

Pinecrest Estates Property Owners Association
RESOLUTION ADOPTING FENCE REGULATIONS
CLARIFYING the UNDEFINED FENCING REGULATION MENTIONED IN THE ARTICLES OF INCORPORATION
182 Poolside Dr., Trinity TX 75862
936-594-2870

WHEREAS, the Articles of Incorporation which founded Pinecrest Property Owners Association located in Trinity County, Texas, require fencing to be regulated, yet do not include specifications for such regulation, and;

WHEREAS, chapter 22 of the Texas Business Organizations Code, vests the board of directors of a non-profit corporation with the authority to manage its business and affairs, and;

WHEREAS, The Bylaws of Pinecrest Property Owners Association, which govern Pinecrest Estates Subdivision, grant the Board of Directors the authority to: manage the business and affairs of the Association; exercise all such powers of the Association, and; to do anything that, in the opinion of the Board of Directors, promotes the common benefit of the community, and;

WHEREAS, unilateral fairness and consistency in enforcement is in the best interest of the Association, and requires that regulations be clearly defined in order to avoid variance or inequality in enforcement, Pinecrest Property Owners Association, acting by and through its Board of Directors, herein adopts the following fencing rules & regulations in order to more clearly define the regulation of fencing required by, & recorded in Pinecrest Property Owners Association's foundational document, being the Articles of Incorporation, recorded in Trinity County on August 21, 1981.

HENCEFORTH, this resolution defining fencing regulations applies to all lots described in the 2007 Restated and Amended Restrictions in Pinecrest Estates Subdivision, including: Area A; Area B; Area C; Area D; Pinecrest Hideaway, and; The Point.

HEREBY, we certify that the following is a true and correct copy of a resolution officially adopted at a meeting of the Board of Directors of the Pinecrest Estates Property Owners Association held and convened on November 8, 2025, at which meeting a quorum of the Board of Directors was present and acting throughout, and that such resolution has not been modified, rescinded or revoked, and is at present in full force and effect:

NOW THEREFORE, BE IT RESOLVED that the restrictions, rules and regulations regarding fencing specifications in Pinecrest Estates Property Owners Association are hereby and forevermore resolved and the foregoing resolution is now deemed a Governing Document for Pinecrest Estates Property Owners Association in Trinity County, Texas.

CERTIFICATION

We, the undersigned, are the duly-elected directors and officers of Pinecrest Estates Property Owners Association and certify under penalty of perjury that the foregoing Resolution was properly adopted on November 8th, 2025, by a vote of a majority of the Board of Directors in an open meeting for which required notification was given. Furthermore, we hereby assign Kara Rivera, Secretary, to sign before the notary, in our stead:

Warren Conner, President

Ryanne Whicker, Treasurer

Tiffany Campbell, Vice President

THE STATE OF TEXAS

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COUNTY OF TRINITY

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Before me, the undersigned Notary Public, on this day personally appeared Kara Rivera, who is personally known to me (or proved to me through a federal or state issued ID with photo and signature of person identified) to be the person whose name is subscribed to the foregoing instrument, and who has acknowledged to me that she is the Secretary of Pinecrest Property Owners Association (as also indicated on their website), and that by the authority duly given and as the act of Pinecrest Property Owners Association she hereby executes this instrument for the purposes and considerations expressed.

Given under my hand and seal of office on this the ____ day of _____, 2025.

Notary Public in and for The State of Texas

AFTER RECORDING, RETURN TO:

Pinecrest Property Owners Association
182 Poolside Drive, Trinity, TX 75862

Pinecrest Estates Property Owners Association

Trinity, Texas

FENCING REGULATIONS

DEFINITIONS

<u>ARC:</u>	Architectural Review Committee.
<u>Front of property:</u>	The property line that faces the street - requires a 20' easement.
<u>Back of property:</u>	The property line furthest from, but parallel to the street upon which the lot sits.
<u>Corner lot:</u>	A lot with a road on two sides. For a triangular shaped corner lot, the "rear yard" is considered to extend from the back to the rear corners of the platted building.

