

**FIRST AMENDMENT TO CERTIFICATE AND
FIRST SUPPLEMENT
TO
NOTICE OF FILING OF DEDICATORY INSTRUMENTS
FOR
APRIL POINT a/k/a
APRIL POINT SOUTH
PURSUANT TO SECTION 202.006 OF THE TEXAS PROPERTY CODE
[Rules and Regulations]**

STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF MONTGOMERY §

THIS FIRST AMENDMENT TO CERTIFICATE AND FIRST SUPPLEMENT TO NOTICE OF FILING OF DEDICATORY INSTRUMENTS FOR APRIL POINT a/k/a APRIL POINT SOUTH PURSUANT TO SECTION 202.006 OF THE TEXAS PROPERTY CODE (this "First Supplement") is made this 21st day of September, 2012, by April Point South Property Owners Association, Inc. (the "Association").

WITNESSETH:

WHEREAS, Henry Corporation, a Texas corporation ("Declarant"), prepared and recorded an instrument entitled "Condominium Declaration for April Point (Section 1A)" on or about December 17, 1975, at Volume 915, Page 564 *et seq.* and Volume 918, Page 395 *et seq.* under Clerk's File Number 760935 of the Real Property Records of Montgomery County, Texas (the "Section 1A Declaration"); and

WHEREAS, Henry Corporation, a Texas corporation ("Declarant"), prepared and recorded an instrument entitled "Condominium Declaration for April Point (Section 2A)" on or about January 20, 1977, at Volume 1, Page 201 *et seq.* under Clerk's File Number 7703814 of the Real Property Records of Montgomery County, Texas (the "Section 2A Declaration"); and

WHEREAS, Henry Corporation, a Texas corporation ("Declarant"), prepared and recorded an instrument entitled "Condominium Declaration for April Point Section 3A" on or about July 26, 1977, at Volume 1, Page 289 *et seq.* under Clerk's File Number 7725133 of the Real Property Records of Montgomery County, Texas (the "Section 3A Declaration"); and

WHEREAS, Henry Corporation, a Texas corporation ("Declarant"), prepared and recorded an instrument entitled "Condominium Declaration for April Point Section 4A" on or about June 1, 1978, at Volume 1, Page 481 *et seq.* under Clerk's File Number 7828063 of the Real Property Records of Montgomery County, Texas (the "Section 4A Declaration"); and

WHEREAS, the Section Declarations cited above are hereinafter collectively referred to as the "Declaration"; and

WHEREAS, the Association is the property owners' association created by the Declarant to manage or regulate the planned development subject to the Declaration, which development is more particularly described in the Declaration; and

WHEREAS, Section 202.006 of the Texas Property Code provides that a property owners association must file each dedicatory instrument governing the association that has not been previously recorded in the real property records of the county in which the development is located; and

WHEREAS, Section 202.006(b) of the Texas Property Code, effective January 1, 2012, provides that a dedicatory instrument has no effect until the instrument is filed in accordance with this section; and

WHEREAS, on or about November 2, 2010, the Association filed a "Certificate of Rules and Regulations for April Point Sections 1A, 2A, 3A, and 4A" as Document No. 2010098049 of the Montgomery County Real Property Records (the "Certificate"); and

WHEREAS, the Association recorded and attached to the Certificate, the "Rules & Regulations for April Point South Sections 1A, 2A, 3A, and 4A", adopted September 2010; and

WHEREAS, the Association desires to replace the Rules & Regulations attached to the Certificate with the Rules and Regulations attached hereto; and

WHEREAS, on or about March 14, 2012, the Association filed a "Notice of Filing of Dedicatory Instruments for April Point a/k/a April Point South" as Document No. 2012022920 of the Montgomery County Real Property Records (the "Notice"); and

WHEREAS, the Association wishes to amend the Certificate and supplement the Notice by recording the new April Point South P.O.A. Rules and Regulations attached hereto as **Exhibit "A"** in the Real Property Records of Montgomery County, Texas, pursuant to and in accordance with Section 202.006 of the Texas Property Code.

NOW, THEREFORE, the dedicatory instrument attached hereto as **Exhibit "A"** is a true and correct copy of the original and is hereby filed of record in the Real Property Records of Montgomery County, Texas, in accordance with the requirements of Section 202.006 of the Texas Property Code.

