voting instructions, including the last date the ballot may be postmarked

e) Election ballot

f) On the ballot package received, a label with the member's number of lots, which is the number of votes that the member may cast for each vacant Director Place

To vote, members shall place their completed ballot in the pre-addressed envelope marked "BALLOT", provide the printed and signature name of the member and mail it. In order to be counted the ballot must be postmarked no later than the date provided in the ballot package chosen by the Board of Directors each year.

SECTION 6. The Secretary of the Association shall prepare a list of all members eligible to vote in the election for the Board of Directors and mail one copy of it to the Election Judge on or before the last date to receive ballots from voting members.

SECTION 7. The Election Judge shall:

a) Store the ballots unopened until the eligible voter list is received from the Association Secretary, treating them as confidential communications.

b) Set aside unopened any ballots postmarked after the last date to receive ballots from voting members.

c) Compare the voter labels on the remaining ballot envelopes to the eligible voter list, and set aside unopened:

1) Envelopes without the member's label

2) Envelopes with names not on the list from the Secretary

3) Envelopes without the member's signature or printed name or both

d) Open the remaining ballots and verify the ballot votes are no more than the number of votes eligible to be cast shown on the label. If the ballot shows more votes than the label, write on the ballot the number of votes eligible to be cast and initial it.

e) Tally all votes, including those from d) above, which shall be limited to no more than the number of eligible votes noted thereon, beginning at the top of the ballot and working towards the bottom and ceasing when the maximum number of eligible votes is reached, issue by issue.

f) Prepare a report which shall include:

1) Total number of eligible voters and votes as reported by the Association Secretary;
2) Total number of ballots received;
3) Number of ballots disqualified, and the reason;
4) The number of votes accepted for each Director Candidate
5) A statement certifying the results of the election, to include naming as Directors for each Place the candidates with the most number of votes, except that a Director will not be named when at least two candidates have the same amount of votes for a Place.
6) Place the report in a sealed envelope and personally deliver to the Association President at the annual membership meeting. The results shall not be disclosed until the agenda item for election results is called at the meeting.

g) Store all the ballots in a secure manner for a period of sixty (60) days, after which they shall be destroyed, unless a protest bearing the signatures of members eligible to vote at least five percent (5%) of the total votes eligible to be cast has been received by the Secretary of the Association.

h) Certify in writing to the Association that all the ballots were destroyed in a manner to protect confidentiality of the ballots.

SECTION 8. An election tie shall be broken by majority vote of Members eligible to vote at the annual membership meeting. The candidate receiving the most votes is the Director for that Place.

SECTION 9. The Board of Directors shall use the procedure as defined by the Texas Election Code if a challenge is made to the voting process or results of an election.

ARTICLE IX
POWERS AND DUTIES OF
THE BOARD OF DIRECTORS

SECTION 1. The Board of Directors shall have the power to:

(a) Call special meetings of the members whenever it deems necessary, and it shall call a meeting at any time upon written request of members eligible to vote five per cent (5%) or more of the total eligible votes as defined in Article FIVE of the Articles of Incorporation and Article IV of these Bylaws.

(b) Appoint and remove for cause all officers and agents and employees of the Association, including those of the Association's Committees, prescribe their duties, fix their compensation and require of them security or fidelity bond as it may deem expedient. Officers and Directors of the Association, including those of the Association's Committees and members of their immediate families shall not be employed by the Association in any capacity whatsoever, whether or not compensated. Nothing in these Bylaws shall be construed to prohibit the employment of any other member of the Association.

(c) Establish an assessment and its' collection as is necessary to maintain the powers, duties and authority of the Association.

(d) Exercise for the Association all powers, duties, and authority vested in or delegated to this Association except those reserved to the annual meeting or to the members.

(e) In the event any member of the Board of this Association shall be absent from three (3)

consecutive regular meetings of the Board, the Board may by action taken at the meeting in which such third (3rd) absence occurs declare the office of said absent Director to be vacant.

(f) Review for approval or direct the development, rules and regulations of Committees of the Association.

(g) Appoint or remove members of Committees, set terms and term limits.

SECTION 2. It shall be the duty of the Board to:

a) Cause to be kept a complete record of all its acts and corporate affairs and to present a statement thereof to the members at the annual meeting of the members or at any special meeting when such presentation is required in writing by members eligible to vote five percent (5%) or more of the total eligible votes.

b) Supervise all officers, agents and employees of this Association, assuring that their duties are properly performed.

(c) As more fully provided in the appropriate Covenants applicable to The Properties, to:

(1) Prepare a roster of The Properties and outstanding charges applicable thereto which shall be kept in the offices of the Association and shall be open to inspection by any member in good standing

(2) Send written notice of each assessment to every owner subject thereto.

(d) Issue or cause an appropriate Officer to issue, upon demand by any person, a certificate setting forth whether any annual charge has been paid. Such certificate shall be conclusive evidence of any charge therein stated to have been paid.

SECTION 3. The Board shall ensure that proper books of account are kept for the Association, and shall appoint or engage a Certified Public Accountant or Auditor (not a property owner) to perform an audit of the books bi-annually, prepare a financial report, and present it to the membership at the annual meeting.

SECTION 4. The Board shall prepare and adopt before the beginning of a fiscal year, a budget for the upcoming fiscal year and present it to the membership at the annual membership meeting.

ARTICLE X
DIRECTORS' MEETINGS

SECTION 1. A regular meeting of the Board shall be held on the third (3rd) Tuesday of each month at 7:00 P.M. at the principal office of the Association as set forth in Article II of these Bylaws. The Board may, by resolution, change the day, hour and place of holding such regular meeting.

SECTION 2. Deleted.

SECTION 3. Special meetings of the Board shall be held when called by any two (2) Directors, and coordinated with the remaining directors. Action taken at said meeting shall be immediately effective, provided Section 4 herein below is complied with within ten (10) days of said meeting.

SECTION 4. The transaction of any business at any meeting of the Board, however called or whenever held, shall be as valid as though made at a meeting duly held after regular call.

a) In the event of a special meeting, every Director not present signs a written Waiver of Notice and Consent to the holding of such meeting and actions taken therein, and

b) Such Waiver is filed with the corporate records and made a part of the minutes of the meeting.

SECTION 5. The majority of the Board shall constitute a quorum thereof.

ARTICLE XI
OFFICERS

SECTION 1. The officers shall be a President, Vice President, Secretary, one or more Assistant Secretaries and a Treasurer.

a) The President and Vice President shall be members of the Board of Directors.

b) The Board may, in its sole discretion, elect not to appoint officers and to function by virtue of unanimous consent of the Directors.

c) The Board may appoint members to the position of Secretary and Treasurer of the Association. An appointed member is an ex officio member of the Board.

SECTION 2. The officers shall be chosen by a majority vote of the Directors.

SECTION 3. All officers shall be elected for a term of one (1) year.

SECTION 4. The President shall preside at all meetings of the Board, see that orders and resolutions of the Board are carried out, and sign all notes, mortgages, deeds and other written instruments as directed by the Board.

SECTION 5. The Vice President shall perform all the duties of the President in his absence.

SECTION 6. The Secretary of the Association shall serve as Secretary of the Board and shall have the following duties:

a) Keep the minutes of all proceedings in a book to be kept for that purpose.

b) Keep the records of the Association.

c) Record in a book kept for that purpose the names of all the members of the Association together with their addresses as registered by such members.

SECTION 7. The Treasurer shall receive and deposit in appropriate bank accounts all monies of the Association and shall disburse such funds as directed by a resolution of the Board. However, a resolution of the Board shall not be necessary for the disbursements made in the ordinary course of business conducted within the limits of the budget adopted by the Board.

ARTICLE XII
MEETINGS OF MEMBERS

SECTION 1. The regular annual membership meeting shall be determined prior to January 1st of each year and shall be held within the first 45 days of each year the date and time as determined by the Board of Directors.

SECTION 2. Special meetings of the members for any purpose may be called by the President, the Vice President, or upon written request of members who are eligible to vote five per cent (5%) of all of the eligible votes of the entire membership.

SECTION 3. Notice of meetings of the full membership shall be given to all members in good standing by the Association by sending a notice, to the addresses appearing on the books of the Association. Members shall register their addresses with the Association, and notice of the meetings shall be sent to

them at such addresses. Notice of any special membership meeting shall be sent not less than twenty (20) nor more than fifty (50) days in advance of the meeting and shall be accompanied by a proposed agenda for the meeting.

SECTION 4. Members may request to receive notices and agendas of membership meetings at their electronic mail address. Unless the use of an electronic mail address is revoked by the member or the Board, the mailing of the information to the member ceases. The Board of Directors sets the process to electronically receive notices and agendas and to register the address with the Association. The mailing of notices and agendas to members occurs when an electronic address is not used.

SECTION 5. At any membership meeting those members presence shall constitute a quorum for the transaction of business.

SECTION 6. The Secretary of the Association shall have a list of all eligible voters, and the number of votes each is eligible to vote.

ARTICLE XIII
Deleted

ARTICLE XIV
BOOKS AND PAPERS

SECTION 1. The books, records and papers of the Association shall at all times, during reasonable business hours, be subject to inspection by any Member in Good Standing.

ARTICLE XV
CORPORATE SEAL

SECTION 1. The Association shall have a seal in circular form having within its circumference the words, Tahitian Village Property Owners' Association, Inc., a Texas non-profit corporation incorporated 1972.

ARTICLE XVI
AMENDMENTS

SECTION 1. These Bylaws maybe amended by a majority of votes cast by members present in person at:

a) The Annual Meeting of the Association or

b) Any Special Meeting but only if notice of proposal to amend these Bylaws and a copy of the proposed amendment(s) accompanies the notice of the meeting required in Article XII, Section 3, of these Bylaws.

ARTICLE XVII
PARLIMENTARY AUTHORITY

SECTION 1. The rules contained in the current *Robert's Rules of Order Newly Revised* shall govern the Association in all cases to which they are applicable and in which they are not inconsistent with these By-Laws and any special rules of order the Association may adopt.

"RESOLUTION"

WE, the undersigned Directors of Tahitian Village Property Owner's Association, Inc., do hereby certify that the foregoing Second Amendment to the Bylaws are correct and that the same have been duly adopted by said Association at a meeting of the Membership of this Association held in Bastrop County, Texas at 1:45 p.m. on the 24th day of March, 2007.

John S. Creamer, Jr.	**Mike Gudell**	**Cindye Wolford**
Michelle Pittman	**Bruce J. Wilson**	**Christy J. Kosser**

PO Box 636
Bastrop, TX 78602

Except as herein otherwise specified, the decision of the majority of the Directors currently serving as such shall be required and shall be sufficient to authorize any acting on behalf of the corporation. Each director shall be entitled to one (1) vote on every matter presented to the Board of Directors.

IN WITNESS WHEREOF, we have hereunto set our hands this 19 **day of** December**, 2007.**

John S. Creamer, Jr.	**Mike Gudell**	**Cindye Wolford**
Michelle Pittman	**Bruce J. Wilson**	**Christy J. Kosser**

THE STATE OF TEXAS:
COUNTY OF BASTROP:
Before me, the undersigned Notary Public, on this day personally appeared John S. Creamer,Jr., Mike Gudell, Cindye Wolford, Michelle Pittman, Bruce J. Wilson, and Christy J. Kosser, Directors of the Tahitian Village Property Owners' Association, Inc., and under oath, acknowledged to me that they executed the foregoing document as an incorporator and that the statements therein confirmed are true.

SWORN TO AND SUBSCRIBED before me this 19 **day of** December**, 2007.**

Notary Public in and for Bastrop County, Texas

ERIKA LEE MCDONALD
NOTARY PUBLIC
State of Texas
Comm. Exp. 04-30-2011

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Rose Pietsch

December 20, 2007 03:57:57 PM
MARYC FEE: $48.00 BOOK:1800 PAGE:665-674
ROSE PIETSCH, County Clerk
Bastrop, Texas
AMEND 200718391

BYLAWS
201004629
9 PGS

FOURTH AMENDMENT TO THE:
TAHITIAN VILLAGE PROPERTY OWNERS' ASSOCIATION, INC.
BYLAWS

ARTICLE I
DEFINITIONS

SECTION 1. "Association" shall mean and refer to the Tahitian Village Property Owners' Association, Inc., a nonprofit corporation organized and existing under the laws of the State of Texas.

SECTION 2. "The Properties" shall mean and refer to those properties as set forth and particularly described in Article FOUR of the Articles of Incorporation of Tahitian Village Property Owners' Association, Inc., and such additions thereto as may hereafter be brought within the jurisdiction of the Association as in said article provided.

SECTION 3 Deleted

SECTION 4. "The Covenants" shall mean and refer to The Agreement of Covenants, Conditions and Restrictions to which the properties are or will be subjected and which are recorded in the office of the County Clerk of Bastrop County, Texas.

SECTION 5. "Member in Good Standing" shall mean and refer to any member of the Association, as defined in Article FIVE, of the Articles of Incorporation of the Association, whose membership rights are not currently suspended for any reason.

SECTION 6. "Voting Rights" shall mean and refer to the right of members in good standing to vote on any matter presented to the membership of the Association for a vote. Voting rights shall be separate and distinct from all other membership rights and privileges, and are solely controlled by Article IV of these Bylaws.

SECTION 7. "Fiscal Year" shall mean and refer to the Association's financial accounting period of one year, January 1 through December 31.

SECTION 8. "Director Place" shall mean and refer to the assigned Director position designated by numbers one through six. The Board of Directors assigns the number to a Place and the election year for the Place.

ARTICLE II
LOCATION

SECTION 1. The principal office of the Association shall be located at 106 Conference Dr., Bastrop, TX 78602 until changed by the Board of Directors. The principal mailing address of the Association shall be P0 Box 636, Bastrop, Texas, 78602, until changed by the Board of Directors.

ARTICLE III
MEMBERSHIP

SECTION 1. The membership shall be as set forth in Article FIVE of the Articles of Incorporation.

ARTICLE IV
VOTING RIGHTS

SECTION 1. Member in Good Standing shall be entitled in matters before the membership to cast a vote for each lot the member owns as set forth in Article FIVE of the Articles of Incorporation and as ownership shows in the records of the Association.

SECTION 2.
A Member in Good Standing may vote for each Director Place vacancy when the Association records show the member owns a lot by January 1 preceding the annual membership meeting. Excluded from voting for a Director Place vacancy is any public entity or any corporate entity acting as a fiduciary.

SECTION 3. A Member in Good Standing may vote for each proposition of Association business that comes before a special membership meeting and Association records show the member owns a lot ninety days preceding that membership meeting.

ARTICLE V
Deleted

ARTICLE VI
ASSOCIATION PURPOSES AND POWERS

SECTION 1. The Association has been organized for the purposes and shall have the powers as set forth in its Articles of Incorporation.

ARTICLE VII
BOARD OF DIRECTORS

SECTION 1. The Association shall be governed by a Board of Directors (hereinafter called "the Board') as provided in Article SEVEN of the Articles of Incorporation of the Association.

SECTION 2. The election to a Director Place is for a two year term. A member begins the elected position of Director upon adjournment of the annual membership meeting. A Director shall vacate a Director Place no later than the member elected or appointed to the Place is to begin the position.

SECTION 3. Vacancies in the Board of Directors shall be filled by the affirmative vote of a majority of the remaining Directors, regardless of the number of remaining Directors. A member appointed to a Director Place shall hold office for the remainder of the unexpired term of that Director Place.

a) **Voting to fill a Director vacancy shall occur after the Membership is notified by notice on the TVPOA website or by email of the vacancy(s) and Members are provided at least 14 days to file with the Board a resume and a petition to be appointed as a Director. The notice is not required to be delivered by US mail.**

SECTION 4. Eligibility to be elected to, appointed to or to continue to serve on, the Board of Directors shall be restricted to members of the Association in good standing as defined in Article I Section 5 of these Bylaws.

SECTION 5. A Director either elected or appointed may serve with consecutive numbers of terms limited to three.

SECTION 6. Any Director may be removed from office in accordance with:

1) **Article IX Section 1subsection 5, or**
2) **By a majority of votes cast for removal by members present in person at The Annual Membership Meeting of the Association or any Special Membership Meeting, and notice of a proposal to remove a Director is included with the notice of the meeting as required by Article XII Section 3.**

ELECTION OF DIRECTORS
ELECTION COMMITTEE

SECTION 1. The election of the Board of Directors, the appointment of an Election Committee, an Election Judge and the receiving of Director Candidates shall occur annually. The election shall be by written ballot as hereinafter provided in Section 5 of this Article. For each Director Place vacancy on the Board of Directors, the manner to vote is defined in Article IV of these Bylaws. There shall not be any cumulative voting at this election. All members eligible to vote who wish their vote counted must fill out and return individual ballots, and do so in accordance with these By-Laws.

SECTION 2. The Board of Directors shall appoint an Election Committee consisting of at least three (3) Members in Good Standing, one of whom shall be a Board Member whose term is not expiring. The Election Committee is appointed when the date of an annual membership meeting is set by the Board. It shall be the duty of the Election Committee to:

a) Verify that the signers of each member's petition are eligible voters, and notify the candidate within ten (10) days if the petition is found to have less than the required ten eligible vote signatures,

b) Select three or more eligible candidates to be placed on the ballot,

c) Ensure the ballot lists the candidates' names by random drawing,

d) Verify that all eligible voters have been mailed the appropriate ballot packet within 20 days before completed ballots are due to the Association,

SECTION 3. All members of the Association in good standing shall be eligible to have their names placed on the ballot for the election to the Board of Directors upon presentation to the Election Committee of the following:

a) A petition to be placed on the ballot signed by no less than ten (10) eligible voters (as distinguished from persons eligible to vote ten votes) (Mandatory)

b) A resume submitted, although optional, is preferred for the voting membership

c) The petition must be received by the Association's official address by the date set by the Board of Directors.

(d) Beginning with the 2006 Board of Directors each Director's position shall be named "Place" and identified with a number one through six. A Director Place number shall be determined by the total number of votes received by each Director in the 2006 Board of Directors elections. The Director who received the most votes is Place 1; the second most votes received is Place 2. The assignment of Places for Directors proceeds as above with Place 6 having been the Director receiving the least votes in that election.

(e) Three Director Places become vacant each year beginning with the Board election in 2007. The election process to attain electing three Director Places each year is:

1) **Places 4, 5 and 6 will become vacant in 2007 and subsequent odd numbered years.**
2) **Places 1, 2 and 3 will become vacant in 2008 and subsequent even numbered years.**

3) Election of a Director for a Place is the candidate receiving the most votes and placement shall be in descending order of votes received.

SECTION 4. The Board of Directors shall, on or before the 30th day of each fiscal year and before the mailing of election ballots, select an Election Judge to receive and count the ballots for the election of the Board of Directors for that year. The Election Judge may be any Certified Public Accountant or Attorney licensed to practice in the State of Texas, or a Notary Public whose commission does not expire before the end of the current calendar year. The sole restriction placed on the selection is that the individual or firm selected may not be, or have as a member of their staff, any member or employee of the Associations. However, an election is not needed if there is the same number of places available as there are candidates running for the TVPOA board.

SECTION 5. All elections of the Board shall be made on written ballots which shall:

a) Describe the Place vacancies in numerical order to be filled;
b) Set forth by random drawing the names of those candidates nominated;
c) Deleted

The ballot package shall be prepared and mailed by the Association to all eligible voters, and shall include the following:

a) Resumes provided by the candidates (if any),
b) Notice and agenda of the annual membership meeting as set by the Board of Directors,
c) A plain pre-addressed envelope clearly marked "BALLOT", and lines for the printing and the signature of the voter
d) Voting instructions, including the last date the ballot may be postmarked
e) Election ballot
f) On the ballot package received, a label with the member's number of lots, which is the number of votes that the member may cast for each vacant Director Place

To vote, members shall place their completed ballot in the pre-addressed envelope marked "BALLOT", provide the printed and signature name of the member and mail it. In order to be counted the ballot must be postmarked no later than the date provided in the ballot package chosen by the Board of Directors each year.

SECTION 6. The Secretary of the Association shall prepare a list of all members eligible to vote in the election for the Board of Directors and mail one copy of it to the Election Judge on or before the last date to receive ballots from voting members.

SECTION 7. The Election Judge shall:

a) Store the ballots unopened until the eligible voter list is received from the Association Secretary, treating them as confidential communications.
b) Set aside unopened any ballots postmarked after the last date to receive ballots from voting members.
c) Compare the voter labels on the remaining ballot envelopes to the eligible voter list, and set aside unopened:
    1) Envelopes without the member's label
    2) Envelopes with names not on the list from the Secretary
    3) Envelopes without the member's signature or printed name or both
d) Open the remaining ballots and verify the ballot votes are no more than the number of votes

eligible to be cast shown on the label. If the ballot shows more votes than the label, write on the ballot the number of votes eligible to be cast and initial it.

e) Tally all votes, including those from d) above, which shall be limited to no more than the number of eligible votes noted thereon, beginning at the top of the ballot and working towards the bottom and ceasing when the maximum number of eligible votes is reached, issue by issue.

f) Prepare a report which shall include:

1) Total number of eligible voters and votes as reported by the Association Secretary;

2) Total number of ballots received;

3) Number of ballots disqualified, and the reason;

4) The number of votes accepted for each Director Candidate

5) A statement certifying the results of the election, to include naming as Directors for each Place the candidates with the most number of votes, except that a Director will not be named when at least two candidates have the same amount of votes for a Place.

6) Place the report in a sealed envelope and personally deliver to the Association President at the annual membership meeting. The results shall not be disclosed until the agenda item for election results is called at the meeting.

g) Store all the ballots in a secure manner for a period of sixty (60) days, after which they shall be destroyed, unless a protest bearing the signatures of members eligible to vote at least five percent (5%) of the total votes eligible to be cast has been received by the Secretary of the Association.

h) Certify in writing to the Association that all the ballots were destroyed in a manner to protect confidentiality of the ballots.

SECTION 8. An election tie shall be broken by majority vote of Members eligible to vote at the annual membership meeting. The candidate receiving the most votes is the Director for that Place.

SECTION 9. The Board of Directors shall use the procedure as defined by the Texas Election Code if a challenge is made to the voting process or results of an election.

ARTICLE IX
POWERS AND DUTIES OF
THE BOARD OF DIRECTORS

SECTION 1. The Board of Directors shall have the power to:

(a) Call special meetings of the members whenever it deems necessary, and it shall call a meeting at any time upon written request of members eligible to vote five per cent (5%) or more of the total eligible votes as defined in Article FIVE of the Articles of Incorporation and Article IV of these Bylaws.

(b) Appoint and remove for cause all officers and agents and employees of the Association, including those of the Association's Committees, prescribe their duties, fix their compensation and require of them security or fidelity bond as it may deem expedient. Officers and Directors of the Association, including those of the Association's Committees and members of their immediate families shall not be employed by the Association in any capacity whatsoever, whether or not compensated. Nothing in these Bylaws shall be construed to prohibit the employment of any other member of the Association.

(c) Establish an assessment and its' collection as is necessary to maintain the powers, duties and authority of the Association.

(d) Exercise for the Association all powers, duties, and authority vested in or delegated to this Association except those reserved to the annual meeting or to the members.

(e) In the event any member of the Board of this Association shall be absent from three (3)

consecutive regular meetings of the Board, the Board may by action taken at the meeting in which such third (3rd) absence occurs declare the office of said absent Director to be vacant.

(f) Review for approval or direct the development, rules and regulations of Committees of the Association.

(g) Appoint or remove members of Committees, set terms and term limits.

SECTION 2. It shall be the duty of the Board to:

a) Cause to be kept a complete record of all its acts and corporate affairs and to present a statement thereof to the members at the annual meeting of the members or at any special meeting when such presentation is required in writing by members eligible to vote five percent (5%) or more of the total eligible votes.

b) Supervise all officers, agents and employees of this Association, assuring that their duties are properly performed.

(c) As more fully provided in the appropriate Covenants applicable to The Properties, to:

(1) Prepare a roster of The Properties and outstanding charges applicable thereto which shall be kept in the offices of the Association and shall be open to inspection by any member in good standing

(2) Send written notice of each assessment to every owner subject thereto.

(d) Issue or cause an appropriate Officer to issue, upon demand by any person, a certificate setting forth whether any annual charge has been paid. Such certificate shall be conclusive evidence of any charge therein stated to have been paid.

SECTION 3. The board shall ensure that proper books of account are kept for the Association, and shall ensure that they are reviewed professionally (by a non-property owner) and a report shall be presented to the membership at the annual meeting.'

SECTION 4. The Board shall prepare and adopt before the beginning of a fiscal year, a budget for the upcoming fiscal year and present it to the membership at the annual membership meeting.

ARTICLE X
DIRECTORS' MEETINGS

SECTION 1. A regular meeting of the Board shall be held on the third (3rd) Tuesday of each month at 7:00 P.M. at the principal office of the Association as set forth in Article II of these Bylaws. The Board may, by resolution, change the day, hour and place of holding such regular meeting.

SECTION 2. Deleted.

SECTION 3. Special meetings of the Board shall be held when called by any two (2) Directors, and coordinated with the remaining directors. Action taken at said meeting shall be immediately effective, provided Section 4 herein below is complied with within ten (10) days of said meeting.

SECTION 4. The transaction of any business at any meeting of the Board, however called or whenever held, shall be as valid as though made at a meeting duly held after regular call.

a) In the event of a special meeting, every Director not present signs a written Waiver of Notice and Consent to the holding of such meeting and actions taken therein, and

b) Such Waiver is filed with the corporate records and made a part of the minutes of the meeting.

SECTION 5. The majority of the Board shall constitute a quorum thereof.

ARTICLE XI
OFFICERS

SECTION 1. The officers shall be a President, Vice President, Secretary, one or more Assistant Secretaries and a Treasurer.

a) The President and Vice President shall be members of the Board of Directors.

b) The Board may, in its sole discretion, elect not to appoint officers and to function by virtue of unanimous consent of the Directors.

c) The Board may appoint members to the position of Secretary and Treasurer of the Association. An appointed member is an ex officio member of the Board.

SECTION 2. The officers shall be chosen by a majority vote of the Directors.

SECTION 3. All officers shall be elected for a term of one (1) year.

SECTION 4. The President shall preside at all meetings of the Board, see that orders and resolutions of the Board are carried out, and sign all notes, mortgages, deeds and other written instruments as directed by the Board.

SECTION 5. The Vice President shall perform all the duties of the President in his absence.

SECTION 6. The Secretary of the Association shall serve as Secretary of the Board and shall have the following duties:

a) Keep the minutes of all proceedings in a book to be kept for that purpose.

b) Keep the records of the Association.

c) Record in a book kept for that purpose the names of all the members of the Association together with their addresses as registered by such members.

SECTION 7. The Treasurer shall receive and deposit in appropriate bank accounts all monies of the Association and shall disburse such funds as directed by a resolution of the Board. However, a resolution of the Board shall not be necessary for the disbursements made in the ordinary course of business conducted within the limits of the budget adopted by the Board.

ARTICLE XII
MEETINGS OF MEMBERS

SECTION 1. The regular annual membership meeting shall be determined prior to January 1st of each year and shall be held within the first 45 days of each year the date and time as determined by the Board of Directors.

SECTION 2. Special meetings of the members for any purpose may be called by the President, the Vice President, or upon written request of members who are eligible to vote five per cent (5%) of all of the eligible votes of the entire membership.

SECTION 3. Notice of meetings of the full membership shall be given to all members in good standing by the Association by sending a notice, to the addresses appearing on the books of the Association. Members shall register their addresses with the Association, and notice of the meetings shall be sent to them at such addresses. Notice of a membership meeting shall be sent not less than twenty (20) nor more than fifty (50) days in advance of the meeting and shall be accompanied by a proposed agenda for the meeting.

SECTION 4. Members may request to receive notices and agendas of membership meetings at their electronic mail address. Unless the use of an electronic mail address is revoked by the member or the Board, the mailing of the information to the member ceases. The Board of Directors sets the process to electronically receive notices and agendas and to register the address with the Association. The mailing of notices and agendas to members occurs when an electronic address is not used.

SECTION 5. At any membership meeting those members presence shall constitute a quorum for the transaction of business.

SECTION 6. The Secretary of the Association shall have a list of all eligible voters, and the number of votes each is eligible to vote.

ARTICLE XIII
Deleted

ARTICLE XIV
BOOKS AND PAPERS

SECTION 1. The books, records and papers of the Association shall at all times, during reasonable business hours, be subject to inspection by any Member in Good Standing.

ARTICLE XV
CORPORATE SEAL

SECTION 1. The Association shall have a seal in circular form having within its circumference the words, Tahitian Village Property Owners' Association, Inc., a Texas non-profit corporation incorporated 1972.

ARTICLE XVI
AMENDMENTS

SECTION 1. These Bylaws may be amended by a majority of votes cast by members present in person at:

a) **The Annual Meeting of the Association or**
b) **Any Special Meeting**

SECTION 2. Notice of a proposal to amend these Bylaws and a copy of the proposed amendment(s) must accompany the notice of the meeting as required by Article XII, Section 3, of these Bylaws.

ARTICLE XVII
PARLIMENTARY AUTHORITY

SECTION 1. The rules contained in the current *Robert's Rules of Order Newly Revised* shall govern the Association in all cases to which they are applicable and in which they are not inconsistent with these By-Laws and any special rules of order the Association may adopt.

"RESOLUTION"

WE, the undersigned Directors of Tahitian Village Property Owner's Association, Inc., do hereby certify that the foregoing Second Amendment to the Bylaws are correct and that the same have been duly

adopted by said Association at a meeting of the Membership of this Association held in Bastrop County, Texas at 2:00 p.m. on the 13th day of February, 2010.

David Braley	**Victor Gonzalez**	**John Creamer**
Brandon Hamrick	**Brent Golemon**	**Michael Gudell**

PO Box 636
Bastrop, TX 78602

Except as herein otherwise specified, the decision of the majority of the Directors currently serving as such shall be required and shall be sufficient to authorize any acting on behalf of the corporation. Each director shall be entitled to one (1) vote on every matter presented to the Board of Directors.

IN WITNESS WHEREOF, we have hereunto set our hands this 22nd **day of** April **, 2010.**

David Braley	**Michael Gudell**	**John Creamer**
Brandon Hamrick	**Brent Golemon**	**Victor Gonzalez**

THE STATE OF TEXAS:
COUNTY OF BASTROP:
Before me, the undersigned Notary Public, on this day personally appeared David Braley, Victor Gonzalez, Michael Gudell, Brandon Hamrick, Brent Golemon and John Creamer, Directors of the Tahitian Village Property Owners' Association, Inc., and under oath, acknowledged to me that they executed the foregoing document as an incorporator and that the statements therein confirmed are true.

SWORN TO AND SUBSCRIBED before me this 22nd **day of** April **, 2010.**

ERIKA McDONALD
Notary Public, State of Texas
My Commission Expires
APRIL 30, 2011

Notary Public in and for Bastrop County, Texas

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Rose Pietsch

April 22, 2010 01:22:55 PM
RPIETSCH FEE: $48.00 BOOK:1987 PAGE:835-843
ROSE PIETSCH, County Clerk
Bastrop, Texas
201004629

BYLAWS

AMEND
201203863
10 PGS

FIFTH AMENDMENT TO THE:
TAHITIAN VILLAGE PROPERTY OWNERS' ASSOCIATION, INC.
BYLAWS

ARTICLE I
DEFINITIONS

SECTION 1. "Association" shall mean and refer to the Tahitian Village Property Owners' Association, Inc., a nonprofit corporation organized and existing under the laws of the State of Texas.

SECTION 2. "The Properties" shall mean and refer to those properties as set forth and particularly described in Article FOUR of the Articles of Incorporation of Tahitian Village Property Owners' Association, Inc., and such additions thereto as may hereafter be brought within the jurisdiction of the Association as in said article provided.

SECTION 3 Deleted

SECTION 4. "The Covenants" shall mean and refer to The Agreement of Covenants, Conditions and Restrictions to which the properties are or will be subjected and which are recorded in the office of the County Clerk of Bastrop County, Texas.

SECTION 5. "Member in Good Standing" shall mean and refer to any member of the Association, as defined in Article FIVE, of the Articles of Incorporation of the Association, whose membership rights are not currently suspended for any reason.

SECTION 6. "Voting Rights" shall mean and refer to the right of members in good standing to vote on any matter presented to the membership of the Association for a vote. Voting rights shall be separate and distinct from all other membership rights and privileges, and are solely controlled by Article IV of these Bylaws.

SECTION 7. "Fiscal Year" shall mean and refer to the Association's financial accounting period of one year, January 1 through December 31.

SECTION 8. "Director Place" shall mean and refer to the assigned Director position designated by numbers one through six. The Board of Directors assigns the number to a Place and the election year for the Place.

SECTION 9. "Voting Directions" shall inform voters to cast their ballots for three candidates where no more than one vote can be cast, per candidate, for each lot owned. The ballot package shall provide a sample ballot and the ballot shall be constructed in such a manner that votes cast for each lot are separate votes. The ballot shall result in a voter owner multiple lots cast a vote for each lot owned.

ARTICLE II
LOCATION

SECTION 1. The principal office of the Association shall be located at 106 Conference Dr., Bastrop, TX 78602 until changed by the Board of Directors. The principal mailing address of the Association shall be P0 Box 636, Bastrop, Texas, 78602, until changed by the Board of Directors.

ARTICLE III

MEMBERSHIP

SECTION 1. The membership shall be as set forth in Article FIVE of the Articles of Incorporation.

ARTICLE IV
VOTING RIGHTS

SECTION 1. Member in Good Standing shall be entitled in matters before the membership to cast a vote for each lot the member owns as set forth in Article FIVE of the Articles of Incorporation and as ownership shows in the records of the Association.

SECTION 2.
A Member in Good Standing may vote for each Director Place vacancy when the Association records show the member owns a lot by January 1 preceding the annual membership meeting. Excluded from voting for a Director Place vacancy is any public entity or any corporate entity acting as a fiduciary.

SECTION 3. A Member in Good Standing may vote for each proposition of Association business that comes before a special membership meeting and Association records show the member owns a lot ninety days preceding that membership meeting.

ARTICLE V
Deleted

ARTICLE VI
ASSOCIATION PURPOSES AND POWERS

SECTION 1. The Association has been organized for the purposes and shall have the powers as set forth in its Articles of Incorporation.

ARTICLE VII
BOARD OF DIRECTORS

SECTION 1. The Association shall be governed by a Board of Directors (hereinafter called "the Board') as provided in Article SEVEN of the Articles of Incorporation of the Association.

SECTION 2. The election to a Director Place is for a two year term

.

A member begins the elected position of Director upon adjournment of the annual membership meeting. A Director shall vacate a Director Place no later than the member elected or appointed to the Place is to begin the position.

SECTION 3. Vacancies in the Board of Directors shall be filled by the affirmative vote of a majority of the remaining Directors, regardless of the number of remaining Directors.

1) **Voting to fill a Director vacancy shall occur after the Membership is notified of the vacany(s), and notice by United States Postal Service is not required. Members are provided at least 14 days to file with the Board a resume and a petition to be appointed as a Director.**

2) **A Member appointed to a Director Place shall hold office for the remainder of the unexpired term**

of that Director Place.

SECTION 4. Eligibility to be elected to, appointed to or to continue to serve on, the Board of Directors shall be restricted to members of the Association in good standing as defined in Article I Section 5 of these Bylaws.

SECTION 5. A Director either elected or appointed may serve with consecutive numbers of terms limited to three.

SECTION 6. Any Director may be removed from office in accordance with:

1) Article IX Section 1 subsection 5, or
2) By a majority of votes cast for removal by members present in person at The Annual Membership Meeting or any Special Membership Meeting, and notice of a proposal to remove a Director is included with the notice of the meeting as required by Article XII Section 3.

ARTICLE VIII
ELECTION OF DIRECTORS
ELECTION COMMITTEE

SECTION 1. The election of the Board of Directors, the appointment of an Election Committee, an Election Judge and the receiving of Director Candidates shall occur annually. The election shall be by written ballot as hereinafter provided in Section 5 of this Article. For each Director Place vacancy on the Board of Directors, the manner to vote is defined in Article IV of these Bylaws. There shall not be any cumulative voting at this election. All members eligible to vote who wish their vote counted must fill out and return individual ballots, and do so in accordance with these By-Laws.

SECTION 2. The Board of Directors shall appoint an Election Committee consisting of at least three (3) Members in Good Standing, one of whom shall be a Board Member whose term is not expiring. The Election Committee is appointed when the date of an annual membership meeting is set by the Board. It shall be the duty of the Election Committee to:

a) Verify that the signers of each member's petition are eligible voters, and notify the candidate within ten (10) days if the petition is found to have less than the required ten eligible vote signatures,
b) Select three or more eligible candidates to be placed on the ballot,
c) Ensure the ballot lists the candidates' names by random drawing,
d) Verify that all eligible voters have been mailed the appropriate ballot packet within 20 days before completed ballots are due to the Association,

SECTION 3. All members of the Association in good standing shall be eligible to have their names placed on the ballot for the election to the Board of Directors upon presentation to the Election Committee of the following:

a) A petition to be placed on the ballot signed by no less than ten (10) eligible voters (as distinguished from persons eligible to vote ten votes) (Mandatory)
b) A resume submitted, although optional, is preferred for the voting membership
c) The petition must be received by the Association's official address by the date set by the Board of Directors.
(d) Beginning with the 2006 Board of Directors each Director's position shall be named "Place" and identified with a number one through six. A Director Place number shall be determined by

the total number of votes received by each Director in the 2006 Board of Directors elections. The Director who received the most votes is Place 1; the second most votes received is Place 2. The assignment of Places for Directors proceeds as above with Place 6 having been the Director receiving the least votes in that election.

(e) Three Director Places become vacant each year beginning with the Board election in 2007. The election process to attain electing three Director Places each year is:

1) Places 4, 5 and 6 will become vacant in 2007 and subsequent odd numbered years.

2) Places 1, 2 and 3 will become vacant in 2008 and subsequent even numbered years.

3) Election of a Director for a Place is the candidate receiving the most votes and placement shall be in descending order of votes received.

SECTION 4. The Board of Directors shall, on or before the 30th day of each fiscal year and before the mailing of election ballots, select an Election Judge to receive and count the ballots for the election of the Board of Directors for that year. The Election Judge may be any Certified Public Accountant or Attorney licensed to practice in the State of Texas, or a Notary Public whose commission does not expire before the end of the current calendar year. The sole restriction placed on the selection is that the individual or firm selected may not be, or have as a member of their staff, any member or employee of the Associations. However, an election is not needed if there is the same number of places available as there are candidates running for the TVPOA board.

SECTION 5. All elections of the Board shall be made on written ballots which shall:

a) Describe the Place vacancies in numerical order to be filled;

b) Set forth by random drawing the names of those candidates nominated;

c) Deleted

The ballot package shall be prepared and mailed by the Association to all eligible voters, and shall include the following:

a) Resumes provided by the candidates (if any),

b) Notice and agenda of the annual membership meeting as set by the Board of Directors,

c) A plain pre-addressed envelope clearly marked "BALLOT", and lines for the printing and the signature of the voter

d) Voting instructions, including the last date the ballot may be postmarked

e) Election ballot

f) On the ballot package received, a label with the member's number of lots, which is the number of votes that the member may cast for each vacant Director Place

To vote, members shall place their completed ballot in the pre-addressed envelope marked "BALLOT", provide the printed and signature name of the member and mail it. In order to be counted the ballot must be postmarked no later than the date provided in the ballot package chosen by the Board of Directors each year.

SECTION 6. The Secretary of the Association shall prepare a list of all members eligible to vote in the election for the Board of Directors and mail one copy of it to the Election Judge on or before the last date to receive ballots from voting members.

SECTION 7. The Election Judge shall:

a) Store the ballots unopened until the eligible voter list is received from the Association Secretary, treating them as confidential communications.

b) Set aside unopened any ballots postmarked after the last date to receive ballots from voting members.

c) Compare the voter labels on the remaining ballot envelopes to the eligible voter list, and set aside unopened:

1) Envelopes without the member's label
2) Envelopes with names not on the list from the Secretary
3) Envelopes without the member's signature or printed name or both

d) Open the remaining ballots and verify the ballot votes are no more than the number of votes eligible to be cast shown on the label. If the ballot shows more votes than the label, write on the ballot the number of votes eligible to be cast and initial it.

e) Tally all votes, including those from d) above, which shall be limited to no more than the number of eligible votes noted thereon, beginning at the top of the ballot and working towards the bottom and ceasing when the maximum number of eligible votes is reached, issue by issue.

f) Prepare a report which shall include:

1) Total number of eligible voters and votes as reported by the Association Secretary;
2) Total number of ballots received;
3) Number of ballots disqualified, and the reason;
4) The number of votes accepted for each Director Candidate
5) A statement certifying the results of the election, to include naming as Directors for each Place the candidates with the most number of votes, except that a Director will not be named when at least two candidates have the same amount of votes for a Place.
6) Place the report in a sealed envelope and personally deliver to the Association President at the annual membership meeting. The results shall not be disclosed until the agenda item for election results is called at the meeting.

g) Store all the ballots in a secure manner for a period of sixty (60) days, after which they shall be destroyed, unless a protest bearing the signatures of members eligible to vote at least five percent (5%) of the total votes eligible to be cast has been received by the Secretary of the Association.

h) Certify in writing to the Association that all the ballots were destroyed in a manner to protect confidentiality of the ballots.

