





**Lake Olympia Civic Association  
Additional Builder Guidelines (October 2007)**

**General Overview**

- a. Lake Olympia is an exclusive private residential community in Missouri City. As a result, the construction regulations at Lake Olympia are more stringent than those typical of developments in this region.
- b. Construction access will be limited to designated and identified construction personnel.
- c. Because there are no established time limits for lot owners to begin new home construction in Lake Olympia, the new home construction period will occur on some in-fill lots after adjacent homes have been completed and occupied. Therefore, nuisances inherent to any construction process must be kept to a minimum, while allowing for the reasonable construction and completion of residential improvements.
- d. These construction rules are designed to protect the current residents and will be enforced during the construction period of all residential improvements at Lake Olympia. Compliance with these regulations requires a sincere effort to be familiar with the rules and continued diligence in abiding by them.
- e. The Contractor shall, in any event, complete all construction of improvements to the homesite within 18 months after commencing construction, except when such completion is impossible or would result in hardship to the Owner due to labor strikes, fires, national emergencies or natural calamities.

**Construction Activity Zone**

- a. The Construction Activity Zone is the area in which all activities related to building a home must occur. No construction activity may take place outside of this area at any time.
- b. The Contractor is responsible for requiring construction personnel to refrain from parking, eating or depositing rubbish or scrap materials (including concrete washout) on any neighboring homesite, lot, or anywhere outside of the Construction Activity Zone.
- c. Any trees or branches removed during construction must be promptly cleaned up and removed from the construction site.

## **Tree Protection**

- a. Strict compliance is required on all provisions for preservation of trees as detailed in the governing documents for Lake Olympia and the various neighborhood sections. **Please note that certain sections have additional requirements related to tree protection.**
- b. Trees and other significant natural features to be saved must be protected at all times by four-foot high vinyl vegetation protection fencing placed along the drip lines of each tree. In the alternative, vinyl fencing may be placed so as to protect an entire area of the lot where trees are to be saved.
- c. If tree roots are encountered during excavation, they should either be covered immediately with burlap or kept moist until the soil can be replaced or the smaller roots should be trimmed and the ends coated with a substance that reduces the uptake of pathogens through the roots.

## **Vehicular Parking/Construction Trailers**

Construction crews may not park on, or otherwise use, undeveloped portions of homesites or open space. All vehicles should be parked within the Construction Activity Zone. During busy construction periods involving multiple trades, where all construction vehicles cannot be confined to the Construction Activity Zone, the overflow vehicles may be temporarily parked along the edge of the roadway. Vehicles may park along one side only to allow continual unconstrained access by normal traffic and emergency vehicles, such as fire trucks. Vehicles may not park on neighboring homesites, in nearby driveways, open space, or along any street frontage bordering occupied residential properties.

No fishing, trespassing in wetlands, dumping or any other use of the lakes is permitted at any time.

## **Materials / Deliveries**

All building materials, equipment and machinery required to construct a residence on any homesite at Lake Olympia must be delivered to and remain within the Construction Activity Zone of each homesite, clear of all setbacks. This includes all building materials, earth-moving equipment, generators, mixers and any other equipment or machinery that will remain overnight. Material delivery vehicles may not drive across adjacent home sites or common areas or drop deliveries in a roadway or right-of-way.

## **Refuse Receptacles / Refuse Removal**

- a. The Contractor shall clean up all refuse and debris at the end of each day. A commercial dumpster may remain on the site during active construction for the purpose of containing all waste materials or packaging. The receptacle should be clear of setbacks, rights-of-way, and neighboring properties. If it is shown that a construction site cannot accommodate a dumpster and its emptying, a suitable enclosure may be used, but it must be emptied when full. No trash shall be placed in an open pile on the job site.
- b. Refuse receptacles must be emptied on a timely basis to avoid overflow of refuse. Disposal must be at a suitable state-approved off-site facility. Owners and Contractors are prohibited from dumping, burying, or burning refuse anywhere on the homesite or in Lake Olympia. Heavy debris, such as broken stone, wood scrap, or the like must be removed from the site and legally disposed of upon completion of the work of each trade that has generated the debris.
- c. All concrete washouts, from both trucks and mixers, must occur back at the concrete plant and not within the lot. Washout in road rights-of-way, setbacks, natural areas or on adjacent properties is strictly prohibited.
- d. During the construction period, each construction site must be kept neat and be properly policed to prevent it from becoming a public eyesore or detriment to other homesites or open space. Any clean-up costs incurred by Lake Olympia in enforcing these requirements shall be payable by the Contractor and lot owner, jointly. Dirt, mud, or debris resulting from activity on each construction site must be removed regularly from public or private roads or other portions of Lake Olympia.

