

20090583955
12/30/2009 RP2 \$96.00

21
Notice
6

BARKERS RIDGE HOMEOWNERS ASSOCIATION, INC.

ARCHITECTURAL CONTROL COMMITTEE GUIDELINES

RECEIVED
JAN 22 2010

RECEIVED

BY: _____

FILED FOR RECORD
8:00 AM

DEC 30 2009

County Clerk
County Clerk, Harris County, Texas

LAST REVISED: OCTOBER 1, 2009

NOTE: THE ACC GUIDELINES ARE SUBJECT TO MODIFICATION AS THE NEEDS OF THE COMMUNITY CHANGE.
SUCH MODIFICATIONS WILL BE ADOPTED BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS, AT A DULY
CONSTITUTED MEETING OF THE BOARD.

069-65-0497

**BARKERS RIDGE HOMEOWNERS ASSOCIATION, INC.
ARCHITECTURAL GUIDELINES**

The undersigned, being all members of the Board of Directors of the Barkers Ridge Homeowners association, inc., a Texas non-profit corporation (the "Association"), do hereby certify that at a meeting of the board of Directors of the association duly called and held, the following guidelines were unanimously made and adopted:

Whereas, the Association, acting through its Board of Directors, desires to exercise the authority granted to it by James T. Lynch, Inc. pursuant to the provisions of the Declaration of Covenants, Conditions, and Restrictions applicable to Barkers Ridge Sections 1 through 5 (collectively referred to as "the Declaration") to maintain the harmonious and architectural design of the subdivision in accordance with the provisions of the Declaration;

Whereas, the Declaration provides that the Architectural Control Committee (the "ACC") shall have the discretion to approve or disapprove plans and specifications or improvements on lots within Barkers Ridge Sections 1 through 5 on the basis of color, quality of building materials and harmony of external design with the existing structures; and

Whereas, the Board of Directors of the Association desires to establish guidelines within Barkers Ridge, Sections 1 through 5, to be followed by the ACC, so that a harmonious exterior design within the subdivision is consistently maintained;

Now therefore, the Board of Directors of the Association hereby adopts the following guidelines related to additions and improvements on lots within Barkers Ridge, Sections 1 through 5, which guidelines shall supplement the applicable restrictive covenants set for in the Declaration.


EXECUTED THIS 15 DAY OF October, 2009.



JUDITH MCGLAUGHLIN, PRESIDENT



VICTOR TREAT, VICE-PRESIDENT



ANDY AKERS, SECRETARY



CAROLYN PHARR, TREASURER

LAST REVISED: OCTOBER 1, 2009

NOTE: THE ACC GUIDELINES ARE SUBJECT TO MODIFICATION AS THE NEEDS OF THE COMMUNITY CHANGE.
SUCH MODIFICATIONS WILL BE ADOPTED BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS, AT A DULY CONSTITUTED MEETING OF THE BOARD.

CONTENTS

Overview

- 1.0 Purpose & Objectives
- 2.0 Enabling Language
- 3.0 Application Procedure
- 4.0 Approval Process
- 5.0 Appeals Process
- 6.0 Easements
- 7.0 Variance
- 8.0 Inspection
- 9.0 Compliance/Non-Compliance
- 10.0 Complaints
- 11.0 Controlling Documents

Guidelines

- 1.0 General Guidelines
- 2.0 Outbuildings
- 3.0 Room Additions
- 4.0 Fences
- 5.0 Patio Covers
- 6.0 Decks, Patios, Sidewalks
- 7.0 Swing Sets, Play Forts, & Play Houses
- 8.0 Awnings
- 9.0 Exterior Painting
- 10.0 Siding & Gutters
- 11.0 Painted Concrete
- 12.0 Outdoor Carpeting
- 13.0 Storm Windows & Storm Doors
- 14.0 Solar Screens, Screen Doors, & Solar Panels
- 15.0 Swimming Pools/Spas
- 16.0 Basketball Goals
- 17.0 Birdhouses
- 18.0 Yard Decorations
- 19.0 Landscaping
- 20.0 Burglar Bars
- 21.0 Antennae
- 22.0 Mailboxes
- 23.0 Driveways
- 24.0 Exterior Lighting
- 25.0 Roofing, Sky Lights
- 26.0 Wall Unit Air Conditioners
- 27.0 Flagpoles & Flags
- 28.0 Window Coverings
- 29.0 Garage Apartments
- 30.0 Carports
- 31.0 Benches
- 32.0 Soft Water, Water Filter Systems
- 33.0 Trampolines

