

AFTER RECORDING RETURN TO:  
Berkshire Hathaway HomeServices Caliber Realty  
700 University Drive E. STE 108  
College Station, Texas 77845  
hoa@bhhs caliber.com

**KING OAKS**  
**PROPERTY OWNERS ASSOCIATION, INC. REAR**  
**BUILDING SETBACK POLICY**

The undersigned hereby certifies that he/she is the duly elected, qualified and acting Secretary of the King Oaks Property Owners Association, Inc., a Texas non-profit corporation (the "Association"), and that attached hereto as Exhibit "A" and made a part hereof is a true and correct copy of the Association's Rear Building Setback Policy, duly approved and adopted by the Board of Directors of the Association at an open board meeting held on the 20<sup>th</sup> day of July, 2020.

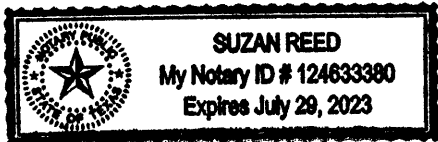
ADOPTED:

© 2020 BHH Affiliates, LLC. An independently owned and operated franchisee of BHH Affiliates, LLC

By: [Signature]  
Printed Name: G.J. Wilson  
Title: President King Oaks HOA

THE STATE OF TEXAS  
COUNTY OF Grimes.

This instrument was acknowledged before me on this 24 day of June, 2020, by Suzan Reed, HOA Manager of © 2020 BHH Affiliates, LLC. An independently owned and operated franchisee of BHH Affiliates, LLC, on behalf of said company.



[Signature]  
Notary Public State of Texas

Cross reference to that certain Declaration of Covenants, Conditions and Restrictions for King Oaks, recorded under Document No. 00212660, Official Public Records of Grimes County, Texas, as amended and supplemented.

**KING OAKS PROPERTY OWNERS ASSOCIATION, INC.**  
**REAR BUILDING SETBACK POLICY**

King Oaks is a community (the "**Community**") created by and subject to the Declaration of Covenants, Conditions and Restrictions for King Oaks, recorded under Document No. 00212660 in the Official Public Records of Grimes County, Texas, as amended and supplemented (collectively, the "**Declaration**"). The operation of the Community is vested in the King Oaks Property Owners Association, Inc., a Texas non-profit corporation (the "**Association**"), acting through its board of directors (the "**Board**"). The Association is charged with three primary responsibilities including (1) the management, maintenance and operation and control of the Area of Common Responsibility and all improvements thereto; (2) the enforcement of reasonable rules regulating the use of the Properties and (3) the architectural standards and controls set forth in the covenants, conditions and restrictions of the Declaration and the Design Guidelines, as adopted and amended from time to time (collectively, the "**Governing Documents**"). The Association's responsibility includes acting as the Architecture Review Board (ARB) and reviewing proposed construction plans for compliance with the Declaration.

The Governing Documents set forth minimum building setbacks for the front, rear and sides of property within King Oaks. These setbacks are generally greater than those required in Grimes County in order to maintain the spacious feel and open space in and around adjoining homes sites. The outer perimeter of the subdivision abuts ranch, farm and pasture land and is not adjacent to a platted subdivision. Since the rear of these perimeter properties are not adjacent other King Oaks home sites, the additional rear setback described in the Declarations does not serve its intended purpose. Therefore the Board is establishing this policy whereby the rear building setback for lots that immediately abut property not within the platted territory of King Oaks Subdivision shall comply with Grimes County rear building setback requirements, plus any public or private easements in excess of that County setback requirement.

The Board hereby adopts this Rear Building Setback Policy to clarify and easily communicate the Association's policy with regard to the required building setback for properties in which the rear property line does not abut another platted lot within the King Oaks Subdivision. Terms used in this policy, but not defined, shall have the meaning subscribed to such term in the Governing Documents.

### SECTION 1. GRIMES COUNTY RIGHTS

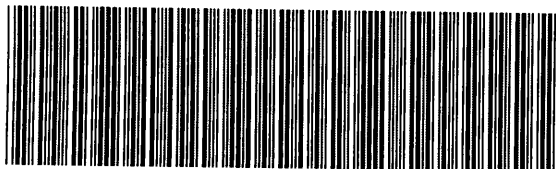
- 1-A. Grimes County Rights. Grimes County has the right to establish and has established building setback requirements for buildings constructed within the County.

### SECTION 2. ASSOCIATION'S RIGHTS

- 2-A. Association's Rights. The Board of the Association has the responsibility to manage administration of the architectural controls set forth in the Governing Documents. This includes interpreting design and layout application for circumstances not specifically spelled out in those Governing Documents.

### SECTION 3. GENERAL PROVISIONS

- 3-A. Independent Judgment. Notwithstanding the contents of this detailed policy, the officers, directors, manager, and attorney of the Association may exercise their independent, collective, and respective judgment in applying this policy.
- 3-B. Other Rights. This policy is in addition to and does not detract from the rights of the Association under the Governing Documents and the laws of the State of Texas.
- 3-C. Limitations of Interest. The Association, and its officers, directors, managers, and attorneys, intend to conform strictly to the applicable usury laws of the State of Texas.
- 3-D. Amendment of Policy. This policy may be amended from time to time by the Board.



\*VG-1695-2020-308740\*

**Grimes County  
Vanessa Burzynski  
Grimes County Clerk**

**Instrument Number: 308740**

Real Property Recordings

Recorded On: June 24, 2020 01:31 PM

Number of Pages: 4

**" Examined and Charged as Follows: "**

Total Recording: \$34.00

**\*\*\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\***

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

**File Information:**

Document Number: 308740  
Receipt Number: 20200624000070  
Recorded Date/Time: June 24, 2020 01:31 PM  
User: Mary H  
Station: Clerk03

**Record and Return To:**

BERKSHIRE HATHAWAY HOMESERVICES CALIBER REALTY  
700 UNIVERSITY DR. E. STE 108  
COLLEGE STATION TX 77845



**STATE OF TEXAS  
Grimes County**

**I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of Grimes County, Texas**

Vanessa Burzynski  
Grimes County Clerk  
Grimes County, TX

*Vanessa Burzynski*