### **Excavating and Grading**

- a. All site grading must be kept to the minimum necessary to accommodate the construction of the residence.
- b. Water runoff and control is the responsibility of each lot Owner. All lots must have positive drainage away from the house and runoff directly to the natural drainage areas or storm drainage facilities provided to said lot.
- c. Caution must be observed when altering the existing grades around trees. Two common disturbances which will likely kill trees are the compaction of roots from heavy equipment and cutting or filling natural grades within the drip line.
- d. All trenches are to be filled and compacted to remain level with adjacent land.

### **OSHA**

All applicable national Occupational Safety and Health Act (OSHA) regulations and guidelines must be observed at all times.

## **Sanitary Facilities**

The Contractor is responsible for providing adequate sanitary facilities for their construction workers. A portable toilet must be located within the Construction Activity Zone, clear of all setbacks. A portable toilet may be shared by workers at more than one construction site in the same section.

## **Signs**

- a. One temporary project site identification/street address sign is required during the construction phase. This sign must be located on the subject homesite, facing the street. It must identify the project site by street address, may identify the architect and contractor by name with address and telephone number(s) and may identify the owner's name. The Fort Bend County Building Permit must be affixed to the back face of the sign.
- b. Individual signs or construction sign attachments identifying individual subcontractors, trades people, or suppliers are prohibited.
- c. Attachment of any signs or similar material to trees is strictly prohibited.

## **Restoration of Property**

The Owner and Contractor will be held jointly and severally liable for the cost of site restoration/re-vegetation and refuse removal necessitated on any and all properties within Lake Olympia damaged as a result of the construction activity.

## **Enforcement**

- a. Any damage to streets and curbs, drainage inlets, street lights, street markers, mailboxes, walls, fences, etc will be repaired by LOCA (after notice and failure to repair by the contractor or owner) and such costs will be billed to the Contractor and lot Owner. The costs will be deducted from the Builder deposit. If the Builder deposit is not sufficient to cover the costs, then the additional amount will be charged to the lot Owner's maintenance fund account and collected in like manner as past due assessments.
- b. If any telephone, cable TV, electrical, water, or other utility lines are cut, it is the responsible party's obligation to report such accident to Association personnel within 30 minutes.
- c. Lake Olympia Civic Association ("LOCA") intends to enforce these regulations. Notification of violation will be sent to the Contractor and Owner defining those items not in compliance with the rules and regulations. Upon receipt of the notification, the involved parties have five (5) working days to correct the situation or LOCA will take the necessary actions to correct the violation. Corrective action could

include, but is not limited to, charging the Owner for the corrections performed by LOCA and withholding construction review until the violations are corrected.

Dated: 1 NOV 2007

LAKE OLYMPIA CIVIC ASSOCIATION

By: Ajith Antony  
Ajith Antony, President

THE STATE OF TEXAS §  
  §  
COUNTY OF FORT BEND §

BEFORE ME, the undersigned authority, on this day personally appeared Ajith Antony, President of LAKE OLYMPIA CIVIC ASSOCIATION, a non-profit corporation known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Notary Public - State of Texas

After Recording Return to:

Law Office of Terry H. Sears, P.C.  
9700 Richmond Avenue, Suite 222  
Houston, Texas 77042



LAKE OLYMPIA CIVIC ASSOCIATION  
MEETING OF THE BOARD OF DIRECTORS  
July 21, 2005

**Resolution Regarding Builder Qualification Guidelines**

The undersigned, being a duly authorized representative of Lake Olympia Civic Association, a Texas Non-Profit Corporation, pursuant to Article 1396 of the Texas Non-Profit Corporation Act, adopt the following resolutions at a duly called board meeting:

**RESOLVED**, that upon careful consideration and deliberation, with all motions being correctly proposed and seconded, the Board of Directors unanimously promulgate the following builder qualification guidelines:

These guidelines are in addition to those previously provided and/or set forth in Lake Olympia Civic Association's by-laws and deed restrictions.

The Builder must:

- Be active in the homebuilding industry in the Fort Bend County Area for the last three (3) years from date of application.
- Be directly responsible for the construction and completion of a minimum of 3 homes per year during this time.
- Carry a minimum \$1,000,000 General Liability Policy carried in the name of the Builder and naming Lake Olympia Civic Association as an additional insured.

