

**CERTIFICATE OF CORPORATE
FOUNDATION AND DRAINAGE POLICY
DEALING WITH MINIMUM CONSTRUCTION STANDARDS**

I, the undersigned, do hereby certify:

That I am the duly elected and authorized Secretary and Vice President of the Grand Harbor Property Owners Association, Inc., a Texas Non-Profit Corporation;

That the foregoing Requirement was duly adopted by formal action of the Board of Directors on the 14 day of August, 2014

Signatures on file at the POA office

THE STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

THIS INSTRUMENT was acknowledged before me on the 15 day of August, 2014 by Mark V. Rowe, Secretary and John Richard Westbrook, Vice President, of GRAND HARBOR PROPERTY OWNERS ASSOCIATION, a Texas non-profit corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes therein expressed and in the capacity therein expressed.

Signatures on file at the POA office

**Grand Harbor Property Owners Association
Foundation Construction Policy**

I. Authority:

The Grand Harbor Deed Restrictions, **Article IV, Section 4, *Minimum Construction Standards***, give the Architectural Control Committee (ACC) the authority to promulgate, from time to time, minimum construction standards which are binding upon all property owners.

This Policy is considered a "minimum construction standard" and supersedes any previous documentation regarding Foundation Construction in Grand Harbor.

II. Codes:

Construction of a Residence shall conform to the version of the International Residential Code (IRC) that is applicable in the City of Conroe. As of August 1, 2014, the applicable code is the **IRC 2009**.

III. Foundation Documents Required for Submission of Either a New-Home or "Other" Improvement Construction Application:

The following documents must be submitted for any New-Home Construction Improvement Application or "Other" Improvement Construction Application that includes construction of a foundation greater than 200 square feet:

1. **A Site-specific Soil Report:** The builder shall submit a Soil Report, written by a Professional Engineer licensed in the State of Texas, for the specific lot on which the new home will be constructed. The soil Report shall include the legal description and/or street address for the lot on which the soil test borings were made. The soil report shall bear the stamp and signature of the professional engineer performing the soils tests and calculations.
2. **An Engineered Foundation Plan:** All Foundation plans submitted to the ACC shall be engineered by a Professional Engineer licensed in the State of Texas. The foundation plan shall bear the stamp and signature of the Professional Engineer of Record. The foundation plan shall reference the site-specific soil report (see above) used for the foundation calculations, including the name of the testing laboratory, report number and date.

IV. Inspections, Surveys and Reports:

The following inspections, surveys and reports shall be performed during construction of the foundation pad and the foundation and provided to the ACC:

1. **Soil Compaction Report:** If the Engineered Foundation Plan or the Soil Report requires that the foundation pad be compacted to a standard, such as ASTM D698, the builder shall have the pad tested by a qualified testing company in accordance with the cited standard. The builder shall request a written report of the testing results. The builder shall not proceed with construction of the foundation until the compaction standard has been met.
2. **Form Survey:** After the foundation forms have been set, the builder shall contact a registered surveyor to perform a form survey. If the foundation form is found to be outside the building lines, all work shall cease until the form is correctly placed and re-surveyed.

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3. **Inspection of Drilled Piers:** If the foundation design requires that piers be drilled, the Engineer of Record, or his designated representative, shall inspect the pier borings and steel installation to ensure they meet his requirements before the concrete is placed. The engineer shall provide a written inspection report.
4. **Foundation Inspection:** The Engineer of Record, or his designated representative, shall inspect the foundation and steel placement to ensure that it meets his requirements before concrete is placed. The engineer may, at his discretion, attend the placement of concrete. The engineer shall provide a written inspection report.
5. **Engineer's Affidavit:** The Engineer of Record shall review all the reports and inspections to verify that the foundation was constructed according to his design and specifications. If the foundation was constructed according to the foundation plan, the Engineer shall provide an affidavit, bearing his stamp and signature, which states that the foundation was constructed according to his design and specifications. **The builder shall not commence framing the structure until the engineer's affidavit has been delivered to and accepted by the Grand Harbor ACC.**

V. Recordkeeping:

The ACC shall maintain a record of all inspections, surveys and reports. The builder shall submit copies of the above documents to the Grand Harbor POA according to the following schedule:

- **Soil Report** – Submitted with the construction application.
- **Engineered Foundation Plan** – Submitted with the construction application
- **Soil Compaction Report** (if required) – Submitted before foundation steel is placed.
- **Form Survey** – Submitted prior to placing concrete.
- **Foundation/Pier Inspection** – Submitted prior to placing concrete.
- **Engineer's Affidavit** – Submitted prior to commencement of framing.

