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OFFICIAL PUBLIC RECORDS



*Dyana Limon-Mercado*  
Dyana Limon-Mercado, County Clerk  
Travis County, Texas

Sep 29, 2023 03:46 PM Fee: \$34.00

2023112300

\*Electronically Recorded\*

STATE OF TEXAS §  
COUNTY OF TRAVIS §

NOTICE OF RULE ADOPTION  
OF  
SPICEWOOD POINT TOWNHOMES OWNERS ASSOCIATION, INC.

**Document reference.** Reference is hereby made to that certain Condominium Declaration for Spicewood Point Townhomes, filed at Vol. 8131, Pg. 836 in the Condominium Records of Travis County, Texas (together with all supplements and amendments, the "**Declaration**").  
Reference is further made to the Rules recorded at Documents 2000037195 and 2021193516, both of the Official Public Records of Travis County, Texas (together with all amendments thereto, the "**Rules**").

WHEREAS the Declaration provides that owners of units subject to the Declaration are automatically made members of SPICEWOOD POINT TOWNHOMES OWNERS ASSOCIATION, INC. (the "**Association**");

WHEREAS the Association, acting through its board of directors (the "**Board**"), is authorized to adopt and amend rules and regulations governing the property subject to the Declaration and the operations of the Association pursuant to Texas Property Code Ch. 82;

WHEREAS the Declaration allocates responsibility for maintenance and repair of various components of the Condominium Project, and Board has voted to adopt the Maintenance Chart attached as Exhibit "A" to document and clarify this allocation of responsibilities;

**THEREFORE, the Maintenance Chart attached hereto has been, and by these presents is, adopted and approved.**

**SPICEWOOD POINT TOWNHOMES OWNERS ASSOCIATION, INC.**

Acting by and through its Board of Directors  
Filed in accordance with Texas Property Code Ch. 202 by  
Niemann & Heyer LLP, attorneys and authorized agents

*Patrice Arnold*  
By: Patrice Arnold

Exhibit "A": Maintenance Chart

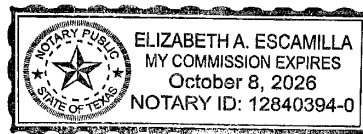
Acknowledgement

STATE OF TEXAS §  
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 29 day of September, 2023, by Patrice Arnold in the capacity stated above.

*Elizabeth A. Escamilla*  
Notary Public, State of Texas

**After recording, please return to:**  
Niemann & Heyer, L.L.P.  
Attorneys at Law  
Westgate Building, Suite 313  
1122 Colorado Street  
Austin, Texas 78701



## EXHIBIT "A"

## MAINTENANCE CHART -- SPICEWOOD POINT TOWNHOMES

**ALTERATIONS: REMINDER** -- ANY alteration of exterior appearance requires prior written approval from the Association after submission of plans. This includes painting, window replacement, railing replacement, *anything* that alters the exterior appearance of the common elements, either limited or general. Plans must include the nature, kind, shape, size, materials, color and location for all proposed work. [Declaration §3.8]. Alterations undertaken without approval subject the owner to fines, and removal/restoration by the Association with all costs assessed to the Owner's account.

<u>Item</u>	<u>Maintenance Responsibility</u>	<u>Document Reference</u>
<p><b>All portions of the "Unit".</b> Anything within the boundaries of a Unit. Boundaries are the interior surfaces of the perimeter walls, floors, ceilings, window frames, doors, and door frames and trim; unit "starts at" and includes any carpet, wallpaper, tile, paint, or other covering [§1.1(t), 3.7]</p> <p><b>Sheetrock</b> and other components of <b>interior/partition walls</b> of units [§1.1(t), 3.7]</p> <p><b>Plumbing, electric, and other utilities</b> <i>within Unit boundaries</i> and serving only one Unit (P-traps under sinks, showerheads, etc.) [§1.1(t), 3.7]</p> <p><b>Fixtures and equipment</b>, including <b>shelving, appliances, bathroom and kitchen fixtures, and lighting fixtures</b> located within unit boundaries; [§1.1(t), 3.7]</p> <p><b>Utility lines, pipes, wires, conduits, or systems</b> exclusively serving a Unit, commencing at the point where they enter the Unit [§1.1(t), 3.7]</p>	Owner	Declaration § 1.1(t), 3.7
<b>Glass in windows and doors</b> (§3.7)	Owner	Declaration § 3.7
<b>Heating and cooling systems</b> exclusively serving a Unit (§3.7)	Owner	Declaration § 3.7
<p><b>Patio/porch and/or balcony space</b>, including any fixtures (water spigots, water heaters, railings, fencing) are Limited Common Elements per Declaration §§1.1m and 2.3, and Owner is responsible for maintenance per Declaration §3.7: <i>"An owner shall maintain and keep in repair the interior, patio and/or balcony space, and storage space of his own Unit, including the fixtures thereof."</i></p> <p>Patio and/or balcony walls and floors—outer surface</p>	Owner	Declaration §§1.1m; 3.7  Patio/balcony walls, §3.7 and Property Code §81.105, "The boundaries of an apartment in a condominium regime are the interior surfaces of the apartment's perimeter walls, floors, and ceilings, <b>and the exterior surfaces of the apartment's balconies and terraces.</b> "

<b>Storage space</b> , including any fixtures, such as a water heater, other contents, and the interior surfaces of the walls, floor, and ceiling <sup>1</sup> is a Limited Common Element per Declaration §§1.1m and 2.3, and Owner is responsible for maintenance per Declaration §3.7	Owner	Declaration § 3.7
<b>Sheetrock</b> on perimeter walls of units and ceiling of units. (§5.2)	Association	Declaration § 5.2
<b>Plumbing, wiring, and utility lines outside the boundaries of the unit</b> (§5.2)	Association	Declaration § 5.2
Structural and non-structural building components, including: <ul style="list-style-type: none"> <li>• <b>Foundations</b></li> <li>• <b>Columns, girders, beams, and supports</b></li> <li>• <b>Exterior walls</b></li> <li>• <b>Roofs and attic spaces</b></li> <li>• <b>Dividing walls between two or more Units</b></li> <li>• <b>Conduits, pipes, ducts, electrical, telephonic and electronic wiring</b></li> <li>• <b>Structural components of balconies</b></li> </ul>	Association, with right of entry as necessary for maintenance of common elements.  Exception for surfaces of patios and balconies expressly made owner responsibility – see above <sup>2</sup> .	Declaration §§1.1c; 5.2; right of entry §3.6.
<b>Common Areas</b> such as hallways, the grounds and landscaping, swimming pool and equipment, cabana, clubhouse, and laundry room (§5.2)	Association	Declaration § 5.2
<b>Parking Spaces and Carports</b>  Assigned parking spaces are Limited Common Elements, but maintenance responsibility is not assigned to owner in Declaration § 3.7	Association	Declaration §§1.1k, 1.1m, 2.3
<b>Yard Areas and Vegetation/Trees in Yard</b>  Yards in rear are shown on plat as Limited Common Elements assigned to units	Association, except for portions within fenced yard that is assigned to unit as LCE	Declaration §§1.1k(3), 3.7

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<sup>1</sup> The precise boundaries of the storage space are not defined in the Declaration. In legal counsel opinion, the boundaries of the Owner's area of responsibility should mirror the boundaries of the Unit; the Owner maintains up to the finished surfaces, and the Association maintains drywall, studs, subflooring, etc.

<sup>2</sup> The association may elect to maintain exterior walls of balconies, patios, and other items assigned to the owner (permissive uses of assessments – see §5.2)