In the event that any rule or part of any rule contained herein shall be determined by a court with jurisdiction to be invalid or unenforceable in any respect, such determination shall not affect the validity or enforceability of any other rule or provision, and these Rules and Regulations (the "Rules") shall be enforced as if such provision did not exist. Furthermore, in the event that any provision of the Rules is deemed by a court with jurisdiction to be ambiguous or in contradiction with any law, the Rules and any such rule or provision shall be interpreted in a manner that complies with an interpretation that is consistent with the law. In the event any Rule or part thereof conflicts with the Declaration, the Declaration control.

Owner/Resident Information
April Point South POA
Rules & Regulations

GENERAL INFORMATION

These Rules & Regulations and Restrictions ensure and enhance the quality of life for all unit owners and residents in our gated community. Your assistance and cooperation in following these Rules and Regulations will bolster the value of your property. Your cooperation is most appreciated.

Community Management

Investment Management Company (IMC) has been contracted to assist the APSPPOA Board with the management of April Point South. IMC is located at:

3500 West Davis, Suite 190
Conroe, Texas 77034
Phone: 936-756-0032
Fax: 936-756-0023
Email: sdurham1@consolidated.net

Controlled Access

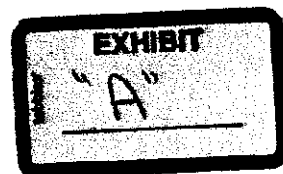
Controlled access of April Point South and courtesy patrols are provided by April Sound. Report all security related matters by calling the guard gate at 936-588-1442.

Other Emergency Contact Numbers

Fire/Emergency	911
Montgomery County Sherriff's Department	936-760-5800
Constable Precinct 1	936-539-7801
Montgomery County Animal Control Dept.	936-492-7738
National Capital Poison Center	800-222-1227
Montgomery County Fire Marshall	936-538-8288

Insurance

APSPPOA carries general liability and property insurance coverage on the buildings and common elements. This coverage does not include exterior doors, windows, screens or personal items. Each owner is responsible for his own safety and protection while in the community and is further responsible for injuries or damage that may occur inside the unit, any damages caused to their unit, as well as adjacent units through neglect or omission, and may be subject to fines.



Proof of Insurance

Unit owners are required to maintain condominium insurance (HO-6), and additional insurance (HOBCon) to cover potential property damage to neighboring units and/or the common elements. Within 30 days of purchasing a unit or renewing/purchasing a new insurance policy, owners must provide the APSPPOA's management company with a copy of the owner's proof of such insurance.

Assessments

Regular monthly assessments and special assessments are due and payable on the first day of each month and considered delinquent if not received at the bank lock box on or before the 15th of the month. If an assessment becomes delinquent, APSPPOA shall be entitled to apply a late charge each month until the account becomes current, as well as any reasonable costs incurred in collecting the delinquent assessment, including attorney's fees incurred, pursuant to APSPPOA current policy on Collection of Delinquent Assessments.

Penalties for Infractions

Generally, when an infraction occurs as determined by the APSPPOA Board or the management company, a letter will be sent to the Owner/Resident describing the violation or infraction. This letter will serve as first notice of the violation or infraction, and the Owner/Resident will typically have ten (10) days from the date of the letter to cure the violation or infraction.

If the violation is not cured within 10 days, a second letter will be sent by registered mail advising the Owner/Resident that a minimum fine of \$200 will be imposed on the owner's account each month until the violation is cured. The minimum fine for violations regarding registering new tenants is \$750 and \$50 per day until the required documents are provided.

Owner/Residents violating any Rule or Policy not specifically mentioned in these documents, but listed elsewhere in the Condominium Declaration or Bylaws are subject to the same penalties. All costs and expenses necessary to enforce compliance of the April Point South Property Owners Association Condominium Rules & Regulations, Restrictions, Declarations or Bylaws will be charged to the account of the Unit Owner.

Some violations may warrant a shorter time period to cure the violation and/or immediate action from the APSPPOA Board without giving the owner notice and an opportunity to cure. In such instances, the APSPPOA Board, in its sole discretion, may not follow the enforcement procedures above.

Architectural Control

Owners/residents must submit plans to and obtain the approval of the APSPOA Board before the Owner/Resident can initiate any exterior improvements, including but not limited to, patios, exterior doors, windows, garbage bins, flower beds and satellite dishes. Air conditioners may be replaced without prior approval; however, relocation of the unit requires advance APSPOA Board approval. Owners and residents should contact the management company to request an exterior change.