VI. Builder Compliance:

When the foundation has been completed, the builder shall verify that all recordkeeping documents have been delivered and accepted by the ACC. The builder may request a letter verifying that all of the foundation documents have been received and accepted by the ACC. If the builder fails to provide all of the required documents, he shall be considered "**not in good standing**" by the ACC and will be ineligible to continue building in Grand Harbor until the deficiencies are corrected.

**Grand Harbor Property Owners Association
Drainage Policy**

I. Authority:

Texas State Statute, **Water Code, Title 2, Subtitle B, Chapter 11, Sect. 11.086: Overflow Caused by Diversion of Water**, prohibits diversion of the "natural flow of surface water" if it "damages the property of another."

The Grand Harbor Deed Restrictions, **Article IV, Section 4, Minimum Construction Standards**, give the Architectural Control Committee (ACC) the authority to promulgate, from time to time, minimum construction standards which are binding upon all property owners.

This Policy is considered a "minimum construction standard" and supersedes any previous documentation regarding Drainage in Grand Harbor.

II. Codes:

Construction of a Residence shall conform to the version of the International Residential Code (IRC) that is applicable in the City of Conroe. As of August 1, 2014, the applicable code is the **IRC 2009**.

III. Foundation and Pad:

Grand Harbor Deed Restrictions, Article III, Section 7 requires all foundations to "be a minimum of **eight inches above finished** grade of the lot at the foundation perimeter."

The International Residential Code (IRC), **Chapter 4 – Foundations, Section R401.3 Drainage**, requires property to be graded away from foundation walls, with a minimum slope of 6" within the first 10 ft.

Based on the above requirements, the finished elevation of foundations in Grand Harbor shall be a **minimum of fourteen inches (14")** above the existing grade to allow for 6" of finish grade slope and 8" of foundation above the finished grade.

IV. Site Drainage Plan:

A Site Drainage Plan must be submitted to the ACC for any New-Home Construction Improvement Application or "Other" Improvement Construction Application.

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Drainage Policy

The Site Drainage Plan must include, as a minimum, the following information on structural improvements:

1. An accurate site plan showing all property lines, the location of the road and, on waterfront lots, the location of the lake relative to the lot.
2. Evidence that the foundation height relative to the existing grade meets both the deed restriction requirements and IRC slope requirements (see above).
3. The placement of the residence and all other structures on the lot.
4. The location of the driveway and any other hardscape.
5. The location and diameter of the culvert(s). Culvert diameter requirements shall be provided by The ACC.
6. The location and height of any retaining walls.

In addition to the structural improvements, the Site Drainage Plan shall include, as a minimum, the following information on direction or redirection of surface water flow:

1. Either contour lines or arrows showing the direction of water flow across the lot.
2. If swales or berms are used to redirect surface water flow, the width and the depth/height of the swale/berm shall be cited on the plan. For example, a swale would be described as being "3 feet wide and 4" deep at the center." The swale/berm will also have an arrow showing the direction of surface water flow.
3. If a subsurface drainage system is used to redirect water flow, the location and size of all catch basins shall be cited on the drainage plan. The location and diameter of all related pipe systems shall also be cited on the drainage plan.
4. If gutters and/or French drains are used to redirect water flow, the size and location of all piping and drains shall be cited on the plan.

V. Plan Acceptance

The Site Drainage Plan shall be reviewed for completeness by the Architectural Control Committee (ACC). The committee will either approve or disapprove the plan. The committee may, at their discretion, employ the services of a Civil Engineer, licensed in the State of Texas, to review the drainage plan and advise them on its acceptability. If the professional engineer recommends additional site work to ensure compliance with state law, the recommendations shall become part of the plan approval and the builder shall re-grade the site according to the engineer's requirements. The cost of any civil engineering services required by the ACC shall be the responsibility of the property owner.

VI. Builder Compliance:

When the residence or other improvements are completed, the builder shall grade the lot according to the approved Site Drainage Plan. If the builder fails to properly grade the lot, he shall be considered "**not in good standing**" by the ACC and will be ineligible to continue building in Grand Harbor until the deficiencies are corrected and accepted by the ACC.

FILED FOR RECORD

08/15/2014 1:09PM

Mark Turnbull

COUNTY 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.

08/15/2014



Mark Turnbull

County Clerk
Montgomery County, Texas