

From: "KJ@C" <KJ@Consociates.com>
Subject: ACC Property Modification Approval
Request Form and attachments / Re: 401 Middleton
Drive, Roanoke, Texas 76262-2209
Date: 31 July, 2016 at 7:43:44 PM CDT
To: Smith Randy <Randy.Smith@fsresidential.com>

Board, ARC, and Mr Smith,

The following —

[http://www.consociates.com/
RoanokeTXHome/FrontYardProject.html](http://www.consociates.com/RoanokeTXHome/FrontYardProject.html)

-- is a webpage, from which you may download
our completed ACC Property Modification
Approval Request Form and attachments in pdf
format.

- The completed Highlands Glen HOA
ACC Property Modification Approval Request
Form

- Summary of Front Yard Xeriscape
Landscaping

- Design by James Landscaping

In addition, we have included in these webpages
our research on xeriscaping and on the plants
recommended in the James Landscaping
Design.

Please let us know if you have any questions or need any additional information.

Regards,

Kenna Hannah and Kittena Hannah
401 Middleton Drive, Roanoke, Texas
76262-2209
682-549-9445 home
202-468-0942 cell

On 26 Jul, 2016, at 5:17 PM, Randy Smith
<Randy.Smith@fsresidential.com> wrote:

Hello,

Thank you for the follow up. It appears your contact person (with the builder) neglected to inform you of the need for the ACC form. Before the first home was built, FSR has managed the HOA for Highlands Glen (the HOA was also established before the first home was built) and it was under declarant (DR Horton) control. All original build outs for each lot (home and landscaping) need not have received ACC approval as the builder is the declarant and by virtue of that fact the approve what they initially build / install. If improvements or changes are made after the homeowner takes possession of the property, even if HOA is still under declarant control, homeowners are required to present proposed changes to their property to the HOA (via ACC form) for approval by Declarant (while under their control) or Homeowner Board (when community has transitioned to homeowner board control). The process is the same in both

situations... the paperwork is just routed to different people depending on who controls the HOA.

If you would please fill out the attached form and detail with any additional information, I will forward to board for review.

Thank you

<image001.png>

Randy Smith
Association Manager
North/Central Texas

1240 Keller Parkway, Suite 200 | Keller, TX 76248

Direct: 817-380-7007 | Toll Free: 877-378-2388

Fax: 817-380-7011

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Email: randy.smith@fsresidential.com

www.fsresidential.com

From: KJ@C [<mailto:KJ@Consociates.com>]

Sent: Tuesday, July 26, 2016 1:32 PM

To: Randy Smith <Randy.Smith@fsresidential.com>

Subject: Re: Friendly Reminder to 401 Middleton Drive,
Roanoke, Texas 76262-2209

Board, ARC, and Mr Smith,

My first reaction to your email was to apologize for unintentionally circumventing the builder's process for changing our front lawn. However, I quickly realized it is David Sydow, the Sales Agent for Emerald Holmes, who owes us all an apology.

In December 2015, before we signed our sales contract, we told David

of our plans to xeriscape our larger front lawn with no- low-maintenance Texas native plants. He explicitly instructed us to inform the builder of our plans, preferably before the HOA assumed management of the Highlands Glen, in order to circumvent the HOA paperwork. So on 23 May when we informed Chris Harris, the Building Manager for Emerald Holmes, of our plans to xeriscape our front lawn and he responded with a recommendation for a landscaper, we were complying with the Highlands Glen landscaping process as represented to us by the Builder.

All that said, we will be glad to share with the HOA Board and ARC our plans for modifying our front yard; we think our neighbors will be excited to return our Texas community back to Texas landscaping.

Xeriscaping requires using plants and materials native to the area; these plants and materials by their very nature will need less water and less chemical help to flourish. Our research on Native Texas Xeriscaping is midway down this webpage.

<http://www.consociates.com/RoanokeTXHome/Planning.html>

And for additional insights into Texas Native Xeriscaping, look no further than the Trophy Club median on Bobcat Blvd starting at the Trophy Club line.

