

ARTICLE IX  
SUBDIVISION ACCESS

The Subdivision shall at all times maintain a limited/controlled access entry and shall not open any free access roads or paths into the Subdivision unless mandated by state, county, or municipal laws.

The Association shall at all times maintain a guardhouse and limited access gate system at the Subdivision main access. The Developer or Board of Directors shall have the right to relocate the gates or guardhouse at any time. The remainder of the Subdivision shall be surrounded by perimeter masonry or wood fences at least six feet (6') feet in height which shall be constructed by the Builder during the construction phase of any dwelling on a Lot and shall be maintained by the Owner of the Lot, except for those Lots along Canyon Gate Boulevard, which walls will be built by the Developer and/or Builders and maintained by the Association.

These Sections shall not be fully surrounded by perimeter fencing until all perimeter Lots are sold and residential dwellings constructed on them.

After at least eighty percent (80%) of the Lots in the Subdivision are sold and occupied by a resident the guardhouse entry shall be manned twenty four (24) hours per day, seven (7) days per week by a guard or guard service with the following qualifications:

1. Off duty police officers of a local municipality.
2. A contract Deputy Sheriff of Fort Bend County, Texas.
3. A contract Deputy Constable of Fort Bend County, Texas.
4. A guard service licensed by the State of Texas to perform such services.
5. Peace Officers licensed by the State of Texas to perform such services.
6. The guardhouse shall be manned twelve (12) hours per day seven (7) days per week after sixty percent (60%) of the Lots in the subdivision are sold and occupied by a resident. Prior to sixty percent (60%) of the Lots in the subdivision being sold, the hours and days of the guardhouse operation shall be determined solely by the developer.

The guardhouse, access gates, and guards shall be paid for by the Association out of assessments revenue. Gate access cards, EZ tags, remotes, or other automatic gate devices shall be paid for by each Lot owner, at a rate determined by the Board of Directors.

The Association may require all owners and their family members, tenants, and other permanent residents to maintain identification stickers on each of their vehicles.

Each owner shall provide the Association with their residential and emergency telephone numbers for use at the guard gate.

**THE GUARDS, PATROLS, AND ACCESS CONTROL GATES AND WALLS ARE PROVIDED AS A COURTESY ONLY AND THEIR EXISTENCE SHALL NOT BE CONSTRUED AS ANY PROMISE, WARRANTY, GUARANTEE OR REPRESENTATION OF ANY TYPE OR NATURE OF THE SECURITY OF THE SUBDIVISION OR THAT SUCH SERVICE WILL PREVENT, DETER OR OTHERWISE STOP ANY CRIME, VANDALISM, UNAUTHORIZED ACCESS OR OTHER UNWANTED CIRCUMSTANCE OR EVENT.**

**BY ACCEPTING TITLE TO THEIR LOT, EACH OWNER FOR HIMSELF, HIS FAMILY, GUESTS, INVITEES, TENANTS, SUCCESSORS, AND ASSIGNS**

ARTICLE IX  
SUBDIVISION ACCESS

HEREBY RELEASES THE DEVELOPER, THE ASSOCIATION, THE ASSOCIATION BOARD OF DIRECTORS, ALL MANAGEMENT COMPANIES, ALL GUARD SERVICES, PATROL, AND ALL BUILDERS OF ANY AND ALL LIABILITY AND ANY AND ALL CLAIMS OF WHATSOEVER NATURE, HOWSOEVER OCCURRING, KNOWN OR UNKNOWN, FORESEEABLE OR UNFORESEEABLE, NEGLIGENCE, GROSS NEGLIGENCE, OR INTENTIONAL CONDUCT, INCLUDING, BUT NOT LIMITED TO, CLAIMS FOR DAMAGE, INJURY OR LOSS TO PERSONS OR PROPERTY, RESULTING FROM CRIMINAL ACTIVITY, VANDALISM, UNAUTHORIZED ACCESS OR ANY OTHER EVENT. GUARDS OR ACCESS CONTROL GATES ARE DESIGNED TO DETER, IT BEING AGREED THAT THE ASSOCIATION AND ITS DEVELOPER AND VENDORS CANNOT PREVENT SUCH OCCURRENCES AND THAT EACH LOT OWNER, THEIR FAMILY, GUESTS, INVITEES, AND TENANTS SHALL BE RESPONSIBLE FOR THEIR OWN SAFETY AND THE SAFETY OF THEIR PROPERTY AND HAS THE OPTION OF OBTAINING THIRD PARTY INSURANCE FOR SAME.