



WELCOME TO YOUR NEW HOME

Quail Valley Patio Homes

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OVERVIEW: The Quail Valley Patio Homes community in Missouri City, Texas is a deed restricted and well-maintained neighborhood established in the early 1970's. It is comprised of 114 properties located within two housing sections.

Section I, consisting of 89 single-family dwellings, is located off Quail Valley Road, east of La Quinta Drive. Section I is bordered on the north by La Quinta Golf Course hole #16, on the east by La Quinta Golf Course hole #15, on the south by the Quail Valley Golf Club driving range, and on the west by La Quinta Drive. Property addresses include all those located at Quail Hollow Drive, Quail Creek Drive, Oakmont Lane, Brookline Circle, Kissing Camel Court, Foxfire Circle, and Broadmoor Circle.

Section II, with 25 single-family dwellings, includes properties at addresses 2702-2730 Kingsbrook Lane along the north side of La Quinta Golf Course hole #16, and at 2802-2820 Cypress Point Drive along the east side of La Quinta Golf Course holes #15 and #16.

CONTENTS: In this package, you will find rules and other information regarding the following:

- Board of Trustees
- HOA Meetings
- Use of the Community Swimming Pool
- HOA Parties
- Section I Public Parking
- Section I Driving
- Solicitation
- Opportunities to Volunteer
- Other Community Information
- Summary of Deed Restrictions and Amendments

ATTACHMENTS

- Architectural Control Request Form
- Overnight Pool Area Parking Form

Board of Trustees: Article IV of the Quail Valley Patio Homes Association Bylaws gives General Power to manage the business affairs of the Corporation to a Board of Trustees. The board is comprised of 4 or 5 volunteer members (or such other number as the Board of Trustees decide by a majority vote of the Board are necessary to conduct the business of the subdivisions) from among the home owners, including at least one Trustee from each subdivision, Section I and Section II. The Trustees are elected by the Home Owners at the Annual Meeting every January and each Trustee is elected for a three-year term, to ensure experienced members are always on the Board. Our Board manages our Quail Valley Patio Homes Sections so we are better able to control what happens in our community and make sure that our homeowners' needs are taken care of promptly and properly.

HOA Meetings: As required by Article III of the Quail Valley Patio Homes Association Bylaws, the annual meeting of the membership is held at 7pm on the third Tuesday in January each year at Missouri City's City Centre at the corner of La Quinta and El Dorado. Additional special meetings of the members can be called by 3 Trustees, or by a petition signed by 10% of the voting members.

Consistent with Article IV of the Bylaws, regularly scheduled meetings of the Board of Trustees are held the third Tuesday following the end of each quarter (in April, July, & October) other than the 4th quarter which is replaced with the annual meeting of the membership in January. These Board Meetings are open for attendance by the members, and are held at the Missouri City Centre. Additional special meetings of the Board of Trustees can be called by 3 Trustees or by the President.

Please provide your e-mail address to receive annual and quarterly minutes and other HOA announcements telling you of projects we are working on and what is happening in your area. Or better yet, add the dates of our meetings to your calendar and come to our meetings – your comments are important to the Board and other residents. Send your e-mail address to qvpatiahomes1@yahoo.com. The Board is here to serve you, the homeowners, and to make our area an exceptional place to live. E-mailing is our easiest way to keep you informed. This information is also posted at the entrance to the pool for those of you who do not have an email address.

Use of the Community Swimming Pool: The Quail Valley Patio Homes Association offers the use of a community pool, located in Section I, to all QVPH homeowners and their guests. Users of the pool must adhere to all rules and hours posted at the pool facility. Further, the following requirements are in effect:

- Swim at your own risk as we have no lifeguard on duty.
- The pool is for residents and their guests only. Homeowners MUST BE present at the pool with their guests.
- Minors must be accompanied by an adult.
- The pool gate is always to remain locked.
- Smoking is not allowed within the pool facility.
- Cooking and grilling are not allowed within the pool area other than HOA sanctioned events
- No glass containers are allowed.
- No running at the pool.
- No pets are allowed within pool area.
- Please be considerate of others when using the pool. Clean up after yourself and leave the pool area at least as clean as you found it.

- E-mail us or call a Board member if you observe any irregularities or misconduct at the pool.
- Call 9-1-1 to report any emergency or illegal activity before informing a Board member.
- Each residence is entitled to one key to the pool gate. Should you lose your pool key, or did not receive one when purchasing your home, please contact the Treasurer to have one issued. A **\$50.00** key replacement fee is required other than when initially issued to a home owner.