PERIMETER FENCING

● MATERIALS

- METAL - Cyclone/Chain Link or Wrought Iron. *Galvanized or Black* (No metal sheeting permitted.)
- WOOD - Picket, Post & Rail, Split-Rail or Shadow-Box style. *Must be stained or painted.*
- COMPOSITE - Picket, Post & Rail, Split-Rail or Shadow-Box style.

● STYLE/TYPE

- POST & RAIL - Posts may also be made of stone, brick, or finished cement.
- CYCLONE OR CHAIN LINK - May be galvanized or black, with or without semi-transparent slats.
- SPLIT RAIL - Two (2), three (3), four (4), or five (5) rails.
- PICKET FENCING Pickets may be between three (3) and six (6) inches wide. Pickets may not be spaced less than one (1) inch apart.

● TRANSPARENCY:

- All front & side fencing shall be transparent.
- Privacy fencing permitted *only* along the rear property line.*

● MAXIMUM HEIGHT

- Front & side fencing may not exceed four (4) feet in height
- Rear fencing may not exceed six (6) feet six (6) in height.
- All height measurements are taken from the lowest natural ground level.

● GATES:

- Any gate must be defined, drawn, pictured & specified in the ARC application.
- Walk through or vehicular size gates shall be in harmony with the materials, construction and type of fence submitted for approval.

● ALL FENCING MUST BE:

- Made of approved, permanent, quality materials of an approved type/style; designed to be in harmony with surrounding structures & vegetation; preserved & maintained at all times; approved by the ARC before installation; level and straight, and; aesthetically pleasing.
- No metal sheet fencing, chicken wire, or temporary style fencing.
 - May apply two (2) by four (4) inch wire mesh attached to the inside of any approved fencing, so long as the overall fence remains appealing.

VEGETATION / UTILITY PROTECTION FENCING

- Fencing for the sole purpose of protecting vegetation from wildlife does not constitute a full yard enclosure or perimeter fence, but rather, a small enclosure within close proximity of the plant(s), utility box or garbage can which it surrounds. Protection fencing should not exceed 3' x 3' per plant, or 1.5% the diameter of the utility/garbage can.

ARC APPLICATION SUBMISSION REQUIREMENTS

- Submission to ARC for review must include:
 - A digital or hand-drawn image of the plot showing:
 - All existing structures, driveways & culverts & easements
 - Proposed location of the requested fencing
 - All measurements, including thickness, height & width along each property line.
 - A picture of the type of fence chosen
 - A color sample or finish description
 - Description of materials & their finish (galvanized, vinyl coated, stained, painted, etc)
 - Transparency specifications: Distance between pickets, rails, slats or links

APPROVAL PROCESS

Required for ANY Type of Fencing:

- After submission of all information & documentation, the ARC will verify all specifications & plans to ensure they are in line with Pinecrest regulations. They will sign the submission & present it at a Board meeting.
- If approved, the application will be signed by the President or Secretary & sealed with the corporate seal, after which your installation may commence.

DENIAL PROCEDURE

- If denied, per Texas law, the ARC must issue a denial letter, to include notification of your rights, and instructions as to application revision approval.
- If denied, you have the right to a hearing before the Board of Directors, who will hear your appeal within 30 days of the request, issuing notification of the date, time and place no later than 10 days before the scheduled hearing.

COMPLETION TIMELINE

- All fencing installation must be completed within 4 weeks, from delivery of materials to completion & removal of all construction materials and debris.

FENCING UPKEEP & REMOVAL

- Failure to maintain fencing carries a deed restriction fine of \$100 per month. If not cured within 9 months, the Board of Directors shall have the right to order & oversee its removal, without trespass, adding the cost to the owners account
- Removal of any existing fencing must be complete, and all debris removed within 2 weeks of commencement.

**In rare cases, privacy fencing must be permitted. Discuss required documentation & application procedure with an attorney, judicial or law official.*