SECTION 8. An election tie shall be broken by majority vote of Members eligible to vote at the annual membership meeting. The candidate receiving the most votes is the Director for that Place.

SECTION 9. The Board of Directors shall use the procedure as defined by the Texas Election Code if a challenge is made to the voting process or results of an election.

ARTICLE IX
POWERS AND DUTIES OF
THE BOARD OF DIRECTORS

SECTION 1. The Board of Directors shall have the power to:

(a) Call special meetings of the members whenever it deems necessary, and it shall call a meeting at any time upon written request of members eligible to vote five per cent (5%) or more of the total eligible votes as defined in Article FIVE of the Articles of Incorporation and Article IV of these Bylaws.

(b) Appoint and remove for cause all officers and agents and employees of the Association, including those of the Association's Committees, prescribe their duties, fix their compensation and require of them security or fidelity bond as it may deem expedient. Officers and Directors of the Association, including those of the Association's Committees and members of their immediate

families shall not be employed by the Association in any capacity whatsoever, whether or not compensated. Nothing in these Bylaws shall be construed to prohibit the employment of any other member of the Association.

(c) Establish an assessment and its' collection as is necessary to maintain the powers, duties and authority of the Association.

(d) Exercise for the Association all powers, duties, and authority vested in or delegated to this Association except those reserved to the annual meeting or to the members.

(e) In the event any member of the Board of this Association shall be absent from three (3) consecutive regular meetings of the Board, the Board may by action taken at the meeting in which such third (3rd) absence occurs declare the office of said absent Director to be vacant.

(f) Review for approval or direct the development, rules and regulations of Committees of the Association.

(g) Appoint or remove members of Committees, set terms and term limits.

SECTION 2. It shall be the duty of the Board to:

a) Cause to be kept a complete record of all its acts and corporate affairs and to present a statement thereof to the members at the annual meeting of the members or at any special meeting when such presentation is required in writing by members eligible to vote five percent (5%) or more of the total eligible votes.

b) Supervise all officers, agents and employees of this Association, assuring that their duties are properly performed.

(c) As more fully provided in the appropriate Covenants applicable to The Properties, to:

(1) Prepare a roster of The Properties and outstanding charges applicable thereto which shall be kept in the offices of the Association and shall be open to inspection by any member in good standing

(2) Send written notice of each assessment to every owner subject thereto.

(d) Issue or cause an appropriate Officer to issue, upon demand by any person, a certificate setting forth whether any annual charge has been paid. Such certificate shall be conclusive evidence of any charge therein stated to have been paid.

SECTION 3. The board shall ensure that proper books of account are kept for the Association, and shall ensure that they are reviewed professionally (by a non-property owner) and a report shall be presented to the membership at the annual meeting.'

SECTION 4. The Board shall prepare and adopt before the beginning of a fiscal year, a budget for the upcoming fiscal year and present it to the membership at the annual membership meeting.

ARTICLE X
DIRECTORS' MEETINGS

SECTION 1. A regular meeting of the Board shall be held on the third (3rd) Tuesday of each month at 7:00 P.M. at the principal office of the Association as set forth in Article II of these Bylaws. The Board may, by resolution, change the day, hour and place of holding such regular meeting.

SECTION 2. Deleted.

SECTION 3. Special meetings of the Board shall be held when called by any two (2) Directors, and coordinated with the remaining directors. Action taken at said meeting shall be immediately effective, provided Section 4 herein below is complied with within ten (10) days of said meeting.

SECTION 4. The transaction of any business at any meeting of the Board, however called or whenever held, shall be as valid as though made at a meeting duly held after regular call.

a) In the event of a special meeting, every Director not present signs a written Waiver of Notice and Consent to the holding of such meeting and actions taken therein, and

b) Such Waiver is filed with the corporate records and made a part of the minutes of the meeting.

SECTION 5. The majority of the Board shall constitute a quorum thereof.

ARTICLE XI
OFFICERS

SECTION 1. The officers shall be a President, Vice President, Secretary, one or more Assistant Secretaries and a Treasurer.

a) The President and Vice President shall be members of the Board of Directors.

b) The Board may, in its sole discretion, elect not to appoint officers and to function by virtue of unanimous consent of the Directors.

c) The Board may appoint members to the position of Secretary and Treasurer of the Association. An appointed member is an ex officio member of the Board.

SECTION 2. The officers shall be chosen by a majority vote of the Directors.

SECTION 3. All officers shall be elected for a term of one (1) year.

SECTION 4. The President shall preside at all meetings of the Board, see that orders and resolutions of the Board are carried out, and sign all notes, mortgages, deeds and other written instruments as directed by the Board.

SECTION 5. The Vice President shall perform all the duties of the President in his absence.

SECTION 6. The Secretary of the Association shall serve as Secretary of the Board and shall have the following duties:

a) Keep the minutes of all proceedings in a book to be kept for that purpose.

b) Keep the records of the Association.

c) Record in a book kept for that purpose the names of all the members of the Association together with their addresses as registered by such members.

SECTION 7. The Treasurer shall receive and deposit in appropriate bank accounts all monies of the Association and shall disburse such funds as directed by a resolution of the Board. However, a resolution of the Board shall not be necessary for the disbursements made in the ordinary course of business conducted within the limits of the budget adopted by the Board.

ARTICLE XII
MEETINGS OF MEMBERS

SECTION 1. The regular annual membership meeting shall be determined prior to January 1st of each year and shall be held within the first 45 days of each year the date and time as determined by the Board of Directors.

SECTION 2. Special meetings of the members for any purpose may be called by the President, the Vice President, or upon written request of members who are eligible to vote five per cent (5%) of all of the

eligible votes of the entire membership.

SECTION 3. Notice of meetings of the full membership shall be given to all members in good standing by the Association by sending a notice, to the addresses appearing on the books of the Association. Members shall register their addresses with the Association, and notice of the meetings shall be sent to them at such addresses. Notice of a membership meeting shall be sent not less than twenty (20) nor more than fifty (50) days in advance of the meeting and shall be accompanied by a proposed agenda for the meeting.

SECTION 4. Members may request to receive notices and agendas of membership meetings at their electronic mail address. Unless the use of an electronic mail address is revoked by the member or the Board, the mailing of the information to the member ceases. The Board of Directors sets the process to electronically receive notices and agendas and to register the address with the Association. The mailing of notices and agendas to members occurs when an electronic address is not used.

SECTION 5. At any membership meeting those members presence shall constitute a quorum for the transaction of business.

SECTION 6. The Secretary of the Association shall have a list of all eligible voters, and the number of votes each is eligible to vote.

ARTICLE XIII
Deleted

ARTICLE XIV
BOOKS AND PAPERS

SECTION 1. The books, records and papers of the Association shall at all times, during reasonable business hours, be subject to inspection by any Member in Good Standing.

ARTICLE XV
CORPORATE SEAL

SECTION 1. The Association shall have a seal in circular form having within its circumference the words, Tahitian Village Property Owners' Association, Inc., a Texas non-profit corporation incorporated 1972.

ARTICLE XVI
AMENDMENTS

SECTION 1. These Bylaws may be amended by a majority of votes cast by members present in person at The Annual Meeting or any Special Meeting.

SECTION 2. Notice of a proposal to amend these Bylaws and a copy of the proposed amendment(s) accompanies the notice of the meeting as required by Article XII, Section 3, of these Bylaws.

ARTICLE XVII
PARLIMENTARY AUTHORITY

SECTION 1. The rules contained in the current *Robert's Rules of Order Newly Revised* shall govern the Association in all cases to which they are applicable and in which they are not inconsistent with these By-Laws and any special rules of order the Association may adopt.

"RESOLUTION"

WE, the undersigned Directors of Tahitian Village Property Owner's Association, Inc., do hereby certify that the foregoing ~~Fifth~~ Amendment to the Bylaws are correct and that the same have been duly adopted by said Association at a meeting of the Membership of this Association held in Bastrop County, Texas at 4:00 p.m. on the 3rd day of March 2012.

David Braley **Jan Schwindt** **John Creamer**
Brent Golemon

PO Box 636
Bastrop, TX 78602

Except as herein otherwise specified, the decision of the majority of the Directors currently serving as such shall be required and shall be sufficient to authorize any acting on behalf of the corporation. Each director shall be entitled to one (1) vote on every matter presented to the Board of Directors.

IN WITNESS WHEREOF, we have hereunto set our hands this 20th **day of** March **, 2012.**

David Braley **John Creamer** **Brent Golemon**

Jan Schwindt

THE STATE OF TEXAS:
COUNTY OF BASTROP:
Before me, the undersigned Notary Public, on this day personally appeared David Braley, Brent Golemon, Jan Schwindt and John Creamer, Directors of the Tahitian Village Property Owners' Association, Inc., and under oath, acknowledged to me that they executed the foregoing document as an incorporator and that the statements therein confirmed are true.

SWORN TO AND SUBSCRIBED before me this 20th **day of** March **, 2012.**

Notary Public in and for Bastrop County, Texas

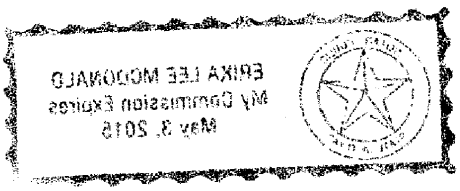
ERIKA LEE MCDONALD
My Commission Expires
May 3, 2015

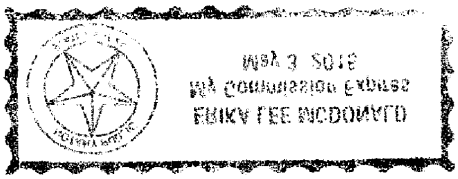
ERIKA LEE MCDONALD
My Commission Expires
May 3, 2015

FILED AND RECORDED
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Rose Pietsch

March 28, 2012 08:23:48 AM
MARYC FEE: $48.00 BOOK:2135 PAGE:272-281
ROSE PIETSCH, County Clerk
Bastrop, Texas
AMEND 201203863







MISCELLANEOUS
201409890
31 PGS

Building Guidelines
Tahitian Village
Architectural Control Committee

P.O. Box 636, Bastrop, Texas 78602
(512) 321-1145

*Definitions page 21

Effective September 1, 2014

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INTRODUCTION

The form of each residence in Tahitian Village should express the character and personality of the individual resident. At the same time, a recognizable sense of continuity within the community should prevail. Blending these two thoughts is the task of the Tahitian Village Architectural Control Committee (TVACC). The following guidelines and procedures were created for residential development in Tahitian Village Units I through V.

1. **Before you begin the building process:**

- Thoroughly read the all Covenants, Conditions and Restrictions (CCRs), including the Building Guidelines, of Tahitian Village so that you can comply with them. Situations where the CCRs have not been met have resulted in delaying the closing process on loans. With informed and thorough planning, problems can be avoided and the building process will be much smoother.
- Contact the Bastrop County Development Services to get the latest versions of the Development Services Application, and current regulations for Construction, Driveway/Culvert, 911 Addresses. www.co.bastrop.tx.us
- Contact Bastrop County Water Control and Improvement District #2 (BCWCID#2) to get the latest versions of the BCWCID #2 Application, and current regulations for their on-site sewage facility. www.bcwcid2.org
- Get to know your neighbors and families who have been through the building process that can provide valuable information. The residents here care deeply about our forest and the wildlife that reside here. Preservation of this natural habitat is very important.

2. **Prior to Developing the Site Plan[*3], Consider:**

- As you begin laying out your home and driveway, try to remove as few trees as possible. When clearing[*1] your property, start slowly with underbrush, cedars and small yaupons. Clear cutting[*10] is not allowed.
- Carefully consider how your driveway will approach your garage. You might be able to include your electrical right of way as part of your driveway.
- When deciding where to clear for the power lines, see which property line will have the least number of trees removed. You might be able to share the same utility easement with your neighbor. Going with underground electrical will eliminate the need to clear a wide path.
- Be aware that the right of way (R.O.W.) is outside the property line and is owned by the county and city entities. They also have a ten foot utility easement from the property line towards the house. Property owners have no say about what work is done in the R.O.W
- Stake out where you are considering putting your home before you begin clearing[*1].
- You must remove all dead and burned trees and dispose of them properly

3. **Submit your application package w/all supporting documents, permits, plans and specifications.**

Approval shall be granted or withheld based on the application package being in compliance with the provisions as listed in sections II, III and IV of these guidelines. Failure to provide required information in your application may delay your receiving approval from TVACC. The thirty (30) day period mentioned in paragraph 6.03 of the Tahitian Village Covenants, Conditions and Restrictions will not start until the applicant submits all required information (see builder checklist).

*Definitions page 21

Enforcement:

- Failure to comply with any of the provisions of this article shall constitute a violation of the Tahitian Village Covenants, Conditions and Restrictions. Each day a violation exists shall constitute a separate violation, and consequently a separate offense.

- If builder/property owner does not comply with all guidelines during the entire construction process, then no new permit will be issued until all fines have been paid and all violations have been corrected from previous construction sites.

- Acceptance of new home permit by builder grants Tahitian Village Architectural Control Committee the right to enter property for inspection purposes at any time during the construction process.

- The board may seek to recover from any property owner attorney fees incurred by Tahitian Village Architectural Control Committee and/or Tahitian Village Property Owners Association in collecting monies, preparing or recording lien notices, foreclosing liens, prosecuting lawsuits and otherwise enforcing the Declarations, By-Laws, Rules or other laws against an owner, owner's family, guests or tenants.

- Tahitian Village Property Owners Association and Tahitian Village Architectural Control Committee reserve the right to amend, modify or change the guidelines stated herein at any time.

1. CONSTRUCTION PERMIT FEES

A onetime, non-refundable fee and a deposit for each new construction, is due and payable upon submission of the plans and specifications for review. This fee is designed to cover the costs of administering the activities of the TVACC. Checks shall be made payable TVACC and forwarded along with the Residential and/or Commercial Application, plans and specifications to the TVACC.

1.1 The current fees are:

- New homes, Guest Houses and Home Additions over 600 square feet: $1,000.00 ($500.00 permit fee with a $500.00 refundable deposit)
- Home Additions under 600 square feet: $100.00 permit fee
- Demolition Permit $500.00 ($100.00 fee with $400.00 refundable deposit)
- All other construction and variance*7 permits $40.00
- Extension fee for a new home is $100.00 **plus** any amount that may have already been deducted from the deposit.
- Cancellation fee $100.00
- Permit fee, after the fact (for permit applications applied for AFTER project has been started) will be two times the original fee
- Interior Remodeling*2: No permit or fee required

1.2 All fines levied by TVACC during the construction period will be billed as they are levied and must be paid to TVACC within ten business days. Any damages incurred to any other property will result in deposit being withheld until issue is resolved. Fines will NOT be deducted from deposit.

1.3 Permit fees are not refundable.

1.4 **Refund of Deposit for new homes:** Builder or property owner may request a refund of their deposit within six months of either completion of construction or move in of resident whichever comes first. Once the new home has been completed the builder/property owner has sixty days to meet post

*Definitions page 21

construction requirements as listed in Section 27.3 of TVACC Building Guidelines; once this has been completed they may request the return of their deposit. Failure to complete post construction requirements may result in legal action.

If six months has passed and builder/property owner has not requested a refund of the deposit, then deposit refund will be forfeited. Questions concerning these fines may be directed to the TVACC office at info@tahitianvillage.com or (512) 321-1145.

1.5 **Refund of Deposit for Demolition Permit:** Builder or property owner may request a refund of their deposit within ninety days of completion of demolition. A copy of a date and time stamped receipt showing proper disposal of existing slab and construction debris must be submitted before refund will be issued.

Should a permit be approved and issued and builder/property owner decide not to build, builder/property owner may request a refund of permit fee and deposit which will be issued less the cancellation fee. If builder's sign is not removed within thirty days of completion of construction at which time TVACC will remove sign and builder/property owner will forfeit deposit. Deposit will be forfeited if refund process has not been completed within the stated six months.

1.6 The TVACC requires that all builders put the 9-1-1 address, using permanent numbers, preferably on the house and/or clearly visible from the street. The builder will NOT be refunded a deposit if this has not been verified by TVACC. (Effective August 3, 2009, Amended 11/5/2012)

2. RULES FOR SUBMISSION OF APPLICATIONS

All single family homes must have a minimum of 1200 square feet living area
All homes must have a garage or carport
All homes must have a 9-1-1 address

2.1 The Applicant for the property shall submit to the TVACC one (1) copy of the **complete application package** (as listed on Application Checklist). Plans and specifications for new construction and remodeling will be submitted prior to starting any site work*3 and must be accompanied by the necessary fees outlined in these guidelines. Application will be stamped as received when ALL required documents are submitted.

2.2 Approval of the permit application will be a two step process. The builder must submit the permit fee/deposit and all required documents except the survey/site plan*4 at the time of application. If all guidelines are met, the builder will then receive approval to clear and set form boards only. After form boards are set and engineer's site survey*4 is obtained, builder must submit the final site survey*4 to receive final approval to continue with construction.

2.3 Permit applications will be reviewed by TVACC during a regular public meeting of the committee ONLY. If a quorum is not obtained for a regularly scheduled meeting, then Association Manager will alert the board members and request that they review the permit applications that would have been presented in the scheduled meeting in the office of the TVACC.

2.4 Tahitian Village ACC requires all builders be enrolled in a 1/2/10 warranty program that satisfies current USDA requirements for construction of new homes.

2.5 Commercial structures must be approved by TVACC and the Tahitian Village Property Owners Association during a regular public meeting.

2.6 Tahitian Village Property Owners Association and Architectural Control Committee work cooperatively and exchange information with various governmental entities which have their own permitting procedures that may apply to property in Tahitian Village including, but not limited to, Bastrop County Water Control & Improvement District #2, Bastrop County Development Services and City of Bastrop. Although these entities may require a permit, it is not a substitute for but is in addition to the permit required by Tahitian Village.

2.7 Application Package for New Homes

Applications must be complete and will include the following as found in these guidelines or on our website at www.tahitianvillage.com :

- Residential Application Form (as found in these guidelines or on Tahitian Village website www.tahitianvillage.com) with appropriate deposit and non-refundable fee. Application Form **must contain signature of property owner AND contractor.**
- All new construction plans provided by the architect, engineer or builder must include complete dimensions and exterior elevation profiles of the structure's sides and roof. Design detail must be evident, including where brick, stone, wood and screening materials are needed.
- Foundation plans
- Floor plans and specifications showing interior facilities
- Survey and Site plans*4
- Waste Disposal Facilities Permit, or copy of receipt of application, with plans, specifications and approved location or a letter from BCWCID #2 stating they will provide sewer service.
- Release of utility easements when improvements are constructed within their boundaries.
- County Development permit (obtained at Bastrop County Development Office)
- City building permit if in the city limits (obtained at City of Bastrop)
- Bastrop County Endangered Species permit or a letter addressed to the TVACC stating that construction will not occur in the Houston Toad habitat. If the owner/builder is unable to obtain a permit or a letter, then a statement signed by the builder and property owner that they are aware that their property is in an area designated by the US Fish & Wildlife Service as potential toad habitat and acknowledging that the Architectural Control Committee's permit is not approval for any action in violation of the Endangered Species Act (obtained from TVACC office, website or in this package)
- Trash Affidavit (obtained from TVACC office, website or in this package)
- Culvert Permit, if applicable (obtained from Bastrop County Development Office, City of Bastrop or BCWCID #2)
- The Residential Application Form shall be submitted to the TVACC office. Approved/Not Approved decision will be returned upon TVACC consideration. Every effort will be made to approve or disapprove plans within thirty days of receipt. Approved plans will be retained by the TVACC. Only complete application will be reviewed.

- Site work[*3] shall not be initiated prior to approval by TVACC. As a matter of policy, the TVACC will seek a temporary restraining order, a temporary injunction and a permanent injunction, against any builder or property owner who begins construction without an approved TVACC permit. Such relief will include recovery of all reasonable and necessary attorneys' fees in connection with obtaining such relief.
- Start of Construction[*6] please see definitions

- The plans and specifications **for all other construction**, when submitted, shall be complete and will include the following: Residential Application Form with appropriate non-refundable fee. Survey/Site Plan[*4] showing location of all structures on the lot. The draw-to-scale plans will show property lines, easements, building lines, and setback lines. Measurements between structures, property lines, building lines and easements are to be shown on plans. Use a copy of the original site survey[*4] if possible and identify proposed new improvements. The updated site plans[*4] should show all structures and improvements on the lot, including driveways, sidewalks, decks, porches, pools, retaining walls, fences, storage buildings, playscapes, etc. Application Form must contain signature of property owner AND contractor (if applicable).

- Application for a variance[*7], when submitted, shall be complete and must be requested in writing.

- Submit one (1) copy of the required documents, as stated here in section 2.7 to:

  Tahitian Village Architectural Control Committee

  Mailed: P0 Box 636
  Bastrop, TX 78602
  Dropped Off: 106 Conference Drive, Suite B
  Email: info@tahitianvillage.com

3. PLANS AND SPECIFICATIONS FOR NEW HOMES

3.1 Exterior materials see as listed in Section 5.2

3.2 Each residence is required to have a garage or carport providing for off-street parking. See 7.1

3.3 Drawings for other proposed construction should be prepared in a neat and precise manner showing all of the necessary information required by the TVACC.

3.4 Plans and specifications covering the proposed construction must cover the complete scope of improvements to the property. An architect/engineering firm must prepare the drawings for any new residences.

3.5 Specifications covering the proposed construction shall clearly identify interior and exterior construction materials, exterior color for all structures and list total living space in square footage for each residence excluding attached garages, decks, porches and patios. All outbuilding drawings must show total square footage of each structure.

3.6 The minimum square footage of living space for the primary residence is 1200 square feet.

3.7 TVACC requires all new home constructions to have engineered foundations.

3.8 Foundations: Acceptable new home foundations are pier and beam and slab. Basements are allowed and acceptable in Tahitian Village.

*Definitions page 21

3.9 If it is deemed by BCWCID #2, Bastrop County Development or the City of Bastrop that a culvert is required on a new home site, the culvert shall be installed before start of construction.

3.10 The ACC will also require that the builder submit to the ACC copies of all county required inspections.

3.11 The TVACC requires that all builders put the 9-1-1 address, using permanent numbers, preferably on the house and/or clearly visible from the street. The builder will NOT be refunded a deposit if this has not been verified by TVACC.

4. PLANS AND SPECIFICATIONS for NEW STRUCTURES OTHER THAN HOMES

4.1 Drawings for other proposed construction should be prepared in a neat and precise manner showing all of the necessary information required by the TVACC. Use a copy of the original site survey[*4] if possible and identify proposed new improvements. Specifications covering the proposed construction shall clearly identify interior and exterior construction materials, exterior color for all structures.

4.2 Any work done on property within a floodplain requires permitting from Bastrop County Development.

4.3 No structure shall be built on any property that does not currently have a residence unless the owner has received an approved permit to build a residence on the property and because of conditions on the property the residence cannot be built first. Other structures may be built at the same time as the residence so long as the structures are included in the original new home permit application.

5. EXTERIOR MATERIALS

5.1 The building skin materials should complement the surrounding area and be natural in tone and texture. The TVACC discourages the use of more than three (3) exterior building materials. One of the listed acceptable materials must be used on all walled structures.

5.2 The following materials are acceptable exterior materials.

- masonry
- wood
- glass
- log construction
- stucco
- concrete
- Gunite
- Stone

5.3 Wood must be either stained or painted with two (2) coats of stain or paint. Materials, other than those identified above, must receive special approval from the TVACC based upon their specific use. The use of commercial types of pre-finished panels is discouraged.

6. ROOFS

6.1 Roofs must be appropriate to the style of house and roof design. Roofs may be the built of, composition shingle, clay tile or metal. All others must receive special approval from the TVACC based upon the specific material used and the location of the structure. Wood shingles are disallowed because they are a fire hazard.

*Definitions page 21

7. GARAGES AND/OR CARPORTS & DRIVEWAYS

7.1 Each residence is required to have a garage or carport providing for off-street parking. All carports and/or outbuildings shall be wood frame of the same architectural style as the residence. Metal carports and/or outbuildings are prohibited. Carports and/or garages may be attached or detached from the house.

7.2 Tahitian Village does allow covers for recreational vehicles when not in use. All such RV ports may be wood or metal; however the structure must be bolted down and secured to a slab foundation. An RV may not be used as a residence, guest house or living quarters at any time.

7.3 Driveways must be included in the plans, describing size and type of material to be used. Concrete or asphalt is recommended for all driveways. If a driveway extends past the property line, a provision for a construction joint must be made at the property line. It is important to remember that utility companies own easement rights from the property line to the street. All driveways must be a minimum of 8 feet in width. A permit from either BCWCID #2, the City of Bastrop or Bastrop County Development is required for ALL new driveways regardless of materials used.

7.4 Builders --- DO NOT extend a concrete driveway past the property line. You may use asphalt or gravel past this point. If you do use concrete because your clients request it, please note it is your obligation to inform them that when and if the utility company needs access to the easement, they will not be responsible for replacing the concrete driveway with concrete.

7.5 Property Owners -- If you choose to put a permanent driveway on your property to include the easement and it becomes necessary for the utility company to dig up the driveway, they will NOT replace a concrete driveway with concrete.

7.6 If it is deemed by BCWCID #2, Bastrop County Development or the City of Bastrop that a culvert is required on a new home site, the culvert shall be installed before start of construction.

7.7 Failure to comply with County, City or BCWCID #2 culvert requirements will result in an automatic fine of $500 and issuance of a cease and desist of all work. Further permits for new construction will be denied until the culvert requirements are met on the violation site.

8. FENCES

8.1 Fences may be installed to provide containment of owner's animals and to protect the owner's property. Fences installed by the owner within the utility easements are subject to the rights of the Utility Companies.

8.2 Back Yard: Fences seen by the public from the public roads and streets shall be constructed using redwood, stone, brick, cedar, black or green vinyl coated chain link, wood framed panel fencing or wrought iron as the primary material. If the fence is painted, the color must be approved by the TVACC. Natural color is assumed unless otherwise stated. Fences not seen by the public from the public roads and streets may be constructed using galvanized chain link materials.

8.3 Back yard fences shall not extend beyond the front face of the residence except for accent fences designed to enclose patios, A/C units, etc. If the dwelling is situated on a corner lot, both street views will be treated as front faces described as above. Exceptions to any of the above must be approved by the TVACC.

8.4 Front Yard: must be decorative fencing*8. Style/types allowed are two rail, split rail, wrought iron and/or other materials authorized through the permit process.

8.5 In general:

- Lumber used must be dimension lumber.
- Panel fencing must be framed in to include a top rail
- Height limit is 6'
- Finished side must face out when erecting privacy fencing (support framing and posts must be on the inside facing the property)
- If you replace more than 50% of a fence, then construction and permits fall under new guidelines established September 1, 2014

8.6 Materials not allowed for fences include but are not limited to:

- Metal T-Posts
- Galvanized chain link (facing the road)
- Slab wood
- Corrugated sheet metal
- Trellis*13
- Tin
- Woven wire (also known as chicken wire)
- Rough cedar posts

9. LANDSCAPING

9.1 Retaining Wall: Any retaining wall over three feet high must be professionally engineered. Cement or cinder block walls greater than two feet in height must be core filled. A copy of the engineer plans must be submitted as part of permit application.

9.2 Sprinkler/Irrigation Systems: BCWCID #2 requires the use of a licensed irrigator. Failure to comply with BCWCID #2 requirements may result in the cancellation of your water service by BCWCID #2.

9.3 General landscaping does not require a permit from TVACC; however retaining walls require a permit.

10. PATIOS/DECKS

10.1 All patio and deck permits will be reviewed on a case by case basis. All decks/patios should be consistent with the general style of the house and standards of construction in Tahitian Village.

10.2 Deck materials and finishes must be weather-resistant. The finish should complement the house color and trim, or it may be a natural appearing wood finish that protects the wood.

10.3 The location must comply with all Covenants, Conditions and Restrictions and meet all set-back and easement restrictions.

10.4 Raised decks may require screening of the under deck support structure. Screening material usually is 1" X 2" cedar lattice. If the under-deck space will be used for storage, full screening is required. Decks which can be seen from the street require under-deck screening.

10.5 Under-deck screening is recommended for opening between two and seven feet in height. Under-deck openings higher than seven feet may be screened, or they may be left open if the support structure is

purposely and cleanly built for under-deck view and use. When the under-deck area is left open the outside wall of the house must be fully finished, including underpinning. All pipes, pumps and heaters for spas must be hidden from view.

10.6 Detached Decks: All above requirements apply but with less emphasis on matching dwelling finish and colors. The structure, however, should be consistent with the environment and setting, i.e. garden, pool, etc.

10.7 Overhead sunscreens or roofs may be added to decks. Permanent roofing materials should match the roofing on the house and have the same pitch as the house.

11. SIGNAGE

11.1 Subject to strict compliance with conditions described herein, owners are permitted to publicly display signs on their lot advertising the sale or lease of the lot/residence without further approval from the Architectural Control Committee.

A. For properties being sold that front on a street in Tahitian Village AND either the golf course or Highway 71, two signs may be erected.

B. Only properties used for commercial use and fronting Highway 71 may erect a larger sign other than the standardized for sale signs used by realtors. The larger sign may only be displayed on the side of the property fronting Highway 71.

C. During the construction of a new home, Builder/Owner may display one sign advertising Builder/Contractor and/or one sign advertising property/house for sale. Builder/Contractor's sign must be removed upon completion of construction. Sub-contractors may mount smaller signs on 4' X 6' plywood used for posting of permits as long as they do not obstruct permits and regulations from view.

D. All signs must also adhere to any/all additional restrictions as set forth in Article I of Tahitian Village Deed Restrictions.

11.2 Commercial/Business Signs in Tahitian Village. Businesses in the portion of Unit 1 zoned for commercial use may display signs advertising their business. **A permit from TVACC, Tahitian Village Property Owners' Association and the City of Bastrop is required for Commercial signs**

11.3 All signs within the Bastrop City limits must also adhere to City of Bastrop ordinances and guidelines for signage.

11.4 General rules for Commercial signs:

A. All signs must be professionally painted or produced
B. All signs must be either mounted on poles or affixed to the building.
C. If mounted on the building, sign must have a painted border
D. If mounted on poles, sign must be boxed in
E. Signs may be backlit or the lighting must be an integral part of the sign itself. No spotlights are allowed.
F. Double sided signs must be finished out identically on both sides and must be bordered with wood or paint.
G. Multi-unit signs (e.g. signs at a strip center or property containing more than one business but using one site to post all signage) must be uniform in style and color, must be bordered with wood or paint and must be finished out identically on both sides.

11.5 General Rules for all signs:

A. The sign(s) must be ground mounted except as provided in paragraph 11.4
B. Must be professionally produced.
C. A mock up of the sign must be included with the application.
D. Bandit signs*14 are prohibited. Exception: contractor may post 1 sign in the front yard of a residence while said contractor has a contract in effect with the property owner. Once work is completed, the sign must be removed.
E. The sign(s) may not:
   1. Contain roofing materials, siding, paving materials, flora, one or more balloons, or any other similar building, landscaping or nonstandard decorative component;
   2. Be attached in any way to plant material (trees), a traffic control device, a light, a trailer, a vehicle, utility pole, road sign or any other existing structure or object;
   3. Be illuminated or contain lights if in the residential area
   4. Threaten the public health or safety;
   5. Be larger than 4' X 8:
   6. Violate the law;
   7. Contain language, graphics, or any display that would be offensive to the ordinary person;
   8. Be accompanied by music or other sounds or by streamers or otherwise be distracting to motorists;
   9. Vinyl banner/flag type signage will be permitted in the commercial area, for businesses only, for a period not to exceed a continuous period of sixty days. Banners must be affixed to the building by all four corners of the banner. Size is limited to 4' X 8'
   10. May not be posted on the street right of way or easement.
   11. No sign may be posted on a tree, mailbox or utility pole.

11.6 If Tahitian Village codes should differ from either the city or the county codes for signage, then the more restrictive rules shall apply.

12. ENVIRONMENTALLY FRIENDLY/ECO/GREEN CONSTRUCTION

12.1 Solar Panels: Solar panels shall be installed only on roofs of buildings. Their color should blend with the surrounding areas as close as possible. Request for approval of installation of any type of solar equipment shall be included in the Plans and Specifications and approved in writing by the ACC.

12.2 Rain Water Catch/Capture Systems:

A. Aboveground systems over 55 gallons must be permitted. All capture containers must blend with the house and/or surrounding environment. All capture containers must be covered to protect against debris and prevent a breeding ground for insects or any kind.

B. Below ground systems must be engineered, cannot change the elevation of the property so as to cause erosion. All below ground systems must be approved by the TVACC.

12.3 The Tahitian Village Architectural Control Committee is prepared to review applications for alternative eco-friendly green building on a case by case basis. In general, all such applications must adhere to the basic guidelines of Tahitian Village Covenants, Conditions and Restrictions and the exterior must conform with the surrounding area.

*Definitions page 21

13. INTERIOR REMODELING*2

13.1 Interior Remodeling*2 shall require no permit as long as the alterations do not change the outside elevations of the structure. If the proposed remodeling affects the exterior of the structure then a permit shall be required.

14. EXTERIOR REMODELING*11, ADDITIONS, ALTERATIONS AND OUTBUILDINGS

14.1 Remodeling, additions and/or alterations, which affect the exterior of the residence, are subject to review and approval of the TVACC. Guidelines for such improvements shall be the same as for a new residence except for the fee. If the addition is larger than six hundred square feet, then the higher fee is required. Any new construction, larger than six hundred square feet, to an existing outbuilding requires an application for review and approval by the TVACC.

14.2 A garage or carport may be enclosed to add living space HOWEVER; plans must also include a new garage or carport. Residences in Tahitian Village must have a garage or carport.

14.3 The MAXIMUM square footage of a guest house shall be eight hundred and fifty (850) square feet; the minimum shall be six hundred (600) square feet.

14.4 All guest houses will be site built*5.

14.5 Tree houses: No permit is needed for a tree house, however all tree houses must match the house and surroundings and must be maintained like all other structures. Abandoned tree houses must be removed. Tree houses may not be used as a residence.

14.6 The moving of used buildings onto any lot in the Tahitian Village subdivision is prohibited. All outbuildings shall be located to the rear of the residence and construction of all outbuildings shall be subject to the approval of the TVACC. All outbuildings should complement the style and finish of the residence.

14.7 Workshops and storage sheds shall be no bigger than 900 square feet. See Section 5.2 for materials allowed

14.8 Permanent Greenhouses: Framework may be metal, aluminum, wood or plastic piping. Roof may be aluminum, glass or fiberglass. Walls may be glass, Plexiglas or fiberglass. Plastic sheeting is not an allowable material for any part of the structure.

14.9 Temporary Greenhouses may be erected for no longer than sixty days. Framework may be wood, aluminum or plastic with plastic sheeting. These are the only allowable materials for a temporary greenhouse. The structure may be no larger than 8' X 10'. The entire structure must be dismantled and removed by the end of the sixty day period.

15. UNIT MASSING*9

15.1 The repeat of any specific residence will not be allowed where the repeat is within 500 feet of the initial residence. Units must face the street.

16. MULTI-UNIT HOUSING

16.1 Multi-unit housing shall be built in designated areas only. Structures cannot consist of more than four

units. Each unit must be a minimum of 1000 square feet living area. Each unit must have a dedicated garage and/or carport and off street parking on the property.

17. ENVIRONMENT

17.1 The residents here care deeply about our lovely forest and the wildlife that reside here. Preservation of this natural habitat is very important. Houses, drives and allied facilities[*12] shall be carefully located so as to preserve existing trees and shrubs. Clear cutting[*10] of any lot is prohibited. Live trees larger than 3" inches in diameter may be removed for no other purpose than to erect a new structure or eliminate a hazardous situation.

17.2 A clearing[*1] permit is now required for any builder or property owner in order to clear a lot before you receive a building permit. This allows you to remove brush and small trees three (3) inches in diameter or smaller. Absolutely no pines, oaks, or hickories may be removed until you receive your permit from the TVACC. There is not a fee for this permit.

17.3 Residents are not required to receive a clearing[*1] permit to clear part of their land at their residence, but the same rules do apply as stated in 17.2 and the TVACC requests that you notify the office at (512) 321-1145. This will ensure that if the office receives any calls as to the clearing[*1] they will already be informed and the office personnel will be able to go over the requirements with the owner.

17.4 All dead/burned trees or trees presenting a hazard must be removed and disposed of properly. No permit will be required for the removal of dead trees.

18. SETBACKS

18.1 For properties located outside the city limits, no improvement shall be constructed nearer than twenty (20) feet from the front property line nor five (5) feet from the side or rear property line. A release of easement should be obtained from Bluebonnet Electric for the ten (10) feet from side and rear property line. Corner lots must observe the twenty (20) foot setback from property lines on each street.

18.2 If the property lies within City of Bastrop limits, ten (10) feet setbacks on sides, twenty-five (25) feet at rear of property and twenty (20) feet at the front of the property are required.

19. VARIANCES[*7]

19.1 A variance[*7] to the provisions of these guidelines shall be considered an exception to the regulations, rather than a right. The Architectural Control Committee may authorize a variance[*7] from the regulations of this article by a majority vote when, in its opinion, undue hardship will result from requiring strict compliance. The following limitations and criteria shall be used by the board to evaluate, grant or deny any variance request.

19.2 A variance[*7] requires the approval of both the Tahitian Village Architectural Control Committee AND the Tahitian Village Property Owners Association board.

19.3 Undue hardship. Special circumstances which affect the land, and development involved, must exist.

a. Granting a variance[*7] shall be based on a finding that the applicant's difficulties or hardship is due to unusual conditions or circumstances, such as an irregularly shaped parcel of land AND
b. Granting a variance[*7] will not adversely affect surrounding property owners and use AND
c. Granting a variance[*7] shall not be detrimental to public health, safety or welfare; AND

*Definitions page 21

d. Financial hardship alone shall not be grounds for a variance

19.4 A variance[*7] shall not be approved if the circumstance for the hardship is caused or created by the owner of the property or the applicant seeking the variance.

19.5 The applicant shall be responsible for providing all the data, documentation and justification for the requested variance[*7] to both the Architectural Control Committee and the Property Owners Association Board of Directors.

19.6 An application for a variance[*7] shall be made in writing and shall be accompanied by a fee and a site plan[*4].

19.7 The Architectural Control Committee may impose such conditions, limitations, safeguards and/or a time restriction that, as a board, deems necessary to the granting of any variance[*7]. Violation of any condition, limitation, safeguard or other restriction shall constitute a violation of this article.

20. WATER

20.1 All water hookup matters shall be arranged by The Bastrop County Water Control and Improvement District #2 (BCWCID#2). BCWCID #2 is the water supplier. Applications are available at the WCID #2 office and they can be reached at (512) 321-1688. A hook-up fee is required. BCWCID#2 will require a TVACC approved building permit to provide a water meter.

20.2 If, during construction TVACC becomes aware that water is being used from an on-site meter; builder/property owner will be required to provide to TVACC a copy of paid receipt showing water deposit fee has been paid. If builder has not paid the deposit, then TVACC will rescind construction permit, builder/property owner must cease and desist construction. The builder/property owner will forfeit all remaining deposit monies and must go to the BCWCID #2, pay a new deposit, provide TVACC with a copy of the receipt and pay another deposit to TVACC.

21. ELECTRICITY

21.1 All electrical hookup matters shall be arranged with the Bluebonnet Electric Cooperative. Their telephone number is (800) 842-7708. The TVACC recommends underground electrical, telephone and cable TV circuits from the road or street to the residence. The TVACC requires that if the residence is going to be built on two (2) or more lots, an easement release be obtained from Bluebonnet Electric. Power drops across streets should be avoided.

22. SEPTIC TANKS/WASTE DISPOSAL SYSTEM/SEWER

22.1 An engineered waste disposal system or sewer hook-up is required for each residence. Please submit septic plans to Bastrop County Health and Sanitation Department for all construction in the County and to the City of Bastrop Planning and Permit Department, for all construction in the city limits. Drawings showing the location and design with specifications covering the materials to be installed must be included. A copy of the receipt for application of a septic permit must be provided when plans are submitted. A letter from BCWID#2 addressed to TVACC stating that sewer is available will be accepted as proof of waste disposal availability.

23. POSTING OF PERMITS

23.1 A Development permit is required.

- If the property is within Bastrop City limits, a city building permit must be obtained at the Planning and Permit Department. A copy of the permit/s must be provided when plans are submitted.

- If the property is outside the Bastrop City limits, a county development permit must be obtained at the Bastrop County Development Office. A copy of the permit(s) must be provided when plans are submitted.

- A US Fish and Wildlife Service Endangered Species Permit must also be obtained. In the areas where this is not applicable, a letter from Fish and Wildlife stating that the construction will not occur in toad habitat is necessary.

- If the owner/builder is unable to obtain a permit or a letter, then a statement signed by the builder and property owner that they are aware that their property is in an area designated by the US Fish & Wildlife Service as potential toad habitat and acknowledging that the Architectural Control Committee's permit is not approval for any action in violation of the Endangered Species Act.

- If development is planned for property that is within the flood plain, a permit must be obtained from the Bastrop County Floodplain Management office.

- Additional development permits may be required.

23.2 Builder/Property Owner must POST ALL PERMITS required for a construction site on a solid (white background) board within 5 feet of the front property line (not in the right of way). The board is to be no smaller than 4' X 6' and signage should always be placed on the main road your home faces.