HOA Parties: The HOA usually holds two events at the pool during the year. In early May we have a Spring Pool Opening Party and in the fall we participate in National Night Out. At these events, the HOA provides the main course and residents bring a covered dish, their drinks and chairs. We always have a great time visiting with our neighbors and meeting the new neighbors who have moved to our area.



Section I Public Parking: Parking is **NOT ALLOWED** on the streets of Section I, due to the narrowness of our streets. Temporary parking is available for residents and their guests at the pool facility. **No parking between 10:00 P.M. and 6:00 A.M. without permit.** Overnight parking is not allowed with this exception:

- When having overnight guests, for a limited duration, results in exceeding the homeowner private parking capacity, the home owner must complete the Overnight Pool Area Parking Form (in Appendix here). This form is to be placed on the driver's side dashboard of the vehicle(s) that are to be left overnight at the pool parking area. This may be used only for the limited duration of the stay by overnight guests, and is not intended to be used for overflow parking for resident's vehicles.

No inoperable vehicles may be kept on the property at any time. (Missouri City Code Sec. 30-111.)

Failure to comply with the above may result in the vehicle being towed at the owner's expense.

Section I Driving: The posted speed limit in Section 1 is 20 miles per hour. There are also stop signs in both directions near the pool. **Please observe the stop signs and abide by the speed limit.** We are a neighborhood with people out and about at all hours, riding bikes, walking dogs, etc. We also have children playing in the neighborhood.

Solicitation: Solicitation is prohibited within the community. This includes but not limited to anyone selling magazines, home services and/or religious testimonials. Please notify any solicitors of this rule, and notify any of the Board members if the solicitation continues. An exception is made for children who are soliciting for school fund raisers, Girl Scouts, or Boy Scouts.

Opportunities to Volunteer: There are several ways you can volunteer to support the Home Owner's Association by serving on the Board of Trustees or a special committee.

Board of Trustees: Home Owners serving on the board helps us keep our HOA dues manageable without the added expense of hiring a management company. New board members are generally needed every year as the terms of one or two board members expire. If you have any interest in serving on the Board now or in the future, please contact any Board member. We will be happy to explain what we do and what is involved.

Special Committees: We have several special committees for which you can volunteer.

- Architectural Control Committee membership
- Spring Pool Opening Party
- Fall National Night Out Party at Pool
- Holiday Decorating
- Beautification Committee

Additional Assistance Needed: We also are looking for people to help with the following:

- HOA Deed Restriction Enforcement
- Community Garage Sale Event
- Community Spring Clean Up Event
- Special Project Committees that are needed from time to time

If you are interested in any of the above, please contact any Board member and we'll help you get started.

Other Community Information: Go to QuailValleyProud.com to find out about schools, Golf Course prices and times, as well as the different organizations active in our area. Quail Valley Golf Course's phone number is 281-403-5900. The Bluebonnet Grille has wonderful food. It is in the Missouri City Centre on corner of LaQuinta and Eldorado. The Grille phone number is 281-403-5920.

Summary of Deed Restrictions and Amendments: Following is a summary of highlights of the 23 deed restrictions and amendments that apply to the Quail Valley Patio Homes, along with other supplemental information. This is not intended to be fully inclusive of the restrictions. For an electronic copy of the original deed restriction documents, contact any board member.

Deed Restriction #1: Building Lots are the individually owned properties as shown on the Map Records of Fort Bend County, Texas.

Deed Restriction #2: Common Property is all property described in the recorded plat of Section I of the Quail Valley Patio Homes other than the Building Lots. Quail Valley Patio Homes Association, Inc. is the owner of all Common Property. Common Property exists only in Section I. There is no Common Property in Section II.

Deed Restriction #3: The Common Property shall be improved, maintained, and used at the full control and discretion of the Quail Valley Patio Homes Association. This includes, but is not limited to, private streets, sidewalks, landscaped areas, lighting fixtures, and swimming pool.

Deed Restriction #4: Quail Valley Patio Homes Association shall perform all functions necessary for the proper maintenance, upkeep, and repair of the Common Property.

Supplemental Information: Common Property Landscaping and Swimming Pool maintenance are currently performed by 4 Season Landscaping. General yard care is performed on Wednesdays (weather permitting), weekly during the summer months and monthly during the winter.

Deed Restriction #5: No Building Lot shall be used for any purpose except as a single family residence. No business activities of any kind shall be conducted in any home within the Quail Valley Patio Homes.