In order to comply with the spirit of the “Specifications Manual Article 1, General Provisions, 1.1.1. Neighborhood Standard,” we took and posted photos of lawns we liked in our Highlands Glen and in the nearby Trophy Club neighborhoods to give our Landscape Designer an idea of the yards surrounding our xeriscaping.

<http://www.consociates.com/RoanokeTXHome/NeighborsYards.html>

In addition, we also made sure the Landscape Designer had a copy of the Specifications Manual, highlighting the list of required vegetation.

<http://www.consociates.com/RoanokeTXHome/Planning.html>

In fact, we not only welcome a visit from our neighbors, but we are also going to suggest the ARC modify the current, generic landscaping

rules to support more xeriscaping, according to the Specifications Manual Schedule C.1.4.

However, we will apologize for the current muddy, moon-scape of the front yard. The Landscape Designer had a bottleneck in her process that has delayed the implementation of the new plants and ground cover that are planned to accompany the new walkway and new street box frog fruit ground cover.

If we need to complete a form, please provide it. There was no paper form in the original paper letter, nor a .pdf form attached to Mr. Smith's email, nor a .pdf form posted on the FirstServices Highlands Glen website, nor a form that we could find in the HOA documents.

We look forward to communicating with our new neighbors and to getting our yard back on the correct paperwork track.

Kittena and Kenna Hannah

401 Middleton Drive, Roanoke, Texas 76262-2209

682-549-9445 home

On 21 Jul, 2016, at 1:31 PM, Randy Smith
<Randy.Smith@fsresidential.com> wrote:

Hello,

The builder (DR Horton) was the declarant in control of the HOA before the board transitioned to homeowner control. However, the declarant also required an ACC request form for any exterior modifications to the property to be submitted to the management company for approval (by the declarant – DR Horton) before conducting such changes. Any modifications done by the builder would have to have been complete before you took possession of the home in order to not require prior approval by the HOA (being part of the original build out).

We have been the management company for the HOA since DR Horton built the first home and there is no ACC request on file for

any changes to your property since you have taken possession of it.

If you have some documentation from DR Horton authorizing such work after you have taken possession of the home, please forward to me for review.

<image001.png>

Randy Smith
Association Manager
North/Central Texas

1240 Keller Parkway, Suite 200 | Keller, TX 76248

Direct: 817-380-7007 | Toll Free: 877-378-2388

Fax: 817-380-7011

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Email: randy.smith@fsresidential.com

www.fsresidential.com

From: KJ@C [<mailto:KJ@Consociates.com>]

Sent: Thursday, July 21, 2016 10:23 AM

To: Randy Smith <Randy.Smith@fsresidential.com>

Subject: Friendly Reminder to 401 Middleton Drive, Roanoke, Texas 76262-2209

Pre-script: Mr. Smith, please confirm receipt of this communication and forward to the appropriate parties.

Wednesday, 20 July, 2016

To Whom It May Concern at FirstServices Residential Account Services,

Pardon us for the general salutation, but today we received an

unsigned letter from FirstServices (pdf copy enclosed), so beyond the general, we have no idea whom we are addressing - a rather inauspicious start to what was labeled a Friendly Reminder.

Unfortunately, the Friendly Reminder was incorrect in its basic postulate. We did receive approval from the controlling authority at the time of our request for change — the Builder. We were told Builder approval was the appropriate permission for our change, before the Highlands Glen HOA and its ARC were formed. Were we misinformed? Is everyone who made changes to their lawns before the HOA took control of the Highlands Glen required to retroactively obtain additional approval from the new ARC? Please let us know as soon as possible since the Friendly Reminder also included a compliance date of 14 August.

We look forward to your reply,
Kittena and Kenna Hannah
401 Middleton Drive, Roanoke, Texas 76262-2209
682-549-9445 home

Post-script: Mr. Smith, since the original paper letter was copied to the "Board of Directors, File" please also forward this email to the Board and file appropriately.

<ACC Form with Instructions.pdf>