23.3 Failure to post permit at site as regulated will be considered by TVACC as working without a construction permit and fines will be assessed as such. Should permit be lost or stolen, builder/property owner may request a copy. It shall be the responsibility of the builder and property owner to ensure that a permit is posted and visible from the site to the public at all times.

23.4 No permit may be posted on a tree, mailbox or utility pole.

24. CONSTRUCTION

24.1 All residences must be site built[*5]. Used buildings, mobile homes or move-in houses will not be approved.

24.2 New construction must be completed within a nine (9) month period, while all other constructions, including exterior remodels[*11], must be completed within a six (6) month period.

24.3 If construction is inevitably delayed, an extension may be applied for with the TVACC at least fifteen (15) days prior to the end of the permit. The TVACC reserves the right to extend or deny such requests. An extension will last no longer than ninety (90) days.

24.4 One ninety (90) day permit extension may be approved for other construction by Tahitian Village residents. For any other extensions, a new permit application must be submitted.

24.5 If the construction is not completed within the specified time frame then the property owner/builder is subject to a $100.00 delay penalty per day and possible legal action and is responsible for any attorney's fees incurred by such action. The construction period will not be extended by the TVACC due to construction work stoppage by the TVACC.

24.6 All building materials and equipment must be confined to the building site and may not be left at any time in roadway, easement or in any manner causing an unsafe environment or be in violation of county or city ordinances. The building site must remain neat and presentable. Streets and adjoining property will be kept clean during construction.

24.7 No burning of excess brush or materials will be allowed. Unattended fires may be reported to the Fire Department and costs incurred will be billed to the Applicant. **The applicant must provide a roll off trash receptacle (before construction has begun)** for all excess brush, trash and materials caused by the approved construction **and must be removed at the completion of construction.**

24.8 Approved temporary sanitation facilities must be on-site during construction of new residences.

25. ENFORCEMENT OF TVACC BUILDING GUIDELINES

25.1 The TVACC will monitor the building site during the construction period to insure compliance with the approved plans and specifications. Deviations from the plans and specifications without approval of the TVACC will be justification to order a work stoppage or file a statement of non-compliance with the court. The nine-month construction period will not be extended due to work stoppage.

25.2 Each day a violation exists shall constitute a separate violation, and consequently a separate offense. A fine of up to $200 per day per violation may be assessed.

26. BUILDER REGULATED HOURS

26.1 All builders and sub-contractors are allowed to work on construction sites from 7:00 a. m. through 7:00 p. m. on weekdays and are allowed to work on construction sites from 8:00 a. m. through 5:00 p. m. on weekends and Federal holidays. Exception only for concrete pours for foundation slabs.

26.2 Please make sure all sub-contractors are aware of these new restrictions on hours. If we receive complaints from residents, it will be inspected immediately and the builder will be notified of the violation and issued a warning. Future complaints will result in fines.

26.3 A copy of the construction work hours and guidelines stated in Section 26 will be issued with each permit and MUST be posted in full view at the construction site.

27. FINE STRUCTURE FOR NEW HOME CONSTRUCTION

27.1 Construction sites are toured on a weekly basis. Below are listed violations that may generate fines:

a. Early Start of construction*6
b. No permits posted
c. Working outside the posted hours
d. No trash receptacle on site
e. No "porta-john" on site
f. Unsightly, trashy site
g. Clearing*1 without a permit
h. Construction or clearing*1 on property that has not been vested in applicant's or owner's name.

If any construction is started before permit is issued and posted, then the entire deposit will be forfeited and construction will cease and desist until another deposit of double the original deposit is posted.

*Definitions page 21

Failure to post permit at construction site as regulated will be considered by TVACC as working without a construction permit. Should permit be lost or stolen, builder/property owner may request a copy. It shall be the responsibility of the builder and property owner to ensure that a permit is posted and visible to the public at all times.

Failure to post permit and have both porta-john and trash receptacle on site before construction work begins will be considered Early Start*4 and will be dealt with as such.

The fine for violations of Section 27 shall be $100 per violation. An invoice will be issued after each tour of construction sites and be due and payable within ten business days. Failure to pay fines may result in a cease and desist and/or denial of any further building applications.

Any dispute regarding violations and fines must be addressed to the board at the next regular meeting. Builder must call in advance and request the item be added to the agenda.

Exceptions: If a builder has two construction sites side by side, he/she may provide one trash receptacle and one porta-john to be shared by both sites. If a builder has two construction sites within a city block of each other, the two sites may share one porta-john but they must each have their own trash receptacle.

27.3 Once the new home has been completed the builder/property owner has sixty days to meet post construction requirements; once this has been completed they may request the return of their deposit. Failure to complete post construction requirements may result in legal action.

If six months has passed and builder/property owner has not requested a refund of the deposit, then deposit refund will be forfeited. Questions concerning these fines may be directed to the TVACC office at info@tahitianvillage.com or (512) 321-1145.

28. Application Checklist for New Homes

Pre-Approval:

- ☐ Application
- ☐ Application Fee/Deposit
- ☐ Builders Warranty Policy Registration
- ☐ Floor Plans & Specifications showing interior facilities
- ☐ Exterior Elevations & Specifications
- ☐ Engineered Foundation Plans
- ☐ Site Plans*4
- ☐ Wastewater Service Request Form (issued by the BCWCID #2)
- ☐ Copy of Water Tap Receipt (issued by the BCWCID #2)
- ☐ Development Permit (issued by Bastrop Co Developmental Services, BCWCID #2 or City of Bastrop)
- ☐ Culvert Permit (issued by Bastrop Co Developmental Services, BCWCID #2 or City of Bastrop) **OR** Copy of Waiver from City of Bastrop, County of Bastrop or BCWCID #2 stating no culvert is needed
- ☐ US Fish & Wildlife Endangered Species Permit or Houston Toad Affidavit
- ☐ Trash Affidavit
- ☐ Slab Inspection Report (if applicable)
- ☐ Bluebonnet Electric Utility Easement Release (if applicable)

Is this property in the Flood Plain? [ ] Yes [ ] No

☐ Elevation Certificates (issued by Bastrop County Developmental Services if property is in flood plain)

Is lot within city limits? [ ] Yes [ ] No

☐ City Building Permit (if applicable)

Is structure for commercial use? [ ] Yes [ ] No

Does construction require variance*7? [ ] Yes [ ] No

☐ TVPOA Approval (if applicable)

☐ Proof of Ownership of property

Other Approval Considerations:

Does this lot require clearing*1? [ ] Yes [ ] No

Dos this lot require demolition/debris removal? [ ] Yes [ ] No

Will there be any other structures built under this permit? [ ] Yes [ ] No

If so, are those structures included in these plans? [ ] Yes [ ] No

Have these house plans been used in Tahitian Village in the past? [ ] Yes [ ] No

If so, what is the nearest location to this site?

OFFICE USE ONLY

Proof of Ownership: [ ] Yes [ ] No Verification Attached: [ ] Yes [ ] No

29. Application Checklist for Structures Other than New Homes

- ☐ Is this property in the Flood Plain? [ ] Yes [ ] No
- ☐ Application
- ☐ Application Fee
- ☐ Site*4 Plans
- ☐ County Development Permit (if in the Flood Plain)

Additional Documents needed:
For Driveways
☐ Culvert Permit (issued by Bastrop Co Developmental Services, BCWCID #2 or City of Bastrop) **OR** Copy of Waiver from City of Bastrop, County of Bastrop or BCWCID #2 stating no culvert is needed

For Retaining Walls over two feet in height
☐ Engineered Plans

For Signs in Commercial Area
☐ Professional Mockup of Sign

OFFICE USE ONLY

Proof of Ownership: [ ] Yes [ ] No Verification Attached: [ ] Yes [ ] No

30. DEFINITIONS

Unless the context otherwise specifies, the following words and phrases, when used in these Building Guidelines, shall have the meanings hereinafter specified:

1. Clearing: the removal of brush and small trees three (3) inches in diameter or smaller. Absolutely no pines, oaks, or hickories may be removed until you receive your permit from the TVACC.

2. Interior Remodeling: changes to the interior of a structure only.

3. Site work: any form of construction toward the improvement of an existing home or the initial foundation phase of new construction

4. Survey and Site plan: The draw-to-scale plans will show property lines, easements, building lines, and setback lines. Measurements between structures, property lines, building lines and easements are to be shown on plans. The updated site plans should show all structures and improvements on the lot, including driveways, sidewalks, decks, porches, pools, retaining walls, fences, storage buildings, playscapes, etc.

5. Site built: to be built on the property the structure is intended to inhabit.

6. Start of construction: is defined as and includes but is not limited to: clearing*1, preparation of site, removal of any trees over three inches in diameter, setting of forms and/or any dozer work and dropping off construction materials including fill dirt.

7. Variance: an exception to the regulations granted to the property owner, rather than a right.

8. Decorative Fencing: non-containing fencing. Fence may either have slats/pickets/bars far enough apart to allow passage of a pet or have no gate.

9. Unit Massing: the construction of identical exterior elevations.

10. Clear Cutting: The removal of all trees, shrubs and other vegetation from any property

11. Exterior Remodeling: any alterations to the exterior of a structure.

12. Allied Facilities: any and all structures aside from the mains structure.

13. Trellis: A trellis is considered a landscaping tool. A trellis can be no more than 4' wide and 8' tall. Trellises must be spaced 4' apart and cannot be continuous. A trellis may not be tied into anything else.

14. Bandit Sign: A temporary sign used for temporary or directional purposes only.

TAHITIAN VILLAGE PROPERTY OWNERS ASSOCIATION
and
TAHITIAN VILLAGE ARCHITECTURAL CONTROL COMMITTEE

CONSTRUCTION WORK HOURS AND GUIDELINES

(This sign must be posted in full view at the Construction Site)

Normal work hours:

7:00 a.m. to 7:00 p.m. Monday through Friday
8:00 a.m. to 5:00 p.m. Weekends & Federal Holidays

The Following Activities are Not Permitted on Sundays:

- **Operating earth-moving equipment**
- **Delivering concrete or heavy materials**
- **Operating power chain saws or jack hammers**
- **Continuous hammering or air-stapling**
- **Any other noise generating activities**

NO LOUD MUSIC AT ANY TIME

Any violations of the above rules may be subject to fines up to $100.00 per incident.

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TAHITIAN VILLAGE ARCHITECTURAL CONTROL COMMITTEE
P0 Box 636 * Bastrop, TX 78602
(512) 321-1145

RESIDENTIAL APPLICATION

To be completed by Property Owner

Property Owner's Name: _____

Owner's Address: _____

Home Phone: _____ *Work Phone: _____ Mobile Phone: _____

Email Address: _____

Builder/Contractor Name: _____

Builder's Address: _____

Email: _____ Phone: _____ Cell Phone: _____

Construction Site:

Property Legal Description: Unit: _____ Block: _____ Lot: _____

Property Physical Address: _____

Request for Building Approval { } Check all that apply

{ } Residence Sq Ft _____ { } Guest House Sq. Ft _____ { } Outbuilding { } Pool { } Fence { }

Garage/Carport { } For How Many Vehicles? _____ { } Clearing

Other { } Description: _____

Foundation: { } Slab { } Pier and Beam

Comments: _____

Expiration of Permit:

New Homes: 9 Months from date of issuance
Clearing*1: 3 Months from date of issuance
All other construction: 6 Months from date of issuance

For New Homes: Property Owners are responsible for all activities on their properties including the following:

- Ensure that the permit is posted and visible from the road BEFORE construction starts
- Have a Porta-Can brought to your property before construction begins
- Have a **roll-off trash receptacle** brought to your property before construction begins
- Ensure that construction site is kept clean and free of trash
- Construction is completed by expiration of permit
- Compliance with all building guidelines and the Covenants, Conditions and Restrictions for Tahitian Village Property Owners Association

*Definitions page 21

Effective September 1, 2014

By my signature below, I acknowledge that:

1. Approval of this application is issued based on plans and specifications herein. In the event of substantial changes, I am required to submit a revised site plan for additional review.
2. Any required variances[*7] must be obtained prior to beginning the work that involves the variance[*7].
3. The planned septic tank system or other sewage disposal system meets all applicable laws, rules, standards and specifications.
4. I am bound to all rules and regulations relating to development in Tahitian Village subdivision including:
    a. The CCRs and By-Laws of Tahitian Village Subdivision
    b. Bastrop County Development requirements
    c. State of Texas Requirements for Development or Remodeling in Unincorporated areas
    d. When applicable, City Of Bastrop, Texas Development requirements
5. It is my responsibility to ensure that all provisions of this application are faithfully performed.

Property Owner(s)

_____	_____	_____
Signature	**Printed**	**Date**
_____	_____	_____
Signature	**Printed**	**Date**

If you want your builder or agent to speak for you during construction, please indicate below.

I authorize _____ of _____ to act on my behalf pertaining to all aspects of the construction of the aforementioned home/property.

_____ _____
Initials Initials

For completion and use by TVACC

Date received by TVACC: _____ Fee Attached: $ _____ Check No. _____

Application submitted is: Approved: _____ Not Approved: _____ Date: _____

Conditions to Approval: _____

_____	_____	_____
Member, TVACC Date	Member, TVACC Date	Member, TVACC Date
_____	_____	
Member, TVACC Date	Member, TVACC Date	

Application No. _____

TAHITIAN VILLAGE ARCHITECTURAL CONTROL COMMITTEE
P.O. Box 636 * Bastrop, TX 78602
(512) 321-1145

RESIDENTIAL CLEARING*1 APPLICATION

Completed by: [ ] Developer [ ] Property Owner

Property Owner: _____

Address: _____

Home Phone: _____ Mobile Phone: _____
Email Address: _____

Legal Lot Description: Unit: _____ Block: _____ Lot: _____

Physical Address _____

Contractor: _____

Address: _____

Phone: _____ Email: _____

Type of Clearing: _____

Comments: _____

Expiration of Permit: 3 MONTHS FROM DATE OF ISSUANCE

AGREEMENT: Developer-
I/We have received and read a copy of the TVACC guidelines, agreement of Covenants, Conditions and Restrictions for construction, additions or modifications in Tahitian Village Units I-V, and agree as a condition of the approval of this application to fully comply with all the conditions contained therein. I/We have not begun any construction on-site. I/We will post a TVACC building construction permit prior to starting construction, to be visible from the street.

Signature: _____ Date: _____

For completion and use by TVACC

Date received by TVACC: _____ Application No. _____

Application submitted is: Approved: _____ Not Approved: _____ Date: _____

Member, TVACC Date	Member, TVACC Date	Member, TVACC Date
Member, TVACC Date	Member, TVACC Date	

*Definitions page 21

TAHITIAN VILLAGE
ARCHITECTURAL CONTROL COMMITTEE

TRASH AFFIDAVIT FOR CONSTRUCTION SITES

I will dispose of my debris properly. I will not dump in Tahitian Village or Pine Forest. I will be responsible for the proper cleanup and disposal of all brush and construction debris created as a result of construction on this site. I am responsible for all debris created by me, my company, my employees, and any and all subcontractors I may retain. I understand I am responsible for all fines levied by Tahitian Village Architectural Control Committee, Tahitian Village Property Owners' Association, Bastrop County or the City of Bastrop, Texas.

_____ _____

Signature Printed Name

_____

Date

HOUSTON TOAD AWARENESS LETTER

I understand that Tahitian Village, Bastrop, Texas is in the Houston Toad habitat. I will not do anything to harm the Houston toad in building on this property.

I understand that there may be additional permits or requirements to be met by Bastrop County, Bastrop County Lost Pines Conservation and the United States Fish & Wildlife Department. I accept the responsibility for compliance with these entities.

Information about the Houston Toad Habitat and Lost Pines Conservation Plan can be found at:
http://www.co.bastrop.tx.us/site/content/construction

_____
Name

_____
Date

THE STATE OF TEXAS*

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BASTROP*

THAT, TAHITIAN VILLAGE ARCHITECTUAL CONTROL COMMITTEE has adopted these building guidelines on August 4, 2014 at a regular meeting.

EXECUTED this the 15th day of August, 2014.

By: Randy McMcDonald

Randy McDonald, President, Tahitian Village Property Architectural Control Committee

THE STATE OF TEXAS*

COUNTY OF BASTROP*

This instrument was acknowledged before ~~me~~ on this the 15th day of August 2014 by Kardy M. McDonald.
Tahitian Village Architectural Control Committee

Freida Reed

Notary Public-State of Texas

FREIDA REED
Notary Public, State of Texas
My Commission Expires
OCTOBER 28, 2017

THE STATE OF TEXAS*

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BASTROP*

THAT, TAHITIAN VILLAGE ARCHITECTUAL CONTROL COMMITTEE has adopted these building guidelines on August 4, 2014 at a regular meeting.

EXECUTED this the 15th day of August, 2014.

By: Mary Jo Creamer
Mary Jo Creamer, Treasurer, Tahitian Village Property Architectural Control Committee

THE STATE OF TEXAS*

COUNTY OF BASTROP*

This instrument was acknowledged before me on this the 15th day of August 2014 by Mary Jo Creamer,
Tahitian Village Architectural Control Committee.

Patricia Lujan
Notary Public-State of Texas

PATRICIA LUJAN NOTARY PUBLIC STATE OF TEXAS EXPIRES OCTOBER 24, 2014

THE STATE OF TEXAS*

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BASTROP*

THAT, TAHITIAN VILLAGE ARCHITECTUAL CONTROL COMMITTEE has adopted these building guidelines on August 4, 2014 at a regular meeting.

EXECUTED this the 15th day of August, 2014.

By: Pierre Wilson

Pierre Wilson, Director, Tahitian Village Property Architectural Control Committee

THE STATE OF TEXAS*

COUNTY OF BASTROP*

This instrument was acknowledged before me on this the 15th day of August 2014 by Pierre Wilson,

Tahitian Village Architectural Control Committee

Freida Reed

Notary Public-State of Texas

FREIDA REED
Notary Public, State of Texas
My Commission Expires
OCTOBER 28, 2017

THE STATE OF TEXAS*

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BASTROP*

THAT, TAHITIAN VILLAGE ARCHITECTUAL CONTROL COMMITTEE has adopted these building guidelines on August 4, 2014 at a regular meeting.

EXECUTED this the 15 day of Aug., 2014.

By: Joe Schwindt

Joe Schwindt, Vice-President, Tahitian Village Property Architectural Control Committee

THE STATE OF TEXAS*

COUNTY OF BASTROP*

This instrument was acknowledged before me on this the 15th day of August 2014 by Joe Schwindt,
Tahitian Village Architectural Control Committee

Patricia Lujan

Notary Public-State of Texas

PATRICIA LUJAN NOTARY PUBLIC STATE OF TEXAS EXPIRES OCTOBER 24, 2014

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Rose Pietsch

August 18, 2014 08:42:56 AM
MARYC FEE: $136.00 BOOK:2341 PAGE:617-647
ROSE PIETSCH, County Clerk
Bastrop, Texas
MISCELLANEOUS 201409890

RESTRICTION
201515428
32 PGS

Building Guidelines
Tahitian Village
Architectural Control Committee

P.O. Box 636, Bastrop, Texas 78602
(512) 321-1145

*Definitions page 22

Effective July 10, 2015

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INTRODUCTION

The form of each residence in Tahitian Village should express the character and personality of the individual resident. At the same time, a recognizable sense of continuity within the community should prevail. Blending these two thoughts is the task of the Tahitian Village Architectural Control Committee (TVACC). The following guidelines and procedures are the rules and regulations that residential development in Tahitian Village Units I through V.

1. **Before you begin the building process:**

- Thoroughly read the all Covenants, Conditions and Restrictions (CCRs), including the Building Guidelines of Tahitian Village so that you can comply with them. Situations where the CCRs have not been met have resulted in delaying the closing process on loans. With informed and thorough planning, problems can be avoided and the building process will be much smoother.
- Contact the Bastrop County Development Services to get the latest versions of the Development Services Application, and current regulations for Construction, Driveway/Culvert, 911 Addresses. www.co.bastrop.tx.us
- Contact Bastrop County Water Control and Improvement District #2 (BCWCID#2) to get the latest versions of the BCWCID #2 Application, and current regulations for their on-site sewage facility. www.bcwcid2.org
- Get to know your neighbors and families who have been through the building process that can provide valuable information. The residents here care deeply about our forest and the wildlife that reside here. Preservation of this natural habitat is very important.

2. **Prior to Developing the Site Plan[*3], Consider:**

- As you begin laying out your home and driveway, try to remove as few trees as possible. When clearing[*1] your property, start slowly with underbrush, cedars and small yaupons. Clear cutting[*10] is not allowed.
- Carefully consider how your driveway will approach your garage. You might be able to include your electrical right of way as part of your driveway.
- When deciding where to clear for the power lines, see which property line will have the least number of trees removed. You might be able to share the same utility easement with your neighbor. Going with underground electrical will eliminate the need to clear a wide path.
- Be aware that the right of way (R.O.W.) is outside the property line and is owned by the county and city entities. They also have a ten foot utility easement from the property line towards the house. Property owners have no say about what work is done in the R.O.W
- Stake out where you are considering putting your home before you begin clearing[*1].
- You must remove all dead and burned trees and dispose of them properly

3. **Submit your application package with all supporting documents, permits, plans and specifications.**

Approval shall be granted or withheld based on the application package being in compliance with the provisions as listed in sections II, III and IV of these Building Guidelines. Failure to provide required information in your application may delay your receiving approval from TVACC. The thirty (30) day period mentioned in paragraph 6.03 of the Tahitian Village Covenants, Conditions and Restrictions will not start until the applicant submits all required information (see builder checklist).

Enforcement:

- Failure to comply with any of the provisions of this article shall constitute a violation of the Tahitian Village Covenants, Conditions and Restrictions. Each day a violation exists shall constitute a separate violation, and consequently a separate offense.

- If builder/property owner does not comply with all guidelines during the entire construction process, then no new permit will be issued until all fines have been paid and all violations have been corrected from previous construction sites.

- Acceptance of new home permit by builder grants Tahitian Village Architectural Control Committee the right to enter property for inspection purposes at any time during the construction process.

- The board may seek to recover from any property owner and/or builder attorney fees incurred by Tahitian Village Architectural Control Committee and/or Tahitian Village Property Owners Association in collecting monies, preparing or recording lien notices, foreclosing liens, prosecuting lawsuits and otherwise enforcing the Declarations, Bylaws, Rules or other laws against an owner, owner's family, guests or tenants.

- Tahitian Village Property Owners Association and Tahitian Village Architectural Control Committee reserve the right to amend, modify or change the Building Guidelines stated herein at any time.

1. CONSTRUCTION PERMIT FEES

A onetime, non-refundable fee and a deposit for each new construction, is due and payable upon submission of the plans and specifications for review. This fee is designed to cover the costs of administering the activities of the TVACC. Checks shall be made payable TVACC and forwarded along with the Residential and/or Commercial Application, plans and specifications to the TVACC.

1.1 The current fees are:

- New homes, Guest Houses and Home Additions over 600 square feet: $1,000.00 ($500.00 permit fee with a $500.00 refundable deposit)
- Form Board Permit Application: no charge
- Home Additions under 600 square feet: $100.00 permit fee
- Demolition*16 Permit: $500.00 ($100.00 fee with $400.00 refundable deposit)
- All other construction and variance*7 permits: $40.00
- Extension fee for a new home is $100.00 **plus** any amount that may have already been deducted from the deposit.
- Cancellation fee: $100.00 (for new home applications that are processed then withdrawn)
- Permit fee, after the fact (for permit applications applied for AFTER project has been started) will be two times the original fee
- Interior Remodeling*2: No permit or fee required

1.2 All fines levied by TVACC during the construction period will be billed as they are levied and must be paid to TVACC within ten business days. Any damages incurred to any other property will result in deposit being withheld until issue is resolved. Fines will NOT be deducted from deposit.

1.3 Permit fees are not refundable. Any deposit may be refunded if all criteria are met. See Section 1.4

1.4 Refund of Deposit for new homes: Builder or property owner may request a refund of their deposit within six months of either completion of construction or move in of resident whichever comes first.

Once the new home has been completed the builder/property owner has sixty days to meet post construction requirements as listed in Section 27.3 of TVACC Building Guidelines once this has been completed they may request the return of their deposit. Failure to complete post construction requirements may result in legal action.

Post Construction Requirements:

- House must have 9-1-1 address numbers posted on the house or at the road in front of the house but either should be visible from the road.
- All building materials must be removed from the site which includes the right of way and adjoining lots.
- A final inspection report must be submitted to the office
- All builder's signage must be removed from the property

If six months has passed and builder/property owner has not requested a refund of the deposit, then deposit refund will be forfeited. Questions concerning these fines may be directed to the TVACC office at info@tahitianvillagepoa.com or (512) 321-1145.

1.5 Refund of Deposit for Demolition Permit: Builder or property owner may request a refund of their deposit within ninety days of completion of demolition. A copy of a date and time stamped receipt showing proper disposal of existing slab and construction debris must be submitted before refund will be issued.

Should a permit be approved and issued and builder/property owner decide not to build, builder/property owner may request a refund of permit fee and deposit which will be issued less the cancellation fee. If builder's sign is not removed within thirty days of completion of construction at which time TVACC will remove sign and builder/property owner will forfeit deposit. Deposit will be forfeited if refund process has not been completed within the stated six months.

1.6 The TVACC requires that all builders put the 9-1-1 address, using permanent numbers, preferably on the house and/or clearly visible from the street. The builder will NOT be refunded a deposit if this has not been verified by TVACC. (Effective August 3, 2009, Amended 11/5/2012)

2. RULES FOR SUBMISSION OF APPLICATIONS

All single family homes must have a minimum of 1200 square feet living area
All homes must have a garage or carport
All homes must have a 9-1-1 address

2.1 The Applicant for the property shall submit to the TVACC one (1) copy of the **complete application package** (as listed on Application Checklist). Plans and specifications for new construction and remodeling will be submitted prior to starting any site work[*3] and must be accompanied by the necessary fees outlined in these Building Guidelines. Application will be stamped as received when ALL required documents are submitted.

2.2 Approval of the permit application for a new home will be a two step process. The builder must submit an application to erect form boards before construction starts. After form boards are set and engineer's site survey[*4] is obtained, the builder must submit the permit fee/deposit and all required documents to receive final approval to continue with construction. The application for erecting the forms does not include filling the forms with dirt, trenching, setting pipes or pouring cement. Any of this work done without approval of the application permit to build will be considered early start of construction[*6].

2.3 Permit applications will be reviewed by TVACC during a regular public meeting of the committee ONLY. If a quorum is not obtained for a regularly scheduled meeting, then Association Manager will alert the board members and request that they review the permit applications that would have been presented in the scheduled meeting in the office of the TVACC.

2.4 Tahitian Village ACC requires all builders be enrolled in an insurance backed 1/2/10 warranty program that satisfies current USDA requirements for construction of new homes.

2.5 Commercial structures must be approved by TVACC and the Tahitian Village Property Owners Association during a regular public meeting.

2.6 Tahitian Village Property Owners Association and Architectural Control Committee work cooperatively and exchange information with various governmental entities which have their own permitting procedures that may apply to property in Tahitian Village including, but not limited to, Bastrop County Water Control & Improvement District #2, Bastrop County Development Services and City of Bastrop. Although these entities may require a permit, it is not a substitute for but is in addition to the permit required by Tahitian Village.

2.7 Any new construction or replacement of existing construction must adhere to these Rules & Regulations

2.8 TVACC reserves the right to request a second opinion from a professional of its own choosing, and at their own cost, for any report, plans or drainage issues that may be called into question.

2.9 Application Package for New Homes

Applications must be complete and will include the following as found in these Building Guidelines or on our website at www.tahitianvillagepoa.com :

- Residential Application Form (as found in these Building Guidelines or on Tahitian Village website www.tahitianvillagepoa.com) with appropriate deposit and non-refundable fee. Application Form **must contain signature of property owner AND contractor.**
- Proof that builder is registered with an insurance backed 1/2/10 warranty program.
- Floor plans and specifications showing interior facilities
- Elevations of all four sides of main structure and garage/carport if detached. Elevations must include detail of all exterior siding
- Engineered foundation plans
- Survey and Site plans*4
- Waste Disposal Facilities Permit, or copy of receipt of application, with plans, specifications and approved location or a letter from BCWCID #2 stating they will provide sewer service.
- Notice from BCWCID #2 that water tap will be needed and/or has been applied for or receipt for water tap
- County Development permit, applicable (obtained at Bastrop County Development Office)
- City building permit if in the city limits (obtained at City of Bastrop). All structures built within the city limits must also obtain a building permit from the City Planning Department. When there is a conflict between the City Building Codes and Tahitian Village building Rules and Regulations the more

restrictive Rules and Regulations will prevail.

- Culvert Permit, if applicable (obtained from Bastrop County Development Office, City of Bastrop or BCWCID #2) or a waiver from the governing entity stating no culvert is needed.

- Bastrop County Endangered Species permit or a letter addressed to the TVACC stating that construction will not occur in the Houston Toad habitat. If the owner/builder is unable to obtain a permit or a letter, then a statement signed by the builder and property owner that they are aware that their property is in an area designated by the US Fish & Wildlife Service as potential toad habitat and acknowledging that the Architectural Control Committee's permit is not approval for any action in violation of the Endangered Species Act (obtained from TVACC office, website or in this package)

- Trash Affidavit (obtained from TVACC office, website or in these Building Guidelines)

- Slab Inspection Report shall be provided for any new home built on an existing slab. The report must contain detail of all tests performed and the results of each test.

- Release of utility easements when improvements are constructed within their boundaries.

SUBMISSION OF APPLICATION:

- The Residential Application Form shall be submitted to the TVACC office. Approved/Not Approved decision will be returned upon TVACC consideration. Every effort will be made to approve or disapprove plans within thirty days of receipt. Approved plans will be retained by the TVACC. Only complete applications will be reviewed.

- All new construction plans provided by the architect, engineer or builder must include complete dimensions and exterior elevation profiles of the structure's sides and roof. Design detail must be evident, including where brick, stone, wood and screening materials are needed.

- Site work[*3] shall not be initiated prior to approval by TVACC. As a matter of policy, the TVACC will seek a temporary restraining order, a temporary injunction and a permanent injunction, against any builder or property owner who begins construction without an approved TVACC permit. Such relief will include recovery of all reasonable and necessary attorneys' fees in connection with obtaining such relief.

- Start of Construction[*6] please see definitions

- The plans and specifications **for all other construction**, when submitted, shall be complete and will include the following: Residential Application Form with appropriate non-refundable fee. Survey/Site Plan[*4] showing location of all structures on the lot. The draw-to-scale plans will show property lines, easements, building lines, and setback lines. Measurements between structures, property lines, building lines and easements are to be shown on plans. Use a copy of the original site survey[*4] if possible and identify proposed new improvements. The updated site plans[*4] should show all structures and improvements on the lot, including driveways, sidewalks, decks, porches, pools, retaining walls, fences, storage buildings, playscapes, etc. Application Form must contain signature of property owner AND contractor (if applicable).

- Application for a variance[*7], when submitted, shall be complete and must be requested in writing.

- Any structure erected in the Commercial Zone of Tahitian Village shall also require approval by the Tahitian Village POA board. Any application submitted must also include the completed application form for building in the commercial zone.

- Submit one (1) copy of the required documents, as stated here in section 2.7 to:

  Tahitian Village Architectural Control Committee

  Mailed: P0 Box 636
  Bastrop, TX 78602
  Dropped Off: 106 Conference Drive, Suite B
  Email: info@tahitianvillagepoa.com

3. PLANS AND SPECIFICATIONS FOR NEW HOMES

3.1 Exterior materials see as listed in Section 5.2

3.2 Each residence is required to have a garage or carport providing for off-street parking. See 7.1

3.3 Drawings for other proposed construction should be prepared in a neat and precise manner showing all of the necessary information required by the TVACC.

3.4 Plans and specifications covering the proposed construction must cover the complete scope of improvements to the property. An architect/engineering firm must prepare the drawings for any new residences.

3.5 Specifications covering the proposed construction shall clearly identify interior and exterior construction materials, exterior color for all structures and list total living space in square footage for each residence excluding attached garages, decks, porches and patios. All outbuilding drawings must show total square footage of each structure.

3.6 The minimum square footage of living space for the primary residence is 1200 square feet.

3.7 TVACC requires all new home constructions to have engineered foundations.

3.8 Foundations: Acceptable new home foundations are pier and beam and concrete slab. Basements are allowed and acceptable in Tahitian Village. Where a property is below the surface of the road or even with the surface of the road, the TVACC will require the slab be built twelve inches above the crown of the road. If the builder/developer provides TVACC with an engineered drainage plan that meets the International Residential Code as set forth in the Texas Local Government Code Section 233.153, the Committee may waive this requirement.

3.9 If it is deemed by BCWCID #2, Bastrop County Development or the City of Bastrop that a culvert is required on a new home site, the culvert shall be installed before start of construction.

3.10 The ACC will also require that the builder submit to the ACC copies of all county required inspections.

3.11 The TVACC requires that all builders put the 9-1-1 address, using permanent numbers, preferably on the house and/or clearly visible from the street. The builder will NOT be refunded a deposit if this has not been verified by TVACC.

4. PLANS AND SPECIFICATIONS for NEW STRUCTURES OTHER THAN HOMES

4.1 Drawings for other proposed construction should be prepared in a neat and precise manner showing all of the necessary information required by the TVACC. Use a copy of the original site survey*4 if

possible and identify proposed new improvements. Specifications covering the proposed construction shall clearly identify interior and exterior construction materials, exterior color for all structures.

4.2 Any work done on property within a floodplain requires permitting from Bastrop County Development.

4.3 No structure shall be built on any property that does not currently have a residence unless the owner has received an approved permit to build a residence on the property and because of conditions on the property the residence cannot be built first. Other structures may be built at the same time as the residence so long as the structures are included in the original new home permit application.

5. EXTERIOR MATERIALS

5.1 The building skin materials should complement the surrounding area and be natural in tone and texture. The TVACC discourages the use of more than three (3) exterior building materials. One of the listed acceptable materials must be used on all walled structures.

5.2 The following materials are acceptable exterior materials.

- masonry
- wood
- glass
- log construction
- stucco
- concrete
- Gunite
- Stone

5.3 Wood must be either stained or painted with two (2) coats of stain or paint. Materials, other than those identified above, must receive special approval from the TVACC based upon their specific use. The use of commercial types of pre-finished panels is discouraged.

6. ROOFS ON NEW HOMES AND OTHER STRUCTURES

6.1 Roofs must be appropriate to the style of house and roof design.
Acceptable roofing materials are:

- Composition shingles
- Clay tiles
- Color coated or tinted metal

Unacceptable roofing materials are:

- any highly reflective material
- Unpainted metal
- Wood shingles

All other materials must receive special approval from the TVACC based upon the specific material used and the location of the structure.

6.2 Any property owner wanting to change an existing roof must adhere to these Building Guidelines.

7. GARAGES AND/OR CARPORTS & DRIVEWAYS

7.1 Each residence is required to have a garage or carport providing for off-street parking. All carports and/or outbuildings shall be wood frame of the same architectural style as the residence. Metal carports and/or outbuildings are prohibited. Carports and/or garages may be attached or detached from the house.

7.2 Tahitian Village does allow covers for recreational vehicles when not in use. All such RV ports may be wood or metal; however the structure must be bolted down and secured to a slab foundation. An RV may not be used as a residence, guest house or living quarters at any time, unless a variance is issued by TVACC/TVPOA for hardship reasons.

7.3 Driveways must be included in the plans, describing size and type of material to be used. Concrete or asphalt is recommended for all driveways. If a driveway extends past the property line, a provision for a construction joint must be made at the property line. It is important to remember that utility companies own easement rights from the property line to the street. All driveways must be a minimum of 8 feet in width.

For properties outside the city limits, a permit from either BCWCID #2 or Bastrop County Development is required for ALL new driveways regardless of materials used.
For properties inside the city limits, you must contact the City Planning and Development Department.

7.4 Builders --- DO NOT extend a concrete driveway past the property line. You may use asphalt or gravel past this point. If you do use concrete because your clients request it you must install an expansion join at the property line halfway between the property line and the end of the driveway. Please note it is your obligation to inform the property owners that when and if the utility contractor company needs access to the easement, the utility company and/or their contractors will not be responsible for replacing the concrete driveway with concrete.

7.5 Property Owners -- If you choose to put a permanent driveway on your property to include the easement and it becomes necessary for the utility company to dig up the driveway, they will NOT replace a concrete driveway with concrete.

7.6 If it is deemed by BCWCID #2, Bastrop County Development or the City of Bastrop that a culvert is required on a new home site, the culvert shall be installed before start of construction.

7.7 Failure to comply with County, City or BCWCID #2 culvert requirements will result in an automatic fine of $500 and issuance of a cease and desist of all work. Further permits for new construction will be denied until the culvert requirements are met on the violation site.

7.8 No temporary RV/Boat covers or carports will be allowed.

7.9 The following materials will not be allowed:

- PVC pipe
- Steel or galvanized pipe
- Tarps or plastic sheeting

8. FENCES

8.1 Fences may be installed to provide containment of owner's animals and to protect the owner's property. Fences installed by the owner within the utility easements are subject to the rights of the Utility Companies.

8.2 Back Yard: Fences seen by the public from the public roads and streets shall be constructed using redwood, stone, brick, cedar, black or green vinyl coated chain link, wood framed panel fencing or

wrought iron as the primary material. If the fence is painted, the color must be approved by the TVACC. Natural color is assumed unless otherwise stated. Fences not seen by the public from the public roads and streets may be constructed using galvanized chain link materials. If a vinyl coated chain link fence is erected, posts, top rails and all hardware must be the same color as the fencing.

8.3 Back yard fences shall not extend beyond the front face of the residence except for accent fences designed to enclose patios, A/C units, etc. If the dwelling is situated on a corner lot, both street views will be treated as front faces described as above. Exceptions to any of the above must be approved by the TVACC.

8.4 Front Yard: must be decorative fencing[*8]. Style/types allowed are two rail, split rail, wrought iron and/or other materials authorized through the permit process.

8.5 Temporary[15] Fencing: New homeowners may erect temporary fencing for pets. Temporary[15] fencing is defined as no more than six months from the time of occupancy.

8.6 Portable dog-runs may be erected but must be behind the front face of the house. No permit will be needed for portable dog-runs.

8.7 Materials and construction specifications for fences:

- Lumber used must be dimension lumber.
- Panel fencing must be framed in to include a top rail
- Wire gauge must be 11.5 or larger
- Height limit is 6'
- Finished side shall face out when erecting privacy fencing (support framing and posts must be on the inside facing the property) unless the fence is being attached to a neighbor's existing fence. Any fencing facing the road must have the finished side facing the road.
- If you replace more than 50% of a fence, then construction and permits fall under new Building Guidelines established **November 30, 2015**

8.8 Materials not allowed for fences include but are not limited to:

- Metal T-Posts
- Galvanized chain link (facing the road)
- Slab wood
- Corrugated sheet metal
- Trellis[*13]
- Tin
- Woven wire (also known as chicken wire)
- Wire that is smaller than 11.5 gauge
- Rough cedar posts
- PVC pipes
- Steel or galvanized pipes
- Tarps or plastic sheeting

9. LANDSCAPING

9.1 Retaining Wall: Any retaining wall over three feet high must be professionally engineered. Cement or cinder block walls greater than two feet in height must be core filled. A copy of the engineer plans must be submitted as part of permit application.

9.2 Sprinkler/Irrigation Systems: BCWCID #2 requires the use of a licensed irrigator. Failure to comply with BCWCID #2 requirements may result in the cancellation of your water service by BCWCID #2.

9.3 General landscaping does not require a permit from TVACC; however retaining walls require a permit.

10. PATIOS/DECKS

10.1 All patio and deck permits will be reviewed on a case by case basis. All decks/patios should be consistent with the general style of the house and standards of construction in Tahitian Village.

10.2 Deck materials and finishes must be weather-resistant. The finish should complement the house color and trim, or it may be a natural appearing wood finish that protects the wood.

10.3 The location must comply with all Covenants, Conditions and Restrictions and meet all set-back and easement restrictions.

10.4 Raised decks may require screening of the under deck support structure. Screening material usually is 1" X 2" cedar lattice. If the under-deck space will be used for storage, full screening is required. Decks which can be seen from the street require under-deck screening.

10.5 Under-deck screening is recommended for opening between two and seven feet in height. Under-deck openings higher than seven feet may be screened, or they may be left open if the support structure is purposely and cleanly built for under-deck view and use. When the under-deck area is left open the outside wall of the house must be fully finished, including underpinning. All pipes, pumps and heaters for spas must be hidden from view.

10.6 Detached Decks: All above requirements apply but with less emphasis on matching dwelling finish and colors. The structure, however, should be consistent with the environment and setting, i.e. garden, pool, etc.

10.7 Overhead sunscreens or roofs may be added to decks. Permanent roofing materials should match the roofing on the house and have the same pitch as the house.

11. SIGNAGE

11.1 Subject to strict compliance with conditions described herein, owners are permitted to publicly display signs on their lot advertising the sale or lease of the lot/residence without further approval from the Architectural Control Committee.

A. For properties being sold that front on a street in Tahitian Village AND are situated either on a corner lot, the golf course, or Highway 71, two signs may be erected.

B. Only properties used for commercial use and fronting Highway 71 may erect a larger sign other than the standardized for sale signs used by realtors. The larger sign may only be displayed on the side of the property fronting Highway 71.