Deed Restriction #6: No Building Lot improvement shall be erected, placed, or altered until the construction plans and specifications have been approved by the Architecture Committee.

Supplemental Information: We have an Architectural Control Committee who reviews any proposed changes to existing homes to make sure our area meets all city codes and that changes are consistent with our Deed Restrictions and appealing in color and design.

- William Daniel, Pete Cole and Jonathan Mayes are the current Chairmen of the Committee for Sections I and II. Any changes must be submitted for approval via email QVPatioHomes1@yahoo.com or Postal service Quail Valley Patio Homes Association PO Box 2217 Missouri City, TX 77459. All forms must be approved PRIOR TO WORK BEGINNING. Attached you will find a form to complete should you want to make any changes to the exterior of your home and/or landscaping.

Deed Restriction #7: Each Building Lot shall be maintained with four (4) parking spaces for the sole use of the owner and guests.

Supplemental Information: Homeowner parking on grass areas is not allowed under any circumstances. No inoperable vehicles shall be parked, kept, or stored at an owner's residence or at the Section 1 pool area parking location. (Missouri City Code Sec. 30-111.)

Deed Restriction #8: Each individual owner of a Building Lot shall be subject to an annual maintenance fund charge, per lot, payable to Quail Valley Patio Homes Association. This maintenance fund charge shall be payable in advance on or before the first day of January of each year. To secure the payment, a lien is created (which may be foreclosed in the same manner as a mortgage lien) against the Building Lot and Improvements in favor of Quail Valley Patio Homes Association. The maintenance fund shall be used by Quail Valley Patio Homes Association for the payment of ad valorem taxes and other assessments, maintenance of the private streets, for the upkeep, repair, and maintenance of common property, replacement of obsolete or damaged improvements, to provide landscaping for the common property, for the collection of trash or garbage, for employing policemen or watchmen, and other things necessary to keep the property in neat and good order.

Supplemental Information: The Annual Maintenance Fund Charge for Section I is currently \$1099.00, while for Section II it is currently \$347.55. Residents of both sections benefit from twice weekly trash collection and repair, maintenance, and upkeep for the use of the swimming pool facility. Section I residents also benefit from maintenance, repair, and upkeep of private streets and other common property located only in Section I.

Homeowner Maintenance Fees are billed in October and are payable by December 31st each year for the following year. It is important that we collect the dues in a timely manner to keep our property looking and running well. There is a 1% per month Administration Fee added to amounts not paid by December 31st for the upcoming year. Should you have financial difficulties and cannot meet the December 31st payment deadline; the Association does offer payment plan options. A

Payment plan is only valid if the agreement is signed by both the home owner and a member of the Board of Trustees. The standard payment plan consists of making 4 equal payments in consecutive months beginning with the month of January, although other plans are available. If all payments of the payment plan are made on time consistent with the signed agreement, the Association will waive the 1% monthly Administrative Fee. Contact the Treasurer for additional information.

Special projects for the repair, maintenance, and upkeep of Common Property that are over and above the normal annual Maintenance Fund budget may occasionally arise. In this situation a special charge may be assessed for each lot owner. This happens very infrequently and everyone will be informed in a timely manner.

Deed Restriction #9: No behavior deemed obnoxious or offensive shall be permitted upon any homeowner's lot or in any of the common areas. Nor shall anything be done that can become an annoyance or nuisance to the neighborhood.

Deed Restriction #10: No structures of a temporary character such as trailers, tents, shacks, etc, shall be used on any building lot at any time.

Deed Restriction #11: No signs shall be displayed to the public view on any building lot unless approved by the Architectural Control Committee.

Deed Restriction #12: No mining, oil drilling, or other similar activities are allowed on any building lot at any time.

Deed Restriction #13: No animals, livestock, rabbits or poultry of any kind shall be raised, bred or kept on any Building Lot for any commercial purpose. Dogs, cats, and other household pets are allowed.

Supplemental Information: Per city code, a maximum of four animals total (dogs, cats or other usual and common household pets) may be permitted in a dwelling. This limitation shall not apply to hamsters, fish, small birds, or other constantly caged animals. This limit shall not apply in the case of any litter to a permitted pet, up to the time that the animals in such litter are three months old.

While walking on Quail Valley Patio Home Common Property, pets shall be kept on a leash.

