



**SWIMMING POOL ENCLOSURE POLICY**

**For**

**HIDEAWAY ON THE GULF PROPERTY OWNERS ASSOCIATION**

THE STATE OF TEXAS           §  
  §    **KNOW ALL PERSONS BY THESE PRESENTS:**  
COUNTY OF BRAZORIA       §

**WHEREAS** HIDE-A-WAY ON THE GULF PROPERTY OWNERS’ ASSOCIATION, INCORPORATED, (the “Association”) is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declarations for the various sections of the community (collectively referred to as the “Declarations”).

**WHEREAS** Section 202.022 of the Texas Property Code was amended by the 87<sup>th</sup> Texas Legislature and allows property owners associations to adopt reasonable guidelines to address swimming pool enclosures within the community.

**WHEREAS** the Board of Directors of the Association (“Board”) desires to establish a policy for Swimming Pool Enclosures consistent with Section 202.022 of the Texas Property Code, and to provide clear and definitive guidance to homeowners and the Association Board of Directors.

**NOW THEREFORE, BE IT RESOLVED THAT:**

The following **POLICY REGARDING SWIMMING POOL ENCLOSURES** is hereby adopted:

**Purpose and Intent:**           This document sets forth minimum standards for Hide-A-Way on the Gulf Property Owners Association regarding the approved process for installation of swimming pool enclosures on a homeowner’s private property within the community.

**Authority:**                    The Board of Directors, pursuant to.  
  • Texas Property Code, Section 202.022.

hereafter known as the “Governing Documents” of the Association, has the authority to adopt and publish rules and regulations governing swimming pool enclosures within the community.

**Policy Conflict:** This Swimming Pool Enclosure policy shall automatically subordinate to any City, County, State or Federal rules and regulations regarding the competitive bid process within the community where and when this policy is in direct conflict with those rules and regulations.

**Applicability:** The parameters contained within this Swimming Pool Enclosure policy shall apply to all Members of the Association. Members of the Association is as defined by the Hide-A-Way on the Gulf Property Owners Association governing documents.

**Swimming Pool Enclosure Defined:** Swimming Pool Enclosure shall be defined to mean any enclosure, fence, or barrier that.

- Surrounds a water feature, including but not limited to a swimming pool or spa (hot tub).
- Consists of transparent mesh or clear panels set in a metal frame.
- Is not more than six (6) feet in height, and.
- Is designed in such a manner that a person cannot climb or “scale” the enclosure.

**Compliance:** All installed Swimming Pool Enclosures must conform / comply with applicable State and Local safety requirements.

All Swimming Pool Enclosures installed within Hide-A-Way on the Gulf neighborhood must surround the relevant water feature.

All Swimming Pool Enclosures installed within ide-A-Way on the Gulf neighborhood must have a lockable, self-closing, self-latching gate at least forty-eight” (4’-0”) in height.

**Approved Materials and Colors:** All Swimming Pool Enclosures must consist of black, transparent mesh set in black metal frames, or clear (translucent) panels set in black metal frames. No other colors shall be considered.

Alternate materials and styles of Swimming Pool Enclosures may be considered on a case-by-case basis if in harmony with surrounding structures and compatible with the architectural design and appearance of the Community (subdivision).

**Maintenance:** All Swimming Pool Enclosures, and all Swimming Pool Enclosure components, shall be maintained in a state of good repair. Any Swimming Pool Enclosure, and/or any component of any Swimming Pool Enclosure, that deteriorates, becomes rusted, discolored, and/or unsafe, shall immediately be replaced and/or repaired.

**Application:** Prior approval, in writing from the Architectural Control Committee, is required before a homeowner may install a Swimming Pool Enclosure upon their property. Failure to comply will be considered a deed restriction violation and may subject the individual homeowner to fines.

**Grandfather Clause:** Due to an amended property code by the 87<sup>th</sup> Texas Legislature, no prior Swimming Pool Enclosure shall be considered approved. Homeowner's must submit an application to the Association Architectural Control Committee and receive written approval to maintain compliance with this policy.

Approved and adopted this 28<sup>th</sup> day of December, 2023, by the Board of Directors of HIDE-A-WAY ON HTE GULF PROPERTY OWNERS' ASSOCIATION, INCORPORATED.

HIDE-A-WAY ON HTE GULF PROPERTY OWNERS' ASSOCIATION, INCORPORATED

Lynda Beth Hudgins  
Signature of President

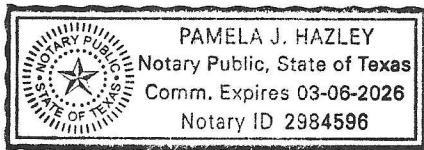
Print Name: Lynda Beth Hudgins

THE STATE OF TEXAS §

COUNTY OF BRAZORIA §

THIS INSTRUMENT was acknowledged before me on this the 28<sup>th</sup> day of December 2023, by Lynda Beth Hudgins.

Pamela J. Hazley  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS



# FILED and RECORDED

Instrument Number: 2023057601

Filing and Recording Date: 12/29/2023 02:10:12 PM Pages: 5 Recording Fee: \$38.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Brazoria County, Texas.



A handwritten signature in black ink that reads "Joyce Hudman".

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Joyce Hudman, County Clerk  
Brazoria County, Texas

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cclerk-lissete