



# **APACHE SHORES PROPERTY OWNERS ASSOCIATION**

**14919 General Williamson Drive Austin, Texas 78734**

Office: (512) 266-2719 Fax: (512) 266-3910

Website: [www.apacheshorespoa.com](http://www.apacheshorespoa.com)

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

### **MANUFACTURED HOME POLICY**

WHEREAS, under the Bylaws for Apache Shores Property Owners Association, Inc., recorded August 14, 2009 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 Article IV 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 regarding manufactured homes (mobile homes) on designated lots per deed restrictions; 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 and approve plans and specifications to be in compliance with deed restrictions and health and safety matters; for all manufactured homes within the boundaries of the Apache Shores Subdivision.

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

A manufactured home is one that is constructed entirely in a controlled factory environment on steel chassis and then transported to the building site. The wheels can be removed but the chassis stays in place. These homes are built according to Federal Manufactured Home Construction and Safety Standards better known as the HUD code. Local, state or regional building codes do not apply to the construction of manufactured homes. On-site modifications and additions are addressed in the appropriate construction category.

#### **A POSTED ASPOA ISSUED BUILDING PERMIT IS REQUIRED PRIOR TO MOVING ANY MANUFACTURED HOME INTO APACHE SHORES OR FROM ONE LOT TO ANOTHER WITHIN APACHE SHORES**

#### **New Manufactured Homes:**

- Any manufactured home never issued a Statement of Ownership and Location (SOL) or lived in, purchased from a dealer lot, sold as a new unit, and 24 months or less from the date of manufacture will not require an inspection, pictures or Board approval prior to submitting a building permit application to begin the process of obtaining an ASPOA permit.

### **Used Manufactured Homes:**

- **ONLY** manufactured homes manufactured after 1990 will be considered for permitting or allowed to re-locate within Apache Shores.
- All used manufactured homes and any new manufactured home older than 24 months from date of manufacture must obtain an off-site inspection by a licensed TREC (Texas Real Estate Commission) inspector prior to submitting a building permit application. Pictures of the exterior and interior of the used 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 may be subject to property owner assurance of repair or replacement. Repair or replacement will be required of all pre-application inspection items deficient, at a minimum, with regard to: structural integrity, roof condition & structure, ceiling & floors, fireplace and chimney, electric systems, HVAC, plumbing, exterior condition. Items not able to be inspected because of lack of utility services will require approved inspection prior to issuance of Certificate of Occupancy. The Architectural Review Committee will then make a recommendation to the Board of Directors. 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 completed Category I building permit application.

### **On-Site Modifications and/or Additions:**

- Any on-site modifications and/or additions not included in the Category I building permit application will require additional permits.
- On-site modifications and/or additions such as, garages, decks, porches, roof-over, driveways, etc must be built to local, state and regional code and in compliance with all ASPOA requirements.

### **GENERAL:**

- Placement of manufactured home is limited by the Deed Restrictions to specific lots within Sections 3 & 5 **ONLY**.
- 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.
- Deed Restrictions require all manufactured homes to have masonry underpinning. Underpinning must be installed with the placement of the manufactured home on the lot **after** the appropriate tie-down inspection has been approved.
- 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.
- All dues, assessments, fines, applicable fees, and deposits must be paid before an ASPOA building permit will be issued.
- A complete building permit application must be submitted to ASPOA office before the ARC will review. Incomplete submittals will **not** be accepted.
- All construction or work for which a building permit is required shall be subject to inspection by the ASPOA or their designated representatives.

- 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 will be refunded once a Certificate of Occupancy has been issued.

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

Failure to obtain an ASPOA building permit prior to the move on of any manufactured 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 **New** non-permitted manufactured 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 a complete building permit application has been submitted. Fines will be suspended until the completed building permit application is either approved or denied. If the completed 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 completed 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.
- A **Used** non-permitted manufactured 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 the required pre-application inspection has been completed and submitted to ASPOA. Fines will be suspended until the Board of Directors, at a regular Board Meeting votes to either deny or allow the applicant to submit a completed Category I building permit application. If allowed by the Board of Directors and all fees and fines have been paid a completed building permit application must be submitted within three (3) business days, of notification by the ASPOA office. After three (3) business days fines will begin to accrue at a rate of \$200.00 per day until the completed building permit application, fees and fines have been received by ASPOA office. If the used manufactured home is denied by the Board of Directors the owner has 72 hours to remove the home from Apache Shores. After 72 hours if not removed then fines of \$200.00 per day will accrue until the home is removed. **Once a completed building permit application has been accepted all ASPOA requirements must be met before an ASPOA building permit will be issued and work can begin.**

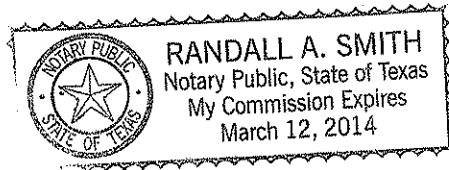
Any and all construction which is not compliant with this policy, deed restrictions, health and/or safety standards, or the adopted current building code must be corrected as a condition of any permit approval.

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 October 19, 2011

Michelle Dent  
ASPOA President Michelle Dent

Subscribed and sworn to before me by said Michelle Dent  
Director of Apache Shores Homeowners Association, a Texas non-profit corporation, on behalf of  
such non-profit corporation on this 16th day of February 2012.



Randall A Smith  
Notary Public Signature

Once Recorded Please Return Documents to:

ASPOA  
c/o Pioneer Property Management  
611 South Congress #510  
Austin, Texas 78734

**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

Mar 20, 2012 09:55 AM

2012042728

CORTEZ: \$28.00

Dana DeBeauvoir, County Clerk

Travis County TEXAS

October 19, 2011