C. During the construction of a new home, Builder/Owner may display one sign advertising Builder/Contractor and/or one sign advertising property/house for sale. Builder/Contractor's sign must be removed upon completion of construction. Sub-contractors may mount smaller signs on 4' X 6' plywood used for posting of permits as long as they do not obstruct permits and regulations from view.

D. All signs must also adhere to any/all additional restrictions as set forth in Article I of Tahitian Village Deed Restrictions.

11.2 Commercial/Business Signs in Tahitian Village. Businesses in the portion of Unit 1 zoned for commercial use may display signs advertising their business. **A permit from TVACC, Tahitian Village Property Owners' Association and the City of Bastrop is required for Commercial signs**

11.3 All signs within the Bastrop City limits must also adhere to City of Bastrop ordinances and TVACC Building Guidelines for signage.

11.4 General rules for Commercial signs:

A. All signs must be professionally painted or produced
B. All signs must be either mounted on poles or affixed to the building.
C. If mounted on the building, sign must have a painted border
D. If mounted on poles, sign must be boxed in

E. Signs may be backlit or the lighting must be an integral part of the sign itself. No spotlights are allowed.
F. Double sided signs must be finished out identically on both sides and must be bordered with wood or paint.
G. Multi-unit signs (e.g. signs at a strip center or property containing more than one business but using one site to post all signage) must be uniform in style and color, must be bordered with wood or paint and must be finished out identically on both sides.

11.5 General Rules for all signs:

A. The sign(s) must be ground mounted except as provided in paragraph 11.4
B. Must be professionally produced.
C. A mock up of the sign must be included with the application.
D. Bandit signs*14 are prohibited. Exception: contractor may post 1 sign in the front yard of a residence while said contractor has a contract in effect with the property owner. Once work is completed, the sign must be removed.
E. The sign(s) may not:
   1. Contain roofing materials, siding, paving materials, flora, one or more balloons, or any other similar building, landscaping or nonstandard decorative component;
   2. Be attached in any way to plant material (trees), a traffic control device, a light, a trailer, a vehicle, utility pole, road sign or any other existing structure or object;
   3. Be illuminated or contain lights if in the residential area
   4. Threaten the public health or safety;
   5. Be larger than 4' X 8:
   6. Violate the law;
   7. Contain language, graphics, or any display that would be offensive to the ordinary person;
   8. Be accompanied by music or other sounds or by streamers or otherwise be distracting to motorists;
   9. Vinyl banner/flag type signage will be permitted in the commercial area, for businesses only, for a period not to exceed a continuous period of sixty days. Banners must be affixed to the building by all four corners of the banner. Size is limited to 4' X 8'
   10. May not be posted on the street right of way or easement.
   11. No sign may be posted on a tree, mailbox or utility pole.

11.6 If Tahitian Village codes should differ from either the city or the county codes for signage, then the more restrictive rules shall prevail.

12. ENVIRONMENTALLY FRIENDLY/ECO/GREEN CONSTRUCTION

12.1 Solar Panels: Solar panels shall be installed only on roofs of buildings. Their color should blend with the surrounding areas as close as possible. Request for approval of installation of any type of solar equipment shall be included in the Plans and Specifications and approved in writing by the ACC.

12.2 Rain Water Catch/Capture Systems:

A. Aboveground systems over 55 gallons must be permitted. All capture containers must blend with the house and/or surrounding environment. All capture containers must be covered to protect against debris and prevent a breeding ground for insects or any kind.

B. Below ground systems must be engineered, cannot change the elevation of the property so as to cause erosion. All below ground systems must be approved by the TVACC.

12.3 The Tahitian Village Architectural Control Committee is prepared to review applications for alternative eco-friendly green building on a case by case basis. In general, all such applications must adhere to the basic Building Guidelines of Tahitian Village Covenants, Conditions and Restrictions and the exterior must conform with the surrounding area.

13. INTERIOR REMODELING*[2]

13.1 Interior Remodeling*[2] shall require no permit as long as the alterations do not change the outside elevations of the structure. If the proposed remodeling affects the exterior of the structure then a permit shall be required.

14. EXTERIOR REMODELING*[11], ADDITIONS, ALTERATIONS AND OUTBUILDINGS

14.1 Remodeling, additions and/or alterations, which affect the exterior of the residence, are subject to review and approval of the TVACC Building Guidelines for such improvements shall be the same as for a new residence except for the fee. If the addition is larger than six hundred square feet, then the higher fee is required. Any new construction, larger than six hundred square feet, to an existing outbuilding requires an application for review and approval by the TVACC.

14.2 A garage or carport may be enclosed to add living space HOWEVER; plans must also include a new garage or carport. Residences in Tahitian Village must have a garage or carport.

14.3 The MAXIMUM square footage of a guest house shall be eight hundred and fifty (850) square feet; the minimum shall be six hundred (600) square feet.

14.4 All guest houses will be site built*[5].

14.5 Tree houses: No permit is needed for a tree house, however all tree houses must match the house and surroundings and must be maintained like all other structures. Abandoned tree houses must be removed. Tree houses may not be used as a residence.

14.6 The moving of used buildings onto any lot in the Tahitian Village subdivision is prohibited. All outbuildings shall be located to the rear of the residence and construction of all outbuildings shall be subject to the approval of the TVACC. All outbuildings should complement the style and finish of the residence.

14.7 Workshops and storage sheds shall be no bigger than 900 square feet. See Section 5.2 for materials allowed

14.8 Permanent Greenhouses: Framework may be metal, aluminum, wood or plastic piping. Roof may be aluminum, glass or fiberglass. Walls may be glass, Plexiglas or fiberglass. Plastic sheeting is not an allowable material for any part of the structure.

14.9 Temporary Greenhouses may be erected for no longer than sixty days. Framework may be wood, aluminum or plastic with plastic sheeting. These are the only allowable materials for a temporary greenhouse. The structure may be no larger than 8' X 10'. The entire structure must be dismantled and removed by the end of the sixty day period.

14.10 All home additions over six hundred square feet and guest houses must have a trash receptacle on site for the duration of construction. A sanitation facility (porta john) will be required if the crews will not be allowed to use residential facilities.

15. UNIT MASSING[*9]

15.1 The repeat of any specific house plan will not be allowed where the repeat is within 500 feet of the initial residence unless substantial changes are made to the exterior elevations. Units must face the street.

16. MULTI-UNIT HOUSING

16.1 Multi-unit housing shall be built in designated areas only. Structures cannot consist of more than four units. Each unit must be a minimum of 1000 square feet living area. Each unit must have a dedicated garage and/or carport and off street parking on the property.

17. ENVIRONMENT

17.1 The residents here care deeply about our lovely forest and the wildlife that reside here. Preservation of this natural habitat is very important. Houses, drives and allied facilities[*12] shall be carefully located so as to preserve existing trees and shrubs. Clear cutting[*10] of any lot is prohibited. Live trees larger than 3" inches in diameter may be removed for no other purpose than to erect a new structure or eliminate a hazardous situation.

17.2 A clearing[*1] permit is now required for any builder or property owner in order to clear a lot before you receive a building permit. This allows you to remove brush and small trees three (3) inches in diameter or smaller. Absolutely no pines, oaks, or hickories may be removed until you receive your permit from the TVACC. There is no fee for this permit.

17.3 Residents are not required to receive a clearing[*1] permit to clear part of their land at their residence, but the same rules do apply as stated in 17.2 and the TVACC requests that you notify the office at (512) 321-1145. This will ensure that if the office receives any calls as to the clearing[*1] they will already be informed and the office personnel will be able to go over the requirements with the owner.

17.4 All dead/burned trees or trees presenting a hazard must be removed and disposed of properly. No permit will be required for the removal of dead trees.

18. SETBACKS

18.1 For properties located outside the city limits, no improvement shall be constructed nearer than twenty (20) feet from the front property line nor five (5) feet from the side or rear property line. A release of easement should be obtained from Bluebonnet Electric for the ten (10) feet from side and rear property line. Corner lots must observe the twenty (20) foot setback from property lines on each street.

18.2 The twenty (20) foot setback must be observed on all property lines adjacent to a street.

18.3 If the property lies within City of Bastrop limits, no improvement shall be constructed nearer than ten (10) feet from the side property lines, twenty-five (25) feet from the real property line and twenty (20) feet from the front property line are required.

19. VARIANCES[*7]

19.1 A variance[*7] to the provisions of these Building Guidelines shall be considered an exception to the regulations, rather than a right. The Architectural Control Committee may authorize a variance[*7] from the regulations of this article by a majority vote when, in its opinion, undue hardship will result from requiring strict compliance. The following limitations and criteria shall be used by the board to evaluate, grant or deny any variance request.

19.2 A variance[*7] requires the approval of both the Tahitian Village Architectural Control Committee AND the Tahitian Village Property Owners Association board.

19.3 Undue hardship. Special circumstances which affect the land, and development involved, must exist.

a. Granting a variance[*7] shall be based on a finding that the applicant's difficulties or hardship is due to unusual conditions or circumstances, such as an irregularly shaped parcel of land AND
b. Granting a variance[*7] will not adversely affect surrounding property owners and use AND
c. Granting a variance[*7] shall not be detrimental to public health, safety or welfare; AND
d. Financial hardship alone shall not be grounds for a variance

19.4 A variance[*7] shall not be approved if the circumstance for the hardship is caused or created by the owner of the property or the applicant seeking the variance.

19.5 The applicant shall be responsible for providing all the data, documentation and justification for the requested variance[*7] to both the Architectural Control Committee and the Property Owners Association Board of Directors.

19.6 An application for a variance[*7] shall be made in writing and shall be accompanied by a fee and a site plan[*4].

19.7 The Architectural Control Committee may impose such conditions, limitations, safeguards and/or a time restriction that, as a board, deems necessary to the granting of any variance[*7]. Violation of any condition, limitation, safeguard or other restriction shall constitute a violation of this article.

20. WATER

20.1 All water hookup matters shall be arranged by The Bastrop County Water Control and Improvement District #2 (BCWCID#2). BCWCID #2 is the water supplier. Applications are available at the BCWCID #2 office and they can be reached at (512) 321-1688. A hook-up fee is required. BCWCID#2

will require a TVACC approved building permit to provide a water meter.

20.2 If, during construction TVACC becomes aware that water is being used from an on-site meter; builder/property owner will be required to provide to TVACC a copy of paid receipt showing water deposit fee has been paid. If builder has not paid the deposit, then TVACC will rescind construction permit, builder/property owner must cease and desist construction. The builder/property owner will forfeit all remaining deposit monies and must go to the BCWCID #2, pay a new deposit, provide TVACC with a copy of the receipt and pay another deposit to TVACC.

21. ELECTRICITY

21.1 All electrical hookup matters shall be arranged with the Bluebonnet Electric Cooperative. Their telephone number is (800) 842-7708. The TVACC recommends underground electrical, telephone and cable TV circuits from the road or street to the residence. The TVACC requires that if the residence is going to be built on two (2) or more lots, an easement release be obtained from Bluebonnet Electric. Power drops across streets should be avoided.

22. SEPTIC TANKS/WASTE DISPOSAL SYSTEM/SEWER

22.1 An engineered waste disposal system or sewer hook-up is required for each residence. Please submit septic plans to Bastrop County Health and Sanitation Department for all construction in the County and to the City of Bastrop Planning and Permit Department, for all construction in the city limits. Drawings showing the location and design with specifications covering the materials to be installed must be included. A copy of the receipt for application of a septic permit must be provided when plans are submitted. A letter from BCWID#2 addressed to TVACC stating that sewer is available will be accepted as proof of waste disposal availability.

23. POSTING OF PERMITS

23.1 A Development permit is required.

- If the property is within Bastrop City limits, a city building permit must be obtained at the Planning and Permit Department. A copy of the permit/s must be provided when plans are submitted.
- If the property is outside the Bastrop City limits, a county development permit must be obtained at the Bastrop County Development Office. A copy of the permit(s) must be provided when plans are submitted.
- A US Fish and Wildlife Service Endangered Species Permit must also be obtained. In the areas where this is not applicable, a letter from Fish and Wildlife stating that the construction will not occur in toad habitat is necessary.
- If the owner/builder is unable to obtain a permit or a letter, then a statement signed by the builder and property owner that they are aware that their property is in an area designated by the US Fish & Wildlife Service as potential toad habitat and acknowledging that the Architectural Control Committee's permit is not approval for any action in violation of the Endangered Species Act.
- If development is planned for property that is within the flood plain, a permit must be obtained from the Bastrop County Floodplain Management office.
- Additional development permits may be required.

23.2 Builder/Property Owner must POST ALL PERMITS required for a construction site on a solid board within 5 feet of the front property line (not in the right of way). The board is to be no smaller than 4' X 4' and signage should always be placed on the main road your home faces.

23.3 Failure to post permit at site as regulated will be considered by TVACC as working without a construction permit and fines will be assessed as such. Should permit be lost or stolen, builder/property owner may request a copy. It shall be the responsibility of the builder and property owner to ensure that a permit is posted and visible from the site to the public at all times.

23.4 No permit may be posted on a tree, mailbox or utility pole.

24. CONSTRUCTION

24.1 All residences must be site built*5. Used buildings, mobile homes or move-in houses will not be approved.

24.2 New construction must be completed within a nine (9) month period, while all other constructions, including exterior remodels*11, must be completed within a six (6) month period.

24.3 If construction is inevitably delayed, an extension may be applied for with the TVACC at least fifteen (15) days prior to the end of the permit. The TVACC reserves the right to extend or deny such requests. An extension will last no longer than ninety (90) days.

24.4 One ninety (90) day permit extension may be approved for other construction by Tahitian Village residents. For any other extensions, a new permit application must be submitted.

24.5 If the construction is not completed within the specified time frame then the property owner/builder is subject to a $100.00 delay penalty per day, possible legal action, and ~~is~~ will be responsible for any attorney's fees incurred by TVACC. The construction period will not be extended by the TVACC due to construction work stoppage by the TVACC.

24.6 All building materials and equipment must be confined to the building site and may not be left at any time in roadway, easement or in any manner causing an unsafe environment or be in violation of county or city ordinances. The building site must remain neat and presentable. Streets and adjoining property will be kept clean during construction.

24.7 No burning of excess brush or materials will be allowed. Unattended fires may be reported to the Fire Department and costs incurred will be billed to the Applicant. **The applicant must provide a roll off trash receptacle (before construction has begun)** for all excess brush, trash and materials caused by the approved construction **and must be removed at the completion of construction.**

24.8 Approved temporary sanitation facilities must be on-site during construction of new residences.

24.9 All home additions over six hundred square feet and guest houses must have a trash receptacle on site for the duration of construction. A sanitation facility (porta john) will be required if the crews will not be allowed to use residential facilities.

24.10 Whenever the Tahitian Village ACC building Rules and Regulations conflict with another governing entities building Rules and Regulations, the stricter Rules and Regulations shall prevail.

25. ENFORCEMENT OF TVACC BUILDING GUIDELINES

25.1 The TVACC will monitor the building site during the construction period to insure compliance with the approved plans and specifications. Deviations from the plans and specifications without approval of the TVACC will be justification to order a work stoppage or file a statement of non-compliance with the court. The nine-month construction period will not be extended due to work stoppage.

25.2 Each day a violation exists shall constitute a separate violation, and consequently a separate offense. A fine of up to $200 per day per violation may be assessed.

26. BUILDER REGULATED HOURS

26.1 All builders and sub-contractors are allowed to work on construction sites from 7:00 a. m. through 7:00 p. m. on weekdays and are allowed to work on construction sites from 8:00 a. m. through 5:00 p. m. on weekends and Federal holidays. An exception is allowed outside the hours only for concrete pours for foundation slabs.

26.2 Please make sure all sub-contractors are aware of these new restrictions on hours. If we receive complaints from residents, it will be inspected immediately and the builder will be notified of the violation and issued a warning. Future complaints will result in fines.

26.3 A copy of the construction work hours and Building Guidelines stated in Section 26 will be issued with each permit and MUST be posted in full view at the construction site.

27. FINE STRUCTURE FOR NEW HOME CONSTRUCTION

27.1 Construction sites are toured on a weekly basis. Below are listed violations that may generate fines:

a. Early Start of construction*6
b. No permits posted
c. Working outside the posted hours
d. No trash receptacle on site
e. No sanitation facility (porta-john) on site
f. Unsightly, trashy site
g. Clearing*1 without a permit
h. Construction or clearing*1 on property that has not been vested in applicant's or owner's name.
i. Cement or debris left in the right of way by cement trucks

If any construction is started before permit is issued and posted, then the entire deposit will be forfeited and construction will cease and desist until another deposit of double the original deposit is posted. Failure to post permit at construction site as regulated will be considered by TVACC as working without a construction permit. Should permit be lost or stolen, builder/property owner may request a copy. It shall be the responsibility of the builder and property owner to ensure that a permit is posted and visible to the public at all times.

Failure to post permit and have both a sanitation facility (porta-john) and trash receptacle on site before construction work begins will be considered Early Start*4 and will be dealt with as such. The fine for violations of Section 27 shall be $100 per violation. An invoice will be issued after each tour of construction sites and be due and payable within ten business days. Failure to pay fines may result in a cease and desist of current construction and/or denial of any further building applications.

Any dispute regarding violations and fines must be addressed to the board at the next regular meeting. Builder

*Definitions page 22

must call in advance and request the item be added to the agenda.

Exceptions: If a builder has two construction sites side by side, he/she may provide one trash receptacle and one sanitation facility (porta-john) to be shared by both sites. If a builder has two construction sites within a city block of each other, the two sites may share one sanitation facility (porta-john) but they must each have their own trash receptacle.

27.3 Once the new home has been completed the builder/property owner has sixty days to meet post construction requirements (see Section 1.4); once this has been completed they may request the return of their deposit. Failure to complete post construction requirements may result in legal action.

If six months has passed and builder/property owner has not requested a refund of the deposit, then deposit refund will be forfeited. Questions concerning these fines may be directed to the TVACC office at info@tahitianvillagepoa.com or (512) 321-1145.

28. Application Checklist for New Homes

Pre-Approval:

- ☐ Application
- ☐ Application Fee/Deposit
- ☐ Builders Warranty Policy Registration
- ☐ Floor Plans & Specifications showing interior facilities
- ☐ Exterior Elevations & Specifications
- ☐ Engineered Foundation Plans
- ☐ Site Plans*4
- ☐ Wastewater Service Request Form (issued by the BCWCID #2)
- ☐ Copy of Water Tap notice and/or receipt (issued by the BCWCID #2)
- ☐ Development Permit [ ] City of Bastrop [ ] Bastrop County
  Is structure for commercial use? [ ] Yes [ ] No

Is structure

- ☐ Culvert Permit [ ] City of Bastrop [ ] Bastrop County [ ] BCWCID #2 **OR**
  Copy of Waiver [ ] City of Bastrop [ ] Bastrop County [ ] BCWCID #2
- ☐ US Fish & Wildlife Endangered Species Permit or Houston Toad Affidavit
- ☐ Trash Affidavit
- ☐ Slab Inspection Report (if applicable)
- ☐ Bluebonnet Electric Utility Easement Release (if applicable)
- ☐ Commercial Zone Application (if applicable)

Is this property in the Flood Plain? [ ] Yes [ ] No

☐ Elevation Certificates (issued by Bastrop County Developmental Services if property is in flood plain)

Is lot within city limits? [ ] Yes [ ] No

Other Approval Considerations:

Does this lot require clearing*1? [ ] Yes [ ] No

Dos this lot require demolition/debris removal? [ ] Yes [ ] No

Will there be any other structures built under this permit? [ ] Yes [ ] No

If so, are those structures included in these plans? [ ] Yes [ ] No

---

OFFICE USE ONLY

Proof of Ownership: [ ] Yes [ ] No Verification Attached: [ ] Yes [ ] No

29. Application Checklist for Structures Other than New Homes

- ☐ Is this property in the Flood Plain? [ ] Yes [ ] No
- ☐ Application
- ☐ Application Fee
- ☐ Site[*4] Plans
- ☐ County Development Permit (if in the Flood Plain)
- ☐ Commercial Zone Application (if applicable)

Additional Documents needed:
For Driveways:

- ☐ Culvert Permit [ ] City of Bastrop [ ] Bastrop County [ ] BCWCID #2 **OR**
  Copy of Waiver [ ] City of Bastrop [ ] Bastrop County [ ] BCWCID #2

For Fences:

- ☐ If fence will be attached to a neighbor's fence, a waiver (provided in these Rules and Regulations, signed and dated by the neighboring property owner, stating that they have no objection to the attachment will be required.

For Retaining Walls over two feet in height

- ☐ Engineered Plans

For Signs in Commercial Area

- ☐ Professional Mockup of Sign

For all Structures inside the City limits

- ☐ City permit from City Planning Department

For all Clearing permits

- ☐ Survey of property to be cleared

OFFICE USE ONLY

Proof of Ownership: [ ] Yes [ ] No Verification Attached: [ ] Yes [ ] No

Does construction require variance[*7]? [ ] Yes [ ] No

TVPOA Approval (if applicable) [ ] Yes [ ] No

30. DEFINITIONS

Unless the context otherwise specifies, the following words and phrases, when used in these Building Guidelines, shall have the meanings hereinafter specified:

1. Clearing: the removal of brush and small trees three (3) inches in diameter or smaller. Absolutely no pines, oaks, or hickories may be removed until you receive your permit from the TVACC.

2. Interior Remodeling: changes to the interior of a structure only.

3. Site work: any form of construction toward the improvement of an existing home or the initial foundation phase of new construction

4. Survey and Site plan: The draw-to-scale plans will show property lines, easements, building lines, and setback lines. Measurements between structures, property lines, building lines and easements are to be shown on plans. The updated site plans should show all structures and improvements on the lot, including driveways, sidewalks, decks, porches, pools, retaining walls, fences, storage buildings, playscapes, etc.

5. Site built: to be built on the property the structure is intended to inhabit.

6. Start of construction: is defined as and includes but is not limited to: clearing*1, preparation of site, removal of any trees over three inches in diameter, setting of forms and/or any dozer work and dropping off construction materials including fill dirt.

7. Variance: an exception to the regulations granted to the property owner, rather than a right.

8. Decorative Fencing: non-containing fencing. Fence may either have slats/pickets/bars far enough apart to allow passage of a pet or have no gate.

9. Unit Massing: the construction of identical exterior elevations.

10. Clear Cutting: The removal of all trees, shrubs and other vegetation from any property

11. Exterior Remodeling: any alterations to the exterior of a structure.

12. Allied Facilities: any and all structures aside from the mains structure.

13. Trellis: A trellis is considered a landscaping tool. A trellis can be no more than 4' wide and 8' tall. Trellises must be spaced 4' apart and cannot be continuous. A trellis may not be tied into anything else.

14. Bandit Sign: A temporary sign used for informational or directional purposes only.

15. Temporary: TVACC will consider six months as the maximum time period during which any structure may be considered temporary. The following materials are not allowed for any type of temporary structure: PVC pipe, steel or aluminum pipe, tarps or plastic sheeting.

16. Demolition: Any demolition and/or removal of slabs, garages and/or any structure over 600 square feet.

TAHITIAN VILLAGE PROPERTY OWNERS ASSOCIATION
and
TAHITIAN VILLAGE ARCHITECTURAL CONTROL COMMITTEE

CONSTRUCTION WORK HOURS AND GUIDELINES

(This sign must be posted in full view at the Construction Site)

Normal work hours:

7:00 a.m. to 7:00 p.m. Monday through Friday
8:00 a.m. to 5:00 p.m. Weekends & Federal Holidays

The Following Activities are Not Permitted on Sundays:

- **Operating earth-moving equipment**
- **Delivering concrete or heavy materials**
- **Operating power chain saws or jack hammers**
- **Continuous hammering or air-stapling**
- **Any other noise generating activities**

NO LOUD MUSIC AT ANY TIME

Any violations of the above rules may be subject to fines up to $100.00 per incident.

TAHITIAN VILLAGE ARCHITECTURAL CONTROL COMMITTEE
P0 Box 636 * Bastrop, TX 78602
(512) 321-1145

BUILDING PERMIT APPLICATION

To be completed by Property Owner

Property Owner's Name: _____

Owner's Address: _____

Home Phone: _____ *Work Phone: _____ Mobile Phone: _____

Email Address: _____

Builder/Contractor Name: _____

Builder's Address: _____

Email: _____ Phone: _____ Cell Phone: _____

Construction Site:

Property Legal Description: Unit: _____ Block: _____ Lot: _____

Property Physical Address: _____

Request for Building Approval -- Check all that apply

{ } Residence Sq Ft _____ { } Guest House Sq. Ft _____ { } Outbuilding { } Pool { } Clearing

{ } Garage/Carport -- For How Many Vehicles? _____ { } Fence – tie in to neighbor? Y { } N{ }

Other { } Description: _____

Foundation: { } Slab { } Pier and Beam

Have these house plans been used in Tahitian Village in the past? [ ] Yes [ ] No

If so, what is the nearest location to this site? _____

Comments: _____

Expiration of Permit:

- New Homes: 9 Months from date of issuance
- Clearing*[1]: 3 Months from date of issuance
- All other construction: 6 Months from date of issuance

For New Homes: Property Owners are responsible for all activities on their properties including the following:

- Ensure that the permit is posted and visible from the road BEFORE construction starts
- Have a Porta-Can brought to your property before construction begins
- Have a **roll-off trash receptacle** brought to your property before construction begins
- Ensure that construction site is kept clean and free of trash
- Construction is completed by expiration of permit
- Compliance with all building guidelines and the Covenants, Conditions and Restrictions for Tahitian Village Property Owners Association

*Definitions page 22

Effective July 10, 2015

By my signature below, I acknowledge that:

1. Approval of this application is issued based on plans and specifications herein. In the event of substantial changes, I am required to submit a revised site plan for additional review.
2. Any required variances[*7] must be obtained prior to beginning the work that involves the variance[*7].
3. The planned septic tank system or other sewage disposal system meets all applicable laws, rules, standards and specifications.
4. I am bound to all rules and regulations relating to development in Tahitian Village subdivision including:
    a. The CCRs and By-Laws of Tahitian Village Subdivision
    b. Bastrop County Development requirements
    c. State of Texas Requirements for Development or Remodeling in Unincorporated areas
    d. When applicable, City Of Bastrop, Texas Development requirements
5. It is my responsibility to ensure that all provisions of this application are faithfully performed.

Property Owner(s)

Signature – Owner of Record	**Printed Name**	**Date**
Signature – Adjoining Owner of Record	**Printed Name**	**Date**

If you want your builder or agent to speak for you during construction, please indicate below.

I authorize _____ of _____ to act on my behalf pertaining to all aspects of the construction of the aforementioned home/property.

_____ _____
Initials Initials

For completion and use by TVACC

Date received by TVACC: _____ Fee Attached: $ _____ Check No. _____

Application submitted is: Approved: _____ Not Approved: _____ Date: _____

Conditions to Approval: _____

Member, TVACC	Date	Member, TVACC	Date	Member, TVACC	Date
Member, TVACC	Date	Member, TVACC	Date		

Application No. _____

TAHITIAN VILLAGE ARCHITECTURAL CONTROL COMMITTEE
P.O. Box 636 * Bastrop, TX 78602
(512) 321-1145

CLEARING*1 PERMIT APPLICATION

Completed by: [ ] Developer [ ] Property Owner

Property Owner: _____

Address: _____

Home Phone: _____ Mobile Phone: _____

Email Address: _____

Legal Lot Description: Unit: _____ Block: _____ Lot: _____

Physical Address _____

Contractor: _____

Address: _____

Phone: _____ Email: _____

Type of Clearing: _____

Comments: _____

Expiration of Permit: 3 MONTHS FROM DATE OF ISSUANCE

AGREEMENT: Developer-
I/We have received and read a copy of the TVACC Building Guidelines, agreement of Covenants, Conditions and Restrictions for construction, additions or modifications in Tahitian Village Units I-V, and agree as a condition of the approval of this application to fully comply with all the conditions contained therein. I/We have not begun any construction on-site. I/We will post a TVACC building construction permit prior to starting construction, to be visible from the street.

Signature: _____ Date: _____

For completion and use by TVACC

Date received by TVACC: _____ Application No. _____

Application submitted is: Approved: _____ Not Approved: _____ Date: _____

Member, TVACC Date	Member, TVACC Date	Member, TVACC Date
Member, TVACC Date	Member, TVACC Date	

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Effective July 10, 2015

TAHITIAN VILLAGE
BUILDING PERMIT APPLICATION IN COMMERCIAL DISTRICT

Date application received by TVACC: _____ Date approved by TVACC: _____

Date application received by TVPOA: _____

Property Owner's Name: _____

Owner's Address: _____

Builder/Contractor Name: _____

Builder/Contractor's Address: _____

Construction Site:
Property Legal Description: Unit _____ Block _____ Lot(s) _____

Property Physical Address: _____

Request for Building Approval (Check all that apply)

{ } Residence (_____ sq. ft.) { } Guest House (_____ sq. ft.) { } Outbuilding { } Pool

{ } Fence { } Garage/Carport (how many vehicles? _____)

{ } Other Description: _____

Foundation information (if applicable): { } slab { } pier & beam

Comments: _____

Application is: { } Approved { } Not Approved Date: _____

Conditions to Approval or Reason for Denial: _____

_____

Member TVPOA	Date	Member TVPOA	Date	Member TVPOA	Date
Member TVPOA	Date	Member TVPOA	Date	Member TVPOA	Date

TVACC Application No. _____

TAHITIAN VILLAGE
ARCHITECTURAL CONTROL COMMITTEE

TRASH AFFIDAVIT FOR CONSTRUCTION SITES

I will dispose of my debris properly. I will not dump in Tahitian Village or Pine Forest. I will be responsible for the proper cleanup and disposal of all brush and construction debris created as a result of construction on this site. I am responsible for all debris created by me, my company, my employees, and any and all subcontractors I may retain. I understand I am responsible for all fines levied by Tahitian Village Architectural Control Committee, Tahitian Village Property Owners' Association, Bastrop County or the City of Bastrop, Texas.

_____ _____

Signature Printed Name

_____

Date

HOUSTON TOAD AWARENESS LETTER

I understand that Tahitian Village, Bastrop, Texas is in the Houston Toad habitat. I will not do anything to harm the Houston toad in building on this property.

I understand that there may be additional permits or requirements to be met by Bastrop County, Bastrop County Lost Pines Conservation and the United States Fish & Wildlife Department. I accept the responsibility for compliance with these entities.

Information about the Houston Toad Habitat and Lost Pines Conservation Plan can be found at:
http://www.co.bastrop.tx.us/site/content/construction

_____ _____

Signature Printed Name

_____

Date

SITE PREPARATION/FORM BOARD PERMIT APPLICATION

Completed by: [ ] Builder [ ] Property Owner

Property Owner: _____

Address: _____

Home Phone: _____ Mobile Phone: _____

Email Address: _____

Legal Lot Description: Unit: _____ Block: _____ Lot: _____

Physical Address _____

Contractor: _____

Address: _____

Phone: _____ Email: _____

Comments: _____

Expiration of Permit: 3 MONTHS FROM DATE OF ISSUANCE

AGREEMENT: Developer-
I/We have received and read a copy of the TVACC Rules and Regulations, agreement of Covenants, Conditions and Restrictions for construction, additions or modifications in Tahitian Village Units I-V, and agree as a condition of the approval of this application to fully comply with all the conditions contained therein. I/We have not begun any construction on-site. I/We will post a TVACC building construction permit prior to starting construction, to be visible from the street.

Signature: _____ Date: _____

For completion and use by TVACC

Date received by TVACC: _____ Application No. _____

Application submitted is: Approved: _____ Not Approved: _____ Date: _____

Member, TVACC Date	Member, TVACC Date	Member, TVACC Date
Member, TVACC Date	Member, TVACC Date	

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Effective July 10, 2015

PROPERTY OWNER AGREEMENT/WAIVER

I//we, _____,

am/are the owner(s) of record for the property located at Tahitian Village, Unit ____ Block _____

Lot(s) _____, also known as _____, Bastrop, Texas. I/we

currently have a fence on the North [ ] South [ ] East [ ] West [ ] side of my/our property. I/we give

consent to _____, the owner(s)

of record for the property at Tahitian Village, Unit _____ Block _____ Lot(s) _____,

also known as (address) _____, Bastrop, Texas to attach a portion of

their fence to the North [ ] South [ ] East [ ] West [ ] side of the fence currently on my/our property

and adjacent to theirs.

_____
Printed Name

_____ _____
Owner of Record Date

_____ _____
Owner of Record

Date

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Rose Pietsch

December 02, 2015 10:06:44 AM
MARYC FEE: $140.00
ROSE PIETSCH, County Clerk
Bastrop, Texas
RESTRICTION 201515428

41 pgs
RESTRICTION
202014181

BUILDING GUIDELINES

Tahitian Village Architectural Control Committee

P. O. Box 636, Bastrop, Texas 78602
(512) 321-1145

Effective Date: September 1, 2020

Tahitian Village Architectural Control Committee reserves the right to amend these Building Guidelines whenever the Committee determines in its discretion that changes are necessary to ensure compliance with the Covenants, Conditions and Restrictions of Tahitian Village.

BUILDING GUIDELINES

Tahitian Village Architectural Control Committee

P. O. Box 636, Bastrop, Texas 78602
(512) 321-1145

Introduction

The Building Guidelines are the rules that regulate development and maintenance of all residential lots in Tahitian Village, Units I through V. The Guidelines have been adopted by the Tahitian Village Architectural Control Committee (ACC) under the authority of Article VI of the "Amended Agreement of Covenants, Conditions and Restrictions for Tahitian Village" (the Deed Restrictions).

The purpose of the Building Guidelines is to ensure that all residential lots in Tahitian Village are developed and maintained uniformly for the mutual benefit of all property owners.

The development of residential homes in Tahitian Village is a regulated process that imposes duties and responsibilities on the developer, builder, and property owner at the beginning, in the middle, and through completion of the project. If any step in this process is left unattended, the consequences can be serious, ranging from a friendly caution to a cease and desist order, to a fine, and even an enforcement action in the Bastrop County courts. In any legal proceeding, the Tahitian Village Property Owners' Association and the ACC will seek attorneys' fees.

The ACC reserves the right to amend these guidelines at any time; however, such amendments shall not apply to any individual/business whose application for a permit has already been approved by the ACC, in which event the guidelines in effect at that time will control.

The ACC strives for a cooperative relationship with people during the building/construction process. However, please understand that the ACC has a legal duty to protect the interests of all property owners in the subdivision. At times, this makes it difficult if not impossible to accommodate the wishes of an individual property owner or builder if those wishes conflict with the Deed Restrictions and Building Guidelines.

If you have any questions about the Building Guidelines or need additional information please contact the ACC at the telephone number shown above or email the ACC at info@tahitianvillagepoa.com.

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PLEASE NOTE: The ACC and the POA are non-profit entities. The POA and ACC Board Members serve in a volunteer capacity. Accordingly, under Texas law, the ACC, the POA, their board/committee members and their employees are not liable to any person for any loss or damage arising out of the performance of their duties under the Covenants, Conditions and Restrictions for Tahitian Village or these Building Guidelines.

I. THE APPLICATION PROCESS

A. Before Submitting a Residential Application to the ACC

1. Read the Deed Restrictions applicable to the Unit in which the property is located. These can be found at www.tahitianvillagepoa.com

2. Contact Bastrop County Water Control and Improvement District #2 (BCWCID#2) at (512) 321-1688, www.bcwcid2.org or visit its office at 106 Conference Drive. Applications must be completed, and permits must be issued for a wastewater/water tap and a culvert if the house will be on a road controlled by BCWCID#2.

3. If the property is within the city limits of Bastrop, a building permit must be obtained from the City of Bastrop Planning Department, 1311 Chestnut Street (drop off location), Bastrop, Texas 78602, or contact them at plan@cityofbastrop.org. Please note that if there is a conflict between the City of Bastrop Building Codes and these Building Guidelines, the more restrictive provisions will apply.

4. If the property is outside the city limits of Bastrop, a development permit (this includes clearing/site-prep, and single-family residence) must be obtained from the Bastrop County Development Services Department at 211 Jackson Street, Bastrop, Texas 78602, (512) 581-7176, development.services@co.bastrop.tx.us. If the house will be on a road controlled by the County, a culvert permit will also be needed from the County. Please note that if there is a conflict between the County of Bastrop Building Codes and these Building Guidelines, the more restrictive provisions will apply.

5. Any improvements on property within a floodplain requires permitting from Bastrop County Development Services Department. For information contact the Floodplain Administrator at (512) 581-7159 or email development.services@co.bastrop.tx.us.

6. Any structure built in the commercial zone of Tahitian Village requires approval by the ACC and the Tahitian Village Property Owners' Association (POA). In addition, a City of Bastrop permit will be required. You may obtain the application form for building in the commercial area from the ACC office, at info@tahitianvillagepoa.com.

7. "Start of construction" means any activity related to construction, including clearing and preparation of the site, removal of any trees over three inches in diameter, setting of forms and any dirt work, as well as dropping off construction

materials including fill dirt. This phrase appears several times in these Guidelines and its definition is important.

> **Start of construction shall not occur prior to approval by the ACC.** As a matter of policy, the ACC will apply immediately to the court for a temporary restraining order, a temporary injunction, or a permanent injunction, against any builder or property owner who starts construction without an approved ACC building permit. Such relief will include recovery of all reasonable and necessary attorneys' fees in connection with obtaining such relief.

B. Assembling the Residential/ Commercial Application Package

Commercial buildings differ in square footage, but all other requirements remain the same.

Each application for an ACC building permit must include the items listed in this section along with the required deposits and fees. Forms for some of these items are included in the appendix of this Guideline.

> INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED, OR HELD FOR CONSIDERATION BY THE ACC.

1. Residential application. The form, a copy of which is in the Appendix of these Guidelines, must be completed, signed by the property owner and accompanied by the appropriate deposit and non-refundable fee.

2. Detailed construction plans. Construction plans must be in a form and format that is considered acceptable in the residential construction industry. The floor plans, drawn to scale, must show all interior walls, structures, and facilities and include a statement as to total square footage of living space. All construction plans must include complete and accurate dimensions and exterior elevations showing the structure's sides and roof. The plans must include sufficient design detail showing where brick, stone, wood, and roofing will be used.

Although more details are outlined in other parts of the Guidelines, please be aware that all single-family homes must have a minimum of 1,200 square feet of living area. In addition, all houses must have a garage either attached or detached. All houses must have a 9-1-1 address.

The maximum square footage of a guest house is 850 square feet of living space and the minimum is 600 square feet of living space. Drawings for proposed construction other than a primary residence should be prepared in a neat and precise manner showing interior rooms and dimensions, including total square footage.

Specifications covering the proposed construction shall clearly identify exterior construction materials as well as the exterior color(s) which must match the main color of the residence.

The minimum square footage for a commercial structure is 1,200 square feet and the maximum for a commercial structure is 2,200 square feet of temperature-controlled space.

3. Elevations. Plans must include drawn to scale elevations for all sides of the main structure and the garage if it is detached. The elevations must also include detailed information concerning the exterior materials (siding, rock work, etc.) and roofing material to be used. A draftsman, architect, engineering firm must prepare the drawings for any new residence. The repeat of any house plan will not be allowed within 1,000 feet of the initial residence.

4. Foundation plans. Engineered foundation plans with the engineer's seal, signature, and date of execution must be included. This is inclusive of concrete or a pier and beam foundation. When pier and beam foundations are used, they must be skirted.

5. Slab inspection report. A slab inspection report issued by an engineer must contain detail of all tests performed and the results of each test. The report must include the engineer's seal, signature, and date of execution.

6. Drainage plans. Engineered drainage plans must be included and must satisfy the requirements of the International Residential Code as adopted by the Texas Local Government Code Section § 233.153. The plans must include the engineer's seal, signature, and date of execution.

7. Survey and site plans. Survey and site plans, drawn to scale, must show property lines, easements, building lines, and setback lines. Measurements between structures, property lines, building lines, and easements must be shown as well. The site plan should also show all intended improvements for the property, drawn to scale, including driveways, sidewalks, decks, porches, pools, retaining walls, fences, and storage buildings, etc. Builders and property owners shall use a copy of the original site survey, if possible, to show proposed improvements.

8. Wastewater/water service. An engineered waste disposal system or sewer hook-up is required for each residence. For residences not in the City of Bastrop, plans should be submitted to the Bastrop County Health and Sanitation Department. For residences in the City of Bastrop, plans should be submitted to the City of Bastrop Planning Department. The drawings must show the location and design of the system, with specifications describing the materials to be installed. A copy of the receipt for application for a septic permit must be provided when plans

are submitted. Alternatively, a form from BCWCID#2 stating that sewer is available will be accepted as proof of waste disposal availability. The ACC will accept a copy of a BCWCID#2 receipt showing that application was made.

9. Development or Building permit. The application must include a Bastrop County Development Permit issued by the Bastrop County Development Services office, or, if the property is in the city limits of Bastrop, a building permit issued by the City of Bastrop Planning Department.

10. Culvert permit. The application must contain either a culvert permit obtained from Bastrop County Development Office or BCWCID#2 or a waiver from the governing entity stating no culvert is needed.