The Builder or a designated Employee will be required to attend a Preconstruction Meeting at Lake Olympia PRIOR to the beginning of construction to review the then applicable Builder Guidelines and deed restrictions.

Additional references regarding trades or financial information may be required and Lake Olympia Civic Association retains the right to approve or disapprove subcontractors.

The Builder must enter into a formal indemnity and hold harmless agreement with Lake Olympia Civic Association and submit a \$3,000.00 compliance deposit, per home, of which \$1,000.00 is not subject to being refunded. The remaining \$2,000.00 will be refunded less all costs and fees used to enforce the deed restrictions as necessary during the construction of the home.

Lake Olympia Civic Association retains the right to revoke a Builder's approved status at any time.

Dated: 7/21/05

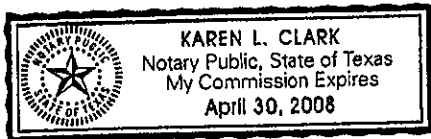
LAKE OLYMPIA CIVIC ASSOCIATION

By Linda Yancey, President  
Linda Yancey, President

THE STATE OF TEXAS §  
  §  
COUNTY OF FORT BEND §

BEFORE ME, the undersigned authority, on this day personally appeared Linda Yancey, President of LAKE OLYMPIA CIVIC ASSOCIATION, a non-profit corporation known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 21st day of July, 2005.



Karen L. Clark  
Notary Public - State of Texas

After Recording Return To:

Terry H. Sears, P.C.  
Attorney at Law  
9700 Richmond, Ste. 222  
Houston, Texas 77042

LOCA-0001

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**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS

Dr. Dianne Wilson

2005 Nov 07 08:33 AM

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KW \$13.00

Dianne Wilson, Ph.D. COUNTY CLERK  
FT BEND COUNTY TEXAS



## Builder Qualification Guidelines – Lake Olympia

These guidelines are in addition to those provided in LOCA's by-laws and deed restrictions.

Qualification and Approval standards as determined and in common use by the Board

The Builder must:

- Be active in the homebuilding industry in the Fort Bend County Area continuously since 2000.
- Be directly responsible for the construction and completion of a minimum of 3 homes per year during this time.
- Carry a minimum \$1,000,000 General Liability Policy carried in the name of the Builder and naming Lake Olympia Civic Association as additional insured.

The Builder or a designated Employee will be required to attend a Preconstruction Meeting at Lake Olympia PRIOR to the beginning of construction to review the then applicable Builder Guidelines. This meeting must be executed by the Builder and the Owner PRIOR to commencing construction and will be binding upon the Property.

Additional references regarding trades or financial information may be required and LOCA retains the right to approve or disapprove subcontractors.

The Builder will enter into a formal contract of some kind with LOCA.

**PAUL A. PHILBIN & ASSOC., P.C.**

**PAUL A. PHILBIN**  
Attorneys at Law

6363 Woodway • Ste. 725 • Houston, Texas 77057-1792  
(713) 783-4120 • FAX (713) 783-8812

November 16, 2005

TO: All Homeowners/Residents adjacent to Wetlands Property  
Palmer Plantation Municipal Utility District No. 2

RE: Palmer Plantation Municipal Utility District No. 2 - Wetlands

Dear Homeowner/Resident:

The Board of Directors of Palmer Plantation MUD No. 2 has approved new rules and regulations regarding the maintenance of District owned wetlands areas. Effective as of November 16, 2005, the new rules and regulations are:

- (1) Homeowners and residents may enter upon the District's lakefront wetlands area that is fronting on the Lake and immediately adjacent to their property or residence for the purpose of removing trash, debris or dead vegetation and for the purpose of trimming or cutting vegetation. They may cut or trim vegetation no lower than one foot. There shall be no substantial disturbance of the root systems of any vegetation in the District's Wetlands.
- (2) All homeowners and residents must comply with the Corp of Engineers permit. With other restrictions, it absolutely prohibits dredging or filling in the wetlands areas. Violations of the permit should be reported to the MUD Board. It is the policy of the Board to preserve and maintain the Wetlands areas.
- (3) Any homeowner or resident wishing to build a dock from their property to the Lake may do so provided they obtain a permit from the Lake Olympia Civic Association ("LOCA"). The Board has approved the attached Lake Olympia Dock Permit Guidelines and Permit Application and authorized LOCA and its Architectural Control Committee to issue permits and enforce Permit Guidelines. The MUD Board may, in its sole discretion, accept and rule on appeals from residents denied a permit.
- (4) The District's Operator is allowed to enter any District Wetlands to clean debris and perform other maintenance.

