



Dana DeBeauvoir

Dana DeBeauvoir, County Clerk
Travis County, Texas

Jul 25, 2019 10:21 AM Fee: \$42.00

STATE OF TEXAS §
COUNTY OF TRAVIS §

2019 AMENDMENT OF RULES AND REGULATIONS 2019110985

Electronically Recorded

OF

WESTOVER VILLA TOWN HOUSE COUNCIL, INC.

[Regarding Maintenance]

Document reference. Reference is hereby made to that certain Declaration of Covenants, Conditions and Restrictions for Westover Villa, filed at Vol. 09358, Pg. 0780 in the Real Property Records of Travis County, Texas (together with all amendments and supplemental documents thereto, the "**Declaration**").

Reference is further made to the Westover Villas Violation Procedure, filed as Document No. 2002143987; the Westover Villa Insurance Rules and Regulations, filed as Document No. 2005172337, and the Amendment of Rules and Regulations filed as Document No. 2012006478, the 2018 rule amendment regarding parking filed as Document No. 2018085792, and the 2018 amendment regarding waste and recycling receptacles filed as Document No. 2018162548, all in the Official Public Records of Travis County, Texas (cumulatively and together with any amendments or supplements, the "**Rules**").

WHEREAS the Declaration provides that owners of lots subject to the Declaration are automatically made members of Westover Villa Town House Council, Inc. (the "**Association**");

WHEREAS the Association, acting through its board of directors (the "**Board**") has the authority under state statute and its general corporate governance powers to adopt the rules set forth herein; and

WHEREAS the Board has voted to adopt the Maintenance Chart attached as Exhibit "A" to supplement the previously-adopted Rules;

THEREFORE the Maintenance Chart attached as Exhibit "A" has been, and by these presents are, ADOPTED and APPROVED.

Subject solely to the amendments contained in Exhibit "A", the Rules remain in full force and effect.

WESTOVER VILLA TOWN HOUSE COUNCIL, INC.

Acting by and through its Board of Directors

Signature: *Kevin Slabaugh*

Printed Name: Kevin Slabaugh

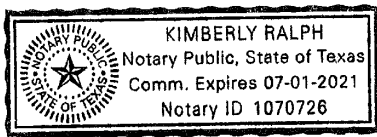
Title: President

Exhibit "A": Maintenance Chart

STATE OF TEXAS §

COUNTY OF Travis §

This instrument was executed before me on the 12 day of July, 2019,
by Kevin Slabaugh in the capacity stated above.



Kimberly Ralph
Notary Public, State of Texas

WESTOVER VILLA TOWNHOUSE COUNCILMAINTENANCE RESPONSIBILITY CHART

This chart is a summary of protocol and policy based on board resolutions, historical precedent, and Declaration provisions. The section numbers in the table refer to sections of the Declaration:

June 2019

COMPONENTS OF PROPERTY	ASSOCIATION RESPONSIBILITY	OWNER RESPONSIBILITY
Common Area (every portion of the property other than the Lots on which the townhomes are built) §4.2	ALL	NONE
Townhome exterior maintenance / “exterior building surfaces”, e.g. paint, roofing, façade (stucco, etc.), chimney exterior, chimney caps §4.2 ; §6.1	ALL with the exception of additions/modification added by owners over time, and damage/repair needs caused by such additions/modifications.	<p>No exterior maintenance except for additions modifications added by owner(s) over time, and damage caused by them.</p> <p>For example if the owner or a previous owner added an awning and attached the awning to the building façade, if the area of the attachment leaks due to water penetration from the attachment, this is owner responsibility.</p> <p>Chimney flue cleaning; damper.</p>

COMPONENTS OF PROPERTY	ASSOCIATION RESPONSIBILITY	OWNER RESPONSIBILITY
Mowing, sprinkler system, irrigation/watering landscaping, trees, shrubs	<p>ALL common area landscaping and irrigation.</p> <p>Mowing and blowing, and shrub and tree trimming of Lots' front yards.</p>	<p>ALL portions of Owner's own Lot/yard(s) with the exception mowing/blowing and trimming in the front yard. (For example owners are responsible for irrigation of their front yard, and all maintenance of their back yard including tree trimming; the HOA only "mows and blows" and trims front yard landscaping. Owners must replace dead grass, shrubs or other plantings on their Lot.)</p>
Swimming pool and equipment §4.2	ALL	NONE
Gazebo §4.2	ALL	NONE
Roofs, gutters, downspouts §4.2; §6.1	ALL other than repairs related to an owner's HVAC system, satellite dish, or skylight.	<p>NONE other than to the extent roofing repairs are related to the owner's HVAC system, satellite dishes or skylights.</p> <p>For example, owners are responsible for all maintenance of their HVAC system. If HVAC is roof-mounted, this duty includes the duty to waterproof the roof penetrations and keep them in a waterproof state, and repair any breaches. (A general rule of thumb is that if the roof would not need repair but for the presence of the HVAC system, the skylight, or the satellite dish, the owner is responsible.)</p>
Fencing §4.2; §6.1	ALL except fencing within an owner's back patio or forming the boundary of the back patio enclosure.	NONE except the perimeter back patio fencing and any fencing/walls inside boundaries of the back patio.

COMPONENTS OF PROPERTY	ASSOCIATION RESPONSIBILITY	OWNER RESPONSIBILITY
Carports and garages §4.2; §6.1	Carport doors (doors to storage closets) – paint Unit entry doors – paint only Stucco/trim	Garage doors (all aspects) Carport doors (doors to storage closet) – all aspects except paint And all other portions except those maintained by the HOA
Garbage pick up areas §4.2	ALL	NONE
Water/sewer services / pipes for water and sewer; wiring	All portions of pipe/conduit/wiring serving more than one unit or serving the common area.	All portions of pipe/conduit serving only that owner's Lot.
Streets §4.2	ALL	NONE
Entry walks, sidewalks, driveways, exterior stairs and other similar exterior improvements §6.1	ALL except for routine cleaning (sweeping, power washing, etc.)	Routine cleaning (sweeping, power washing, etc.)
Glass §6.1	Common Area only; no responsibility for townhome glass	All glass in townhome – including sealants, caulk, etc.
Enclosed patios §6.1	NONE	ALL
Windows, including hardware §6.1	NONE	ALL
Doors (townhome doors except any garage door), §6.1 Mailboxes	Carport door (door to storage area) paint Unit entry door paint	ALL portions of garage doors All portions of carport and unit exterior doors other than painting (including hardware, thresholds, tracks, locks, etc.) All portions of mailboxes
HVAC equipment for townhomes §6.1, §6.2	NONE	ALL portions including fasteners, conduit, wiring, pad or other attachment.
Foundations; Lot drainage; Common Area drainage	Common Area Drainage and Foundations of any Common Element improvement	Lot Foundations; Lot drainage
Party walls (shared walls of adjacent townhomes) §7.1	NONE	Cost shared equally by the owners sharing the walls

COMPONENTS OF PROPERTY	ASSOCIATION RESPONSIBILITY	OWNER RESPONSIBILITY
ALL fixtures inside the exterior including walls, studs, insulation, drywall, paint) §6.2	NONE	ALL

- 1) There is exception to an HOA maintenance duty for any item of repair necessitated by owner negligence, §6.2
- 2) Owners are responsible for all pest control on their Lot/Dwelling. The HOA is responsible for pest control in the Common Area.

After recording, please return to:

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 Attorneys At Law
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 1122 Colorado Street
 Austin, Texas 78701