11. Endangered species permit. Tahitian Village is in the known or potential habitat of the Houston Toad, an endangered species. A builder or property owner must obtain from Bastrop County either an endangered species permit, or a letter addressed to the ACC stating that construction will not occur in the Houston Toad habitat. If the property owner or builder is unable to obtain a permit or a letter, then the application must include a statement signed by the builder and property owner that they are aware that the property is in an area designated by the US Fish & Wildlife Service as potential Houston Toad Habitat and acknowledging that the ACC's permit is not approval for any action in violation of the Endangered Species Act.

12. "Trash Affidavit for Construction Sites". The affidavit must be in a form substantially the same as the form included in the Appendix to these Guidelines and executed fully.

13. Utility easement release. If any part of the construction will encroach on a utility easement, a release from that utility must be included with the application.

14. Copy of Deed. Show proof of ownership.

C. Procedure for Submission of Applications

1. The Residential Application Form and required documents shall be submitted to the ACC office.

2. Permit applications are reviewed by the ACC two times per month. Typically, these meetings occur on the second and fourth Thursdays of the month. The signatures of at least three ACC members are required for approval of a permit application.

3. The ACC will approve or deny applications within thirty days of receipt. If the application is not approved or disapproved within thirty days of receipt by the ACC, the application will be deemed approved, and the builder or property owner can start construction. Acceptance of the application by the ACC grants the ACC, its members and employees the right to enter the property and take photographs or videos at any time during the construction process.

4. Approved applications will be retained by the ACC and not returned to the builder or property owner. Although only complete applications will be considered by the ACC, the ACC may ask for clarification or additional information to facilitate its decision-making process. The time it takes for the builder or owner to respond to a request for clarification or additional information will not be included in the 30-day review period.

5. Applications submitted to the ACC must be sent as follows:

Tahitian Village Architectural Control Committee
Mailing address: P.O. Box 636, Bastrop, TX 78602
Physical address: 106 Conference Drive, Suite B
a locked drop box is available for drop off at this address
Email address: info@tahitianvillagepoa.com

D. Requesting a Variance

1. A "variance" is any deviation from the Deed Restrictions applicable to the Unit in which the property is located or these Building Guidelines. A request for a variance must be submitted in writing to the ACC and must contain all necessary data, drawings, photographs, or other such documents to support the request.

2. The ACC may grant a variance if, in its opinion, undue hardship will result from requiring strict compliance with the Building Guidelines. Undue hardship means that special circumstances exist which affect the property and its development, including but not limited to an irregularly shaped property or the unique location of the property. Variances will be considered on a case by case basis.

3. The following limitations and criteria shall be used by the ACC to evaluate a variance request.

(a) A variance must be approved by the ACC and the POA; and

(b) Granting the variance will not adversely affect surrounding property owners; and

(c) Granting the variance shall not be detrimental to public health, safety, or welfare; and

(d) If a permit has previously been denied by the ACC, a variance cannot be applied for.

4. If a variance is granted, the ACC may impose such conditions, limitations, safeguards and time restrictions that it deems necessary to the granting of the variance. A failure to comply with any such condition, limitation, safeguard, or time restriction shall void the variance.

E. Amendments to the Application

Any changes in the application or its attachments, including construction plans, must be submitted for approval to the ACC prior to making any modifications to the structure. Any changes to the elevations shown on the original submission may be submitted to the ACC for approval no later than the completion of the framing stage. A failure to follow the procedure for amendments will result in a fine.

II. CONSTRUCTION GUIDELINES

A. Posting of permits

Before the start of construction and continuing throughout construction until the residence is completed, the builder or property owner shall display all construction-related permits. The permits shall be displayed on a plywood sign with a minimum thickness of 1/2" and surface dimensions of 4' X 6' minimum to 4' X 8' maximum. The sign must be free-standing, weighed down, not propped against anything, and must be visible from the street or road.

B. Tree Permitting

1. The residents of Tahitian Village care deeply about the forest in which the subdivision is located and the wildlife that resides there. Preservation of this natural habitat is particularly important. Houses, driveways, outbuildings, and structures shall be carefully located to preserve existing trees. Clear cutting or removing of all trees, on any lot is prohibited. Due to the topography of the lots in Tahitian Village and to possible flooding/drainage issues, Bastrop County Development and the ACC requires a clearing/site preparation permit before any clearing is done. Please review and sign Tree Policy in the form sections.

2. All dead trees present a hazard and must be removed and disposed of properly. No permit is required for the removal of dead trees.

C. Trash Receptacle and Portable Toilet

A portable toilet facility and a trash receptacle of sufficient size for the construction work to be done, must be on-site, within the property lines and out of the easement before the start of construction. This requirement includes all home additions over 600 square feet and guest house additions.

D. Silt Fencing

Silt fencing is required prior to clearing, grading, and any other earth disturbing activities. Fencing must follow the EPA standards and be maintained through completion of the building process.

E. Construction Permit Fees and Deposits

1. Fees and deposits must be paid at the time residential application is submitted to the ACC. The fees and deposits should be paid by check or money order and made out to the Tahitian Village Architectural Control Committee. The ACC is not able to accept credit cards or PayPal payments.

2. The deposit fee is a fee that may be refunded if all the conditions have been met. To obtain a refund the builder/property owner must request the deposit within three (3) months of the date that construction is completed, the sale date, or date that it becomes occupied, whichever comes first. If a request for a refund is not made within this three (3) month period, it will be forfeited. A refund of a deposit will be made only if the builder/property owner has met all post-construction requirements within 90 days after completion of construction.

3. A builder or property owner may request a refund of the demolition deposit within 90 days after completion of demolition. The request must include a copy of date and time-stamped receipt showing proper disposal of existing slab and construction debris.

4. Should a permit be approved and issued, and the builder/property owner decides not to build, the builder/property owner may request a refund of the permit fee and deposit, less the cancellation fee. This does not apply to construction which has started and then stopped.

5. The fees and deposits are as follows:

New residence, guest house, additions over 600 square feet	$1,500.00 ($500.00 refundable deposit)
Commercial building permit	$2,000.00 ($1,000 refundable deposit)
Additions under 600 square feet	$100.00

Demolition permit	$500.00 ($400.00 refundable deposit)
All other construction permits (fences, sheds, decks, patios, concrete, etc.)	$50 00
Permit extension (additional 3 months) for a new residence, if requested prior to the expiration of the first permit	$100.00
Permit amendment fee (for a new residence)	$50.00
Second permit extension (additional 9 months) if requested prior to expiration of the first extension. (A new Residential Application is required with the second extension)	$500.00
Early pour permit fee	$500.00
Cancellation fee (for Residential Applications that are withdrawn after approval)	$100.00
Permit fee for permits approved after start of construction**	Two times the original permit fee
Temporary fencing permit (fence can be up for 90 consecutive days)	$50.00

**NOTE: Payment of permit fee does not infer ACC approval. Construction permitting requires ACC approval of plans. Upon approval and issuance of construction permit, fee structure is as stated above.

F. General Guidelines

The following general rules apply to all construction in Tahitian Village.

1. All construction shall substantially conform to either the version of the International Residential Code published as of May 1, 2008 (which is the 2006 International Residential Code) or the version of the International Residential Code used by the City of Bastrop. The builder can choose which version to follow.

2. All residences must be a minimum of 1,200 square feet of living area and site built, which means a residence must be built on the property where the residence is to be located. In addition, all houses must have a garage, whether attached or detached.

3. Used buildings, mobile homes, modular homes, tiny houses, or any other residential structures are not allowed. A recreational vehicle, camper, tent, or travel trailer may not be used as a residence, guest housing, or living quarters at any time.

4. New residential construction must be completed within 12 months from the start of construction. Exterior remodels must be completed within six months from the start of construction.

5. If construction is inevitably delayed or postponed, a request for an extension may be submitted to the ACC. The request and fee must be submitted prior

to the end of the original permit period. The maximum first extension is 90 days. A second extension request may be made, accompanied by the required fee; however, a new Residential Application must be submitted as well, along with the Residential Application fee and deposit. If new residential construction is not completed by the end of the second extension period, all Residential Application deposits will be forfeited.

6. If the construction is not completed within the approved time frames, the property owner and builder may be subject to legal action which may include a request that the court order the property owner or builder to pay attorneys' fees and costs incurred.

7. If the ACC orders that construction be stopped because of a violation by the builder or property owner, the approved construction period will not be extended by the ACC due to the construction work stoppage. In addition, should a builder or property owner be ordered by the ACC to cease construction, the builder and the property owner will be responsible for any attorneys' fees incurred.

8. All building materials and equipment must be confined to the building site and may not be left at any time in a roadway, easement, or in any manner that creates an unsafe condition or that violates county or city ordinances. At the end of each workday, the building site must be free of all trash and unusable building material must be placed in the dumpster. Streets and adjoining property must be kept clean during construction.

9. No burning will be allowed.

10. A portable toilet facility and a trash receptacle of sufficient size for the construction work to be done, must be on-site before the start of construction. This requirement includes all home additions over 600 square feet and guest house additions.

11. All new home residential construction must have a garage, either attached or detached, for off-street parking. No carports are allowed on new builds.

12. If there is a conflict between the Deed Restrictions, Building Guidelines or the regulations of any governmental entity, the more restrictive requirement will control.

13. Any new construction or replacement of any existing construction must adhere to the most current guidelines.

14. No guest home, outbuilding, shed, RV, or other structure may be used as a rental property in Tahitian Village.

G. Builder Regulated Hours

1. All builders and sub-contractors can work on construction sites from 7:00 a.m. through 7:00 p.m. Monday through Saturday. NO SUNDAYS. Either the builder or the property owner must notify all subcontractors of these restrictions on hours. If a subcontractor violates these restrictions, it will be a violation by the builder/property owner.

2. Concrete pours should occur during builder business hours, 7:00 a.m. through 7:00 p.m. Monday through Saturday. If concrete must be poured outside of business hours, an "Early Pour Permit" must be requested from and approved by the ACC. If approved, this permit will allow concrete pours, including necessary trucks and machinery to arrive on-site as early as 5:30 a.m. To obtain an Early Pour Permit, the builder must give all surrounding neighbors within a one-block radius written notice of the early pour request, which notice must be given at least seven days before the date of the pour. An Early Pour Permit also must be posted on the signage board seven days in advance of the pour. An Early Concrete Pour request form is included in these Guidelines.

3. A copy of the construction work hours must be posted on the sign at the construction site along with the permit. The construction work hours must be posted in English and Spanish.

H. Additional Building Guidelines

1. Exterior construction

(a) The exterior of all structures on the property should match the main residence in color and materials. No more than three exterior surface materials may be used. Approved exterior materials include the following:

- masonry
- glass
- log construction
- stucco
- concrete
- Non-reflective metal, 26+ gauge (cannot be more than 30% of total)
- Gunite
- Brick
- Hardi-board
- Wood (on decks only)

(b) Wood must be either stained or painted.

(c) If a person desires to use an exterior building material other than those identified above a request must be submitted to and approved by the ACC prior to the start of construction. The use of commercial types of prefabricated, off-site built walls is not allowed.

2. Roof construction

(a) Roofs must be appropriate to the style of house and roof design.

(b) Noncombustible roofing materials are required. Acceptable roofing materials are:

- Clay tiles
- Color coated, tinted metal, or galvanized metal (all metal must be non-reflective. "Non-reflective" means not capable of reflecting light.)
- Slate, stone, or cement tile
- Asphalt fiberglass composition shingles

(c) Reflective materials and wood will be not allowed as roof coverings. If a builder or property owner desires to use a roofing material other than those listed as acceptable, a request must be submitted to the ACC and approval must be given before rafters or other roof framing structures are installed.

(d) Replacement of all or part of an existing roof must comply with these Guidelines.

3. Garages, sheds and other outbuildings

(a) All RV/carports shall be wood frame and of the same architectural style as the residence and must be attached to either buried cement footing or bolted onto a slab. Metal RV/carports are prohibited.

RV/carports are not for storing household/construction items. All of these items must be stored out of view of the public street. RV/ carports are intended for vehicle storage only.

(b) Garages may be attached or detached from the house. Garages are subject to all setback and easement restrictions.

(c) The following materials will not be allowed in the construction of a garage if they are visible when construction is completed:

- PVC Pipe

- Steel or galvanized pipe
- Tarps or plastic sheeting
- No shipping containers.

(d) Fitted, custom covers for recreational vehicles, boats and travel trailers are allowed. However, no tarps, blankets, or other temporary coverings are allowed.

(e) No sunshades, pop-up tents, canopies, or other such unapproved coverings are allowed in view of the public street.

(f) A recreational vehicle or travel trailer may not be used as a residence, guest housing, or living quarters at any time.

(g) All outbuildings shall be located to the rear of the residence. Outbuildings should complement the style, color, and finish of the residence. No shed/outbuilding or any other structure shall go past the front facing of any home. Workshops/outbuildings and storage sheds shall be less than 900 square feet, and no taller than 12 feet from the ground.

(h) No structure shall be built on any property that does not have a residence on it. Other structures may be built simultaneously with the new home construction so long as the structures are included in the permit application.

4. Driveways, sidewalks and culverts

(a) Driveways, patios, and sidewalks may not be constructed in Tahitian Village without a permit from the ACC.

(b) Driveways must be included in the plans and must describe the dimensions (no less than eight feet in width) and type of material to be used in construction. Concrete or asphalt is recommended for all driveways. If a driveway extends past the property line, the use of asphalt or gravel is recommended. If concrete is used beyond the property line, a construction joint must be inserted at the property line. It is the builder's obligation to inform the property owner that when and if the utility company needs access to the easement, the utility company and its contractor may not replace it.

(c) If the property is outside Bastrop city limits, a permit from either BCWCID#2 or Bastrop County Development Services is required for all new driveways regardless of materials used. If the property is within Bastrop city limits, a permit must be obtained from the City of Bastrop Planning and Development Department.

(d) If it is deemed by BCWCID#2 or Bastrop County Development Services that a culvert is required, a temporary culvert must be installed prior to the start of framing. Before construction is completed, the permanent culvert must be installed, along with headwalls on both sides, or any other requirements that the County or BCWCID#2 requested. Any damage to a culvert must be repaired within 30 days' notice from the ACC. If repairs are not made, a fine will be imposed.

5. Fences / Gates

(a) A new fence or a replacement fence may not be constructed or installed without a permit from the ACC.

(b) All privacy fencing must be installed so that the construction or rough side faces the inside of the property, with the support posts and framing on the inside as well.

(c) Fences should not be installed in a utility easement since it is then subject to the rights of the utility company which may include the removal of the fence.

(d) Fences that can be seen from public roads and streets shall be constructed using only the following primary materials:

- stone
- brick
- cedar, redwood, pine
- black or green vinyl coated chain link
- wood framed panel fencing
- wrought iron

If a vinyl coated chain link fence is used, the posts, top rails, and all hardware must be the same color as the chain link.

Please note that chain link fences are not wildlife friendly.

(e) Fences cannot be made of the following materials, regardless of where they are located on the property:

- metal t-posts
- slab wood
- corrugated sheet metal
- trellis
- tin
- woven wire (also known as chicken wire)
- wire that is smaller than 11.5 gauge

- rough cedar posts
- PVC pipes
- steel or galvanized pipes
- tarps or plastic sheeting

(f) For side and backyard fences, the follow specifications must be followed:

- Lumber must be dimension lumber
- Panel fencing must be framed, using a top and bottom rail (aka "cattle panel")
- Wire gauge must be 11.5 or larger
- Height limit is 6'

(g) Back and side yard fences may be installed to provide containment of the property owner's animals and to protect the property.

(h) Fences that cannot be seen from a public road or streets may use galvanized chain link materials.

(i) Back yard fences shall not extend beyond the front face of each side of the residence, including the neighbor's property and residence. If the dwelling is situated on a corner lot, both street views will be treated as front faces and also must adhere to the setback guidelines. *The ACC will review these on a case by case basis as needed.*

(j) Front Yard fencing must be decorative, defined as a non-containing fence. Such fencing may have either slats, pickets, or bars spaced far enough apart to allow passage of a pet. No gate is required. Decorative fencing includes two-rail, split rail, wrought iron, and any other material authorized by the ACC through the permit process.

(k) A permit from the ACC is required for temporary security fencing during construction. "Temporary fencing" is defined as fencing that is in place for no more than 90 days from the time of placement.

(l) Dog-runs may be constructed of chain link material; however, it must be placed behind the front face of the house and must not be visible from the road or street. No permit is needed for portable dog-runs.

(m) A residence that has a backyard adjoining a golf course may install fencing; however, such fencing must follow the Guidelines in this section. No netting of any kind is allowed as fencing or overhead, or above the normal fence line.

(n) Gates must be the same style as the fence it is attached to. The gate must attach to the fence from both sides. (Gate cannot attach to a stand-alone structure.)

6. Retaining walls, soil removal and landscaping

(a) A retaining wall may not be built without a permit from both the County and the ACC. A retaining wall is any wall that is intended to restrain a force moving against it whether from dirt, rocks, or other materials. Cement block or cinder block walls greater than two feet in height must be core filled. A retaining wall over three feet high requires a copy of the plans, properly signed, and stamped by an engineer and must be submitted as part of the permit application. Please note that it is against County regulations to divert naturally flowing water, and construction of retaining walls are prohibited if that will occur.

(b) Other than minor soil removal or reshaping for leveling, no cut may be made into any part of a lot or into the top or side of any hillside without a signed and stamped engineer's written opinion, provided to the ACC, which certifies that the soil removal, cut or cuts will not increase erosion or negatively affect lateral support or adversely affect any neighboring lots.

(c) If a sprinkler system is to be installed, BCWCID#2 requires that a licensed irrigator be used. Detailed information may be obtained from BCWCID#2.

7. Patios and decks

(a) No patio or deck can be built without a permit from the ACC.

(b) Whether attached to the residence or detached, decks and patios must be consistent with the general style of the house and standards of construction in Tahitian Village. Deck materials and finishes must be weather-resistant. The finish should complement the color and trim of the residence or it may be a natural wood finish. The use of fire-resistant materials, or paint and stain additives that make the deck fire resistant are encouraged.

(c) A deck or patio is subject to all setback and easement restrictions.

(d) The under-deck support structure must be enclosed. If the under-deck space will be used for storage, it must be fully enclosed. Under-deck openings higher than seven feet may be enclosed, or they may be left open if the support structure is purposely and cleanly built for under-deck view and use. When the under-deck area is left open, the outside wall of the house must be fully finished, including underpinning. All pipes, pumps, and heaters for spas/pools must be hidden from view.

(e) Overhead sunscreens may be added to decks and patios provided they are outside the view of a public street.

(f) Permanent roofing materials must match the residence.

8. Swimming Pools (In-ground)

(a) In-ground pools require a permit. A permit will be issued only if the construction and installation of the pool satisfy the requirements of § 305 of the 2018 International Swimming Pool and Spa Code. BCWCID#2 requires a permit for inground pools.

(b) During the construction of an in-ground swimming pool, portable toilet facilities must be provided for the construction personnel throughout the building process.

(c) Above ground swimming pools do not require a permit.

(d) All temporary pools that require construction cannot be placed beyond the front facing of the house.

9. Exterior remodeling, additions, and alterations

(a) Any exterior remodeling, additions and alterations of a residence require a permit from the ACC.

(b) A garage may be enclosed to add living space; however, the permit application must include plans for a new garage.

(c) Permanent greenhouses may be built upon approval of an application for a permit to the ACC. The framework may be metal, aluminum, or wood. The roof may be aluminum, glass, or fiberglass. Walls may be glass, Plexiglass, or fiberglass. The structure may be no larger than 8' X 10'. Plastic sheeting is not an allowable material for any part of the structure.

(d) Temporary greenhouses may be used for no longer than 90-days and then must be removed for at least six months. The framework may be wood, aluminum, or plastic with plastic sheeting. These are the only allowable materials for a temporary greenhouse. The structure may be no larger than 8' X 10'. The entire structure must be dismantled and removed from the property for at least six consecutive months, at or before the end of the 90-day period.

I. Signs / Flags / Banners

1. General rules for all signs

(a) All signs must be ground-mounted except for some commercial signs as described below and they must be professionally produced.

(b) "Bandit signs" meaning signs used for informational or directional purposes only, are prohibited.

(c) All of the builder's signage must be removed from the property, including the permit display sign at the completion of construction. If the builder's signage is not removed within thirty days of completion of construction, the ACC will remove the sign and the builder/property owner will forfeit the Residential Application deposit.

(d) No signs, whether property owner, commercial or political, may have or do any of the following:

(i) Contain roofing materials, siding, paving materials, flora, one or more balloons, or any other similar building, landscaping, or nonstandard decorative component; or

(ii) Be in a street right of way or attached in any way to plant material of any type, a traffic control device, streetlight, trailer, vehicle, utility pole, mailbox, road sign or any other existing structure or object; or

(iii) Be illuminated or contain lights if in a residential area; or

(iv) Threaten the public health or safety; or

(v) Advertise or promote illegal activities; or

(vi) Contain language, graphics, or any display that would be offensive to an ordinary, reasonable person; or

(vii) Be accompanied by music or other sounds or by streamers or otherwise be distracting to motorists.

(e) No signs can be in the easement.

2. Additional rules for property owner signs

(a) Property owners may display on their property signs advertising the sale or lease of the lot or residence without approval from the ACC so long as there is strict compliance with these standards:

(b) For properties that front on a street or road in Tahitian Village and are on a two-street corner lot or adjacent to the golf course, two standard real estate signs may be erected; otherwise, only one sign may be erected. A "standard real estate sign" measures 18" X 24".

(c) Properties in Unit I designated as commercial may display signs advertising their business. The properties in this area that also front on Highway 71 may display signs not to exceed 4' X 8' on the highway side of the property. Any property in the commercial area of Unit I may display a vinyl banner or flag type sign for a period not to exceed sixty days. The sign must be affixed to the building on the property at all four corners and may not exceed 4' X 8' in size.

(d) All signs must also adhere to all additional restrictions in Article I of the Deed Restrictions applicable to the Unit in which the property is located as well as any applicable ordinances of the City of Bastrop or Bastrop County.

3. Additional rules for commercial signs

(a) All signs must be professionally painted or produced.

(b) All signs must be either mounted on poles or affixed to the building.

(c) If mounted on the building, the sign must have a painted border.

(d) If mounted on poles, the sign must be boxed in.

(e) Signs may be illuminated at night; however, all lights must shine from above the sign and be angled downward with an appropriate shield to prevent the light from illuminating anything but the sign.

(f) Double-sided signs must be finished out identically on both sides and must be bordered with wood or paint.

(g) Multi-unit signs (e.g. signs at a strip center or property containing more than one business but using one site to post all signage) must be uniform in style and color, must be bordered with wood or paint and must be finished out identically on both sides.

(h) A mockup of the sign must be included with the application.

(i) A permit from the POA, ACC and the City of Bastrop is required for all commercial signs.

4. Additional rules for political signs

(a) A property owner may display a political sign so long as the sign complies with Texas Election Code § 259.002, and any of the signage rules that the ACC sets forth.

(a) Sign may not be any larger than 18"x 24".

(b) No banners or flags containing a political candidate/s or party affiliation.

Section 259.002 - Regulation of Display of Political Signs by Property Owners' Association

(a) In this section, "property owners' association" has the meaning assigned by Section 202.001, Property Code.

(b) Except as otherwise provided by this section, a property owners' association may not enforce or adopt a restrictive covenant that prohibits a property owner from displaying on the owner's property one or more signs advertising a candidate or measure for an election:

(1) on or after the 90th day before the date of the election to which the sign relates; or

(2) before the 10th day after that election date.

(c) This section does not prohibit the enforcement or adoption of a covenant that:

(1) requires a sign to be ground-mounted; or

(2) limits a property owner to displaying only one sign for each candidate or measure.

(d) This section does not prohibit the enforcement or adoption of a covenant that prohibits a sign that:

(1) contains roofing material, siding, paving materials, flora, one or more balloons or lights, or any other similar building, landscaping, or nonstandard decorative component;

(2) is attached in any way to plant material, a traffic control device, a light, a trailer, a vehicle, or any other existing structure or object;

(3) includes the painting of architectural surfaces;

(4) threatens the public health or safety;

(5) is larger than four feet by six feet;

(6) violates a law;

(7) contains language, graphics, or any display that would be offensive to the ordinary person; or

(8) is accompanied by music or other sounds or by streamers or is otherwise distracting to motorists.

(e) A property owners' association may remove a sign displayed in violation of a restrictive covenant permitted by this section.

Tex. Elec. Code § 259.002

5. Flags / Banners

No flags or banners may have or do any of the following:

(a) Be in a street right of way or attached in any way to plant material of any type, a traffic control device, streetlight, trailer, vehicle, or utility pole.

(b) Contain language, graphics, or any display that would be offensive to an ordinary, reasonable person.

J. Miscellaneous

1. Environmentally friendly construction

(a) Solar panels. All solar panel installation requires written approval from the ACC. A request for approval should include the plans and specifications for the panels and their installation. Solar panels may be installed on roofs of structures only. Before installing, please be aware that solar panels are subject to breakage. Approval of the installation of solar panels does not include approval for any kind of protective cover that is not submitted to the ACC as part of the request for approval. Solar panels must be non-reflective. The ACC will review solar panel placement on a case by case basis.

(b) Rainwater capture systems. All visible capture containers must blend with the house and surrounding environment. All capture containers must be covered to protect against debris and prevent being a breeding ground for insects. All below-ground systems require a permit from the ACC. Below ground systems must be engineered and cannot change the elevation of the property so as to cause erosion.

(c) Alternative products or practices. Any alternative eco-friendly green building practices or products that require ACC approval will be reviewed on a case-by-case basis. Any such alternative must comply with these Building Guidelines and the Deed Restrictions applicable to the Unit in which the property is located.

2. Multi-unit housing

Multi-unit housing shall be built only on property designated for multi-unit housing. Structures cannot consist of more than two units/duplex. Each unit must have a minimum of 1,200 square feet living area. Each unit must have a dedicated garage and off-street parking on the property. Designated permanent parking spaces must equal the number of bedrooms plus one guest space. Buildings must include a six-foot-tall trash containment area so that trash and recycling are not visible from the street.

3. Setbacks

(a) For properties located outside Bastrop city limits, no improvement shall be constructed nearer than 20 feet from the front property line or five feet from the side or rear property line. A release of easement should be obtained from Bluebonnet Electric Cooperative for the ten feet from side and rear property lines. Corner lots must observe the 20-foot setback from property lines on each street.

(b) For properties located inside Bastrop city limits, no improvement shall be constructed nearer than ten feet from the side property lines, 25 feet from the front property line, and 20 feet from the rear property line.

III. ENFORCEMENT

A. Construction sites are toured on a regular basis by the ACC and staff to assess compliance with applicable Guidelines and rules. If a violation is found, written notice of the violation typically is given to the builder or property owner unless the situation created by the violation is an emergency. If an emergency is presented and the violation is not corrected immediately, the ACC is prepared to apply to the court for necessary orders to eliminate the emergency until a full hearing or trial can be had. Should court action be required, the ACC and POA will ask the court to make the builder or property owner reimburse all attorneys' fees and court costs. In addition, section 202.004(c) of the Texas Property Code authorizes a court to assess civil damages for the violation of a Deed Restriction in an amount not to exceed $200 for each day of the violation.

B. The ACC and the POA try to work cooperatively with all builders and property owners; however, both the ACC and POA have a legal duty to enforce the rules for the benefit of all property owners in Tahitian Village; otherwise, there is a risk that the protections afforded to the property owners will be diminished or even lost.

C. Unless court intervention is required, the ACC and POA enforce the Deed Restrictions and the Building Guidelines by assessing fines for violations. As a rule, if non-compliance can be cured the purpose of the fine is to encourage compliance so as to avoid additional fines in the future. If the non-compliance cannot be cured, the purpose of the fine is to punish the violation. The punishment fine must be in an amount sufficient to keep it from being an acceptable cost of doing business. Unless and until assessed fines are paid, new permits will not be issued to the offender.

D. The following table contains the current fines that the ACC may assess for violations. A person against whom a fine has been assessed may appeal the assessment to the ACC. The person who seeks to appeal a fine must make a request and that the item be placed on the ACC's agenda.

Schedule of Fines

Starting construction without a permit	$2,500
Failing to post permits and other required information	$250 per day
Working outside of allowed construction hours	$250 per incident
Trash, debris, or discarded items left on-site 24 hours after receipt of written notice from the POA or ACC	$250 per day
No portable toilet on site	$250 per day
No dumpster on site	$250 per day
Clearing without a permit or permission from the owner or clearcutting (per lot)	$5,000
Cutting into/ sheering off a hillside or cliff	$5,000
Cement poured anywhere off of the building site	$1,000
Failure to build a garage. If a garage is built and completed within three months of the assessment of the fine, the amount of the fine will be reduced by an amount determined by the ACC.	$5,000
Contractors playing music that can be heard off-site	$250 per incident
Concrete poured outside of allowed working hours without an Early Pour permit	$2,500
Failure to clean or mow construction site	$50 per incident
Cancellation fee on New Application	$100
Culverts not installed, installed improperly, crushed, no headwall, wrong size	$1,000
Construction not completed within specified time frame and without requesting an extension	$1,000
Deviation from new home plans and permits without ACC approval, including but not limited to "flipped" floor plans	$5,000
Changes in elevation or exterior materials without approval of ACC	$1,000
Silt fencing Not Installed (per incident/per lot)	$1,000
Silt fencing improperly installed or maintained (per incident/per lot)	$500
Fencing installed incorrectly but corrected within 30 days after notice	$500
Fencing installed incorrectly and not corrected within 30 days after notice	$1,000
Driveway installed without expansion joint, or expansion joint not on property line but corrected within 30 days after notice	$250
Driveway installed without expansion joint, or expansion joint not on property line but not corrected within 30 days after notice	$1,000
Unpermitted fences	$100
Unpermitted fences, sheds, pools, solar panels, greenhouses, or garages.	$500 per incident

Illegal dumping in Tahitian Village	$2,500 per incident
Builders burning	$1,000 per incident
Impeding natural flow of traffic without a permit	$250
Construction materials, equipment, portable toilet, dumpster left in easement or street or road	$250 per incident
Issuance of Cease and Desist Order by the ACC	$1,000

IV. POST-CONSTRUCTION

A. Post Construction Requirements

In addition to satisfying all pre-construction and construction requirements, the following post-construction requirements must be met, each of which must be verified by the ACC:

1. Each residence must have 9-1-1 address numbers posted either on the house or at the road in front of the house. The numbers must be visible from the road and contrasting in color from the structure to which it is attached.

2. All building materials, portable toilets, builder's signage, and dumpsters must be removed from the site, including the right-of-ways and adjoining property.

3. All construction of new homes must provide to the TVACC prior to the return of deposits:

Phase 1 - Foundation or Pre-pour inspection
Phase 2 - Pre-drywall inspection
Phase 3 - Final Inspection

All inspection forms must be completed and signed by a licensed engineer, registered architect, a professional inspector licensed by the Texas Real Estate Commission, a plumbing inspector employed by a municipality and licensed by the Texas State Board of Plumbing Examiners, a building inspector employed by a political subdivision, or an individual certified as a residential combination inspector by the International Code Council.
Home inspection reports are not accepted in place of a final inspection report.

4. Requests for return of deposit must be made within 90 days of completion or sale date, whichever comes first. If 90 days has past and the builder/property owner has not requested a refund of the deposit, then deposit refund will be reported. Contact

B. Effect on Builder's Other Construction Projects

If a Builder fails to pay any past due monies owed to the ACC, any permits requested by the Builder from the ACC for other work will be denied until all monies are paid in full.

Construction Application Checklist

- ❑ Application

- ❑ Residential Building Application Fee of $1,000/Deposit of $500 – Make two separate checks payable to TVACC
- ❑ Floor Plans & Specifications: Need total square footage as well as living square footage
- ❑ Exterior Elevations (all four sides) & Specifications – to include exterior building materials
- ❑ Certified and Stamped Engineered Foundation Plans
- ❑ Certified and Stamped Drainage Plan
- ❑ Survey and Site Plans
- ❑ Wastewater Service Request Form (issued by BCWCID#2) or Septic Permit (issued by Bastrop County)
- ❑ Copy of water tap notice or receipt (issued by BCWCID# 2)
- ❑ Development Permit [ ] City of Bastrop [ ] Bastrop County
- ❑ Culvert Permit [ ] City of Bastrop [ ] Bastrop County [ ] BCWCID#2 or Waiver
- ❑ US Fish & Wildlife Endangered Species Permit / Houston Toad Affidavit
- ❑ Trash Affidavit
- ❑ Slab Inspection / Certified Stamped Engineered Report shall be provided for any new home built on an existing slab
- ❑ Bluebonnet Electric Utility Easement Release (if applicable)
- ❑ Copy of Deed, showing current ownership
- ❑ Tree Policy

TAHITIAN VILLAGE ARCHITECTURAL CONTROL COMMITTEE

CONSTRUCTION WORK HOURS AND GUIDELINES

(This sign must be posted in full view at the Construction Site)

Normal work hours:
7:00 a.m. to 7:00 p.m. Monday through Saturday

You will be subject to a $250.00 fine per violation/per incident.

- **No Dumpster**
- **Trashy Site**
- **Blow Away Trash**
- **No Portable Toilet**
- **Permits Not Posted**
- **Working Outside of Construction Hours**
- **No Loud Music at ANY time**

REPORT COMPLAINTS:

512.321.1145
Or email
info@tahitianvillagepoa.com

COMITE DE CONTROL DE ARQUITECTURA DE LA ALDEA TAHITIANA

HORAS DE TRABAJO DE CONSTRUCCIÓN Y PAUTAS

(Este letrero debe publicarse a la vista en el sitio de construcción)

Horas normales de trabajo:
7:00 a.m. a 7:00 p.m. De lunes a sábado

Estará sujeto a una multa de $ 250.00 por violación / por incidente.

- **No hay basurero**
- **Sitio de basura**
- **Basura desechable**
- **No Baño portátil**
- **Permisos no publicados**
- **Trabajando fuera del horario de construcción**
- **No hay música fuerte en CUALQUIER momento**

INFORME DE QUEJAS:
512.321.1145
O correo electrónico
info@tahitianvillagepoa.com

Permit #:_____

TAHITIAN VILLAGE ARCHITECTURAL CONTROL COMMITTEE

P0 Box 636 * Bastrop, TX 78602
(512) 321-1145

BUILDING PERMIT APPLICATION

To be completed by Property Owner

Property Owner's Name: _____

Owner's Address: _____

Email: _____ Contact phone number: _____

Builder/Contractor Name: _____

Builder's Address: _____

Email: _____ Contact phone number: _____

Construction Site:

Property Legal Description: Unit: _____ Block: _____ Lot: _____

Property Physical Address: _____

Have these house plans been used in Tahitian Village in the past? [ ] Yes [ ] No

If so, what is the nearest location to this site? _____

Comments: _____

Request for Building Approval -- Check all that apply: Commercial Area [ ] Yes [ ] No

[ ] Residence Sq. Ft _____ [ ] Guest House Sq. Ft _____ [ ] Additions [ ] Remodel [ ] In-ground Pool

[ ] Temporary Fence [ ] Retaining Wall [ ] Driveway [ ] Culvert [ ] Patio/Deck/Pergola
[ ] Garage [ ] Solar Panels

[ ] Privacy Fence _____ initial to agree to all construction must be to the inside of the fence

[ ] Cattle Panel Fence _____ initial to agree to top and bottom rails

[ ] Shed/Outbuilding _____x_____(Size) Roof [ ] Metal or [ ] Shingle _____ **initial** to agree that the shed color will match your house

Other [ ] Description: _____

Permit #_____

Expiration of Permit:

- New Homes: 12 Months from date of issuance
- All other construction: 6 Months from date of issuance

<u>For New Homes</u>: Property Owners are responsible for all activities on their properties including the following:

- Ensure that the permits are posted properly per guidelines, and visible from the road before construction begins.
- Have a temporary sanitation facility (portable toilet) brought to your property before any permitted work begins
- Have a **roll-off trash receptacle** brought to your property before any permitted work begins
- Ensure that construction site is kept clean and free of debris
- Construction is completed by expiration of permit
- Compliance with all building guidelines and the Covenants, Conditions and Restrictions for Tahitian Village Property Owners Association

By my signature below, I acknowledge that:

1. Approval of this application is issued based on plans and specifications herein. In the event of changes, are required, I am to submit an amendment/s for additional review and approval.
2. Any required variances*7 must be obtained prior to beginning the work that involves the variance.
3. The planned septic tank system or other sewage disposal system meets all applicable laws, rules, standards, and specifications.
4. I am bound to all rules and regulations relating to development in Tahitian Village subdivision including:
   a. The CCRs and By-Laws of Tahitian Village Subdivision
   b. Bastrop County Development requirements
   c. State of Texas Requirements for Development or Remodeling in Unincorporated areas
   d. When applicable, City of Bastrop, Texas Development requirements
5. It is my responsibility to ensure that all provisions of this application are faithfully performed.
6. Approval of building permit grants the TVACC and its employees the right to enter the property for inspection at any time during the construction process.

Property Owner(s)

_____	_____	_____
Signature – Owner of Record	**Printed Name**	**Date**
_____	_____	_____
Signature – Adjoining Owner of Record	**Printed Name**	**Date**

Permit #:_____

If you want your builder or agent to speak for you during construction, please indicate below.

I authorize _____ of _____ to act on my behalf pertaining to all aspects of the construction of the aforementioned home/property.

_____ _____
Initials Initials

For completion and use by TVACC

Date received by TVACC: _____ Fee Attached: $ _____ Check No. _____

Application submitted is: Approved:_____ Not Approved: _____ Date:_____

Conditions to Approval:

_____

_____

_____

_____ _____ _____
Member, TVACC Date Member, TVACC Date Member, TVACC Date

_____ _____
Member, TVACC Date Member, TVACC Date

_____ _____ _____
Member, TVPOA Date Member, TVPOA Date Member, TVPOA Date

_____ _____ _____
Member, TVPOA Date Member, TVPOA Date Member, TVPOA Date

Permit # _____

TAHITIAN VILLAGE ARCHITECTURAL CONTROL COMMITTEE

P0 Box 636 * Bastrop, TX 78602
(512) 321-1145

TRASH AFFIDAVIT FOR CONSTRUCTION SITE

I will dispose of my debris properly. I will not dump in Tahitian Village or Pine Forest. I will be responsible for the proper cleanup and disposal of all brush and construction debris created as a result of construction on this site. I am responsible for all debris created by me, my company, my employees, and any and all subcontractors I may retain. I understand I am responsible for all fines levied by the Tahitian Village Architectural Control Committee, Tahitian Village Property Owners' Association, Bastrop County or the City of Bastrop, Texas, or any applicable government entity.

_____ _____

Signature Date

HOUSTON TOAD AWARENESS LETTER

I understand that Tahitian Village, Bastrop, Texas is in the Houston Toad habitat. I will not do anything to harm the Houston toad in building on this property.

I understand that there may be additional permits or requirements to be met by Bastrop County, Bastrop County Lost Pines Conservation and the United States Fish & Wildlife Department. I accept the responsibility for compliance with these entities.

Information about the Houston Toad Habitat and Lost Pines Conservation Plan can be found at **www.co.bastrop.tx.us/site/content/construction**

_____

Signature Printed Name

_____

Date

Permit # _____

TAHITIAN VILLAGE ARCHITECTURAL CONTROL COMMITTEE
P0 Box 636 * Bastrop, TX 78602
(512) 321-1145

PROPERTY OWNER AGREEMENT/WAIVER FOR FENCING

I//we, _____,

am/are the owner(s) of record for the property located at Tahitian Village, Unit ____ Block _____

Lot(s) _____, also known as _____, Bastrop, Texas. I/we

currently have a fence on the North [ ] South [ ] East [ ] West [ ] side of my/our property. I/we give

consent to _____, the owner(s)

of record for the property at Tahitian Village, Unit _____ Block _____ Lot(s) _____,

also known as (address) _____, Bastrop, Texas to attach a portion of

their fence to the North [ ] South [ ] East [ ] West [ ] side of the fence currently on my/our property

and adjacent to theirs.

_____
Printed Name

_____ _____
Owner of Record Date

_____ _____
Owner of Record Date

Permit # _____

TAHITIAN VILLAGE ARCHITECTURAL CONTROL COMMITTEE
P0 Box 636 * Bastrop, TX 78602
(512) 321-1145

EARLY CONCRETE POUR PERMIT APPLICATION

Completed by: [ ] Developer [ ] Property Owner

Property Owner: _____

Address: _____

Mobile Phone: _____ Email Address: _____

Legal Lot Description. Unit: _____ Block: _____ Lot: _____

Physical Address _____

Contractor: _____

Address: _____

Phone: _____ Email: _____

Comments: _____

Expiration of Permit: 1 WEEK FROM DATE OF ISSUANCE

AGREEMENT: Developer

I/We have received and read a copy of the TVACC Building Guidelines, agreement of Covenants, Conditions and Restrictions for construction, additions or modifications in Tahitian Village Units 1-V, and

Signature: _____ Date: _____

Date received by TVACC: _____ Fee Attached: $_____ Check No. _____

_____		_____		_____	
Member, TVACC	Date	Member, TVACC	Date	Member, TVACC	Date
_____		_____		_____	
Member, TVACC	Date	Member, TVACC	Date	Member, TVACC	Date

Permit #:_____

TAHITIAN VILLAGE ARCHITECTURAL CONTROL COMMITTEE
TREE POLICY

A. PURPOSE OF TREE POLICY

1. Preserve the forest which is the cornerstone of this incredibly unique community.
2. The principal reason for which real estate is bought and sold in Tahitian Village.
3. Maintain the quality of life that is unique to the Lost Pines area.
4. Trees provide oxygen, reduce noise, help cool, provide habitat for birds and other animals that make this area home.
5. A resource that once removed or altered will take generations to restore.

