

Each Board is authorized by its respective dedicatory instruments to adopt policies pertaining to the governance of the Association that it serves. Invalidation of any one or more of the covenants, restrictions, conditions, or provisions contained in this Policy shall in no way affect any of the other covenants, restrictions, conditions, or provisions which shall remain in full force and effect.

III. SECURITY MEASURES

1. **ARC Application Required.** Before any security measure contemplated by Section 202.023(a) of the Texas Property Code (“**Code**”) is constructed or otherwise erected on a Lot, an ARC application, except security cameras and motion detectors, must be submitted to the Association and approved in writing in accordance with the Covenant or the Declaration, as applicable. The following information must be included with the application:

- a. Type of security measure.
- b. Location of proposed security measure.
- c. General purpose of proposed security measure; and
- d. Proposed construction plans and/or site plan.

2. **Type of Fencing.** The Code authorizes the Association to regulate the type of security measure fencing that an Owner may install on a Lot.

- a. The following types of security measure fencing are approvable:
 - i. Steel flat top metal fencing measuring six feet (6’) in height. Fence must be painted black. Decorative embellishments are prohibited.
 - ii. Pickets shall be 3/4", 4" on center with 1-1/4" top and bottom rails.
 - iii. Any driveway or pedestrian gates installed must swing in and equipment must be kept screened from view with evergreen shrubs.
 - iv. When a metal picket fence meets a wood fence, the metal fence may not be attached to the wood fence. The metal fence is to be terminated with a three-inch (3") post adjacent to the wood post.
 - v. Placement of fencing must comply with City of Missouri City and Fort Bend County regulations.

The ARC shall have the discretion to determine any additional types of approvable security measure fencing that are in addition to the types listed in this Policy.

- b. If the proposed security measure fencing is located on one or more shared Lot lines with adjacent Lot(s) (“Affected Lots”), all Owners of record of the Affected Lots must sign the ARC application evidencing their consent to the security measure fencing before the requesting Owner (“Requesting Owner”) submits the ARC application to the ARC. In the event that the Affected Lot Owner(s) refuse to sign the ARC application as required by this section, the Affected Lot Owner(s) and Requesting Owner hereby acknowledge and agree that the Association shall have no obligation to participate in the resolution of any resulting dispute in accordance with this Policy.

3. **Location.** A security measure may be installed only on an Owner’s Lot, and may not be located on, nor encroach on, another Lot, street right-of-way, Association Common Area, or any other

property owned or maintained by the Association. No fence shall be installed in any manner that would prevent someone from accessing property that they have a right to use/access.

4. Disputes; Disclaimer; Indemnity. Security measures, including but not limited to, security cameras and security lights, shall not be permitted to be installed in a manner that the security measure is aimed/directed at an adjacent property which would result in an invasion of privacy, or cause a nuisance to a neighboring Owner or Occupant. In the event of a dispute between Owners or Occupants regarding security measure fencing, or a dispute between Owners or Occupants regarding the aim or direction of a security camera or security light, the Association shall have no obligation to participate in the resolution of the dispute. The dispute shall be resolved solely by and between the Owners or Occupants.

EACH OWNER AND OCCUPANT OF A LOT WITHIN SIENNA, AS APPLICABLE, ACKNOWLEDGES AND UNDERSTANDS THAT THE ASSOCIATIONS, INCLUDING THEIR RESPECTIVE ARC, DIRECTORS, OFFICERS, MANAGERS, AGENTS, AND EMPLOYEES, ARE NOT INSURERS AND THAT EACH OWNER AND OCCUPANT OF ANY DWELLING AND/OR LOT THAT HAS A SECURITY MEASURE THAT HAS BEEN OR WILL BE INSTALLED PURSUANT TO THIS POLICY ASSUMES ALL RISKS FOR LOSS OR DAMAGE TO PERSONS, TO DWELLINGS AND IMPROVEMENTS AND TO THE CONTENTS OF DWELLINGS AND IMPROVEMENTS, AND FURTHER ACKNOWLEDGES THAT THE ASSOCIATIONS, INCLUDING THEIR RESPECTIVE ARC, DIRECTORS, OFFICERS, MANAGERS, AGENTS, OR EMPLOYEES, HAVE MADE NO REPRESENTATIONS OR WARRANTIES NOR HAS ANY OWNER OR OCCUPANT RELIED UPON ANY REPRESENTATIONS OR WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE, RELATIVE TO ANY SECURITY MEASURE THAT MAY BE APPROVED BY THE ARC PURSUANT TO THIS POLICY.

OWNERS OF LOTS WITHIN SIENNA HEREBY AGREE TO INDEMNIFY, PROTECT, HOLD HARMLESS, AND DEFEND (ON DEMAND) THE ASSOCIATIONS, INCLUDING THEIR RESPECTIVE DIRECTORS, OFFICERS, MANAGERS, AGENTS, EMPLOYEES AND COMMITTEE MEMBERS COMPRISING THE ARC (COLLECTIVELY REFERRED TO AS THE “INDEMNIFIED PARTIES”) FROM AND AGAINST ALL CLAIMS (INCLUDING WITHOUT LIMITATION CLAIMS BROUGHT BY AN OWNER OR OCCUPANT) IF SUCH CLAIMS ARISE OUT OF OR RELATE TO A SECURITY MEASURE GOVERNED BY THIS POLICY. THIS COVENANT TO INDEMNIFY, HOLD HARMLESS, AND DEFEND INCLUDES (WITHOUT LIMITATION) CLAIMS CAUSED, OR ALLEGED TO BE CAUSED, IN WHOLE OR IN PART BY THE INDEMNIFIED PARTIES’ OWN NEGLIGENCE, REGARDLESS OF WHETHER SUCH NEGLIGENCE IS THE SOLE, JOINT, COMPARATIVE OR CONTRIBUTORY CAUSE OF ANY CLAIM.

The provisions of this Policy are in addition to any other applicable guidelines, rules or policies. In the event of a conflict between the terms of this Policy and any previously adopted guidelines, rules, and/or policies addressing security measures, this Policy will control.

The installation of a security measure that is not in compliance with this Policy will be considered a violation of the dedicatory instruments governing Sienna.

Policy Name	Approved/Finalized	Revised
Security Measures Policy	July 26 & 28, 2021	

[SIGNATURE PAGES FOLLOW]

CERTIFICATION

I hereby certify that, as Secretary of the Sienna Plantation Residential Association, Inc., the foregoing Security Measures Policy was approved on the 26th day of July, 2021, at a meeting of the Board of Directors at which a quorum was present.

DATED, this the 26th day of July, 2021.

By: [Signature]
Print Name: Derek Goff
Title: Secretary

STATE OF TEXAS §
§
COUNTY OF FORT BEND §

BEFORE ME, on this day personally appeared Derek Goff, the Secretary of the Sienna Plantation Residential Association, Inc., known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that she executed the same for the purposes herein expressed, in the capacity herein stated, and as the act and deed of said corporation.

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

[Signature]
Notary Public – State of Texas

After Recording, Return To:
Dana Ippoliti
Sienna Plantation Residential Association, Inc.
9600 Scanlan Trace
Missouri City, TX 77459