Variances

Verbal variance requests are NOT permitted. Unit owners must submit requests to the APSPOA Board via email or letter for review and approval by the APSPOA Board. No claims of variance approval by current or past APSPOA Board members will be honored unless the unit owner presents written proof of the APSPOA Board's approval.

Parking

Overnight parking on April Point Drive is strictly regulated. Each unit has been assigned two specific parking spaces. Visitor parking spaces are provided for guests. Please respect the rights of all residents by parking in your unit's designated spaces. Cars illegally parked will be towed at the owner's expense.

Golf Carts

Parking of golf carts on patios is NOT ALLOWED. Carts should be parked in your assigned parking space or stored at the Country Club. Golf carts are restricted to paved streets only in April Point South to avoid damage to sprinkler system valves and heads.

Bicycles

Please do not ride bicycles on common grass areas or on the boardwalk to avoid damage to sprinkler system valves and heads. A reasonable number of bicycles may be stored only on patios or balconies, and may not be stored under stairs, at front entrances, in bushes or on any other common element.

Boats/Jet Skis/Recreational Vehicles/Trailers/Commercial Vehicles

These vehicles are not to be parked in April Point South. April Sound Security will arrange for removal at the owner's expense. Any owner/resident, who is unclear whether a vehicle is acceptable, should contact the management company for clarification.

Signs

"For Sale," "For Lease," "For Rent" or other signs or posters are not allowed to be displayed anywhere, including windows. See Condominium Declaration, paragraph 33.

Mailbox Keys

The mailbox key should be obtained from the previous owner. If the key is lost or unavailable, contact a locksmith to install a new lock. Costs of lock removal and replacement are at the owner's expense.

Garbage Service

Garbage pickup is on Monday and Friday. All garbage must be kept neatly in the assigned trash container. Items left outside the container will not be picked up, and the owner will be fined. Heavy trash is picked up every second Saturday of the month.

Recycling Service

April Sound has two drop-off locations. One is near the April Sound POA office, and another on Marina Road near the marina and tennis courts. Contact April Sound POA for details.

Speed Limits

The speed limit on any April Point South street is 15 MPH.

General Common Elements

The general common elements are for the benefit of all owners, residents and guests; they include but are not limited to the community pools and any green space. **BE CONSIDERATE OF YOUR NEIGHBORS. CLEAN UP AFTER YOURSELVES, YOUR PETS, AND YOUR GUESTS. IT IS YOUR RESPONSIBILITY!**

Fire Safety

Battery-operated smoke detectors are recommended in the kitchen, bedroom and hallways. A small fire extinguisher located in an accessible spot is suggested.

Open Flame - Montgomery County Fire Code

Electric grills can be used on patios, porches, decks and balconies. Open flame devices **MUST BE 10 FEET AWAY FROM ANY COMBUSTIBLE CONSTRUCTION WHILE IN USE.**

WARNING! THESE RULES ARE ENFORCED. A MINIMUM FINE OF \$200 PER OCCURRENCE WILL BE IMPOSED ON ANY UNIT OWNER AND/OR GUEST WHO VIOLATES THESE RULES & REGULATIONS. PLEASE REPORT ALL VIOLATIONS TO THE MANAGEMENT COMPANY.

Owner/Resident Information
April Point South POA
Rules & Regulations

ANIMAL CONTROL

All pets must be registered with the management company PRIOR to occupying any unit, regardless of whether the unit is owned or leased. See the Association's Animal Control Form.

MONTGOMERY COUNTY REQUIRES ALL PETS TO BE ON A LEASH, AND OWNERS MUST PICK UP AND PROPERLY DISPOSE OF PET WASTE.

1. A limit of two pets is allowed. PETS THAT EXCEED 24 INCHES IN HEIGHT AND/OR 50 POUNDS IN WEIGHT ARE NOT ALLOWED.
2. Pets must be neutered or spayed.
3. Dog breeds known to be hostile are NOT allowed, including but not limited to Pit Bull, Rottweiler, German Shepherd, Alaskan Malamute, Doberman Pincher, Chow, Presa Canario, Boxer and Dalmation.
4. No resident may keep a dangerous animal, trained attack dog, or any other animal deemed by the APSPOA Board to be a potential threat to the well-being of people or other animals or otherwise being possessed of a disposition that serves as an unreasonably annoyance to other residents. For purposes of this section, a dangerous animal includes, but is not limited to, an animal which has attacked, inflicted serious injury to or killed a human being or domestic animal without provocation, or has demonstrated behavior that is indicative of the intent to attack a person or another pet without provocation. A trained attack dog is defined as a dog bred, trained or used for the purpose of attacking a target either on command or on sight.
5. NO REPTILES are allowed in any unit at any time.
6. PETS MUST BE ON A LEASH ATTACHED TO A HUMAN WHO IS CAPABLE OF CONTROLLING THE ANIMAL AT ALL TIMES WHILE OUTSIDE THE UNIT. This includes patios, porches and decks. Pets cannot be left alone at any time. Pets are not allowed in pool enclosures at any time.
7. No fences or crates of any kind are allowed on patios, porches, decks or balconies to contain or house pets. Pet doors are NOT allowed.
8. No pets can be tethered or staked anywhere on April Point South property.