B. QUALIFIED TREE

1. Any tree located in Tahitian Village subdivision.
2. A "qualified tree" will have a circumference of eight inches or greater.
3. The circumference will be measured at 4'6" above ground level.

C. PERMITTED REMOVAL OF A "QUALIFIED TREE"

1. The clearing of a homesite (needs approval from the County and the ACC).
2. The clearing for an outbuilding, garage, etc. (needs approval from the ACC).
3. Driveways from road to homesite.
4. Utility easement if needed to be cleared by the utility company.
5. Clearing for fence line, only when working around "qualified trees" is not possible.
6. The removal of dead, dying, or damaged trees.
7. Unique situations, only if pre-approved by the ACC.
8. The removal of underbrush is permissible if it does not include "qualified trees" and is approved by Bastrop County Development in writing.

D. VIOLATION OF TREE POLICY

Removal of a qualified tree without the ACC's approval will be a violation of this policy and will result in a fine, and possible Cease and Desist.

I/We have received and read the Tree Policy and am aware of what is required before removing any trees in Tahitian Village. I/We agree as a condition of the approval of this form to fully comply with all the conditions contained therein. I/We have not begun any tree removal on-site. I/We will wait on a TVACC building construction permit prior to starting any tree removal.

Signature: _____ Date: _____

CERTIFICATION

This is to certify that **Tahitian Village Architectural Control Committee** voted unanimously to adopt and did adopt these Building Guidelines at its regular meeting on the _____ day of _____, 2020 to be effective on the _____ day of _____. 2020.

The members of the Committee who voted for the adoption of these Building Guidelines were the following:

Randy McDonald – President, Joe Schwindt- Vice President, Marty Burnett – Treasurer, Amanda Craig – Director, Pierre Wilson - Director

No member of the Committee voted against the adoption of these Building Guidelines.

SIGNED on this 24 day of August, 2020.

RANDY McDONALD
President
Tahitian Village Architectural Control Committee

STATE OF TEXAS §
§
COUNTY OF BASTROP §

ACKNOWLEDGMENT

This instrument was acknowledged before me on this 24th day of August, 2020 to certify which witness my hand and official seal.

Notary Public for the State of Texas

WANDA GARCIA
Notary Public, State of Texas
Comm Expires 12-05-2020
Notary ID 11984784

After recording, please return to:

David F. Bragg
P. O. Box 2047
Bastrop, Texas 78602
dfbragg@sbcglobal.net

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Rose Pietsch

ROSE PIETSCH, County Clerk
Bastrop Texas
August 24, 2020 11 23 51 AM
FEE $186 00
RESTRICTION

IRENEB

202014181

41 pgs
RESTRICTION
202014378

AMENDED BUILDING GUIDELINES

Tahitian Village Architectural Control Committee
P. O. Box 636, Bastrop, Texas 78602
(512) 321-1145

These Amended Building Guidelines are intended to replace the Building Guidelines filed on August 24, 2020. There were errors in pagination that have been corrected to avoid confusion.

Effective Date: September 1, 2020

Tahitian Village Architectural Control Committee reserves the right to amend these Building Guidelines whenever the Committee determines in its discretion that changes are necessary to ensure compliance with the Covenants, Conditions and Restrictions of Tahitian Village.

BUILDING GUIDELINES

Tahitian Village Architectural Control Committee

P. O. Box 636, Bastrop, Texas 78602
(512) 321-1145

Introduction

The Building Guidelines are the rules that regulate development and maintenance of all residential lots in Tahitian Village, Units I through V. The Guidelines have been adopted by the Tahitian Village Architectural Control Committee (ACC) under the authority of Article VI of the "Amended Agreement of Covenants, Conditions and Restrictions for Tahitian Village" (the Deed Restrictions).

The purpose of the Building Guidelines is to ensure that all residential lots in Tahitian Village are developed and maintained uniformly for the mutual benefit of all property owners.

The development of residential homes in Tahitian Village is a regulated process that imposes duties and responsibilities on the developer, builder, and property owner at the beginning, in the middle, and through completion of the project. If any step in this process is left unattended, the consequences can be serious, ranging from a friendly caution to a cease and desist order to a fine and even an enforcement action in the Bastrop County courts. In any legal proceeding, the Tahitian Village Property Owners' Association and the ACC will seek attorneys' fees.

The ACC reserves the right to amend these guidelines at any time; however, such amendments shall not apply to any individual/business whose application for a permit has already been approved by the ACC, in which event the guidelines in effect at that time will control.

The ACC strives for a cooperative relationship with people during the building/construction process. However, please understand that the ACC has a legal duty to protect the interests of all property owners in the subdivision. At times, this makes it difficult if not impossible to accommodate the wishes of an individual property owner or builder if those wishes conflict with the Deed Restrictions and Building Guidelines.

If you have any questions about the Building Guidelines or need additional information please contact the ACC at the telephone number shown above or email the ACC at info@tahitianvillagepoa.com.

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PLEASE NOTE: The ACC and the POA are non-profit entities. The POA and ACC Board Members serve in a volunteer capacity. Accordingly, under Texas law, the ACC, the POA, their board/committee members and their employees are not liable to any person for any loss or damage arising out of the performance of their duties under the Covenants, Conditions and Restrictions for Tahitian Village or these Building Guidelines.

I. THE APPLICATION PROCESS

A. Before Submitting a Residential Application to the ACC

1. Read the Deed Restrictions applicable to the Unit in which the property is located. These can be found at www.tahitianvillagepoa.com

2. Contact Bastrop County Water Control and Improvement District #2 (BCWCID#2) at (512) 321-1688, www.bcwcid2.org or visit its office at 106 Conference Drive. Applications must be completed, and permits must be issued for a wastewater/water tap and a culvert if the house will be on a road controlled by BCWCID#2.

3. If the property is within the city limits of Bastrop, a building permit must be obtained from the City of Bastrop Planning Department, 1311 Chestnut Street (drop off location), Bastrop, Texas 78602, or contact them at plan@cityofbastrop.org. Please note that if there is a conflict between the City of Bastrop Building Codes and these Building Guidelines, the more restrictive provisions will apply.

4. If the property is outside the city limits of Bastrop, a development permit (this includes clearing/site-prep, and single-family residence) must be obtained from the Bastrop County Development Services Department at 211 Jackson Street, Bastrop, Texas 78602, (512) 581-7176, development.services@co.bastrop.tx.us. If the house will be on a road controlled by the County, a culvert permit will also be needed from the County. Please note that if there is a conflict between the County of Bastrop Building Codes and these Building Guidelines, the more restrictive provisions will apply.

5. Any improvements on property within a floodplain requires permitting from Bastrop County Development Services Department. For information contact the Floodplain Administrator at (512) 581-7159 or email development.services@co.bastrop.tx.us.

6. Any structure built in the commercial zone of Tahitian Village requires approval by the ACC and the Tahitian Village Property Owners' Association (POA). In addition, a City of Bastrop permit will be required. You may obtain the application form for building in the commercial area from the ACC office, at info@tahitianvillagepoa.com.

7. "Start of construction" means any activity related to construction, including clearing and preparation of the site, removal of any trees over three inches in diameter, setting of forms and any dirt work, as well as dropping off construction

materials including fill dirt. This phrase appears several times in these Guidelines and its definition is important.

> **Start of construction shall not occur prior to approval by the ACC.** As a matter of policy, the ACC will apply immediately to the court for a temporary restraining order, a temporary injunction, or a permanent injunction, against any builder or property owner who starts construction without an approved ACC building permit. Such relief will include recovery of all reasonable and necessary attorneys' fees in connection with obtaining such relief.

B. Assembling the Residential/ Commercial Application Package

Commercial buildings differ in square footage, but all other requirements remain the same.

Each application for an ACC building permit must include the items listed in this section along with the required deposits and fees. Forms for some of these items are included in the appendix of this Guideline.

> INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED, OR HELD FOR CONSIDERATION BY THE ACC.

1. Residential application. The form, a copy of which is in the Appendix of these Guidelines, must be completed, signed by the property owner and accompanied by the appropriate deposit and non-refundable fee.

2. Detailed construction plans. Construction plans must be in a form and format that is considered acceptable in the residential construction industry. The floor plans, drawn to scale, must show all interior walls, structures, and facilities and include a statement as to total square footage of living space. All construction plans must include complete and accurate dimensions and exterior elevations showing the structure's sides and roof. The plans must include sufficient design detail showing where brick, stone, wood, and roofing will be used.

Although more details are outlined in other parts of the Guidelines, please be aware that all single-family homes must have a minimum of 1,200 square feet of living area. In addition, all houses must have a garage either attached or detached. All houses must have a 9-1-1 address.

The maximum square footage of a guest house is 850 square feet of living space and the minimum is 600 square feet of living space. Drawings for proposed construction other than a primary residence should be prepared in a neat and precise manner showing interior rooms and dimensions, including total square footage.

Specifications covering the proposed construction shall clearly identify exterior construction materials as well as the exterior color(s) which must match the main color of the residence.

The minimum square footage for a commercial structure is 1,200 square feet and the maximum for a commercial structure is 2,200 square feet of temperature-controlled space.

3. Elevations. Plans must include drawn to scale elevations for all sides of the main structure and the garage if it is detached. The elevations must also include detailed information concerning the exterior materials (siding, rock work, etc.) and roofing material to be used. A draftsman, architect, engineering firm must prepare the drawings for any new residence. The repeat of any house plan will not be allowed within 1,000 feet of the initial residence.

4. Foundation plans. Engineered foundation plans with the engineer's seal, signature, and date of execution must be included. This is inclusive of concrete or a pier and beam foundation. When pier and beam foundations are used, they must be skirted.

5. Slab inspection report. A slab inspection report issued by an engineer must contain detail of all tests performed and the results of each test. The report must include the engineer's seal, signature, and date of execution.

6. Drainage plans. Engineered drainage plans must be included and must satisfy the requirements of the International Residential Code as adopted by the Texas Local Government Code Section § 233.153. The plans must include the engineer's seal, signature, and date of execution.

7. Survey and site plans. Survey and site plans, drawn to scale, must show property lines, easements, building lines, and setback lines. Measurements between structures, property lines, building lines, and easements must be shown as well. The site plan should also show all intended improvements for the property, drawn to scale, including driveways, sidewalks, decks, porches, pools, retaining walls, fences, and storage buildings, etc. Builders and property owners shall use a copy of the original site survey, if possible, to show proposed improvements.

8. Wastewater/water service. An engineered waste disposal system or sewer hook-up is required for each residence. For residences not in the City of Bastrop, plans should be submitted to the Bastrop County Health and Sanitation Department. For residences in the City of Bastrop, plans should be submitted to the City of Bastrop Planning Department. The drawings must show the location and design of the system, with specifications describing the materials to be installed. A copy of the receipt for application for a septic permit must be provided when plans

are submitted. Alternatively, a form from BCWCID#2 stating that sewer is available will be accepted as proof of waste disposal availability. The ACC will accept a copy of a BCWCID#2 receipt showing that application was made.

9. Development or Building permit. The application must include a Bastrop County Development Permit issued by the Bastrop County Development Services office, or, if the property is in the city limits of Bastrop, a building permit issued by the City of Bastrop Planning Department.

10. Culvert permit. The application must contain either a culvert permit obtained from Bastrop County Development Office or BCWCID#2 or a waiver from the governing entity stating no culvert is needed.

11. Endangered species permit. Tahitian Village is in the known or potential habitat of the Houston Toad, an endangered species. A builder or property owner must obtain from Bastrop County either an endangered species permit, or a letter addressed to the ACC stating that construction will not occur in the Houston Toad habitat. If the property owner or builder is unable to obtain a permit or a letter, then the application must include a statement signed by the builder and property owner that they are aware that the property is in an area designated by the US Fish & Wildlife Service as potential Houston Toad Habitat and acknowledging that the ACC's permit is not approval for any action in violation of the Endangered Species Act.

12. "Trash Affidavit for Construction Sites". The affidavit must be in a form substantially the same as the form included in the Appendix to these Guidelines and executed fully.

13. Utility easement release. If any part of the construction will encroach on a utility easement, a release from that utility must be included with the application.

14. Copy of Deed. Show proof of ownership.

C. Procedure for Submission of Applications

1. The Residential Application Form and required documents shall be submitted to the ACC office.

2. Permit applications are reviewed by the ACC two times per month. Typically, these meetings occur on the second and fourth Thursdays of the month. The signatures of at least three ACC members are required for approval of a permit application.

3. The ACC will approve or deny applications within thirty days of receipt. If the application is not approved or disapproved within thirty days of receipt by the ACC, the application will be deemed approved, and the builder or property owner can start construction. Acceptance of the application by the ACC grants the ACC, its members and employees the right to enter the property and take photographs or videos at any time during the construction process.

4. Approved applications will be retained by the ACC and not returned to the builder or property owner. Although only complete applications will be considered by the ACC, the ACC may ask for clarification or additional information to facilitate its decision-making process. The time it takes for the builder or owner to respond to a request for clarification or additional information will not be included in the 30-day review period.

5. Applications submitted to the ACC must be sent as follows:

Tahitian Village Architectural Control Committee
Mailing address: P.O. Box 636, Bastrop, TX 78602
Physical address: 106 Conference Drive, Suite B
a locked drop box is available for drop off at this address
Email address: info@tahitianvillagepoa.com

D. Requesting a Variance

1. A "variance" is any deviation from the Deed Restrictions applicable to the Unit in which the property is located or these Building Guidelines. A request for a variance must be submitted in writing to the ACC and must contain all necessary data, drawings, photographs, or other such documents to support the request.

2. The ACC may grant a variance if, in its opinion, undue hardship will result from requiring strict compliance with the Building Guidelines. Undue hardship means that special circumstances exist which affect the property and its development, including but not limited to an irregularly shaped property or the unique location of the property. Variances will be considered on a case by case basis.

3. The following limitations and criteria shall be used by the ACC to evaluate a variance request.

(a) A variance must be approved by the ACC and the POA; and

(b) Granting the variance will not adversely affect surrounding property owners; and

(c) Granting the variance shall not be detrimental to public health, safety, or welfare; and

(d) If a permit has previously been denied by the ACC, a variance cannot be applied for.

4. If a variance is granted, the ACC may impose such conditions, limitations, safeguards and time restrictions that it deems necessary to the granting of the variance. A failure to comply with any such condition, limitation, safeguard, or time restriction shall void the variance.

E. Amendments to the Application

Any changes in the application or its attachments, including construction plans, must be submitted for approval to the ACC prior to making any modifications to the structure. Any changes to the elevations shown on the original submission may be submitted to the ACC for approval no later than the completion of the framing stage. A failure to follow the procedure for amendments will result in a fine.

II. CONSTRUCTION GUIDELINES

A. Posting of permits

Before the start of construction and continuing throughout construction until the residence is completed, the builder or property owner shall display all construction-related permits. The permits shall be displayed on a plywood sign with a minimum thickness of 1/2" and surface dimensions of 4' X 6' minimum to 4' X 8' maximum. The sign must be free-standing, weighed down, not propped against anything, and must be visible from the street or road.

B. Tree Permitting

1. The residents of Tahitian Village care deeply about the forest in which the subdivision is located and the wildlife that resides there. Preservation of this natural habitat is particularly important. Houses, driveways, outbuildings, and structures shall be carefully located to preserve existing trees. Clear cutting or removing of all trees, on any lot is prohibited. Due to the topography of the lots in Tahitian Village and to possible flooding/drainage issues, Bastrop County Development and the ACC requires a clearing/site preparation permit before any clearing is done. Please review and sign Tree Policy in the form sections.

2. All dead trees present a hazard and must be removed and disposed of properly. No permit is required for the removal of dead trees.

C. Trash Receptacle and Portable Toilet

A portable toilet facility and a trash receptacle of sufficient size for the construction work to be done, must be on-site, within the property lines and out of the easement before the start of construction. This requirement includes all home additions over 600 square feet and guest house additions.

D. Silt Fencing

Silt fencing is required prior to clearing, grading, and any other earth disturbing activities. Fencing must follow the EPA standards and be maintained through completion of the building process.

E. Construction Permit Fees and Deposits

1. Fees and deposits must be paid at the time residential application is submitted to the ACC. The fees and deposits should be paid by check or money order and made out to the Tahitian Village Architectural Control Committee. The ACC is not able to accept credit cards or PayPal payments.

2. The deposit fee is a fee that may be refunded if all the conditions have been met. To obtain a refund the builder/property owner must request the deposit within three (3) months of the date that construction is completed, the sale date, or date that it becomes occupied, whichever comes first. If a request for a refund is not made within this three (3) month period, it will be forfeited. A refund of a deposit will be made only if the builder/property owner has met all post-construction requirements within 90 days after completion of construction.

3. A builder or property owner may request a refund of the demolition deposit within 90 days after completion of demolition. The request must include a copy of date and time-stamped receipt showing proper disposal of existing slab and construction debris.

4. Should a permit be approved and issued, and the builder/property owner decides not to build, the builder/property owner may request a refund of the permit fee and deposit, less the cancellation fee. This does not apply to construction which has started and then stopped.

5. The fees and deposits are as follows:

New residence, guest house, additions over 600 square feet	$1,500.00 ($500.00 refundable deposit)

Commercial building permit	$2,000.00 ($1,000 refundable deposit)
Additions under 600 square feet	$100.00
Demolition permit	$500.00 ($400.00 refundable deposit)
All other construction permits (fences, sheds, decks, patios, concrete, etc.)	$50.00
Permit extension (additional 3 months) for a new residence, if requested prior to the expiration of the first permit	$100.00
Permit amendment fee (for a new residence)	$50.00
Second permit extension (additional 9 months) if requested prior to expiration of the first extension. (A new Residential Application is required with the second extension)	$500.00
Early pour permit fee	$500.00
Cancellation fee (for Residential Applications that are withdrawn after approval)	$100.00
Permit fee for permits approved after start of construction**	Two times the original permit fee
Temporary fencing permit (fence can be up for 90 consecutive days)	$50.00

**NOTE: Payment of permit fee does not infer ACC approval. Construction permitting requires ACC approval of plans. Upon approval and issuance of construction permit, fee structure is as stated above.

F. General Guidelines

The following general rules apply to all construction in Tahitian Village.

1. All construction shall substantially conform to either the version of the International Residential Code published as of May 1, 2008 (which is the 2006 International Residential Code) or the version of the International Residential Code used by the City of Bastrop. The builder can choose which version to follow.

2. All residences must be a minimum of 1,200 square feet of living area and site built, which means a residence must be built on the property where the residence is to be located. In addition, all houses must have a garage, whether attached or detached.

3. Used buildings, mobile homes, modular homes, tiny houses, or any other residential structures are not allowed. A recreational vehicle, camper, tent, or travel trailer may not be used as a residence, guest housing, or living quarters at any time.

4. New residential construction must be completed within 12 months from the start of construction. Exterior remodels must be completed within six months from the start of construction.

5. If construction is inevitably delayed or postponed, a request for an extension may be submitted to the ACC. The request and fee must be submitted prior to the end of the original permit period. The maximum first extension is 90 days. A second extension request may be made, accompanied by the required fee; however, a new Residential Application must be submitted as well, along with the Residential Application fee and deposit. If new residential construction is not completed by the end of the second extension period, all Residential Application deposits will be forfeited.

6. If the construction is not completed within the approved time frames, the property owner and builder may be subject to legal action which may include a request that the court order the property owner or builder to pay attorneys' fees and costs incurred.

7. If the ACC orders that construction be stopped because of a violation by the builder or property owner, the approved construction period will not be extended by the ACC due to the construction work stoppage. In addition, should a builder or property owner be ordered by the ACC to cease construction, the builder and the property owner will be responsible for any attorneys' fees incurred.

8. All building materials and equipment must be confined to the building site and may not be left at any time in a roadway, easement, or in any manner that creates an unsafe condition or that violates county or city ordinances. At the end of each workday, the building site must be free of all trash and unusable building material must be placed in the dumpster. Streets and adjoining property must be kept clean during construction.

9. No burning will be allowed.

10. A portable toilet facility and a trash receptacle of sufficient size for the construction work to be done, must be on-site before the start of construction. This requirement includes all home additions over 600 square feet and guest house additions.

11. All new home residential construction must have a garage, either attached or detached, for off-street parking. No carports are allowed on new builds.

12. If there is a conflict between the Deed Restrictions, Building Guidelines or the regulations of any governmental entity, the more restrictive requirement will control.

13. Any new construction or replacement of any existing construction must adhere to the most current guidelines.

14. No guest home, outbuilding, shed, RV, or other structure may be used as a rental property in Tahitian Village.

G. Builder Regulated Hours

1. All builders and sub-contractors can work on construction sites from 7:00 a.m. through 7:00 p.m. Monday through Saturday. NO SUNDAYS. Either the builder or the property owner must notify all subcontractors of these restrictions on hours. If a subcontractor violates these restrictions, it will be a violation by the builder/property owner.

2. Concrete pours should occur during builder business hours, 7:00 a.m. through 7:00 p.m. Monday through Saturday. If concrete must be poured outside of business hours, an "Early Pour Permit" must be requested from and approved by the ACC. If approved, this permit will allow concrete pours, including necessary trucks and machinery to arrive on-site as early as 5:30 a.m. To obtain an Early Pour Permit, the builder must give all surrounding neighbors within a one-block radius written notice of the early pour request, which notice must be given at least seven days before the date of the pour. An Early Pour Permit also must be posted on the signage board seven days in advance of the pour. An Early Concrete Pour request form is included in these Guidelines.

3. A copy of the construction work hours must be posted on the sign at the construction site along with the permit. The construction work hours must be posted in English and Spanish.

H. Additional Building Guidelines

1. Exterior construction

(a) The exterior of all structures on the property should match the main residence in color and materials. No more than three exterior surface materials may be used. Approved exterior materials include the following:

- masonry
- glass
- log construction
- stucco
- concrete
- Non-reflective metal, 26+ gauge (cannot be more than 30% of total)
- Gunite
- Brick
- Hardi-board

- Wood (on decks only)

(b) Wood must be either stained or painted.

(c) If a person desires to use an exterior building material other than those identified above a request must be submitted to and approved by the ACC prior to the start of construction. The use of commercial types of prefabricated, off-site built walls is not allowed.

2. Roof construction

(a) Roofs must be appropriate to the style of house and roof design.

(b) Noncombustible roofing materials are required. Acceptable roofing materials are:

- Clay tiles
- Color coated, tinted metal, or galvanized metal (all metal must be non-reflective. "Non-reflective" means not capable of reflecting light.)
- Slate, stone, or cement tile
- Asphalt fiberglass composition shingles

(c) Reflective materials and wood will be not allowed as roof coverings. If a builder or property owner desires to use a roofing material other than those listed as acceptable, a request must be submitted to the ACC and approval must be given before rafters or other roof framing structures are installed.

(d) Replacement of all or part of an existing roof must comply with these Guidelines.

3. Garages, sheds and other outbuildings

(a) All RV/carports shall be wood frame and of the same architectural style as the residence and must be attached to either buried cement footing or bolted onto a slab. Metal RV/carports are prohibited.

RV/carports are not for storing household/construction items. All of these items must be stored out of view of the public street. RV/ carports are intended for vehicle storage only.

(b) Garages may be attached or detached from the house. Garages are subject to all setback and easement restrictions.

(c) The following materials will not be allowed in the construction of a garage if they are visible when construction is completed:

- PVC Pipe
- Steel or galvanized pipe
- Tarps or plastic sheeting
- No shipping containers.

(d) Fitted, custom covers for recreational vehicles, boats and travel trailers are allowed. However, no tarps, blankets, or other temporary coverings are allowed.

(e) No sunshades, pop-up tents, canopies, or other such unapproved coverings are allowed in view of the public street.

(f) A recreational vehicle or travel trailer may not be used as a residence, guest housing, or living quarters at any time.

(g) All outbuildings shall be located to the rear of the residence. Outbuildings should complement the style, color, and finish of the residence. No shed/outbuilding or any other structure shall go past the front facing of any home. Workshops/outbuildings and storage sheds shall be less than 900 square feet, and no taller than 12 feet from the ground.

(h) No structure shall be built on any property that does not have a residence on it. Other structures may be built simultaneously with the new home construction so long as the structures are included in the permit application.

4. Driveways, sidewalks and culverts

(a) Driveways, patios, and sidewalks may not be constructed in Tahitian Village without a permit from the ACC.

(b) Driveways must be included in the plans and must describe the dimensions (no less than eight feet in width) and type of material to be used in construction. Concrete or asphalt is recommended for all driveways. If a driveway extends past the property line, the use of asphalt or gravel is recommended. If concrete is used beyond the property line, a construction joint must be inserted at the property line. It is the builder's obligation to inform the property owner that when and if the utility company needs access to the easement, the utility company and its contractor may not replace it.

(c) If the property is outside Bastrop city limits, a permit from either BCWCID#2 or Bastrop County Development Services is required for all new driveways regardless of materials used. If the property is within Bastrop city limits,

a permit must be obtained from the City of Bastrop Planning and Development Department.

(d) If it is deemed by BCWCID#2 or Bastrop County Development Services that a culvert is required, a temporary culvert must be installed prior to the start of framing. Before construction is completed, the permanent culvert must be installed, along with headwalls on both sides, or any other requirements that the County or BCWCID#2 requested. Any damage to a culvert must be repaired within 30 days' notice from the ACC. If repairs are not made, a fine will be imposed.

5. Fences / Gates

(a) A new fence or a replacement fence may not be constructed or installed without a permit from the ACC.

(b) All privacy fencing must be installed so that the construction or rough side faces the inside of the property, with the support posts and framing on the inside as well.

(c) Fences should not be installed in a utility easement since it is then subject to the rights of the utility company which may include the removal of the fence.

(d) Fences that can be seen from public roads and streets shall be constructed using only the following primary materials:

- stone
- brick
- cedar, redwood, pine
- black or green vinyl coated chain link
- wood framed panel fencing
- wrought iron

If a vinyl coated chain link fence is used, the posts, top rails, and all hardware must be the same color as the chain link.

Please note that chain link fences are not wildlife friendly.

(e) Fences cannot be made of the following materials, regardless of where they are located on the property:

- metal t-posts
- slab wood
- corrugated sheet metal
- trellis

- tin
- woven wire (also known as chicken wire)
- wire that is smaller than 11.5 gauge
- rough cedar posts
- PVC pipes
- steel or galvanized pipes
- tarps or plastic sheeting

(f) For side and backyard fences, the follow specifications must be followed:

- Lumber must be dimension lumber
- Panel fencing must be framed, using a top and bottom rail (aka "cattle panel")
- Wire gauge must be 11.5 or larger
- Height limit is 6'

(g) Back and side yard fences may be installed to provide containment of the property owner's animals and to protect the property.

(h) Fences that cannot be seen from a public road or streets may use galvanized chain link materials.

(i) Back yard fences shall not extend beyond the front face of each side of the residence, including the neighbor's property and residence. If the dwelling is situated on a corner lot, both street views will be treated as front faces and also must adhere to the setback guidelines. *The ACC will review these on a case by case basis as needed.*

(j) Front Yard fencing must be decorative, defined as a non-containing fence. Such fencing may have either slats, pickets, or bars spaced far enough apart to allow passage of a pet. No gate is required. Decorative fencing includes two-rail, split rail, wrought iron, and any other material authorized by the ACC through the permit process.

(k) A permit from the ACC is required for temporary security fencing during construction. "Temporary fencing" is defined as fencing that is in place for no more than 90 days from the time of placement.

(l) Dog-runs may be constructed of chain link material; however, it must be placed behind the front face of the house and must not be visible from the road or street. No permit is needed for portable dog-runs.

(m) A residence that has a backyard adjoining a golf course may install fencing; however, such fencing must follow the Guidelines in this section. No netting of any kind is allowed as fencing or overhead, or above the normal fence line.

(n) Gates must be the same style as the fence it is attached to. The gate must attach to the fence from both sides. (Gate cannot attach to a stand-alone structure.)

6. Retaining walls, soil removal and landscaping

(a) A retaining wall may not be built without a permit from both the County and the ACC. A retaining wall is any wall that is intended to restrain a force moving against it whether from dirt, rocks, or other materials. Cement block or cinder block walls greater than two feet in height must be core filled. A retaining wall over three feet high requires a copy of the plans, properly signed, and stamped by an engineer and must be submitted as part of the permit application. Please note that it is against County regulations to divert naturally flowing water, and construction of retaining walls are prohibited if that will occur.

(b) Other than minor soil removal or reshaping for leveling, no cut may be made into any part of a lot or into the top or side of any hillside without a signed and stamped engineer's written opinion, provided to the ACC, which certifies that the soil removal, cut or cuts will not increase erosion or negatively affect lateral support or adversely affect any neighboring lots.

(c) If a sprinkler system is to be installed, BCWCID#2 requires that a licensed irrigator be used. Detailed information may be obtained from BCWCID#2.

7. Patios and decks

(a) No patio or deck can be built without a permit from the ACC.

(b) Whether attached to the residence or detached, decks and patios must be consistent with the general style of the house and standards of construction in Tahitian Village. Deck materials and finishes must be weather-resistant. The finish should complement the color and trim of the residence or it may be a natural wood finish. The use of fire-resistant materials, or paint and stain additives that make the deck fire resistant are encouraged.

(c) A deck or patio is subject to all setback and easement restrictions.

(d) The under-deck support structure must be enclosed. If the under-deck space will be used for storage, it must be fully enclosed. Under-deck openings higher than seven feet may be enclosed, or they may be left open if the support structure is

purposely and cleanly built for under-deck view and use. When the under-deck area is left open, the outside wall of the house must be fully finished, including underpinning. All pipes, pumps, and heaters for spas/pools must be hidden from view.

(e) Overhead sunscreens may be added to decks and patios provided they are outside the view of a public street.

(f) Permanent roofing materials must match the residence.

8. Swimming Pools (In-ground)

(a) In-ground pools require a permit. A permit will be issued only if the construction and installation of the pool satisfy the requirements of § 305 of the 2018 International Swimming Pool and Spa Code. BCWCID#2 requires a permit for inground pools.

(b) During the construction of an in-ground swimming pool, portable toilet facilities must be provided for the construction personnel throughout the building process.

(c) Above ground swimming pools do not require a permit.

(d) All temporary pools that require construction cannot be placed beyond the front facing of the house.

9. Exterior remodeling, additions, and alterations

(a) Any exterior remodeling, additions and alterations of a residence require a permit from the ACC.

(b) A garage may be enclosed to add living space; however, the permit application must include plans for a new garage.

(c) Permanent greenhouses may be built upon approval of an application for a permit to the ACC. The framework may be metal, aluminum, or wood. The roof may be aluminum, glass, or fiberglass. Walls may be glass, Plexiglass, or fiberglass. The structure may be no larger than 8' X 10'. Plastic sheeting is not an allowable material for any part of the structure.

(d) Temporary greenhouses may be used for no longer than 90-days and then must be removed for at least six months. The framework may be wood, aluminum, or plastic with plastic sheeting. These are the only allowable materials for a temporary greenhouse. The structure may be no larger than 8' X 10'. The entire

structure must be dismantled and removed from the property for at least six consecutive months, at or before the end of the 90-day period.

I. Signs / Flags / Banners

1. General rules for all signs

(a) All signs must be ground-mounted except for some commercial signs as described below and they must be professionally produced.

(b) "Bandit signs" meaning signs used for informational or directional purposes only, are prohibited.

(c) All of the builder's signage must be removed from the property, including the permit display sign at the completion of construction. If the builder's signage is not removed within thirty days of completion of construction, the ACC will remove the sign and the builder/property owner will forfeit the Residential Application deposit.

(d) No signs, whether property owner, commercial or political, may have or do any of the following:

(i) Contain roofing materials, siding, paving materials, flora, one or more balloons, or any other similar building, landscaping, or nonstandard decorative component; or

(ii) Be in a street right of way or attached in any way to plant material of any type, a traffic control device, streetlight, trailer, vehicle, utility pole, mailbox, road sign or any other existing structure or object; or

(iii) Be illuminated or contain lights if in a residential area; or

(iv) Threaten the public health or safety; or

(v) Advertise or promote illegal activities; or

(vi) Contain language, graphics, or any display that would be offensive to an ordinary, reasonable person; or

(vii) Be accompanied by music or other sounds or by streamers or otherwise be distracting to motorists.

(e) No signs can be in the easement.

2. Additional rules for property owner signs

(a) Property owners may display on their property signs advertising the sale or lease of the lot or residence without approval from the ACC so long as there is strict compliance with these standards:

(b) For properties that front on a street or road in Tahitian Village and are on a two-street corner lot or adjacent to the golf course, two standard real estate signs may be erected; otherwise, only one sign may be erected. A "standard real estate sign" measures 18" X 24".

(c) Properties in Unit I designated as commercial may display signs advertising their business. The properties in this area that also front on Highway 71 may display signs not to exceed 4' X 8' on the highway side of the property. Any property in the commercial area of Unit I may display a vinyl banner or flag type sign for a period not to exceed sixty days. The sign must be affixed to the building on the property at all four corners and may not exceed 4' X 8' in size.

(d) All signs must also adhere to all additional restrictions in Article I of the Deed Restrictions applicable to the Unit in which the property is located as well as any applicable ordinances of the City of Bastrop or Bastrop County.

3. Additional rules for commercial signs

(a) All signs must be professionally painted or produced.

(b) All signs must be either mounted on poles or affixed to the building.

(c) If mounted on the building, the sign must have a painted border.

(d) If mounted on poles, the sign must be boxed in.

(e) Signs may be illuminated at night; however, all lights must shine from above the sign and be angled downward with an appropriate shield to prevent the light from illuminating anything but the sign.

(f) Double-sided signs must be finished out identically on both sides and must be bordered with wood or paint.

(g) Multi-unit signs (e.g. signs at a strip center or property containing more than one business but using one site to post all signage) must be uniform in style and color, must be bordered with wood or paint and must be finished out identically on both sides.

(h) A mockup of the sign must be included with the application.

(i) A permit from the POA, ACC and the City of Bastrop is required for all commercial signs.

4. Additional rules for political signs

(a) A property owner may display a political sign so long as the sign complies with Texas Election Code § 259.002, and any of the signage rules that the ACC sets forth.

(a) Sign may not be any larger than 18"x 24".

(b) No banners or flags containing a political candidate/s or party affiliation.

Section 259.002 - Regulation of Display of Political Signs by Property Owners' Association

(a) In this section, "property owners' association" has the meaning assigned by Section 202.001, Property Code.

(b) Except as otherwise provided by this section, a property owners' association may not enforce or adopt a restrictive covenant that prohibits a property owner from displaying on the owner's property one or more signs advertising a candidate or measure for an election:

(1) on or after the 90th day before the date of the election to which the sign relates; or

(2) before the 10th day after that election date.

(c) This section does not prohibit the enforcement or adoption of a covenant that:

(1) requires a sign to be ground-mounted; or

(2) limits a property owner to displaying only one sign for each candidate or measure.

(d) This section does not prohibit the enforcement or adoption of a covenant that prohibits a sign that:

(1) contains roofing material, siding, paving materials, flora, one or more balloons or lights, or any other similar building, landscaping, or nonstandard decorative component;

(2) is attached in any way to plant material, a traffic control device, a light, a trailer, a vehicle, or any other existing structure or object;

(3) includes the painting of architectural surfaces;

(4) threatens the public health or safety;

(5) is larger than four feet by six feet;

(6) violates a law;

(7) contains language, graphics, or any display that would be offensive to the ordinary person; or

(8) is accompanied by music or other sounds or by streamers or is otherwise distracting to motorists.

(e) A property owners' association may remove a sign displayed in violation of a restrictive covenant permitted by this section.
Tex. Elec. Code § 259.002

5. Flags / Banners

No flags or banners may have or do any of the following:

(a) Be in a street right of way or attached in any way to plant material of any type, a traffic control device, streetlight, trailer, vehicle, or utility pole.

(b) Contain language, graphics, or any display that would be offensive to an ordinary, reasonable person.

J. Miscellaneous

1. Environmentally friendly construction

(a) Solar panels. All solar panel installation requires written approval from the ACC. A request for approval should include the plans and specifications for the panels and their installation. Solar panels may be installed on roofs of structures only. Before installing, please be aware that solar panels are subject to breakage. Approval of the installation of solar panels does not include approval for any kind of protective cover that is not submitted to the ACC as part of the request for approval. Solar panels must be non-reflective. The ACC will review solar panel placement on a case by case basis.

(b) Rainwater capture systems. All visible capture containers must blend with the house and surrounding environment. All capture containers must be covered to protect against debris and prevent being a breeding ground for insects. All below-ground systems require a permit from the ACC. Below ground systems must be engineered and cannot change the elevation of the property so as to cause erosion.

(c) Alternative products or practices. Any alternative eco-friendly green building practices or products that require ACC approval will be reviewed on a case-by-case basis. Any such alternative must comply with these Building Guidelines and the Deed Restrictions applicable to the Unit in which the property is located.

2. Multi-unit housing

Multi-unit housing shall be built only on property designated for multi-unit housing. Structures cannot consist of more than two units/duplex. Each unit must have a minimum of 1,200 square feet living area. Each unit must have a dedicated garage and off-street parking on the property. Designated permanent parking spaces

must equal the number of bedrooms plus one guest space. Buildings must include a six-foot-tall trash containment area so that trash and recycling are not visible from the street.

3. Setbacks

(a) For properties located outside Bastrop city limits, no improvement shall be constructed nearer than 20 feet from the front property line or five feet from the side or rear property line. A release of easement should be obtained from Bluebonnet Electric Cooperative for the ten feet from side and rear property lines. Corner lots must observe the 20-foot setback from property lines on each street.

(b) For properties located inside Bastrop city limits, no improvement shall be constructed nearer than ten feet from the side property lines, 25 feet from the front property line, and 20 feet from the rear property line.

III. ENFORCEMENT

A. Construction sites are toured on a regular basis by the ACC and staff to assess compliance with applicable Guidelines and rules. If a violation is found, written notice of the violation typically is given to the builder or property owner unless the situation created by the violation is an emergency. If an emergency is presented and the violation is not corrected immediately, the ACC is prepared to apply to the court for necessary orders to eliminate the emergency until a full hearing or trial can be had. Should court action be required, the ACC and POA will ask the court to make the builder or property owner reimburse all attorneys' fees and court costs. In addition, section 202.004(c) of the Texas Property Code authorizes a court to assess civil damages for the violation of a Deed Restriction in an amount not to exceed $200 for each day of the violation.

B. The ACC and the POA try to work cooperatively with all builders and property owners; however, both the ACC and POA have a legal duty to enforce the rules for the benefit of all property owners in Tahitian Village; otherwise, there is a risk that the protections afforded to the property owners will be diminished or even lost.

C. Unless court intervention is required, the ACC and POA enforce the Deed Restrictions and the Building Guidelines by assessing fines for violations. As a rule, if non-compliance can be cured the purpose of the fine is to encourage compliance so as to avoid additional fines in the future. If the non-compliance cannot be cured, the purpose of the fine is to punish the violation. The punishment fine must be in an amount sufficient to keep it from being an acceptable cost of doing business. Unless and until assessed fines are paid, new permits will not be issued to the offender.

D. The following table contains the current fines that the ACC may assess for violations. A person against whom a fine has been assessed may appeal the assessment to the ACC. The person who seeks to appeal a fine must make a request and that the item be placed on the ACC's agenda.

Schedule of Fines

Starting construction without a permit	$2,500
Failing to post permits and other required information	$250 per day
Working outside of allowed construction hours	$250 per incident
Trash, debris, or discarded items left on-site 24 hours after receipt of written notice from the POA or ACC	$250 per day
No portable toilet on site	$250 per day
No dumpster on site	$250 per day
Clearing without a permit or permission from the owner or clearcutting (per lot)	$5,000
Cutting into/ sheering off a hillside or cliff	$5,000
Cement poured anywhere off of the building site	$1,000
Failure to build a garage. If a garage is built and completed within three months of the assessment of the fine, the amount of the fine will be reduced by an amount determined by the ACC.	$5,000
Contractors playing music that can be heard off-site	$250 per incident
Concrete poured outside of allowed working hours without an Early Pour permit	$2,500
Failure to clean or mow construction site	$50 per incident
Cancellation fee on New Application	$100
Culverts not installed, installed improperly, crushed, no headwall, wrong size	$1,000
Construction not completed within specified time frame and without requesting an extension	$1,000
Deviation from new home plans and permits without ACC approval, including but not limited to "flipped" floor plans	$5,000
Changes in elevation or exterior materials without approval of ACC	$1,000
Silt fencing Not Installed (per incident/per lot)	$1,000
Silt fencing improperly installed or maintained (per incident/per lot)	$500
Fencing installed incorrectly but corrected within 30 days after notice	$500
Fencing installed incorrectly and not corrected within 30 days after notice	$1,000
Driveway installed without expansion joint, or expansion joint not on property line but corrected within 30 days after notice	$250

Driveway installed without expansion joint, or expansion joint not on property line but not corrected within 30 days after notice	$1,000
Unpermitted fences	$100
Unpermitted fences, sheds, pools, solar panels, greenhouses, or garages.	$500 per incident
Illegal dumping in Tahitian Village	$2,500 per incident
Builders burning	$1,000 per incident
Impeding natural flow of traffic without a permit	$250
Construction materials, equipment, portable toilet, dumpster left in easement or street or road	$250 per incident
Issuance of Cease and Desist Order by the ACC	$1,000

IV. POST-CONSTRUCTION

A. Post Construction Requirements

In addition to satisfying all pre-construction and construction requirements, the following post-construction requirements must be met, each of which must be verified by the ACC:

1. Each residence must have 9-1-1 address numbers posted either on the house or at the road in front of the house. The numbers must be visible from the road and contrasting in color from the structure to which it is attached.

