

ORIGINAL  
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## **APACHE SHORES PROPERTY OWNERS ASSOCIATION**

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**Resolution of the Board of Apache Shores Property Owners Association, Inc**

### **MOVE ON HOME POLICY**

WHEREAS, under the Bylaws for Apache Shores Property Owners Association, Inc., recorded April 21, 2003 under Document No TRV 20030, of the Official Public Records of Travis County, Texas; Apache Shores Property Owners Association, Inc., a Texas non-profit corporation (the "Association") is charged with adopting rules and regulations for the health and safety of the homeowners (as per Section 10 of the By-Laws) within Apache Shores Property Owners Association; and

WHEREAS, the Board Believes that it is in the best interest of the Association and the Owners to establish criteria for Move-On Homes in Apache Shores; and

WHEREAS, the Declaration authorizes the Board to enforce the rules and regulations for the benefit of the Owners and the Property;

NOW THEREFORE, the Board resolves the following:

The Purpose of this document is to establish the policy, by which Apache Shores Property Owners Association, Inc. (ASPOA) will accept, review and approve plans and specifications to be in compliance with deed restrictions and health and safety matters; for Move-On Homes to be relocated and constructed within the boundaries of the Apache Shores Subdivision.

#### **FOR THIS POLICY:**

**Move On Home** – means any single-family home previously built and moved from its original location to an Apache Shores location. Reference, Apache Shores New Construction Off Site and On Site Built Homes Policy.

**A POSTED ASPOA ISSUED BUILDING PERMIT IS REQUIRED PRIOR TO MOVING ANY MOVE ON HOME INTO APACHE SHORES.**

There are two types of relocation scenarios for residential structures:

1. Relocating a structure from outside of Apache Shores to inside Apache Shores
2. Relocating a structure within Apache Shores

#### **MOVE ON HOME PRE-APPLICAION APPROVAL:**

- All Move-On homes must obtain an off-site inspection by a licensed TREC (Texas Real Estate Commission) inspector to determine the as-is condition prior to submitting a building permit application. Pictures of the exterior and interior of the proposed Move On home are required as part of the inspection report. Once the inspection report with pictures is reviewed by the Architectural Review

Committee (ARC) certain items maybe subject to correction and/or remediation prior to moving the Move On home to Apache Shores. In addition, certain items may require property owners' assurance to repair or replacement as part of the application and permit approval. Repair or replacement will be required of all pre-application inspection deficiencies, at a minimum, with regard to: structural integrity, roof condition & structural, ceiling and floors, fireplace and chimney, electrical systems, HVAC, plumbing, interior and exterior condition. Items not able to be inspected because of a lack of utility service will require approved inspection prior to issuance of a Certificate of Occupancy. This information will be used by the Architectural Review Committee to make a recommendation to the Board of Directors to consider or deny an application for the Move-On home. The Board of Directors may require additional information, The Board of Directors will then vote at a regular Board Meeting to either deny or to allow the applicant to submit a Category I building permit application.

- In addition to the off-site inspection a general site plan for the new location must be provided. The general site plan will include at a minimum: a copy of the lot survey including all structures and infrastructure currently on the lot; any items to be demolished/removed; where the Move-On will be located on the lot including any planned additions/expansion and /or out buildings to the Move-On, driveways, walkways, and site drainage as well as the proposed infrastructure (septic, water, electric) locations.
- Proof of ownership of the structure and Name, address and phone number of the authorized Moving Contractor (must provide up-to-date insurance requirements on file with the Permit Application).
- Environmental concerns such as asbestos, active termites, lead based paint, etc will be reviewed on a case by case basis and may require remediation according to best practices currently in effect.