Note, these rules and regulations apply only to homeowners and residents and applies only to the District's Wetlands areas immediately adjacent to their home or residence as described above. Others, including builders/developers are not allowed to enter the wetlands areas without specific authorization from the MUD.

Nota Bene: These rules are subject to amendment or revocation by the Board of Directors.

Very truly yours,



Paul A. Philbin  
Attorney for the District

## LAKE OLYMPIA DOCK PERMIT GUIDELINES

**TO WHOM IT MAY CONCERN:** Palmer Plantation Municipal Utility District No. 2 ("District") in Lake Olympia, Missouri City, Texas, have further clarified the procedure for a Lake Olympia Homeowner to install and maintain a Homeowner dock or pier ("Dock") that extends into a Waterway of Lake Olympia.

**SCOPE:** Work authorized by this Dock Permit is limited to a dock extending from a Waterway Lot. The proposed work must be part of a single and complete project to be completed within thirty (30) days of the start of the construction and within six (6) months of the effective date of this Dock Permit.

A Homeowner desiring to construct a dock must first get written approval (Dock Permit) from the Lake Olympia Civic Association's Architectural Control Committee (LOCA's ACC), prior to any construction. The Homeowner must prepare a detailed site plan (including the proposed location of the Dock and the Homeowner's property lines, a description of the size, shape and materials for the Dock and the identity of the contractor) and submit it to the ACC. A site visit will be done to review the proposed location to ensure compliance with the regulations and to ensure minimal damage to vegetation.

A single, pile-supported Dock may be constructed from a Homeowner's lot into the Waterway; and the Dock shall:

- (1) be positioned to minimize the type and amount of vegetation to be cleared;
- (2) be set back a minimum of three feet (3') from the common boundary line of adjoining properties;
- (3) not extend beyond a line that is an extension of the common boundary line of adjoining properties;
- (4) for non-bulkheaded lots, be a maximum of four feet (4') in width for the boardwalk, not exceed six feet (6') in depth and ten feet (10') in width at the Waterway end of the boardwalk; and extend into the adjacent Waterway no more than ten feet (10') beyond the aquatic vegetation line except for property on the narrow channels which will be handled on a case-by-case basis to prevent obstruction of traffic in the channels;
- (5) for bulkheaded lots, not exceed ten feet (10') in depth into the Waterway and twenty feet (20') in width against the bulkhead;
- (6) be no higher than two feet above the normal water surface elevation of the Waterway;
- (7) be constructed of concrete, masonry, stone, rock or timbers treated by a wood preservative; and
- (8) be properly maintained on a continuing basis.

A maximum of a ten-foot wide area of vegetation may be cleared for the purposes of constructing and maintaining the approved Dock. Clearing means

cutting not digging. Excavation or fill within a Waterway is strictly prohibited. Installation of bulkheads and changes in the topography of the existing shoreline and adjacent land within twenty feet (20') of the existing shoreline is strictly prohibited. No mechanized machinery is allowed in the wetlands and no mechanized machinery except on a barge or boat is allowed in the Waterway for construction/maintenance of the Dock.

The Homeowner shall be financially liable for any damages and costs (including restoration) resulting from a violation of the Dock Permit obligations. Failure to obtain the required Dock Permit from the ACC for dock construction can result in the removal of the dock and restoration of the vegetation at the Homeowner's expense.

**LAKE OLYMPIA DOCK PERMIT**

**Permit Number:** \_\_\_\_\_

**Permittee Name:** \_\_\_\_\_

**Project Location:** \_\_\_\_\_

**Issuing Organization:** \_\_\_\_\_

**Effective Date:** \_\_\_\_\_

The "Issuing Organization" refers to the Lake Olympia Civic Association's Architectural Control Committee (LOCA's ACC) which has jurisdiction over the permitted activity as authorized by the Palmer Plantation Municipal Utility District No. 2 (MUD).

**Permittee is authorized to perform work in accordance with the following terms and conditions:**

**PROJECT DESCRIPTION:** Work authorized by this Dock Permit is limited to the Permittee's individual dock on the Permittee's Waterway Lot at the above-cited Project Location (the "Dock").

**PERMIT CONDITIONS:**

1. The Permittee agrees to the terms and conditions included in the **SCOPE** section of the Guidelines and additional terms and conditions as cited below.
2. The Permittee agrees to adhere to the terms and conditions of the Corp of Engineers wetlands permits (application #16350 and 16350-1) and all applicable Federal, state and local laws.
3. The Permittee agrees to construct and maintain in good order the Dock authorized by this Dock Permit in conformance with the terms and conditions of this Dock Permit.