2. All building materials, portable toilets, builder's signage, and dumpsters must be removed from the site, including the right-of-ways and adjoining property.

3. All construction of new homes must provide to the TVACC prior to the return of deposits:

Phase 1 - Foundation or Pre-pour inspection
Phase 2 - Pre-drywall inspection
Phase 3 - Final Inspection

All inspection forms must be completed and signed by a licensed engineer, registered architect, a professional inspector licensed by the Texas Real Estate Commission, a plumbing inspector employed by a municipality and licensed by the Texas State Board of Plumbing Examiners, a building inspector employed by a political subdivision, or an individual certified as a residential combination inspector by the International Code Council.
Home inspection reports are not accepted in place of a final inspection report.

4. Requests for return of deposit must be made within 90 days of completion or sale date, whichever comes first. If 90 days has past and the builder/property owner has not requested a refund of the deposit, then deposit refund will be reported. Contact

B. Effect on Builder's Other Construction Projects

If a Builder fails to pay any past due monies owed to the ACC, any permits requested by the Builder from the ACC for other work will be denied until all monies are paid in full.

Construction Application Checklist

- ❑ Application
- ❑ Residential Building Application Fee of $1,000/Deposit of $500 – Make two separate checks payable to TVACC
- ❑ Floor Plans & Specifications: Need total square footage as well as living square footage
- ❑ Exterior Elevations (all four sides) & Specifications – to include exterior building materials
- ❑ Certified and Stamped Engineered Foundation Plans
- ❑ Certified and Stamped Drainage Plan
- ❑ Survey and Site Plans
- ❑ Wastewater Service Request Form (issued by BCWCID #2) or Septic Permit (issued by Bastrop County)
- ❑ Copy of water tap notice or receipt (issued by BCWCID # 2)
- ❑ Development Permit [ ] City of Bastrop [ ] Bastrop County
- ❑ Culvert Permit [ ] City of Bastrop [ ] Bastrop County [ ] BCWCID #2 or Waiver
- ❑ US Fish & Wildlife Endangered Species Permit / Houston Toad Affidavit
- ❑ Trash Affidavit
- ❑ Slab Inspection / Certified Stamped Engineered Report shall be provided for any new home built on an existing slab
- ❑ Bluebonnet Electric Utility Easement Release (if applicable)
- ❑ Copy of Deed, showing current ownership
- ❑ Tree Policy

TAHITIAN VILLAGE ARCHITECTURAL CONTROL COMMITTEE

CONSTRUCTION WORK HOURS AND GUIDELINES

(This sign must be posted in full view at the Construction Site)

Normal work hours:
7:00 a.m. to 7:00 p.m. Monday through Saturday

You will be subject to a $250.00 fine per violation/per incident.

- **No Dumpster**
- **Trashy Site**
- **Blow Away Trash**
- **No Portable Toilet**
- **Permits Not Posted**
- **Working Outside of Construction Hours**
- **No Loud Music at ANY time**

REPORT COMPLAINTS:

512.321.1145
Or email
info@tahitianvillagepoa.com

COMITE DE CONTROL DE ARQUITECTURA DE LA ALDEA TAHITIANA

HORAS DE TRABAJO DE CONSTRUCCIÓN Y PAUTAS

(Este letrero debe publicarse a la vista en el sitio de construcción)

Horas normales de trabajo:
7:00 a.m. a 7:00 p.m. De lunes a sábado

Estará sujeto a una multa de $ 250.00 por violación / por incidente.

- **No hay basurero**
- **Sitio de basura**
- **Basura desechable**
- **No Baño portátil**
- **Permisos no publicados**
- **Trabajando fuera del horario de construcción**
- **No hay música fuerte en CUALQUIER momento**

INFORME DE QUEJAS:
512.321.1145
O correo electrónico
info@tahitianvillagepoa.com

Permit #:_____

TAHITIAN VILLAGE ARCHITECTURAL CONTROL COMMITTEE
P0 Box 636 * Bastrop, TX 78602
(512) 321-1145

BUILDING PERMIT APPLICATION

To be completed by Property Owner

Property Owner's Name: _____

Owner's Address: _____

Email: _____Contact phone number:_____

Builder/Contractor Name: _____

Builder's Address: _____

Email: _____Contact phone number:_____

Construction Site:

Property Legal Description: Unit: _____ Block: _____ Lot: _____

Property Physical Address: _____

Have these house plans been used in Tahitian Village in the past? [ ] Yes [ ] No

If so, what is the nearest location to this site? _____

Comments: _____

Request for Building Approval -- Check all that apply: Commercial Area [ ] Yes [ ] No

[ ] Residence Sq. Ft _____ [ ] Guest House Sq. Ft _____ [ ] Additions [ ] Remodel [ ] In-ground Pool

[ ] Temporary Fence [ ] Retaining Wall [ ] Driveway [ ] Culvert [ ] Patio/Deck/Pergola
[ ] Garage [ ] Solar Panels

[ ] Privacy Fence _____ initial to agree to all construction must be to the inside of the fence

[ ] Cattle Panel Fence _____ initial to agree to top and bottom rails

[ ] Shed/Outbuilding _____x_____(Size) Roof [ ] Metal or [ ] Shingle ____ **initial** to agree that the shed color will match your house

Other [ ] Description: _____

Permit #_____

Expiration of Permit:

- New Homes:12 Months from date of issuance
- All other construction: 6 Months from date of issuance

For New Homes: Property Owners are responsible for all activities on their properties including the following:

- Ensure that the permits are posted properly per guidelines, and visible from the road before construction begins.
- Have a temporary sanitation facility (portable toilet) brought to your property before any permitted work begins
- Have a **roll-off trash receptacle** brought to your property before any permitted work begins
- Ensure that construction site is kept clean and free of debris
- Construction is completed by expiration of permit
- Compliance with all building guidelines and the Covenants, Conditions and Restrictions for Tahitian Village

Property Owners Association

By my signature below, I acknowledge that:

1. Approval of this application is issued based on plans and specifications herein. In the event of changes, are
   required, I am to submit an amendment/s for additional review and approval.
2. Any required variances*7 must be obtained prior to beginning the work that involves the variance.
3. The planned septic tank system or other sewage disposal system meets all applicable laws, rules, standards, and specifications.
4. I am bound to all rules and regulations relating to development in Tahitian Village subdivision including:
   a. The CCRs and By-Laws of Tahitian Village Subdivision
   b. Bastrop County Development requirements
   c. State of Texas Requirements for Development or Remodeling in Unincorporated areas
   d. When applicable, City of Bastrop, Texas Development requirements
5. It is my responsibility to ensure that all provisions of this application are faithfully performed.
6. Approval of building permit grants the TVACC and its employees the right to enter the property for inspection at any time during the construction process

Property Owner(s)

_____	_____	_____
Signature – Owner of Record	**Printed Name**	**Date**
_____	_____	_____
Signature – Adjoining Owner of Record	**Printed Name**	**Date**

Permit #:_____

If you want your builder or agent to speak for you during construction, please indicate below.

I authorize _____ of _____ to act on my behalf pertaining to all aspects of the construction of the aforementioned home/property.

_____ _____
Initials Initials

For completion and use by TVACC

Date received by TVACC: _____ Fee Attached: $ _____ Check No. _____

Application submitted is: Approved:_____ _Not Approved: _____ Date:_____

Conditions to Approval:

_____

_____

_____

_____ _____ _____
Member, TVACC Date Member, TVACC Date Member, TVACC Date

_____ _____
Member, TVACC Date Member, TVACC Date

_____ _____ _____
Member, TVPOA Date Member, TVPOA Date Member, TVPOA Date

_____ _____ _____
Member, TVPOA Date Member, TVPOA Date Member, TVPOA Date

Permit # _____

TAHITIAN VILLAGE ARCHITECTURAL CONTROL COMMITTEE

P0 Box 636 * Bastrop, TX 78602
(512) 321-1145

TRASH AFFIDAVIT FOR CONSTRUCTION SITE

I will dispose of my debris properly. I will not dump in Tahitian Village or Pine Forest. I will be responsible for the proper cleanup and disposal of all brush and construction debris created as a result of construction on this site. I am responsible for all debris created by me, my company, my employees, and any and all subcontractors I may retain. I understand I am responsible for all fines levied by the Tahitian Village Architectural Control Committee, Tahitian Village Property Owners' Association, Bastrop County or the City of Bastrop, Texas, or any applicable government entity.

_____ _____
Signature Date

HOUSTON TOAD AWARENESS LETTER

I understand that Tahitian Village, Bastrop, Texas is in the Houston Toad habitat. I will not do anything to harm the Houston toad in building on this property.

I understand that there may be additional permits or requirements to be met by Bastrop County, Bastrop County Lost Pines Conservation and the United States Fish & Wildlife Department. I accept the responsibility for compliance with these entities.

Information about the Houston Toad Habitat and Lost Pines Conservation Plan can be found at **www.co.bastrop.tx.us/site/content/construction**

_____
Signature Printed Name

_____
Date

Permit # _____

TAHITIAN VILLAGE ARCHITECTURAL CONTROL COMMITTEE
P0 Box 636 * Bastrop, TX 78602
(512) 321-1145

PROPERTY OWNER AGREEMENT/WAIVER FOR FENCING

I//we, _____,

am/are the owner(s) of record for the property located at Tahitian Village, Unit ____ Block _____

Lot(s) _____, also known as _____, Bastrop, Texas. I/we

currently have a fence on the North [ ] South [ ] East [ ] West [ ] side of my/our property. I/we give

consent to _____, the owner(s)

of record for the property at Tahitian Village, Unit _____ Block _____ Lot(s) _____,

also known as (address) _____, Bastrop, Texas to attach a portion of

their fence to the North [ ] South [ ] East [ ] West [ ] side of the fence currently on my/our property

and adjacent to theirs.

_____
Printed Name

_____ _____
Owner of Record Date

_____ _____
Owner of Record Date

Permit # _____

TAHITIAN VILLAGE ARCHITECTURAL CONTROL COMMITTEE
P0 Box 636 * Bastrop, TX 78602
(512) 321-1145

EARLY CONCRETE POUR PERMIT APPLICATION

Completed by: [ ] Developer [ ] Property Owner

Property Owner: _____

Address: _____

Mobile Phone: _____ Email Address: _____

Legal Lot Description: Unit: _____ Block: _____ Lot: _____

Physical Address _____

Contractor: _____

Address: _____

Phone: _____ Email: _____

Comments: _____

Expiration of Permit: 1 WEEK FROM DATE OF ISSUANCE

AGREEMENT: Developer

I/We have received and read a copy of the TVACC Building Guidelines, agreement of Covenants, Conditions and Restrictions for construction, additions or modifications in Tahitian Village Units I-V, and

Signature: _____ Date: _____

Date received by TVACC: _____ Fee Attached: $_____ Check No. _____

_____		_____		_____	
Member, TVACC	Date	Member, TVACC	Date	Member, TVACC	Date
_____		_____		_____	
Member, TVACC	Date	Member, TVACC	Date	Member, TVACC	Date

Permit #:_____

TAHITIAN VILLAGE ARCHITECTURAL CONTROL COMMITTEE
TREE POLICY

A. PURPOSE OF TREE POLICY

1. Preserve the forest which is the cornerstone of this incredibly unique community.
2. The principal reason for which real estate is bought and sold in Tahitian Village.
3. Maintain the quality of life that is unique to the Lost Pines area.
4. Trees provide oxygen, reduce noise, help cool, provide habitat for birds and other animals that make this area home.
5. A resource that once removed or altered will take generations to restore.

B. QUALIFIED TREE

1. Any tree located in Tahitian Village subdivision.
2. A "qualified tree" will have a circumference of eight inches or greater.
3. The circumference will be measured at 4'6" above ground level.

C. PERMITTED REMOVAL OF A "QUALIFIED TREE"

1. The clearing of a homesite (needs approval from the County and the ACC).
2. The clearing for an outbuilding, garage, etc. (needs approval from the ACC).
3. Driveways from road to homesite.
4. Utility easement if needed to be cleared by the utility company.
5. Clearing for fence line, only when working around "qualified trees" is not possible.
6. The removal of dead, dying, or damaged trees.
7. Unique situations, only if pre-approved by the ACC.
8. The removal of underbrush is permissible if it does not include "qualified trees" and is approved by Bastrop County Development in writing.

D. VIOLATION OF TREE POLICY

Removal of a qualified tree without the ACC's approval will be a violation of this policy and will result in a fine, and possible Cease and Desist.

I/We have received and read the Tree Policy and am aware of what is required before removing any trees in Tahitian Village. I/We agree as a condition of the approval of this form to fully comply with all the conditions contained therein. I/We have not begun any tree removal on-site. I/We will wait on a TVACC building construction permit prior to starting any tree removal.

Signature: _____ Date: _____

CERTIFICATION

This is to certify that **Tahitian Village Architectural Control Committee** voted unanimously to adopt and did adopt these Building Guidelines at its regular meeting on the 3rd day of August, 2020 to be effective on the 1st day of September. 2020.

The members of the Committee who voted for the adoption of these Building Guidelines were the following:

Randy McDonald – President, Joe Schwindt- Vice President, Marty Burnett – Treasurer, Amanda Craig – Director, Pierre Wilson - Director

No member of the Committee voted against the adoption of these Building Guidelines.

SIGNED on this 26 day of August, 2020.

Randy M. McDonald

RANDY McDONALD
President
Tahitian Village Architectural Control Committee

STATE OF TEXAS §
§
COUNTY OF BASTROP §

ACKNOWLEDGMENT

This instrument was acknowledged before me on this 26th day of AUGUST, 2020 to certify which witness my hand and official seal.

JESSICA NOSKA
MY COMMISSION EXPIRES
JULY 22, 2022
NOTARY ID: 129895899

Jessica Noska

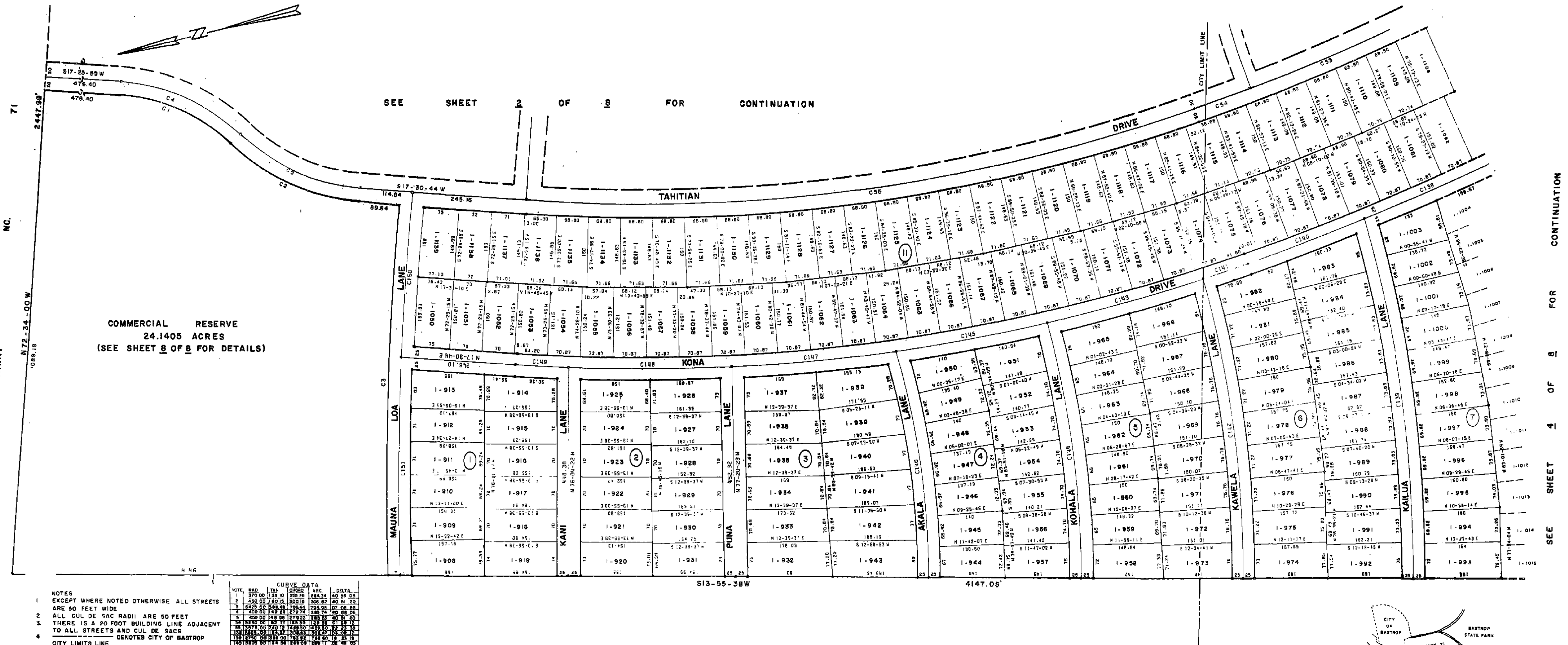
Notary Public for the State of Texas

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Rose Pietsch

ROSE PIETSCH, County Clerk
Bastrop Texas
August 26, 2020 01 18 38 PM

LUCINDAMOSLEY FEE $186 00 **202014378**
RESTRICTION



NOTES

1. EXCEPT WHERE NOTED OTHERWISE ALL STREETS ARE 50 FEET WIDE
2. ALL CUL DE SAC RADII ARE 50 FEET
3. THERE IS A 20 FOOT BUILDING LINE ADJACENT TO ALL STREETS AND CUL DE SACS
4. ———— DENOTES CITY OF BASTROP CITY LIMITS LINE

CURVE DATA

NOTE	RAD	TAN	CHORD	ARC	DELTA
1	370 00	138 10	258 76	264.34	40 56 05
2	430 00	160 15	300 16	306 62	40 51 20
3	6425 00	398.48	795.44	795.95	07 05 53
4	400 00	149 20	279 74	285 74	40 56 05
5	400 00	148 98	279 22	285 23	40 51 20
54	5280 00	62 77	125 53	125 55	01 29 12
55	3578.00	740 12	1449.30	1459.30	22 23 35
138	5905.00	155.37	308.43	308.87	03 06 12
139	2790 00	386 00	763 92	766 60	16 23 18
140	5805 00	134 66	269 06	269 11	02 46 05
141	3930.00	51 07	102 12	102 13	01 29 20
142	2380 00	320 82	631 48	633 51	15 43 57
143	3930 00	176 17	350 30	350 00	05 06 16
144	2030.00	280.38	555.43	557.19	15 43 36
145	3880.00	165 88	331 46	331 84	04 50 02
146	1700 00	249 31	493 36	495 10	16 41 11
147	3930 00	178 53	356.98	356 91	05 12 07
148	3930 00	175 18	350 02	350 14	05 06 17
149	3980 00	56 61	113 61	113 61	01 39 35
150	6400 00	177.57	355 00	355 03	03 10 43
151	6400 00	234 78	469 24	469 35	04 12 07

STATE OF TEXAS
COUNTY OF BASTROP

PROPERTY INVESTMENTS INCORPORATED, OWNER OF THE PROPERTY SUBDIVIDED IN THIS PLAT OF TAHITIAN VILLAGE DOES HEREBY MAKE SUBDIVISION OF SAID PROPERTY ACCORDING TO THE PROPERTY LINE", LOTS, STREETS AND EASEMENTS HEREON SHOWN AND DESIGNATE SAID SUBDIVISION AS TAHITIAN VILLAGE, UNIT 1

OWNER HEREBY DEDICATES TO THE PUBLIC USE, ALL STREETS AND EASEMENTS SHOWN HEREON

OWNER DOES HEREBY WAIVE ANY CLAIMS FOR DAMAGES OCCASIONED BY THE ESTABLISHING OF GRADES BY THE ALTERING OF THE SURFACE OF ANY PORTION OF THE STREET TO CONFORM TO SUCH GRADES AS MAY BE DEEMED NECESSARY BY BASTROP COUNTY

THERE IS ALSO DEDICATED A TEN (10) FOOT UTILITY EASEMENT ON THE FRONT OF EACH LOT AND THERE IS ALSO DEDICATED FOR UTILITIES A TEN (10) FOOT EASEMENT ADJACENT TO ALL STREET RIGHT OF WAY LINES PLUS EASEMENTS FOR GUY LINES AND GUY POLES WHERE NECESSARY

OWNER
PROPERTY INVESTMENTS INCORPORATED

BY *W S Nicholson Jr*
W S NICHOLSON JR, CHAIRMAN OF THE BOARD

ATTEST *Beck Smith*
BECK SMITH, SECRETARY

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED W S NICHOLSON JR AND BECK SMITH, CHAIRMAN OF THE BOARD AND SECRETARY RESPECTIVELY OF PROPERTY INVESTMENTS INC, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGE TO ME THAT THEY EXECUTED THE SAME AS THE ACT AND DEED OF THE PROPERTY INVESTMENTS INC

WITNESS MY HAND AND SEAL OF OFFICE THIS *9th* DAY OF *AUGUST*, 1972

Evelyn H. Cline
NOTARY PUBLIC IN AND FOR HARRIS COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF BASTROP

REPUBLIC NATIONAL LIFE INSURANCE COMPANY, OWNER AND HOLDER OF A LEIN AGAINST THE ABOVE DESCRIBED PROPERTY, SAID LEIN BEING EVIDENCED BY AN INSTRUMENT OF RECORD IN VOLUME 85 PAGE 619, DEED OF TRUST RECORDS OF BASTROP COUNTY, TEXAS, DO HEREBY IN ALL THINGS SUBORDINATE TO SAID DEVELOPMENT, PLAT AND DEDICATE SAID LEIN, AND I CONFIRM THAT WE ARE THE PRESENT OWNERS OF SAID LEIN AND HAVE NOT ASSIGNED SAME OR ANY PART THEREOF

BY *Thomas G Nash*
THOMAS G. NASH, JR., EXECUTIVE VICE PRESIDENT

ATTEST *Robert C Muchmore*
ROBERT C MUCHMORE, ASST SECRETARY

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED THOMAS G NASH JR AND ROBERT C MUCHMORE, EXECUTIVE VICE PRESIDENT AND ASST SECRETARY RESPECTIVELY OF REPUBLIC NATIONAL LIFE INSURANCE COMPANY KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGE TO ME THAT THEY EXECUTED THE SAME AS THE ACT AND DEED OF THE REPUBLIC NATIONAL LIFE INSURANCE COMPANY

WITNESS MY HAND AND SEAL OF OFFICE THIS *8th* DAY OF *August* 1972

Loretta Phillips
NOTARY PUBLIC IN AND FOR DALLAS COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF BASTROP

NOW THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS COURT OF BASTROP COUNTY, TEXAS THAT SAID ATTACHED MAP BE, AND THE SAME IS HEREBY AUTHORIZED TO BE RECORDED AND ENTERED OF RECORD IN PLAT RECORDS OF BASTROP COUNTY TEXAS

WITNESS, THE HAND OF THE COUNTY JUDGE OF BASTROP COUNTY TEXAS AS AUTHORIZED BY RESOLUTION SPREAD UPON THE MINUTES OF THE COMMISSIONERS COURT OF BASTROP COUNTY TEXAS THIS THE *14th* DAY OF *August* 1972

BY *Jack A. Griesenbeck*
JACK A GRIESENBECK
COUNTY JUDGE

IN APPROVING THIS PLAT BY THE COMMISSIONERS COURT OF BASTROP COUNTY, TEXAS, IT IS UNDERSTOOD THAT THE BUILDING OF ALL ROADS, STREETS OR OTHER PUBLIC THOROUGHFARES OR ANY BRIDGES OR CULVERTS NECESSARY TO BE PLACED ON SUCH ROADS, STREETS OR OTHER PUBLIC THOROUGHFARES SHALL BE THE RESPONSIBILITY OF THE OWNER AND/OR DEVELOPERS OF THE TRACT OF LAND COVERED BY THIS PLAT, IN ACCORDANCE WITH PLANS AND SPECIFICATIONS PRESCRIBED BY THE COMMISSIONERS COURT OF BASTROP COUNTY, TEXAS, AND SAID COURT ASSUMES NO OBLIGATION TO BUILD ANY ROADS, STREETS OR PUBLIC THOROUGHFARES OR ANY BRIDGES OR CULVERTS IN CONNECTION THEREWITH.

STATE OF TEXAS
COUNTY OF HARRIS

THIS IS TO CERTIFY THAT I, HAROLD B FISHER, A REGISTERED SURVEYOR OF THE STATE OF TEXAS HAVE PLATTED THE ABOVE SUBDIVISION FROM AN ACTUAL SURVEY ON THE GROUND AND THAT ALL BLOCK CORNERS, ANGLE POINTS AND POINTS OF CURVE ARE MARKED WITH 1/2" IRON RODS AND THIS PLAT CORRECTLY REPRESENTS THAT SURVEY MADE BY ME

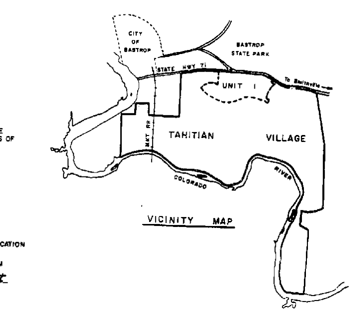
Harold B Fisher
HAROLD B FISHER
REGISTERED PUBLIC SURVEYOR NO 558

STATE OF TEXAS
COUNTY OF BASTROP

I, DO HEREBY CERTIFY THAT THE ABOVE AND FORGOING INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE THE *14* DAY OF *August*, 1972, AT *9:30* O'CLOCK *A*. M AND DULY RECORDED THE *14* DAY OF *August* 1972, AT *3:00* O'CLOCK *P*. M, IN THE *Plat* RECORDS, VOLUME *2* ON PAGES *46* THRU *47*

Lucille McCullough
LUCILLE McCULLOUGH
CLERK COUNTY COURT, BASTROP COUNTY, TEXAS

BY: ______________________ DEPUTY



VICINITY MAP

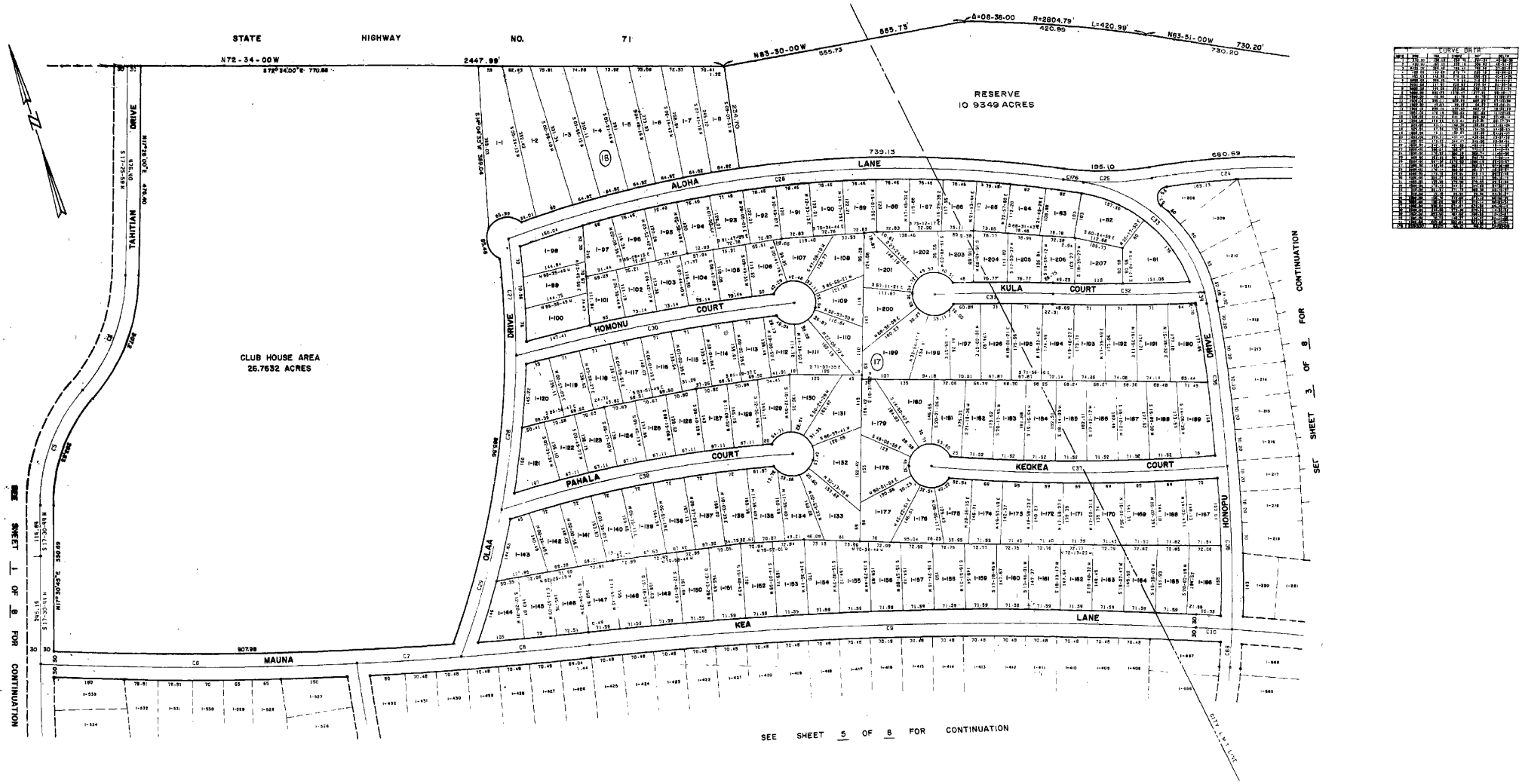
NOTE:
SEE SHEET 8 OF 8 FOR SHEET LOCATION KEY

TAHITIAN VILLAGE

TAHITIAN VILLAGE
UNIT 1
A SUBDIVISION OF 485.6181 ACRES
LOCATED IN THE
BASTROP TOWN TRACT A-11
S.F. AUSTIN LEAGUE A-3
BASTROP COUNTY, TEXAS

1453 LOTS AND RESERVES
AUGUST 1972

SCALE 1" = 100'

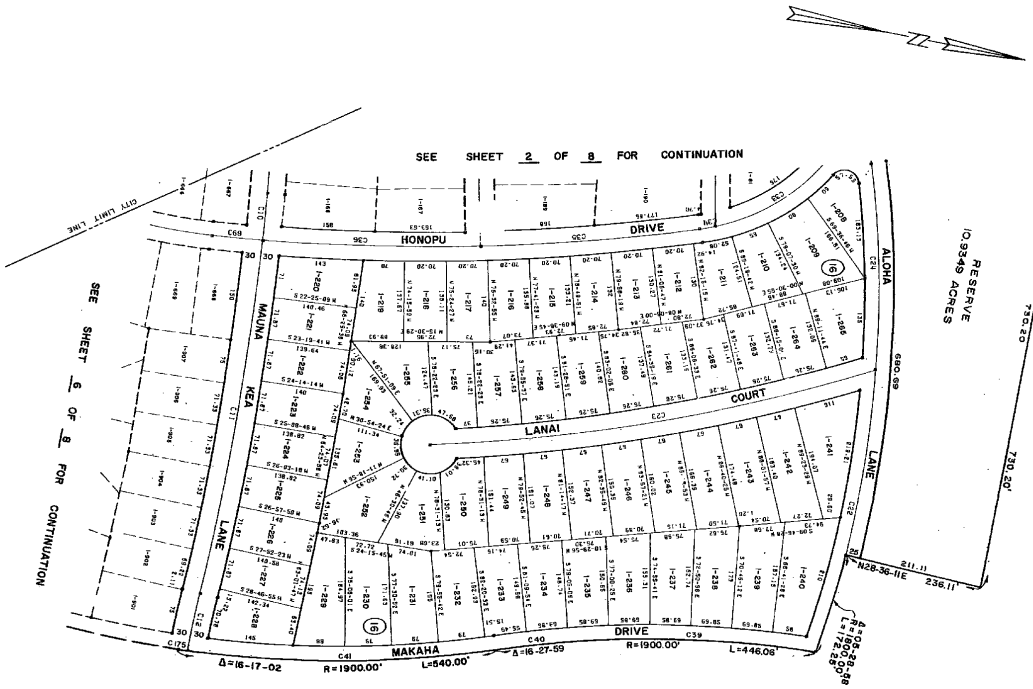


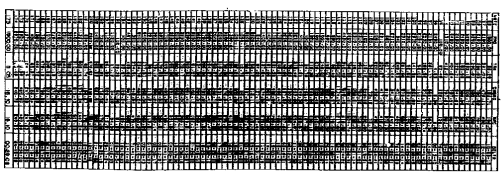
MULTI-FAMILY SECTION

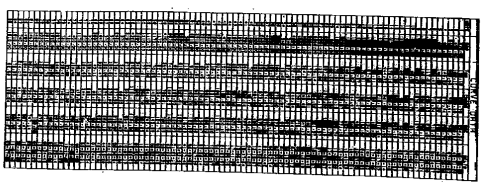
DENOTES CITY OF BASTROP CITY LIMITS LINE

SCALE 1" = 100'

UNIT I - SHEET 2 OF 8 SHEETS





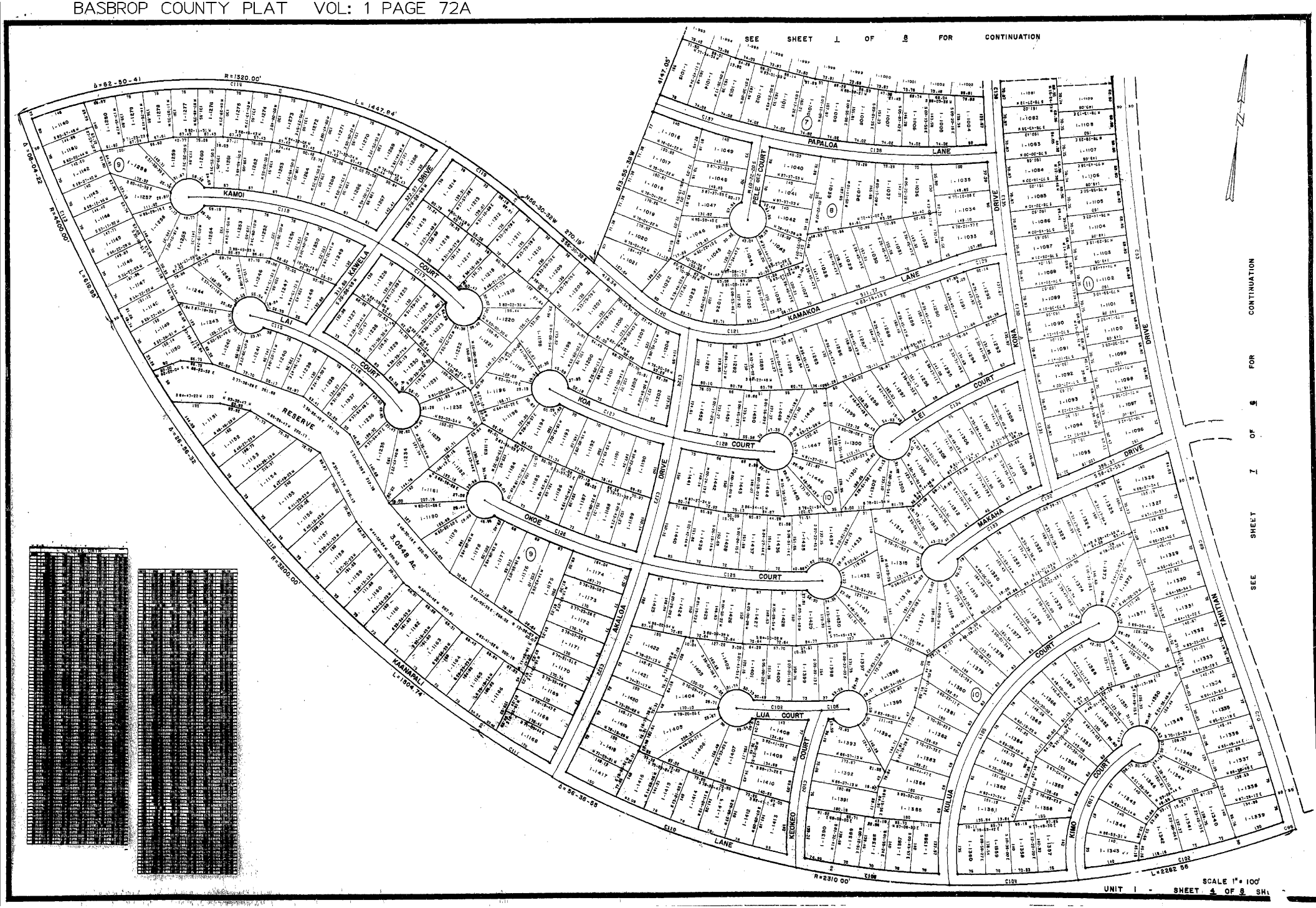


DENOTES CITY OF BASTROP CITY LIMITS LINE

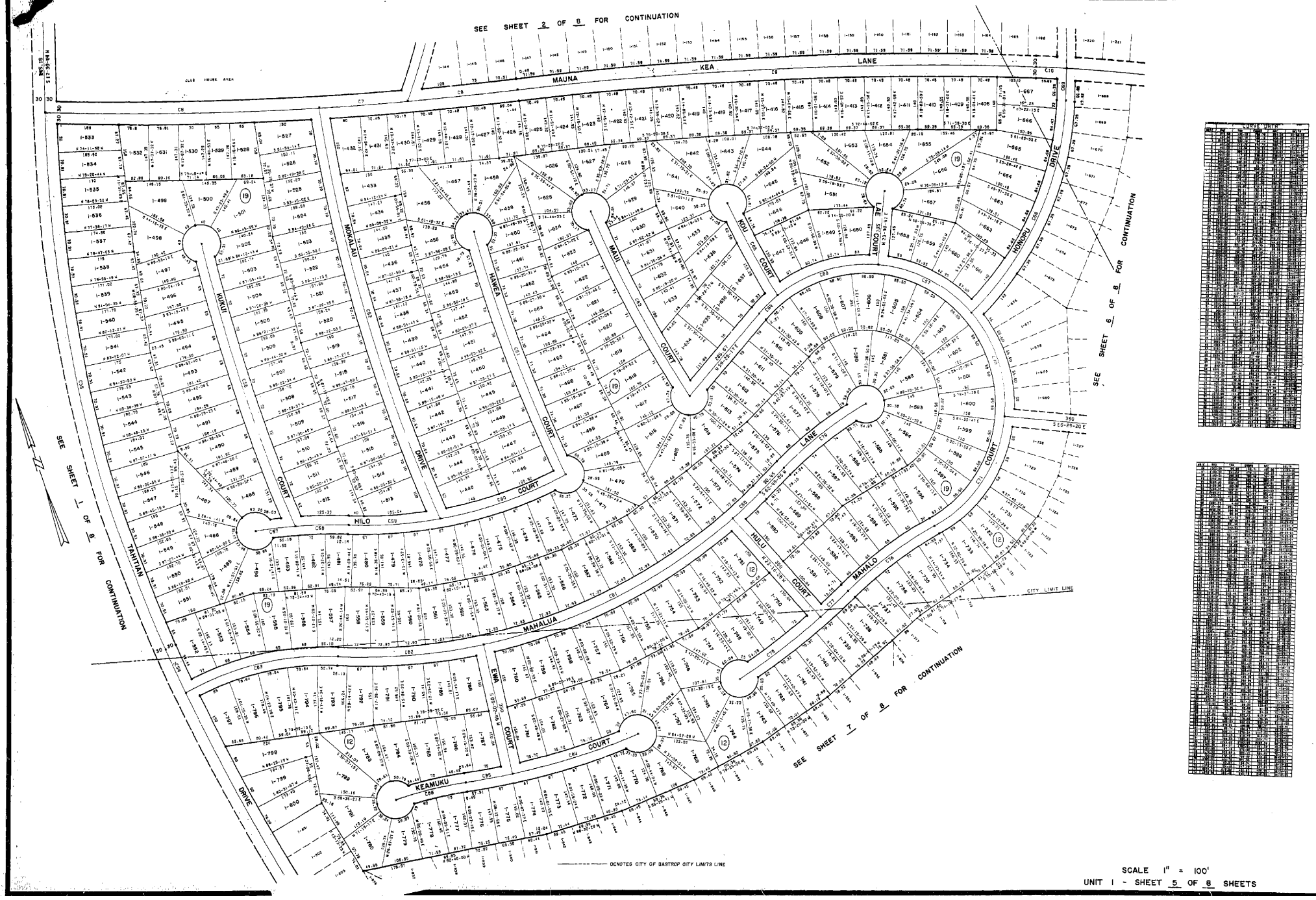
SCALE 1" = 100'