9. **OWNERS AND GUESTS ARE REQUIRED TO PICK UP AND PROPERLY DISPOSE OF THEIR PETS' WASTE.**
10. Loose animals will be immediately turned over to Animal Control. It is not the responsibility of APSPOA to locate owners.
11. Pets shall be kept in a manner that does not unreasonably disturb another resident's rest or peaceful enjoyment of his Unit or the April Point South property. No pet shall be permitted to bark, howl, whine, screech, or make other loud noises for extended or repeated periods of time.
12. If a resident or his pet violates these Rules, or if a pet is determined by the APSPOA Board to constitute a threat to the safety of other residents and pets or if a pet causes or creates a nuisance, unreasonable odor, unreasonable disturbance, or unreasonable noise, the resident or person having control of the animal shall be given written notice by the APSPOA Board to correct the problem. If the problem is not corrected within the time specified in the notice (not less than 10 days), the resident, upon written notice from the APSPOA Board, may be required to remove the animal. Each resident agrees to permanently remove his violating animal from the Condominium within 10 days after receipt of a removal notice from the APSPOA Board.

For intermittent violations such as noise violations, such pet may be deemed a nuisance after the third written notice to the resident or owner from the APSPOA Board involving three (3) distinct incidents in any twelve (12) month period, and the APSPOA Board may thereafter require permanent removal of the animal.

The APSPOA Board may cause the removal of any pet which, in the APSPOA Board's sole discretion, creates a nuisance or unreasonable disturbance from the Condominium should an owner or resident refuse to do so after notice from the APSPOA Board. Notwithstanding the above, any pet which, in the APSPOA Board's sole discretion, presents an immediate danger to the health, safety, property or pet of any person may be removed immediately by the APSPOA Board without prior notice to the pet's owner and an opportunity to cure

WARNING! THESE RULES & REGULATIONS ARE ENFORCED. A MINIMUM FINE OF \$200 PER OCCURRENCE WILL BE IMPOSED ON ANY UNIT OWNER AND/OR GUEST WHO VIOLATES THESE RULES & REGULATIONS. PLEASE REPORT ALL VIOLATIONS TO THE MANAGEMENT COMPANY. IN THE CASE OF AGGRESSIVE ANIMALS, PLEASE CALL SECURITY IMMEDIATELY AND FILE A REPORT.

Owner/Resident Information
April Point South POA
Rules & Regulations

ANIMAL CONTROL FORM

All pets must be registered with the management company PRIOR to occupying any unit, whether owned or leased.

(pet photo)

OWNER'S NAME _____

ADDRESS _____

PHONE _____ CELL _____

PET NAME _____

PET DESCRIPTION _____

SEX/SPAYED/NEUTERED _____

VETERINARIAN _____

VET PHONE _____

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**Owner/Resident Information
April Point South POA
Rules & Regulations**

BOARDWALK & BULKHEAD

The Boardwalk and Bulkhead is for the **EXCLUSIVE USE** of April Point South owners, residents and their guests. Please report any abuse to the management company and April Sound Security.

1. **Watercraft – ONLY April Point South owners/residents may tie their watercraft to the bulkhead. All watercraft tied to the bulkhead must display a current registered and numbered permit issued by the management company.**
2. **Watercraft parking on the bulkhead cannot exceed 4 consecutive days.**
3. **Watercraft attached to the bulkhead without an approved permit or parked in excess of 4 consecutive days, will be towed at the owner's expense.**
4. **Permanent attachments of boat bumpers, boat equipment or ladders to the bulkhead are not allowed. Items permanently attached to the bulkhead will be considered abandoned and may be removed and disposed of by the APSPOA Board.**
5. **Nothing may be left on or along the boardwalk. When fishing, please pick up and properly dispose of your fishing line, hooks, etc.**
6. **Residents and guests who walk their pets along the boardwalk MUST HAVE PETS ON A LEASH AND PICK UP AFTER THEIR PETS**
7. **No golf carts or bicycles are allowed on the boardwalk.**

WARNING! THESE RULES & REGULATIONS ARE ENFORCED. A MINIMUM FINE OF \$200 PER OCCURRENCE WILL BE IMPOSED ON ANY UNIT OWNER AND/OR GUEST WHO VIOLATES THESE RULES & REGULATIONS. PLEASE REPORT ALL VIOLATIONS TO THE MANAGEMENT COMPANY.