4. The use of the Dock must not interfere with the right of other Lake Olympia residents to use Lake Olympia.
5. The Permittee must allow representatives from LOCA, the ACC and/or the MUD to inspect the authorized Dock at any time during normal business hours to ensure that it is being or has been constructed and maintained in accordance with the terms and conditions of this Dock Permit.
6. This permit does not obviate the need to obtain Federal, state or local authorizations required by law for the construction and/or maintenance of the Dock.
7. This Dock Permit does not grant any property rights to Permittee.
8. This permit does not authorize any injury to the property or rights of others.
9. Limits of Liability: in issuing this permit, the MUD, LOCA and the ACC do not assume any liability for the following:
  - a. Damages to the Dock or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
  - b. Damages to persons, property or to other permitted or unpermitted activities or structures caused by the activity authorized by this Dock Permit.
  - c. Design or construction deficiencies associated with the permitted work.
  - d. Damage claims associated with any future modification, suspension or revocation of this Dock Permit.
10. Should the Permittee wish to remove or to cease maintenance of the Dock, the Permittee must obtain authorization from the ACC, which shall require removal of the Dock at the Homeowner's expense and may require restoration of the area at the Homeowner's expense.

**ACCEPTED BY:**

**AUTHORIZED BY:**

Permittee: \_\_\_\_\_  
(printed name)

ACC rep: \_\_\_\_\_  
(printed name)

Permittee: \_\_\_\_\_  
(signature)

ACC rep: \_\_\_\_\_  
(signature)

Date: \_\_\_\_\_

Date: \_\_\_\_\_

LOCA Building Contractors - Financial Requirements

Requirements	Tier 1 - Large Builders i.e. Pulte, David Weekly	Tier 2 - Medium sized - other approved builders already accepted by the LOCA	Tier 3 - Small, self financed and/or self general contractors + others	Comments
1 Dun and Brad Street Report	Company only	Company only	Company and Individual	Provided by AMI, Reimbursed by Builder as non-refundable Deposit for Credit Review
2 Balance Sheet - Past Year/Current Quarter	Positive NI; Retained Earnings Positive with Cash Reserves on Hand based on 25 % of house funds	Positive NI; Retained Earnings Positive with Cash Reserves on Hand based on 50 % of house funds	Positive NI; Retained Earnings Positive with Cash Reserves on Hand based on 75 % of house funds	Company and/or Individual must provide
3 Income Statement - Past Year/Current Quarter	Positive NI -Company	Positive NI -Company	Positive NI -Company and Individual	Company and/or Individual must provide
4 Cash Flow - Past Year/Current Quarter	Positive; minimum of 25% house funds required - less normal operation	Positive; minimum of 50% house funds required - less normal operation	Positive; minimum of 75% house funds required - less normal operating expenses	Company and/or Individual must provide
5 Accounts Receivable Review	Review of 3 customer records; No past due AR beyond 60 days	Review of 3 customer records; No past due AR beyond 60 days	Review of 3 customer records; No past due AR beyond 60 days	Company and/or Individual must provide
6 Accounts Payable Review	Review of 3 vendors payment records; No past due AP beyond 60 days	Review of 3 vendors payment records; No past due AP beyond 60 days	Review of 5 vendors payment records; No past due AP beyond 60 days	Company and/or Individual must provide
7 Checking Accounts verified/Bank Validation in Good Standing (Proof/Overdraft Protection)	Bank verified with no overdrafts	Bank verified with no overdrafts	Bank verified with no overdrafts	AMI to validate Proof
8 Checking Accounts Balances Required	25 % of house funds required - less normal operating expenses	50 % of house funds required - less normal operating expenses	75% of house funds required - less normal operating expenses	AMI to validate Proof

LOCA Building Contractors - Financial Requirements

Requirements	Tier 1 - Large Builders i.e. Pulte, David Weekly	Tier 2 - Medium sized - other approved builders already accepted by the LOCA	Tier 3 - Small, self financed and/or self general contractors + others	Comments
9 References	Minimum 3 references verified Required Current Year plus 1 year past	Minimum 3 references verified Required Current Year plus 1 year past	Minimum 5 references verified Required Current Year plus 1 year past	AMI to validate Proof Company and/or Individual must provide
10 Proof of Insurance - General Liability	No more than 10; with description of issues provided	No more than 3; with description of issues provided	None	Based on D and B Report
11 Legal Settlements; Liens and Foreclosures				