UNIT I - SHEET 3 OF 8 SHEETS

BASBROP COUNTY PLAT VOL: 1 PAGE 72A

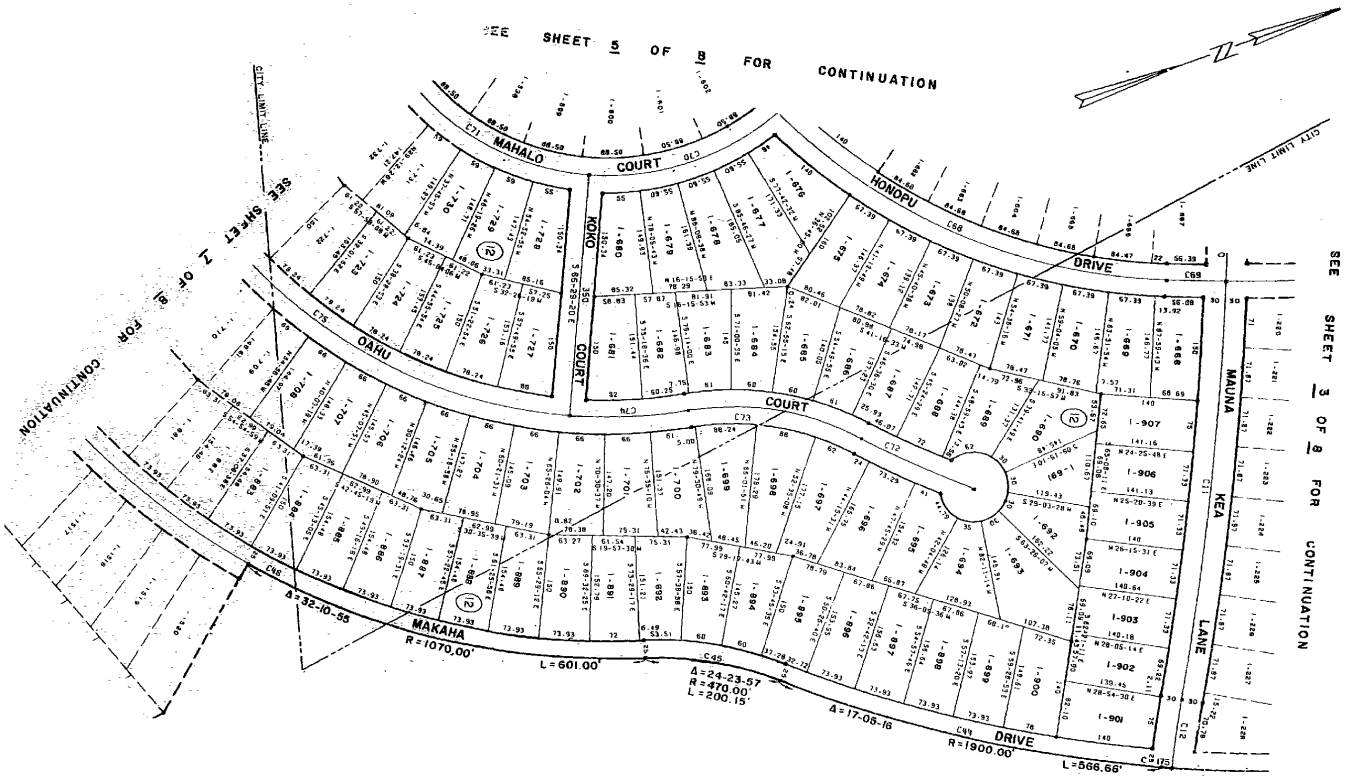


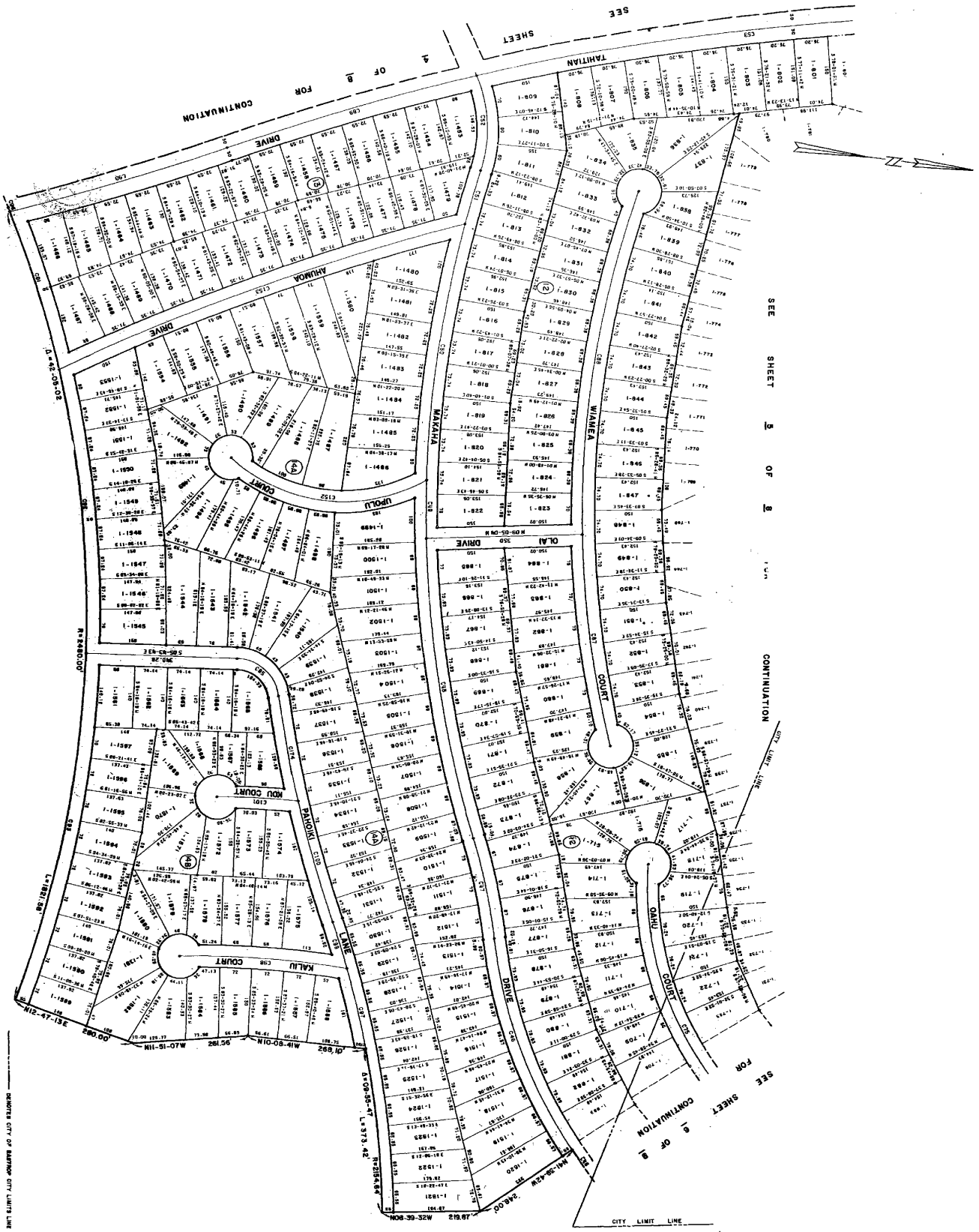
BASBROP COUNTY PLAT VOL: 1 PAGE 72B

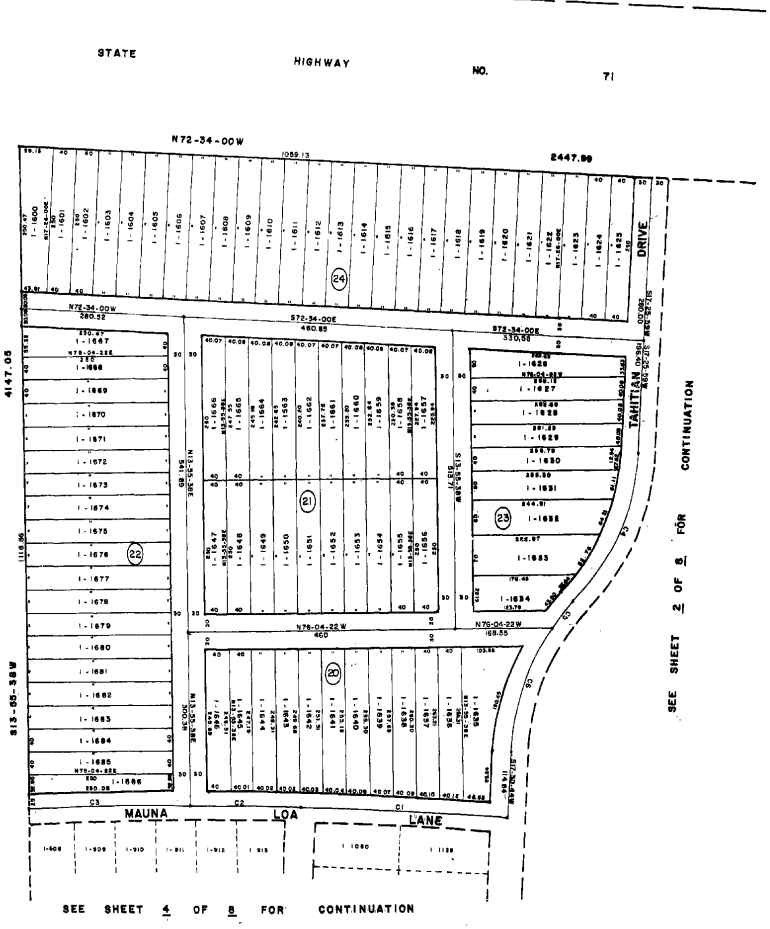


SCALE 1" = 100'

UNIT I - SHEET 5 OF 8 SHEETS

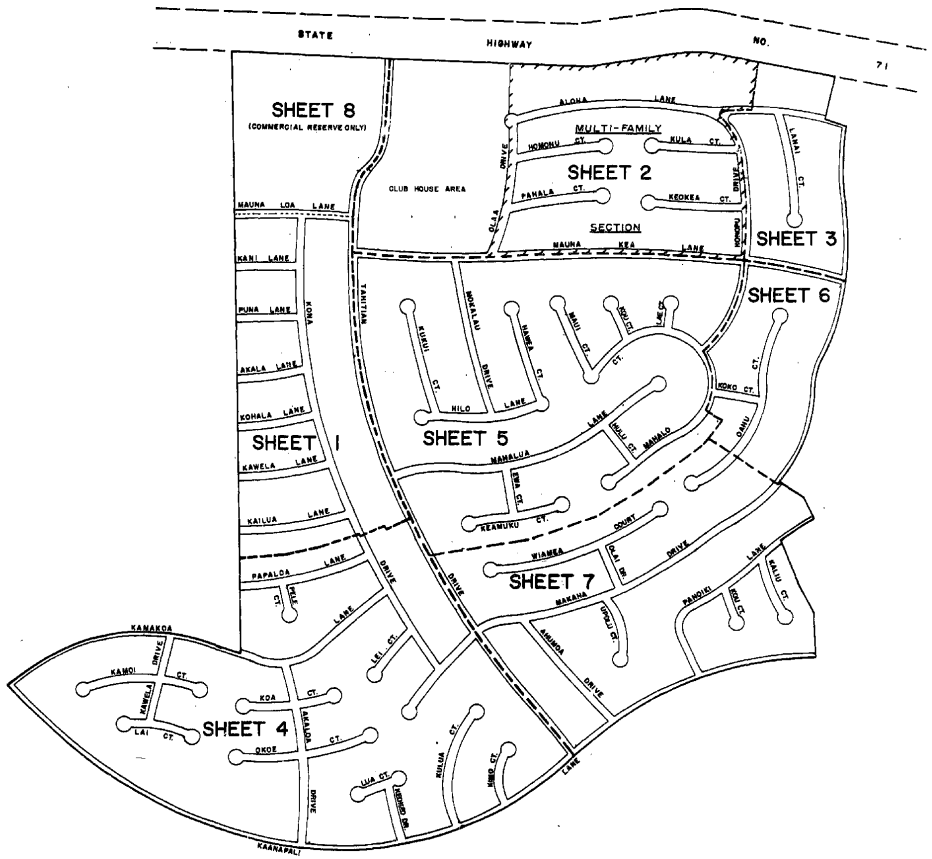

SEE SHEET 5 OF 8 FOR CONTINUATION
MAHALO COURT
HONOPU DRIVE
KOKO COURT
OAHU COURT
MAUNA KEA LANE
MAKAHA DRIVE
CITY LIMIT LINE
SEE SHEET 2 OF 8 FOR CONTINUATION
SEE SHEET 3 OF 8 FOR CONTINUATION
Δ = 32-10-55
R = 1070.00'
L = 601.00'
Δ = 24-23-57
R = 470.00'
L = 200.15'
Δ = 17-08-16
R = 1900.00'
L = 566.66'


SEE SHEET 4 OF 8 FOR CONTINUATION
TAHITIAN DRIVE
AHUMOA DRIVE
MAKAHA COURT
UPOLU DRIVE
WAIMEA COURT
OLAI DRIVE
KUI COURT
PAHOKU LANE
KALU COURT
OAHU COURT
SEE SHEET 5 OF 8 FOR CONTINUATION
CITY LIMIT LINE
R=2480.00'
D=42-09-02
S05-53-45E 360.28'
S89-12-18E 280.00'
N11-51-07W 261.56'
N10-08-41W 268.10'
R=2284.64'
L=373.42'
N08-39-32W 219.67'
N41-38-42W 246.00'
DENOTES CITY OF BASTROP CITY LIMITS LINE
SCALE 1" = 100'
UNIT 1 - SHEET 7 OF 8 SHEETS



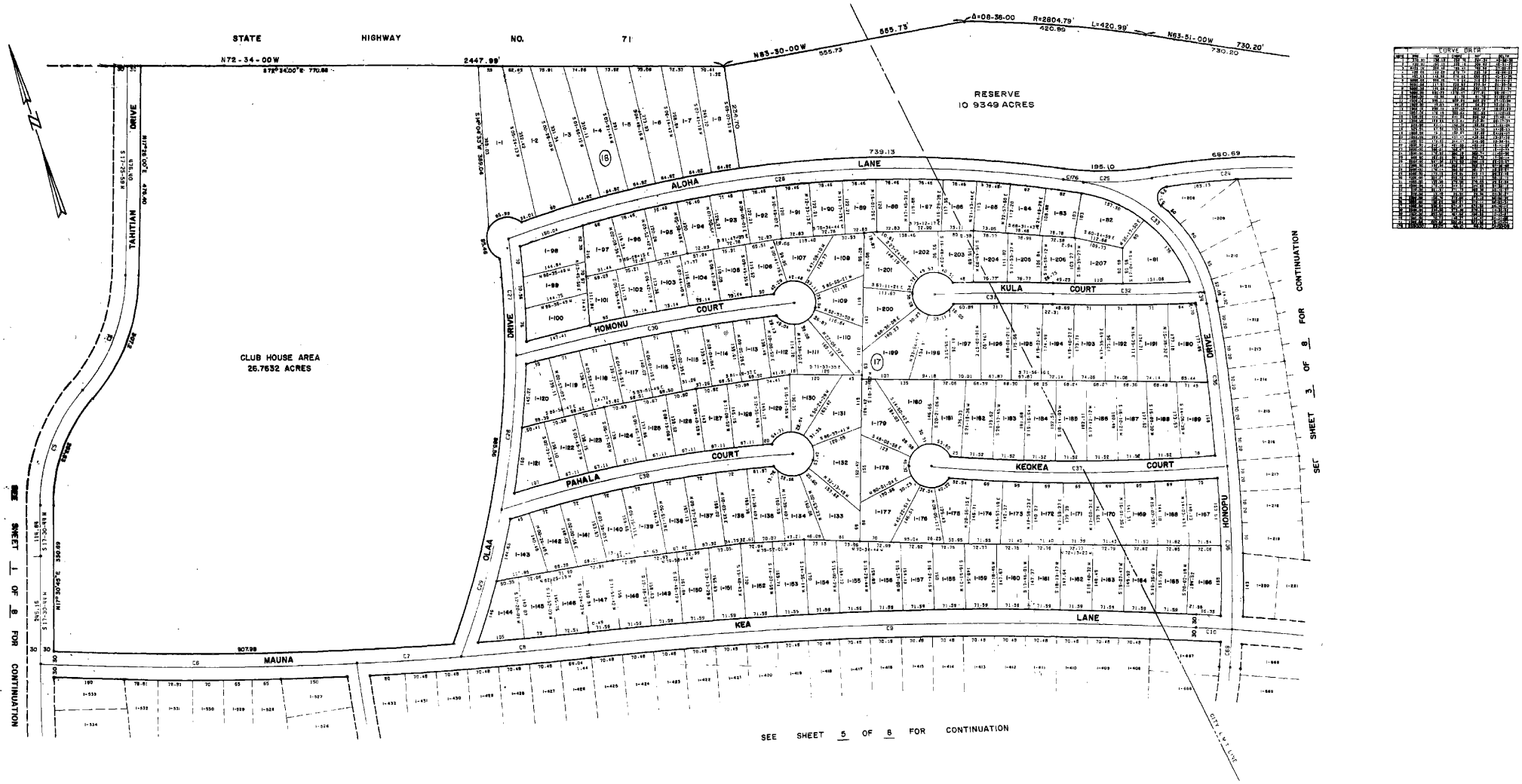
NOTE: SEE SHEET 1 OF 8 FOR LOCATION OF COMMERCIAL RESERVE.

CURVE DATA								
CURVE	RADIUS	DELTA	TANGENT	CHORD	CHORD BEARING	ARC		
C1	1000.00	10°00'00"	87.49	174.33	S 67°34'00" E	174.55		
C2	1000.00	10°00'00"	87.49	174.33	S 77°34'00" E	174.55		
C3	1000.00	10°00'00"	87.49	174.33	S 87°34'00" E	174.55		



SHEET LOCATION KEY
(FOR REFERENCE ONLY)

SCALE 1" = 100'
UNIT 1 - SHEET 8 OF 8 SHEETS

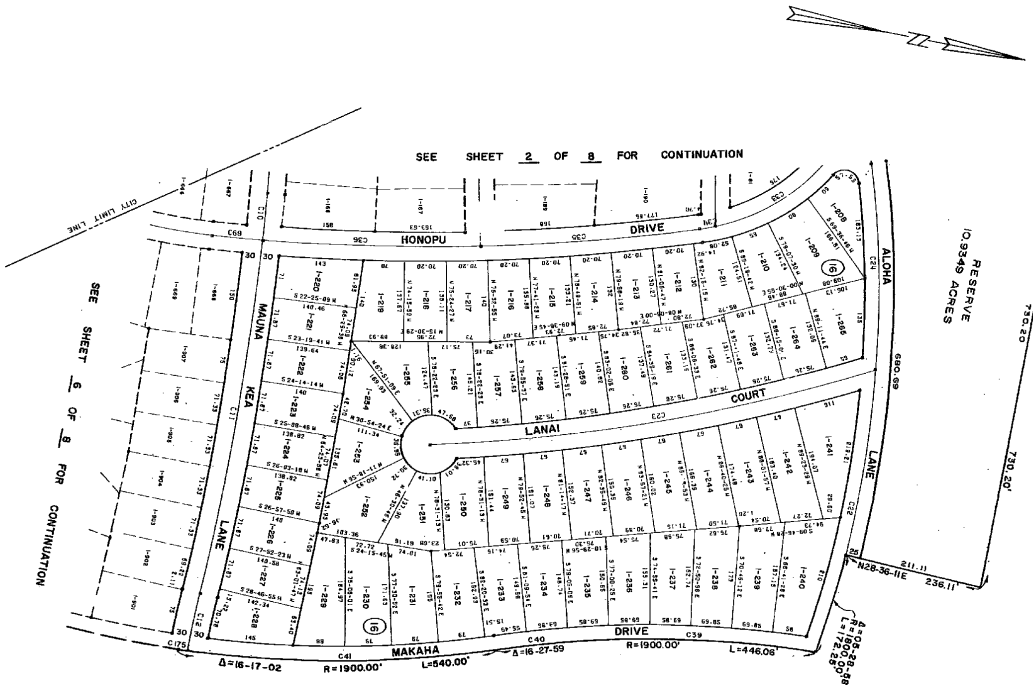


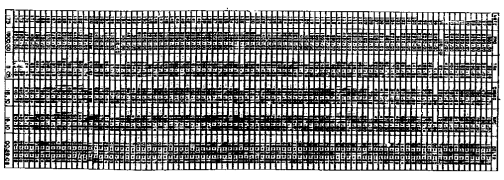
MULTI-FAMILY SECTION

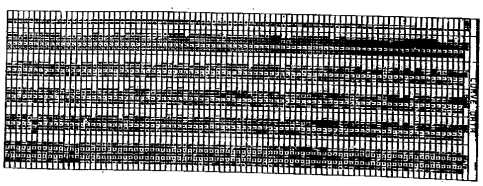
DENOTES CITY OF BASTROP CITY LIMITS LINE

SCALE 1" = 100'

UNIT I - SHEET 2 OF 8 SHEETS





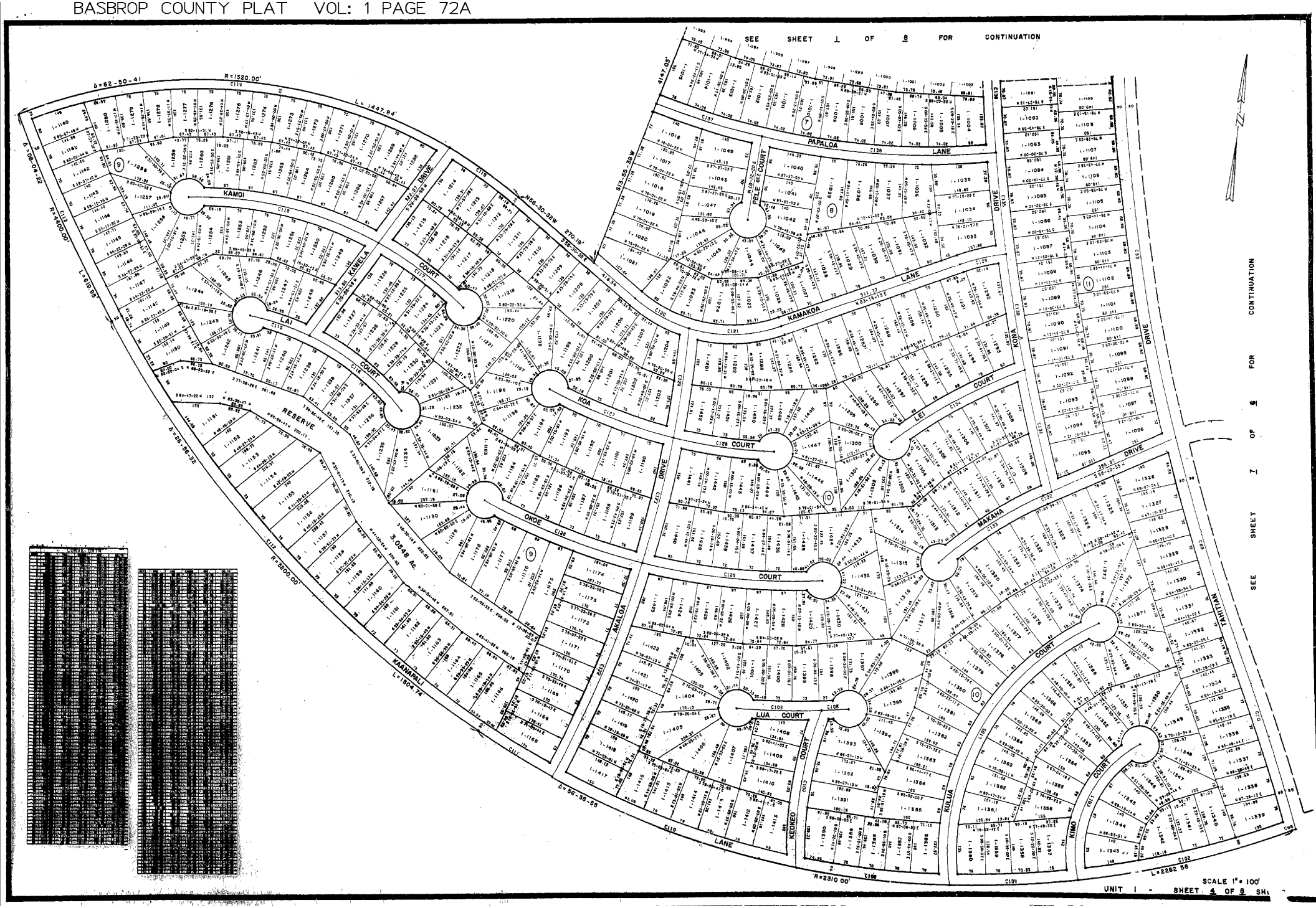


DENOTES CITY OF BASTROP CITY LIMITS LINE

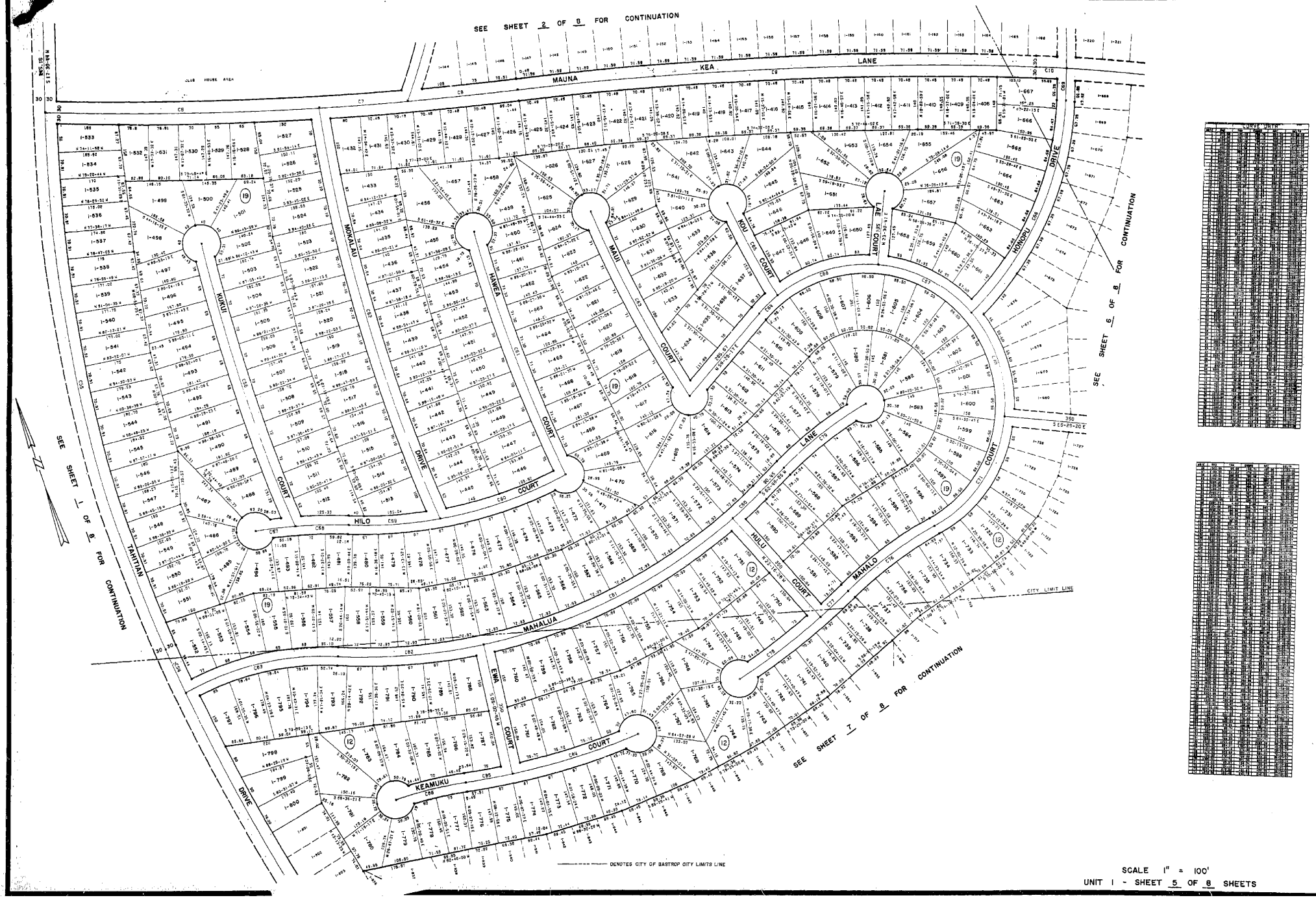
SCALE 1" = 100'

UNIT I - SHEET 3 OF 8 SHEETS

BASBROP COUNTY PLAT VOL: 1 PAGE 72A

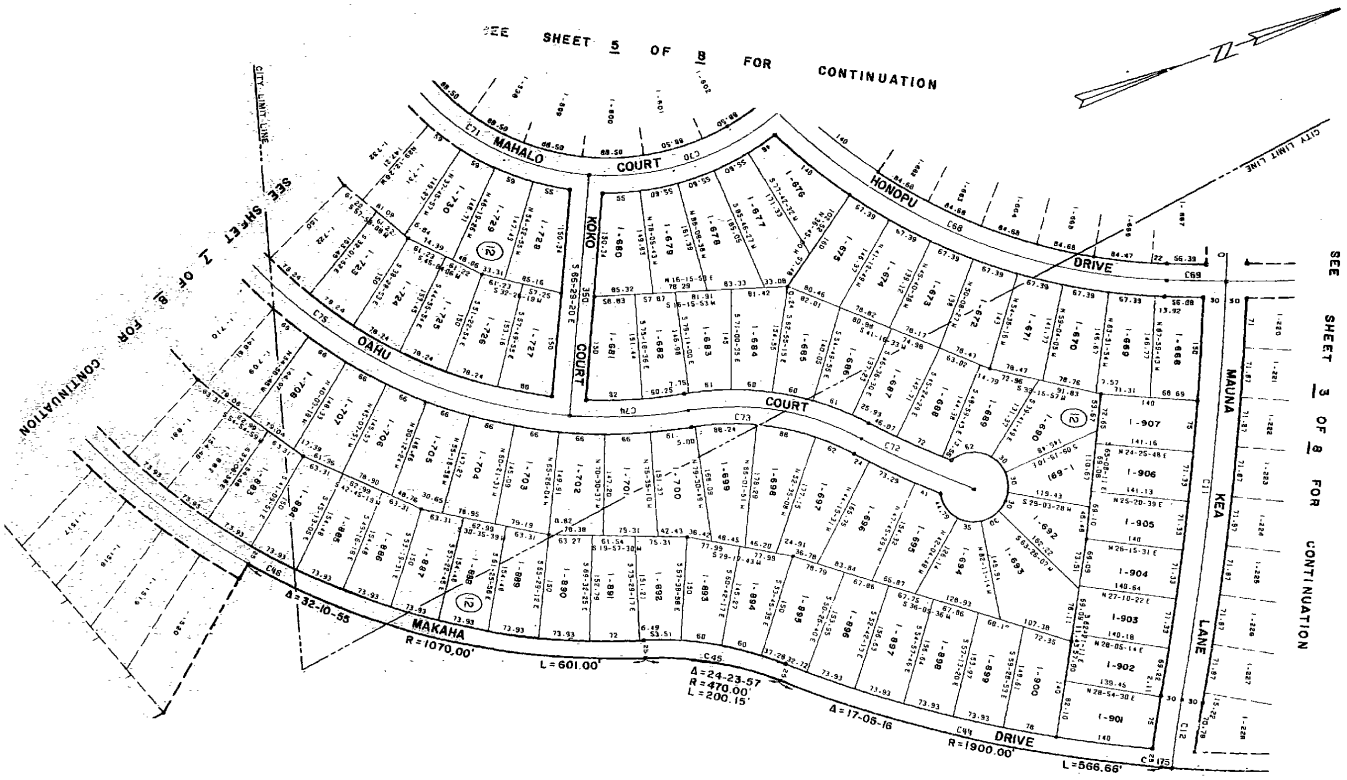


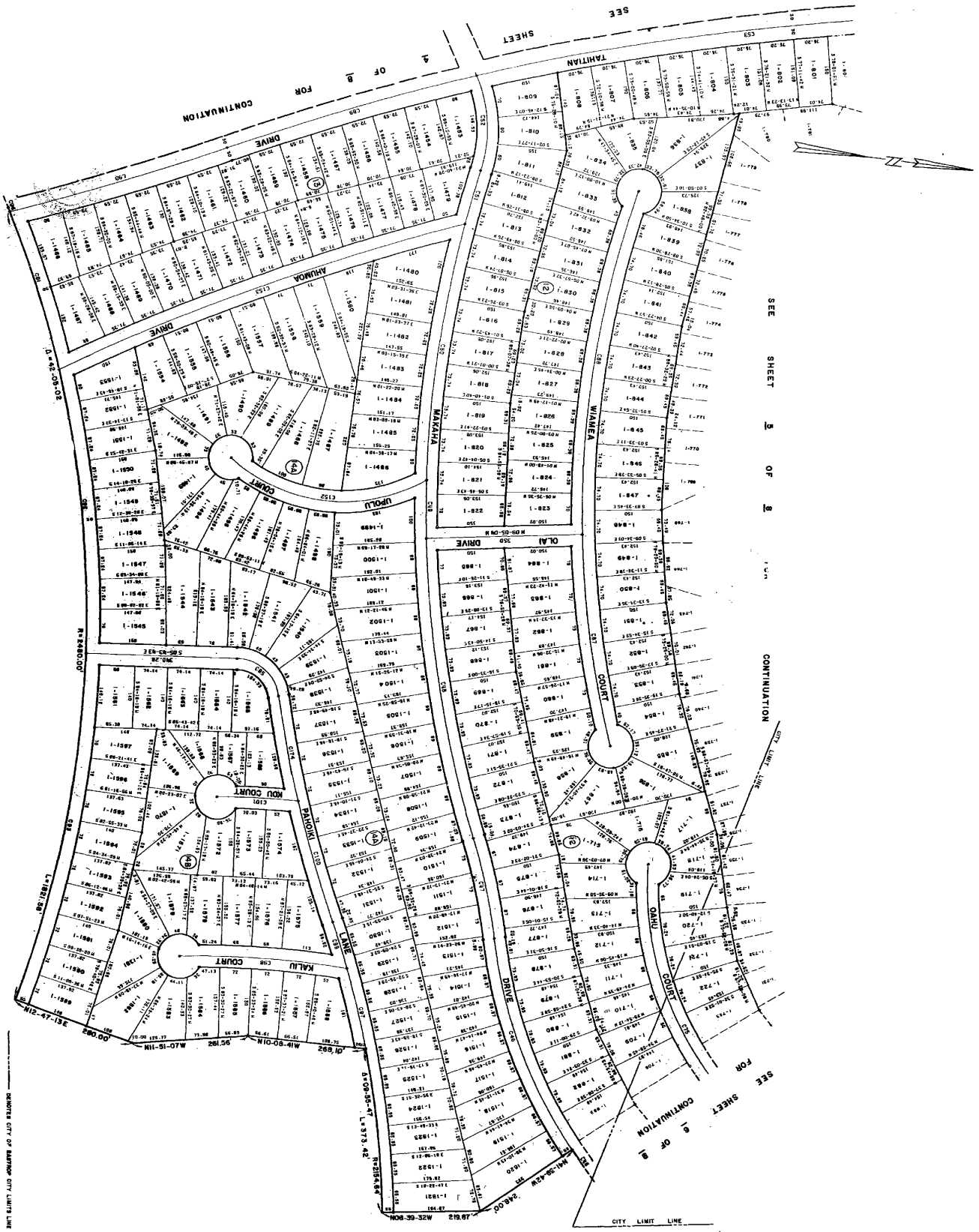
BASBROP COUNTY PLAT VOL: 1 PAGE 72B

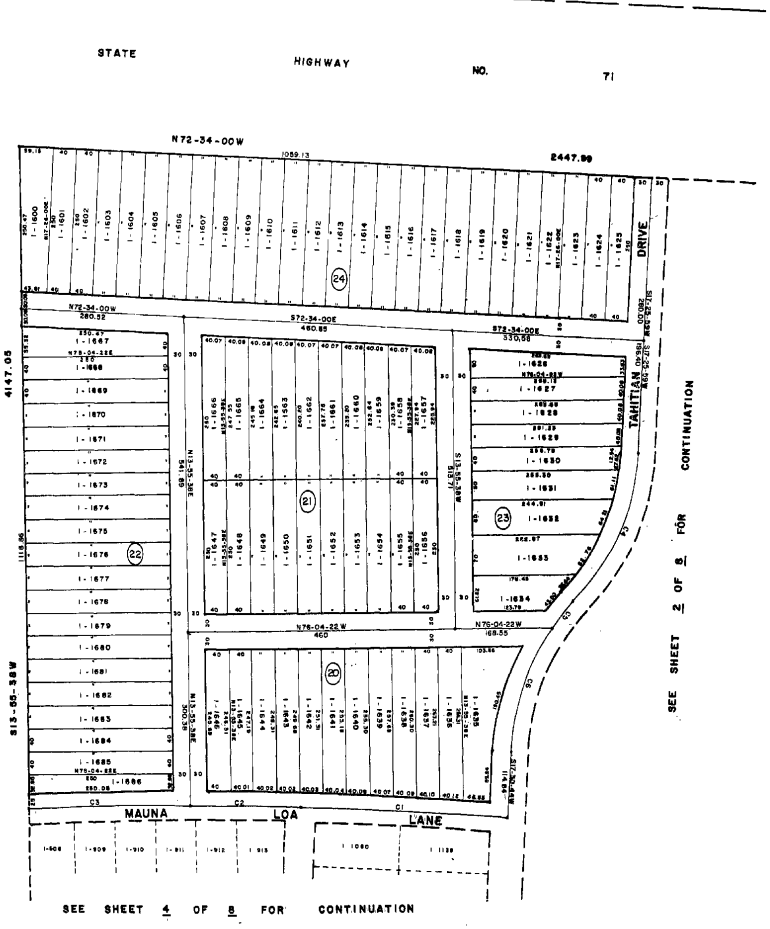


SCALE 1" = 100'

UNIT I - SHEET 5 OF 8 SHEETS

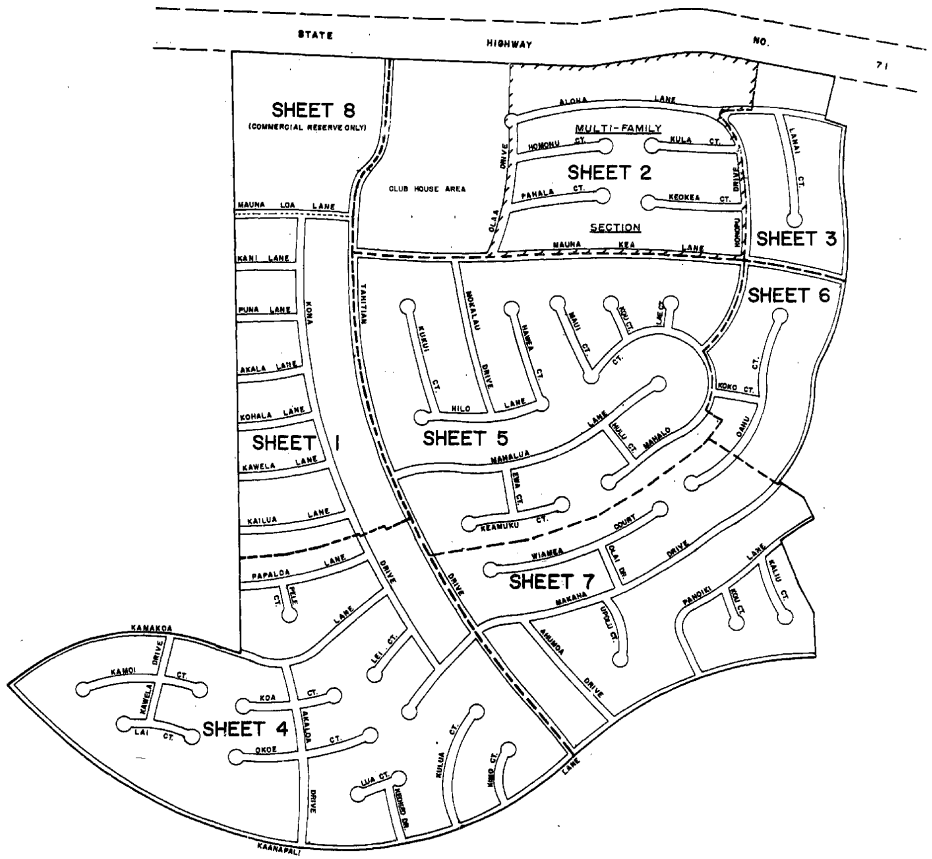

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DENOTES CITY OF BASTROP CITY LIMITS LINE
SCALE 1" = 100'
UNIT 1 - SHEET 7 OF 8 SHEETS



NOTE: SEE SHEET 1 OF 8 FOR LOCATION OF COMMERCIAL RESERVE.

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C3	1000.00	10°00'00"	87.49	174.33	S 87°34'00" E	174.55		



SHEET LOCATION KEY
(FOR REFERENCE ONLY)

SCALE 1" = 100'
UNIT 1 - SHEET 8 OF 8 SHEETS