Owner/Resident Information
April Point South POA
Rules & Regulations

NOISE, NUISANCES & VEHICLES

Noise and Nuisances

Owners and residents shall refrain from playing radios, televisions, stereos and other electrical or mechanical devices so it may be heard outside that unit.

Yelling, cussing or loud talking outside of that unit is prohibited.

No activity shall be conducted on the property, which in the judgment on the Board, might reasonably be considered as annoying to neighbors of ordinary sensibilities, or might be reasonably calculated to reduce the desirability of the property for quality living.

Inoperable or Non-registered Vehicles

The APSPPOA Board may, without the consent of the owner of an unauthorized vehicle, cause the vehicle to be towed at the vehicle owner's or operator's expense. Prior to towing a vehicle, the APSPPOA Board shall attach a conspicuous notice to the vehicle's front windshield stating:

(A) that the vehicle is in a parking space in which the vehicle is not authorized to be parked (and a description of all other unauthorized areas in April Point South), or that the vehicle is otherwise inoperable;

(B) that the vehicle will be towed at the expense of the owner or operator of the vehicle if it is not removed; and

(C) a telephone number that is answered 24 hours a day to enable the owner or operator of the vehicle to locate the vehicle.

After attaching the notice to the vehicle, the APSPPOA Board shall also mail a notice to the owner of the vehicle by certified mail, return receipt requested. That notice must contain the same information as the notice posted to the vehicle, plus contain a warning that the vehicle will be towed at the owner's expense if it is not removed before the 15th day after the postmark date of the notice.

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Owner/Resident Information
April Point South POA
Rules & Regulations

OCCUPANCY LIMITS FOR OWNERS & RENTED/LEASED UNITS

Occupancy Limits for Owners/Residents/Tenants

Occupancy in any unit, despite size, shall not exceed the maximum number of occupants allowed in the unit pursuant to any ordinance, code or regulation of the City of Montgomery or State of Texas, but in no case more than two persons per bedroom except as otherwise provided by any exception for familial status under any applicable fair housing law. The term "bedroom" in this case means a room that was intentionally built for use as a bedroom with four complete walls, not a room with a partial wall such as a loft. Examples: a one-bedroom unit can have two occupants; a two-bedroom unit can have 4 occupants; a three-bedroom unit can have six occupants.

Rented or Leased Units

1. PRIOR to leasing units, unit owners must provide the management company with the tenants' names, phone numbers, and copies of background checks (criminal, sex offender, and financial) on prospective tenants. A copy of the executed lease must also be provided to the Association's management company **BEFORE THE TENANT MOVES IN.** See Tenant Form. **FOR VIOLATIONS OF THE LEASING RULES, THE ASSOCIATION WILL IMPOSE AN INITIAL FINE IN THE AMOUNT OF \$750.00. THEREAFTER, ADDITIONAL FINES MAY BE LEVIED IN AMOUNTS NOT TO EXCEED \$50.00 PER DAY FOR EACH DAY THE VIOLATION REMAINS UNCURED.**
2. Owners that rent or lease their units are fully responsible for the actions of their tenants. The Rules & Regulations of APSPOA apply to tenants as well as owners. Owners are required to provide a copy of the APSPOA Rules & Regulations to tenants. Owners are required to provide a copy of the TENANT FORM to the management company, signed by the tenant **BEFORE THE TENANT MOVES IN.**
3. Unit owners (whether absentee or not) are responsible for fines and assessments accumulated by tenants and cohabitants of a unit.
4. Pets must be approved and registered with the management company **PRIOR** to occupying any unit. The APSPOA Rules & Regulations contains specific guidelines for pet owners. Violations will incur fines as stated in the Rules & Regulations.