Homeowners must comply with the Missouri City code regarding animal defecation which states as follows:

SECTION 10-68 – ANIMAL DEFECATION ON PROPERTY OF ANOTHER

- (a) It is unlawful for the owner or person in control of an animal to allow or permit such animal to defecate on any public property or improved private property, other than that of the owner of the animal. That the animal at large, at the time it defecated on any property, shall constitute prima facie evidence the owner, or person in control of the animal, allowed or permitted the animal to so act.
- (b) It shall be a defense to prosecution under this section that the owner or person in control of the animal immediately removed and cleaned up such animal's feces from the public or private property.

(Code 1981, 4-14; Code 1999, 10-68)

Deed Restriction #14: Rubbish shall not be dumped on any Building Lot. Trash, garbage, and other waste shall be kept in sanitary containers.

Supplemental Information: Quail Valley Patio Homes Association maintenance fund pays for twice weekly trash collection in both Sections I and II. The trash collection service is currently contracted by the City of Missouri City with Waste Corporation of Texas. Their phone number is 281-368-8397.

General Rules - All trash containers should not be put out prior to 6:00 pm the evening prior to trash collection. All trash containers need to be kept out of sight after the day of collection.

All tree, shrub and brush trimmings must be bundled in lengths no greater than four (4) feet and weigh less than forty (40) pounds. Branches may not exceed a diameter of three (3) inches. All containers and bundled branches should be placed by the curb.

Bulky waste (such as refrigerator/freezers must be drained of Freon and have a bill to validate such service was performed). WCA will not pick up dirt, rock, bricks, concrete or any material(s) or item(s) deemed as hazardous materials. No refuse, left by a private contractor, will be picked up.

Homeowner's may contact WCA for special collection of refuse not considered part of normal waste. WCA will meet with the homeowner to negotiate a price for pickup. All fees charged by the WCA will be the responsibility of the homeowner to pay prior to collection. If a homeowner does not contact WCA prior to needing a "special" pickup, the item(s) in question will not be picked up and the homeowner will be left a notice to contact WCA as soon as possible.

Section I Trash Procedures – Due to the narrow streets in Section I, special handling is provided by WCA in this area. Homeowners provide their own trash containers. Pick up is every Wednesday and Saturday between the hours of 7:00 am and 6:00 pm. Should a major holiday (New Year's, Memorial Day, Independence Day, Labor Day, Thanksgiving and Christmas) fall on a scheduled pick up day, the service will resume on the next scheduled pick up day.

Section II Trash Procedures – Homeowner's on Cypress Point and Kingsbrook are part of the regular Missouri City Trash Program. Each home is provided with one larger regular trash container and one smaller one for recycling purposes. For homeowner's who do not want to participate in the recycling program, they may call the phone number on the container and it will be picked up by WCA. Pick up is every Monday and Thursday between the hours of 7:00 am and 6:00 pm. Should a major holiday (New Year's, Memorial Day, Independence Day, Labor Day, Thanksgiving and Christmas) fall on a scheduled pick up day, the service will resume on the next scheduled pick up day.

Deed Restriction #15: Building materials may not be placed on any building lot without prior approval of the Architecture Committee and not until the owner is ready to commence the approved improvement. Building materials may never be placed on a street or other common property.

Deed Restriction #16: Landscaping on each building lot shall be maintained in a neat and attractive manner. Dead trees, shrubs, and other plants must be promptly removed from building lots.

Supplemental Information: Homeowners are responsible for the upkeep of their Building Lot, as shown on the recorded plat (a copy should have been received with closing paperwork). Homeowners may choose to arrange private yard care services at their personal expense, and are welcome to contact 4 Seasons Landscaping for a quote.

City code requires that each dwelling/home and other improvements on a lot shall always be kept in good condition and repair including the driveway, front, rear and side yards of each lot. Examples

Include but are not limited to the following; mildew on siding, driveway, roof and chimneys, rotting wood, peeling paint, dented garage doors, loose rain gutters and loose wiring.

Deed Restriction #17: No cesspools, septic tanks, or similar are allowed on any building lot.

Deed Restriction #18: Each single family residence shall be maintained at a minimum of 1600 square feet of living area, exclusive of patios, atriums, and porches. A minimum of 10 feet must be maintained between the side walls of structures on adjoining lots.

Deed Restriction #19: Easements are granted for all utilities, police, fire protection, ambulance, and trash collection services. Further, an easement is granted to the officers and agents of the Quail Valley Patio Homes Association. Easements for underground utility services may be crossed by driveways and walkways, but must be kept clear of all other improvements including patios.

Deed Restriction #20: These restrictions and maintenance charges shall remain effective perpetually.

