

**FIRST SUPPLEMENT TO THE ARCHITECTURAL RULES & REGULATIONS OF
HERITAGE GRAND HOMEOWNERS ASSOCIATION**

Article 1. Architectural Rules & Regulations. Part C. Buildings / Facilities Rules. Section 5. Roof Replacement, is supplemented to add the following section:

Subsection 3. Homeowner-requested Roof Penetrations

1. All roof penetration requests (regardless of stand-alone or duplex housing type) require written ARC approval.
2. Since roof and roof leak damage at the Americanas duplexes is collectively paid for by all Americanas owners, additional requirements for those homes follows:
 - i. A minimum three (3) -year "leak free" warranty shall be obtained from the installer and delivered to the Association for retaining in the specific housing files.
 - ii. A notarized waiver shall be signed and maintained in the Association's housing files stating (1) that the resident accepts liability for future leaks from that(those) specific roof penetration(s) for a five (5) year period and (2) that necessary repairs during that period will be made by HG but the resident billed for the repair work.
 - iii. Homeowner-requested roof penetrations are limited to a maximum of three (3).
 - iv. Each homeowner-requested roof penetration is limited to no larger than twenty-four inches (24") in diameter or less.

At the completion of the five-year period referenced in item ii above, complete roof leak responsibility reverts to the HOA. The homeowner, however, perpetually retains responsibility for (1) the weather-sealing capability of the specific homeowner-chosen element (the solar tube head, etc.) located on their roof, and (2) financial liability for this element's physical replacement when necessary.

All Americanas duplex roofing work will be performed by the Association.



Laura Richard
Laura Richard, County Clerk
Fort Bend County Texas
Pages: 8 Fee: \$ 41.00

**AFFIDAVIT IN COMPLIANCE WITH SECTION 202.006
OF THE TEXAS PROPERTY CODE**

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

BEFORE ME, the undersigned authority, on this day personally appeared Catherine A. Zarate, who, being by me duly sworn according to law, stated the following under oath:

“My name is Catherine A. Zarate. I am over twenty-one (21) years of age and fully competent to make this affidavit. I have personal knowledge of all facts stated herein, and they are all true and correct.

I am the attorney for Heritage Grand Homeowners Association, Inc., a Texas non-profit corporation (the “Association”) and I have been authorized by the Association’s Board of Directors to sign this Affidavit.

The Association is a “property owners’ association” as defined in Section 202.001(2) of the Texas Property Code.

Attached hereto are the originals of, or true and correct copies of, the following dedicatory instruments, including known amendments or supplements thereto, governing the Association, which instruments have not previously been recorded: 1.) **First Amendment to the Amended and Restated By-Laws of Heritage Grand Homeowners Association, Inc. (Recorded on July 19, 2018, under County Clerk’s File No. 2018080521);** and 2.) **First Supplement to the Architectural Rules & Regulations of Heritage Grand Homeowners Association.**

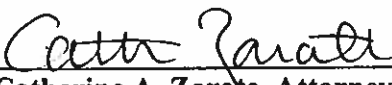
Dedicatory instruments of the Association that have already been filed in the Real Property Records are as follows:

- 1) Heritage Grand, a subdivision in Fort Bend County, Texas, according to the map or plat thereof, described in and recorded under Fort Bend County Clerk’s File Nos. 2002110671, 2002130629, 2003168462 and any and all Supplemental Declarations and Amendments, and Slide No. 2004-0217/2004-143041 of the Map Records of Fort Bend County, Texas, and all amendments to or replats of said maps or plats, if any.
- 2) Declaration of Covenants, Conditions and Restrictions for Heritage Grand filed October 10, 2002, under County Clerk’s File No. 2002110671 in the Official Public Records of Fort Bend County, Texas