WARNING! FOR VIOLATIONS OF THE ABOVE LEASING RULES, THE ASSOCIATION WILL IMPOSE AN INITIAL FINE IN THE AMOUNT OF \$750.00. THEREAFTER, ADDITIONAL FINES MAY BE LEVIED IN AMOUNTS NOT TO EXCEED \$50.00 PER DAY FOR EACH DAY THE VIOLATION REMAINS UNCURED.

5. Barbeque Grills - Montgomery County Fire Code and State Law

Electric grills can be used on patios, porches, decks and balconies. Grills that cook with an open flame **MUST BE 10 FEET AWAY FROM ANY COMBUSTIBLE CONSTRUCTION WHILE IN USE.**

6. Common Grounds

The common grounds are for the benefit of all owners, residents and guests.
BE CONSIDERATE OF YOUR NEIGHBORS. CLEAN UP AFTER YOURSELVES,
YOUR PETS, AND YOUR GUESTS. IT IS YOUR RESPONSIBILITY!

WARNING! THESE RULES & REGULATIONS ARE ENFORCED. A MINIMUM FINE OF \$200
PER OCCURRENCE WILL BE IMPOSED ON ANY UNIT OWNER AND/OR GUEST WHO
VIOLATES THESE RULES & REGULATIONS. PLEASE REPORT ALL VIOLATIONS TO THE
MANAGEMENT COMPANY.

April Point South POA
Rules & Regulations

OCCUPANCY LIMITS FOR OWNERS & RENTED/LEASED UNITS

TENANT'S SIGNATURE FORM

UNIT ADDRESS _____

TENANT'S NAME _____

Name other person who will occupy the unit - 1 Bedroom Unit (maximum 2 persons)

Name _____ Relationship _____ Age _____

Name other person who will occupy the unit - 2 Bedroom Unit (maximum 4 persons)

Name _____ Relationship _____ Age _____

Name _____ Relationship _____ Age _____

Name other person who will occupy the unit - 3 Bedroom Unit (maximum 6 persons)

Name _____ Relationship _____ Age _____

Name _____ Relationship _____ Age _____

The following attachments are REQUIRED:

Background Check
Sex Offender Check

Criminal Check
Copy of Signed Lease Agreement

If pets are allowed by the owner, the Animal Form is also required.

I, _____ (print name), state that I have received a copy of the April Point South POA Rules & Regulations, and I agree to abide by these Rules & Regulations.

Signature of Tenant

Date: _____

WARNING! FOR VIOLATIONS OF THESE LEASING RULES, THE ASSOCIATION WILL IMPOSE AN INITIAL FINE IN THE AMOUNT OF \$750.00. THEREAFTER, ADDITIONAL FINES MAY BE LEVIED IN AMOUNTS NOT TO EXCEED \$50.00 PER DAY FOR EACH DAY THE VIOLATION REMAINS UNCURED. PLEASE REPORT ALL VIOLATIONS TO THE MANAGEMENT COMPANY.

Owner/Resident Information
April Point South POA
Rules & Regulations

PATIOS – PORCHES – DECKS - BALCONIES

Owners and tenants are required to maintain their patios, porches, decks and balconies.

1. No gates, doors, fencing, windows, screens or ceiling fans can be added, changed or relocated within any patio, porch, deck or balcony without prior written consent of the APSPOA Board.
2. Air conditioning units CAN be replaced without prior approval from the APSPOA Board, so long as the air conditioning unit is being located in the same location as the unit it is replacing.
3. The following items may NOT be kept or stored on patios, porches, decks and balconies:
 - a. Motorized vehicles are strictly prohibited
 - b. Floats, toys, plastic pools, sports equipment (i.e.; skateboards, wakeboards, kneeboards, kayaks, paddle boards, surfboards, water skis, etc.)
 - c. Gasoline, oil, or any other combustible or flammable substance
 - d. Plastic bins, footlockers, cardboard or wooden storage boxes
 - e. Pet crates
 - f. Exercise equipment
 - g. Ladders, paint cans, renovation debris
4. Holiday and/or seasonal decorations (i.e., Christmas decorations, Easter items, etc.) may be displayed on patios, porches, balconies, decks and doors beginning no earlier than 45 days before the holiday and must be removed within 15 days after the holiday..
5. Pets (even guest pets) are NOT allowed to reside on patios or decks. Pets cannot be left unattended outside. No pet doors are allowed. See Rules & Regulations, Animal Control.
6. Screened areas (porches, balconies) cannot be added, altered or replaced without prior written consent of the APSPOA Board.
7. No items (with the exception of religious items) may be affixed to any part of the building that is commonly owned (i.e., walls, ceilings, decks, balconies) without prior consent from the APSPOA Board.
8. Religious symbols are limited to 25 square inches and can ONLY be located on the front door. See APSPOA Religious Item Display Guidelines for more details.