Deed Restriction #21: Violations of any restrictions gives the Trustees the right to enter upon the property where such violation exists and abate or remove the violation at the expense of the building lot owner. Such entry and abatement or removal shall not be considered a trespass.

Deed Restriction #22: Enforcement of restrictions shall be by proceedings by law or in equity against the person(s) violating or attempting to violate.

Deed Restriction #23: Any violation shall not impair the rights of any mortgagee or trustee under any mortgage or deed of trust outstanding against any building lot.

Notable Amendment to Restrictions (2012): The Board of Trustees shall be authorized to increase the maintenance fee by up to 5% for a following year whenever the expenses from September of the previous year through August of the current year exceed the current maintenance fee income. Expenses shall be split between Section I and Section II as follows:

Trash collection, pool expenses, property taxes, insurance, office supplies, and other administrative expenses: 78.1% to Section I, 21.9% to Section II.

Sprinkler water, grounds maintenance, street lights, roads, and fences: 100% to Section I



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ENJOY LIVING IN YOUR COMMUNITY –

**THE QUAIL VALLEY PATIO HOMES
SECTION 1 AND SECTION 2**

**YOUR HOMEOWNER'S BOARD
IS HERE TO HELP YOU.....**

CONTACT US IF YOU NEED US

Attachments

- 1. Architectural Control Request Form**
- 2. Overnight Pool Parking Form**

PROPOSED START DATE: _____ ESTIMATED COMPLETION DATE: _____

CONTRACTOR NAME: (if owner is acting as his/her own contractor, indicate owner is completing)

COMPANY NAME: _____ **Phone #** _____

REQUIRED SUBMITTALS: (INDICATE ALL THAT IS APPROPRIATE FOR PROPOSED IMPROVEMENT(S), MODIFICATION(S), ADDITIONS(S))

_____ Copy of lot survey showing location of proposed improvements that may modify home, garage, driveway, patio or yard

_____ Plans and specifications of said improvements

_____ Proposed exterior paint color (please attach a sample of color)

_____ Existing paint color of exterior _____ Existing brick color

_____ Existing shingle type/color (if replacing of existing roof)

PLEASE NOTE: INCOMPLETE SUBMITTAL OF INFORMATION WILL DELAY REVIEW PROCESS AND APPROVAL. COLOR PHOTOS ARE ACCEPTABLE AND IN SOME CASES, REQUIRED FOR APPROVAL BY ARCHITECTURAL COMMITTEE.

NOTICES:

Regarding any utilities that may be involved in proposed improvements; any excavating or digging within the boundaries of utility easements is discouraged. In most cases, there will be no approval by the QVACC. Before excavating or digging anywhere within your yard, please contact the gas, power, telephone and/or cable companies for staking of the location of any distribution or service lines. Some lines are located within easements and some are not.....**CALL BEFORE YOUR DIG.**

QVACC formal response should be forthcoming to the owner within seven (7) working days from the receipt of a completed QVACC form including any and all required attachments. In order to avoid any delays in approval, please review all information submitted for accuracy and completion of all required fields.

HOMEOWNER INSTRUCTIONS:

Review and follow all deed restrictions and applicable guidelines. If you need assistance completing this form, have any questions or need copies of the deed restrictions, please contact the Quail Valley Patio Homeowner's Association President or the current Chairman of the Quail Valley Architectural Control Committee.

1. One copy of your survey, indicate the location of the proposed structure (if applicable) including distance from all property lines and include dimensions of proposed structure (height/width/length).
2. For proposed room addition or structure change, include a copy of elevation, side view and include all placement of windows and/or doors.
3. Describe all building materials to be used and include samples of all materials to be used. Include manufacturer names, photos, sales literature, catalog pages, etc. to assist the Committee with the evaluation/approval.
4. Must have Missouri City Permit approval in addition to the Quail Valley Architectural Control Committee approval.
5. Incomplete forms will be returned to the homeowner for proper completion and will need to be resubmitted for approval. Please check form prior to submitting to avoid a delay in approval.

OVERNIGHT GUEST PARKING AT POOL

Homeowner Name _____

Address _____

Phone _____

Guest Name _____

State/License Plate # _____

Dates Vehicle will be parked _____

PLACE THIS CARD ON DASHBOARD OF
DRIVER'S SIDE OR VEHICLE
MAY BE TOWED AT
EXPENSE OF OWNER

OVERNIGHT GUEST PARKING AT POOL

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Address _____

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