**GENERAL** (following Pre-Application Approval) :

- A building permit issued by Apache Shores is required prior to moving any new or used manufactured home into Apache Shores OR from a lot within Apache Shores to another lot in Apache Shores
- Placement of the Move On home is limited to the Deed Restrictions specified by the Apache Shores, Section 1 through 7. Federal, State and Local regulations must be followed with regard to property lines, easements, setbacks, rights of way, and necessary structural engineering. All ASPOA building procedures and policies must be followed.
- A complete building permit application must be submitted to ASPOA office before the ARC will review. Incomplete submittals will **not** be accepted. The ARC reviews the application and all documents and when satisfied it is sent to the ASPOA designated representative for a plan review.
- All dues, assessments, fines, applicable fees, and deposits must be paid before an ASPOA building permit will be issued.
- All construction or work for which a building permit is required shall be subject to inspection by the ASPOA or their designated representatives.

- Applicants for Move-On Homes will pay a deposit of \$5,000.00 prior to being issued a building permit from Apache Shores. All or part of the deposit is fully refundable upon issuance of a Certificate of Occupancy by Apache Shores. The property owner must complete a substantial amount of exterior work within the first 120 days from the documented date of delivery of house to the building site in Apache Shores or 50% (\$2,500.00) of the deposit is forfeited to Apache Shores. The required exterior work for the Move-On home/property is defined to be a minimum:

1. Placed on the engineered foundation approved during the permit process
2. Final Roof completed
3. All replacement windows in place
4. Exterior walls completed and finished (siding, stucco, masonry), including paint
5. All additions or structure expansions approved as part of the permit must meet the completion requirements (items 1 through 4 above)

An additional inspection and fee (\$50.00) will apply to all Move-On Homes. This inspection will be performed not-later-than 120 days following documented delivery date of house to the building site for the purpose of verifying all work required within the first 120 days has been completed. This completion criteria is to ensure that neighboring properties and the community will not have a noticeable unfinished project for an extended period of time.

- If work is not in compliance as permitted the owner will be required to correct the project until it meets approved plans. Final inspection will confirm compliance with approved plans and deposit, less any forfeited amount) will be refunded once a Certificate of Occupancy has been issued.

**ENFORCEMENT BY THE ASSOCIATION IS AS FOLLOWS:**

Failure to obtain a ASPOA building permit prior to the move on of any Move On home will result in the following action to be taken by ASPOA:

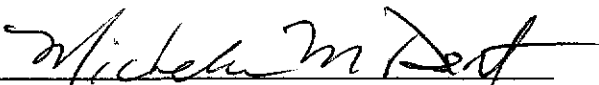
- Owner will be required to **STOP WORK IMMEDIATELY**. A Stop Work Order will be issued and a \$200 fine will be levied. Legal action may be pursued as allowed.
- A non-permitted Move On home moved onto an Apache Shores lot will continue to accrue fines at a rate of \$200.00 per day until the home is removed from Apache Shores or until all fees have been paid and a building permit application has been submitted. Fines will be suspended until the building permit application is either approved or denied. If the building permit application is approved the owner will be required to pay all accrued fines prior to an ASPOA building permit being issued. If denied, fines will begin again from the date of notice until the required changes have been made and the building permit application has been resubmitted and approved. Otherwise fines will continue to accrue at a rate of \$200.00 daily until the home is removed from Apache Shores.


Any and all construction which is not compliant with this policy, deed restrictions, health and/or safety standards, or the adopted current building code must be corrected as a condition of any permit approval.

This policy, should it conflict with Federal, State, or Local law will subvert to those laws. Any conflict with other ASPOA policies must be brought to the attention of the ASPOA Board of Directors before continuing with the project.

This Resolution was adopted by the Board of Directors of the Association on

JULY 18, 2012

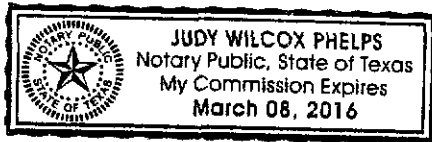
  
ASPOA President

  
ASPOA Secretary

Subscribed and sworn to before me by said

Michelle Dent and Anita Dallas

Directors of Apache Shores Homeowners Association, a Texas non-profit corporation, on behalf of such non-profit corporation on this 20th day of July 2012.



  
Notary Public Signature

**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS



Sep 05, 2012 11:07 AM 2012147892

GONZALESM: \$28.00

Dana DeBeauvoir, County Clerk

Travis County TEXAS