9. Flags cannot be erected or installed without prior approval by the APSPPOA Board. An owner must submit plans and specifications to and receive the written approval of the APSPPOA Board or architectural control/review committee. The plans and specifications must show the proposed location, material, size and type of such flag and flagpole (and all parts thereof, including any lights to illuminate a displayed flag). See APSPPOA Flag Display Guidelines for more details.
10. Wind chimes of any kind are NOT permitted.
11. A reasonable number of bicycles may be stored only on patios, decks or balconies. Bicycles may not be stored under stairs, at front entrances, in bushes, on the sides of buildings or otherwise on the common elements.
12. Barbeque Grills - Montgomery County Fire Code and State Law

Electric grills can be used on patios, porches, decks and balconies. Grills that cook with an open flame MUST BE 10 FEET AWAY FROM ANY COMBUSTIBLE CONSTRUCTION WHILE IN USE.

ANY ITEM THAT IS NOT SPECIFICALLY INTENDED FOR OUTDOOR USE ON A PATIO, BALCONY, PORCH OR DECK IS PROHIBITED. THE APSPPOA BOARD RESERVES THE RIGHT TO DISALLOW ANY EXCESSIVE OR INAPPROPRIATE ITEMS.

WARNING! THESE RULES ARE ENFORCED. A MINIMUM FINE OF \$200 PER OCCURRENCE WILL BE IMPOSED ON ANY UNIT OWNER AND/OR GUEST WHO VIOLATES THESE RULES. PLEASE REPORT ALL VIOLATIONS TO THE MANAGEMENT COMPANY.

Owner/Resident Information
April Point South POA
Rules & Regulations

RESTRICTIONS

In addition to the Rules & Regulations, the APSPOA Board enforces the following Restrictions, as stated in the Condominium Declaration, paragraph 33, for all sections:

1. Each apartment shall be used and occupied for residential purposes only and for no other purpose or purposes.
2. No apartment shall be altered, remodeled, subdivided or converted into more than one dwelling unit.
3. No trash, garbage or debris shall be placed on any part of the common elements, except in the receptacles or areas designated for disposal of same.
4. No signs or posters of any kind shall be placed on any part of common elements, or displayed for public view, except as may be authorized by the Board or Council.
5. No unlawful, immoral, noxious or offensive activities shall be carried out on or permitted in any apartment or elsewhere on the project property, nor shall anything be done therein or thereon which shall constitute a nuisance or cause unreasonable noise or disturbance to others.
6. No motor home, mobile home, board or boat trailer, or trailer of any description shall be placed in any parking space at any time.

WARNING! THESE RULES ARE ENFORCED. A MINIMUM FINE OF \$200 PER OCCURRENCE WILL BE IMPOSED ON ANY UNIT OWNER AND/OR GUEST WHO VIOLATES THESE RULES. PLEASE REPORT ALL VIOLATIONS TO THE MANAGEMENT COMPANY.

Owner/Resident Information
April Point South POA
Rules & Regulations

SATELLITE DISH & CABLE SERVICES

Cable Services – Cables MUST BE BURIED A MINIMUM OF 4 INCHES AT THE TIME OF INSTALLATION. EXPOSED CABLES ON COMMON GROUND WILL BE CUT.

Satellite Dishes – Owners must obtain approval from the APSPOA Board through the management company PRIOR TO INSTALLING A SATELLITE DISH ON THE ASSOCIATION'S COMMON ELEMENTS.

The location in which to install satellite dishes on our buildings is within the air conditioner cages of each building. If no air conditioner cage exists, or if such location will not provide sufficient reception, the dishes may be attached to the edge of the building at the peak of the eaves. See the Association's Satellite Mounting Location Form.

Dishes that are mounted by drilling into the roof jeopardize the integrity of the roof and lead to roof leaks, resulting in sheet rock damage. This generates costs in roof repairs and interior repairs.

1. If dishes are improperly mounted, or installed without prior APSPOA Board approval, the APSPOA Board will immediately remove them and fill any holes that were made in the roofs, trim or walls AT THE UNIT OWNER'S EXPENSE.
2. If a dish is found to have caused further damage, the damages will be repaired by the APSPOA AT THE UNIT OWNER'S EXPENSE.
3. Improperly located dishes will be left at the front door of the units to which they were connected.
4. Each building is restricted to TWO satellite dishes. DISH Network and Direct TV can both feed multiple customers from one dish.