- 3) Supplemental Declaration of Covenants Conditions, & Restrictions for Heritage Grand filed under County Clerk's File No. 2003168462 in the Official Public Records of Fort Bend County, Texas.
- 4) Supplemental Declaration of Covenants, Conditions, & Restrictions for Heritage Grand filed under County Clerk's File No. 2003169980 in the Official Public Records of Fort Bend County, Texas.
- 5) Supplemental Declaration of Covenants, Conditions, & Restrictions for Heritage Grand (Amendment) filed under County Clerk's File No. 2004150955 in the Official Public Records of Fort Bend County, Texas.
- 6) Supplemental Declaration of Covenants, Conditions, & Restrictions for Heritage Grand - Sections 10, 14, and 24 filed under County Clerk's File No. 2004026177 in the Official Public Records of Fort Bend County, Texas.
- 7) Supplemental Declaration of Covenants, Conditions, & Restrictions for Heritage Grand - Sections 10, 14, 24 filed under County Clerk's File No. 2004062994 in the Official Public Records of Fort Bend County, Texas.
- 8) Supplemental Declaration of Covenants, Conditions, & Restrictions for Heritage Grand - Sections 14 and 24 filed under County Clerk's File No. 2004094385 in the Official Public Records of Fort Bend County, Texas.
- 9) Supplemental Declaration of Covenants, Conditions, & Restrictions for Heritage Grand - Balance of Section 27 filed under County Clerk's File No. 2005138585 in the Official Public Records of Fort Bend County, Texas.
- 10) Supplemental Declaration of Covenants, Conditions, & Restrictions for Heritage Grand - Section 30 filed under County Clerk's File No. 2007120245 in the Official Public Records of Fort Bend County, Texas.
- 11) Additional Dedicatory Instrument for Heritage Grand Homeowners Association, Inc. - recorded document: Amended and Restated By-Laws of Heritage Grand Homeowners Association, Inc. filed June 16, 2011, under County Clerk's File No. 2011057142 in the Official Public Records of Fort Bend County, Texas.
- 12) Heritage Grand Homeowners Association, Inc. Resolution and Guidelines Regarding Regulation of Certain Roofing Materials, Policy Regarding Records Retention, Inspection & Production, Resolution and Guidelines Regarding Regulation of Flag Display, Resolution and Guidelines Regarding Regulation of Composting Devices, Rain Barrels, Harvesting Devices, and Irrigation Systems, Regulation and Guidelines Regarding Solar Energy Devices, Resolution and Guidelines Regarding Regulation of Display of Certain Religious Items, and Policy Regarding Alternative Payment Schedules recorded October 21, 2011, under County Clerk's File No. 2011105391 in the Official Public Records of Fort Bend County, Texas.
- 13) Clubhouse and Common Area Rules and Regulations of Heritage Grand Homeowners Association, Inc. recorded November 14, 2011, under County Clerk's File No. 2011114387 in the Official Public Records of Fort Bend County, Texas.

- 14) Architectural Review Committee (ARC) Rules and Regulations of Heritage Grand Homeowners Association, Inc. recorded November 14, 2011, under County Clerk's File No. 2011114388 in the Official Public Records of Fort Bend County, Texas.
- 15) Additional Dedicatory Instrument for Heritage Grand Homeowners Association, Inc. - recorded document: General Guidelines Regarding Items Covered by Association Assessments for Heritage Grand Homeowners Association, Inc. filed December 1, 2011, under County Clerk's File No. 2011120018 in the Official Public Records of Fort Bend County, Texas.
- 16) Additional Dedicatory Instrument for Heritage Grand Homeowners Association, Inc. - recorded document: Association Rules and Regulations of Heritage Grand Homeowners Association, Inc. filed December 29, 2011 under County Clerk's File No. 2011130434 in the Official Public Records of Fort Bend County, Texas.
- 17) Additional Dedicatory Instrument for Heritage Grand Homeowners Association, Inc. - recorded document: Amended and Restated By-Laws of Heritage Grand Homeowners Association, Inc. filed November 14, 2013 under County Clerk's File No. 2013143741 in the Official Public Records of Fort Bend County, Texas.
- 18) Amended and Restated By-Laws of Heritage Grand Homeowners Association, Inc. filed March 13, 2018, under County Clerk's File No. 2018026262 Official Public Records of Fort Bend County, Texas.
- 19) Affidavit in Compliance with Section 202.006 of the Texas Property Code – recorded document: Amended and Restated By-Laws of Heritage Grand Homeowners Association, Inc. filed July 19, 2018 under County Clerk's File No. 2018080521 in the Official Public Records of Fort Bend County, Texas.
- 20) Affidavit in Compliance with Section 202.006 of the Texas Property Code – recorded documents: Architectural Rules & Regulations of Heritage Grand Homeowners Association (replaces and supersedes the ARC Rules and Regulations recorded November 14, 2011, under County Clerk's File No. 2011114388 in the Official Public Records of Fort Bend County, Texas) and Heritage Grand Architectural Policies filed June 26, 2019 under County Clerk's File No. 2019068390 in the Official Public Records of Fort Bend County, Texas

SIGNED on this the 20th day of February 2020.


Catherine A. Zarate, Attorney and Agent for
Heritage Grand Homeowners Association, Inc.

VERIFICATION

THE STATE OF TEXAS §
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COUNTY OF FORT BEND §

BEFORE ME, the undersigned authority, on this day personally appeared Catherine A. Zarate, who, after being duly sworn stated under oath that she has read the above and foregoing Affidavit and that every factual statement contained therein is within her personal knowledge and is true and correct.

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public, on this the 20th day of February 2020.



Jena Rohleder

Notary Public – State of Texas

AFTER RECORDING, RETURN TO:

ESG | SEARS
BENNETT
& GERDES, LLP

6548 GREATWOOD PKWY.
SUGAR LAND, TEXAS 77479