

**POINT AQUARIUS PROPERTY OWNERS ASSOCIATION**

**POLICY ON CAMERA SURVEILLANCE: ACCESS AND USE**

WHEREAS, the property affected by this policy is subject to certain dedications, covenants and restrictions (the "Declaration") set out in instruments recorded in the Official Public Records of Real Property at Montgomery County, Texas, as follows:

- *Section One*— Clerk's File No. 267859; *Section One (Amendment)* — Clerk's File No. 273735; *Section One (Amendment)* — Clerk's File No. 289514; *Section One (Amendment)* — Clerk's File No. 289517; *Section One (Amendment)* — Clerk's File No. 363418; *Section Two* — Clerk's File No. 267860; *Section Two (Amendment)* — Clerk's File No. 363419; *Section Three* — Clerk's File No. 274519; *Section Three (Amendment)* — Clerk' s File No. 363420; *Replat of Section Five (Amendment and Restatement)* — Clerk's File No. 9147286; *Section Six* — Clerk's File No. 291427; *Section Six (Amendment)* — Clerk's File No. 363423; *Section Seven* — Clerk's File No. 8931385; *Section Seven (First Amendment)* — Clerk's File No. 8947594; *Section Seven (Second Amendment)* Clerk's File No. 9019239; *Section Eight* — Clerk's File No. 9021168; *Section Nine* Clerk's File No. 9021170; *Partial Replat of Section One* — Clerk' s File No. 9125463; *Partial Rep lot of Reserve of Section One (First Amendment)* — Clerk's File No. 9131033; *Section Ten (Amended and Restated)* — Clerk's File No. 9149702; *Summerchase Section One (Corrected Declaration)* — Clerk's File No. 2006-047887; and

WHEREAS, pursuant to the authority vested in Point Aquarius Property Owners Association (the "Association") in the Declaration and as required by the TEXAS PROPERTY CODE, the Board of Directors of the Association (the "Board") hereby promulgates the following Policy on Camera Surveillance: Access and Use; and

WHEREAS, TEXAS PROPERTY CODE Section 204.010 permits the Association, acting through its board of directors, to exercise all powers necessary and proper for the governance and operation of the Association; and

WHEREAS, the Association finds it necessary and desirable, in order set out a clear, concise, and uniform set of policies and procedures for the access and use of camera surveillance equipment within the Point Aquarius Subdivisions (the "Subdivision").

**NOW, THEREFORE, BE IT RESOLVED** that the following policies and procedures are hereby established for the Association regarding access and use of camera surveillance.

To ensure the privacy of the residents of Point Aquarius, the Board of Directors established the following policy for the access and use of the camera surveillance equipment.

**I PURPOSE:**

The camera surveillance equipment serves the following purposes:

- 1 Deterrent of criminal activity and mischief
- 2, investigative resource for security and/or law enforcement personnel.

**H. ACCESS:**

Access to the data collected by camera surveillance is limited to licensed security guard(s), law enforcement, and, to the extent permitted by law, designated board member(s) and contracted personnel responsible for the service and/or maintenance of equipment.

**III. ASSURANCES AND LIMITATIONS:**

1. The Board shall make all reasonable efforts to ensure the privacy of the residents of Point Aquarius and the confidentiality of the data collected by camera surveillance.
2. Data collected will be accessed by designated agents and maintained securely. The data will not be replicated, posted and/or distributed to unauthorized people, venues or electronic and/or media outlets.
3. Access to the camera surveillance will be limited to deterrent and/or investigation of suspected criminal activity or mischief. Access to the camera surveillance for other civil and/or legal proceedings is prohibited, unless required by lawful subpoena or other applicable judicial process. Residents who are victims of criminal activity should file an incident report (available in the office and/or on [pointaquarius.com](http://pointaquarius.com)) detailing the incident and time frame for occurrence as well as designating Montgomery County Sherriff Department Report information.
4. Data collected will be maintained on secured DV% Data collection and storage is limited to the capabilities of the technology. Residents are encouraged to routinely monitor his/her property and report concerns in a timely manner,

This instrument is effective upon recordation in the Public Records of Montgomery County, Texas, and supersedes any instrument regarding access and use of camera surveillance equipment which may have previously been in effect. Except as affected by the TEXAS PROPERTY CODE and/or by this instrument, all other provisions contained in the Declarations or any other dedicatory instruments of the Association shall remain in full force and effect.

This is to eel.\* that the foregoing Policy on Camera Surveillance: Access and Use was adopted by the Board of Directors until such date as it may be modified, rescinded or revoked.

The Board of Directors hereby adopts, approves and authorizes the above Policy on Camera Surveillance: Access and Use.

Signed this 4:\ day of n<sup>i</sup>l a t i e t, 2015.

POINT AQUARIUS PROPERTY OWNERS  
ASSOCIATION

By:  
President

**FILED FOR RECORD**

03/12/2015 2:03PM

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COURRY CLERK  
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF MONTGOMERY

I hereby certify this instrument was filed in file number  
sequence on the date and at the time stamped herein  
by me and was duly RECORDED in the Official Public  
Records of Montgomery County, Texas.

**03112/2016**



*Mark Turnbull*


County Clerk  
Montgomery County, Texas

**CORPORATE CERTIFICATE  
POINT AQUARIUS PROPERTY  
OWNERS ASSOCIATION**

The undersigned certifies that he is the Attorney-in-Fact for Point Aquarius Property Owners Association (the "Association"). The Association is the property owners' association for Point Aquarius Property Owners Association, a subdivision in Montgomery County, Texas, according to the maps or plats thereof recorded in the Map Records of Montgomery County, Texas.

The Association is a Texas non-profit corporation, and attached to this certificate is a true and correct copy of the Association's POLICY ON CAMERA SURVEILLANCE: ACCESS AND USE.

Signed this 21<sup>st</sup> day of March, 2015.

  
BRYAN P. FOWLER, *Attorney-in-Fact for  
the Association*

STATE OF TEXAS

COUNTY OF MONTGOMERY

SWORN TO AND SUBSCRIBED BEFORE ME on the \_\_\_ day of March, 2015, by BRYAN P. FOWLER, Attorney-in-Fact for POINT AQUARIUS PROPERTY OWNERS ASSOCIATION, a Texas non-profit corporation.

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THE STATE OF TEXAS

COUNTY OF MONTGOMERY

This instrument was acknowledged before me on the \ day of March, 2015, by BRYAN P. FOWLER, Attorney-in-Fact for POINT AQUARIUS PROPERTY OWNERS ASSOCIATION, a Texas non-profit corporation, on behalf of said corporation.

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**AFTER RECORDING RETURN To:**  
The Fowler Law Firm  
**300** West Davis, Suite 510  
Conroe, Texas 77301