WARNING! THESE RULES & REGULATIONS ARE ENFORCED. A MINIMUM FINE OF \$200 PER OCCURRENCE WILL BE IMPOSED ON ANY UNIT OWNER AND/OR GUEST WHO VIOLATES THESE RULES & REGULATIONS. PLEASE REPORT ALL VIOLATIONS TO THE MANAGEMENT COMPANY.

**Owner/Resident Information
April Point South POA
Rules & Regulations**

SATELLITE DISH MOUNTING LOCATION FORM

The primary choice location is either inside or on the outside of the air conditioning cages. If your roof does not have an air conditioning cage, then an eve mounting location is the ONLY other choice. This mounting location at the peak of the eve is the secondary choice location.

All wires must be secured to the siding or trim boards and must be run the shortest possible distance over the roof and on the outside of the building. Once the wire meets the ground level, it must be buried **AT LEAST FOUR INCHES BELOW GRADE LEVEL** at the time of installation.

All installations and wiring must meet current electrical and safety codes.

Installation Address: _____

Management Co. Approved/Date: _____

Satellite company installer signature: _____

Phone number: _____

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Owner/Resident Information
April Point South POA
Rules & Regulations

SWIMMING POOLS

The two APS pools are for the pleasure and enjoyment of APS owners, their tenants and guests only. Residents must accompany and supervise all guests while using the pool area. A special key is required for entrance to the pools and restrooms.

1. A key can be obtained from the management company.
2. Owners with any outstanding maintenance fees, assessments, fines and/or late fees will be required to relinquish their pool key immediately. It will be re-issued when the owner's account is current or the owner otherwise enters into a payment plan with the Association.
3. No resident is allowed to "loan" a key to anyone or unlock the gate for unauthorized users.
4. No resident or guest is allowed to adjust or tamper with any pool equipment. Please report any pool problems to the maintenance company.
5. No pets are allowed in the pool area under any circumstances. See APSPOA Rules & Regulations, Animal Control.
6. No glass, alcohol or food is allowed inside the fenced pool area.
7. For safety purposes an adult must be present with anyone under the age of 14 years old inside the fenced pool area.
8. Pools are open year round, unless a notice stating otherwise is posted.
9. Please be courteous to the neighbors surrounding the pool areas. No excessive noise will be tolerated.
10. There is NO LIFEGUARD ON DUTY. All persons swim at their own risk.

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Owner/Resident Information
April Point South POA
Rules & Regulations

UNIT INTERIOR IMPROVEMENTS AND MAINTENANCE

As stated in Restrictions, paragraph 2, no apartment shall be altered, remodeled, subdivided or converted into more than one dwelling.

An owner may make improvements or alterations to the owner's unit which do not impact the structural integrity, mechanical systems or lessen the support of the condominium. No unit shall be subdivided or combined with any other unit without prior approval of the Board.

Upstairs units must request approval from the Board before removing, replacing or installing any type of flooring material. Approved soundproof material will be required to minimize noise in lower units.

An owner whose lack of maintenance or improper maintenance/repairs causes damage to the Common Elements or neighboring units will be assessed the cost of such damage or repairs, and may be subject to fines.


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Owner/Resident Information
April Point South POA
Rules & Regulations

SEVERABILITY AND LEGAL INTERPRETATION

In the event that any rule or part of any rule contained herein shall be determined by a court with jurisdiction to be invalid or unenforceable in any respect, such determination shall not affect the validity or enforceability of any other rule or provision, and these Rules and Regulations (the "Rules") shall be enforced as if such provision did not exist. Furthermore, in the event that any provision of the Rules is deemed by a court with jurisdiction to be ambiguous or in contradiction with any law, the Rules and any such rule or provision shall be interpreted in a manner that complies with an interpretation that is consistent with the law. In the event any Rule or part thereof conflicts with the Declaration, the Declaration control.

E-FILED FOR RECORD
10/12/2012 1:39PM



COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF MONTGOMERY
I hereby certify this instrument was e-FILED in
file number sequence on the date and at the time
stamped herein by me and was duly e-RECORDED in
the Official Public Records of Montgomery County, Texas.

10/12/2012



County Clerk
Montgomery County, Texas

April 24 So.
1st District
1st Supplement

10/12/2012