LAST REVISED: OCTOBER 1, 2009

NOTE: THE ACC GUIDELINES ARE SUBJECT TO MODIFICATION AS THE NEEDS OF THE COMMUNITY CHANGE.
SUCH MODIFICATIONS WILL BE ADOPTED BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS, AT A DULY
CONSTITUTED MEETING OF THE BOARD.

- 34.0 Signs, Advertisements, and Billboards
- 35.0 Garage Sales
- 36.0 Exterior Home Maintenance

LAST REVISED: OCTOBER 1, 2009

NOTE: THE ACC GUIDELINES ARE SUBJECT TO MODIFICATION AS THE NEEDS OF THE COMMUNITY CHANGE.
SUCH MODIFICATIONS WILL BE ADOPTED BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS, AT A DULY
CONSTITUTED MEETING OF THE BOARD.

OVERVIEW

1.0 Purpose & Objectives

A system of Architectural Control is created by the Declarations of Covenants, Conditions, and Restrictions (CCR's) for each five sections contained within the Barkers Ridge Homeowners Association. These Declarations were recorded with the Office of Public Records of Real Property for Harris County, Texas for each Section, as follows:

- (1) Declarations of Covenants, Conditions, and Restrictions, dated August 19, 1985, recorded August 22, 1985, under document number K170824 in the Official Public Records of Real Property of Harris County, Texas; (5)
- (2) Amendment to Declarations of Covenants, Conditions, and Restrictions for Barkers Ridge Section 1, a Subdivision in Harris County, Texas, dated February 25, 1986, recorded March 17, 1986, under document number K452622 in the Official Public Records of Real Property of Harris County, Texas (items 1 and 2 collectively referred to as the "Declarations"); ll
- (3) Declaration of Covenants, Conditions, and Restrictions for Barkers Ridge Section Two (2), dated February 8, 1991, recorded February 15, 1991, under document number N018042 in the Official Public Records of Real Property of Harris County, Texas; ll
- (4) Declaration of Covenants, Conditions, and Restrictions for Barkers Ridge Section Three (3), dated April 16, 1990, recorded May 21, 1990, under document number M642528 in the Official Public Records of Real Property of Harris County, Texas; ll
- (5) Declaration of Covenants, Conditions, and Restrictions for Barkers Ridge Section Four (4), dated September 21, 1993, recorded September 27, 1993, under document number P471537 in the Official Public Records of Real Property of Harris County, Texas; ll
- (6) Declaration of Covenants, Conditions, and Restrictions for Barkers Ridge Section Five (5), dated March 14, 1995, recorded April 18, 1995, under document number R356729 in the Official Public Records of Real Property of Harris County, Texas. ll

The purpose of architectural standards is to preserve the natural setting and beauty of the Barkers Ridge community, and to promote and protect the value of the properties, the lots, and the residential units.

2.0 Enabling Language

Article IV, Section 1 of each Declaration provides as follows:

"No building, fence, wall, or other structure must be commenced, erected, placed, or altered on any Lot, nor must an exterior addition or change or alteration therein be made until the construction plans and specifications describing the nature, kind, shape, height, materials, and a plot plan showing the location of same have been approved in writing as to harmony of exterior design and color with existing structure and location with respect to topography and finished grade elevation, by the Barkers Ridge Architectural Control Committee. A copy of the construction plans and specifications and a plot plan, together with such information as may be deemed pertinent, must be submitted to the Architectural Control Committee, or its designated representative, prior to commencement of construction. The Architectural Control Committee may require the submission of such plans, specifications, and plot plans, together with such other documents as it deems appropriate, in such form and detail as it may elect, as its entire discretion. The Architectural Control Committee must have full and complete authority to approve construction or any improvement on any Lot, and its judgment must be final and conclusive."

LAST REVISED: OCTOBER 1, 2009

NOTE: THE ACC GUIDELINES ARE SUBJECT TO MODIFICATION AS THE NEEDS OF THE COMMUNITY CHANGE.
SUCH MODIFICATIONS WILL BE ADOPTED BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS, AT A DULY
CONSTITUTED MEETING OF THE BOARD.

Article IV, Section 4 of the Declarations also provides additional grants of authority:

"The Architectural Control Committee may from time to time promulgate an outline of minimum acceptable construction standards; provided, however, that such outline will serve as a minimum guideline and such Architectural Control Committee must not be bound thereby Sections 204.010(a)(6),(9),(18), & (21) of the Texas Property Code, which state: 'Unless otherwise provided by the restrictions or the association's articles of incorporation or bylaws, the property owners' association, acting through its board of directors or trustees, may ... (6) regulate the use, maintenance, repair, replacement, modification, and appearance of the subdivision ...; (9) impose and receive payments, fees, or charges for the use, rental, or operation of the common area and for services provided to property owners ...; (18)(A) implement written architectural control guidelines for its own use or record the guidelines in the real property records of the applicable county; and (B) modify the guidelines as the needs of the subdivision change ... ; and (21) exercise other powers necessary and proper for the governance and operation of the property owners' association.'"

These guidelines replace and supersede any prior or other architectural control committee guidelines established or published by the Architectural Control Committee, the Board of Directors or the Association, including, but not limited to, Barkers Ridge Homeowners Association, Inc. Architectural Control Committee Guidelines, dated October 5, 2005, recorded November 8, 2005, under document number Y885654 in the Official Public Records of Real Property of Harris County, Texas.

3.0 Application Procedure

A Request for Home Improvement Approval ("Application") must be submitted to the ACC Committee prior to any construction activity, for any construction or alteration of any improvements upon a lot or lots. Applications should include a cover letter, together with an ACC Application form, explaining the proposed improvements. The ACC application form can be found at the Barkers Ridge website, www.barkersridge.org. Attach two (2) copies of a detailed site plan, utilizing a copy of the survey received at closing so that the relative distances and dimensions can be reviewed. Make sure to include all pertinent information, specifications, building permits – as well as a mailing address and phone number. An e-mail address is preferred to expedite follow-up requirements after the initial application is received. All applications must be in writing: the ACC chairperson cannot respond to verbal requests.

Mail your application to Crest Management Company, P.O. Box 219320, Houston, TX 77218-9320, telephone number 281-579-0761. If the application is mailed, consider sending it as certified mail, return receipt requested.

It is the responsibility of the applicant to make sure that he or she has the most current guidelines before proceeding with any improvement. The most recently approved guidelines will be posted on the Barkers Ridge website, www.barkersridge.org, along with the contact information of board members.

The ACC chairperson reserves the right to charge an application fee on a case by case basis, depending on the complexity of the requested improvement. Any costs or expenses which the ACC incurs in processing the application must be paid by the applicant.

Separate applications should be submitted if the project to be considered includes more than one structure or alteration. If, for example, the project includes both a swimming pool and a patio cover, then two applications (one for each structure) should be submitted.

LAST REVISED: OCTOBER 1, 2009

NOTE: THE ACC GUIDELINES ARE SUBJECT TO MODIFICATION AS THE NEEDS OF THE COMMUNITY CHANGE.
SUCH MODIFICATIONS WILL BE ADOPTED BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS, AT A DULY
CONSTITUTED MEETING OF THE BOARD.

Once the application is received, it is reviewed to ensure that all required information has been provided. The completeness of the application may be determined by the management company, the Board, or the Architectural Control Committee. If the application form is not complete, Crest Management will contact the homeowner to request the required information. No deadlines regarding the approval or denial of any application are activated until a complete application has been received by the Architectural Control Committee.

4.0 Approval Process

ACC approval is required prior to the installation or construction of any improvement or change. The ACC has thirty (30) calendar days from the date of receipt of a complete application within which to respond. If the ACC Committee requests additional information, this thirty (30) day processing period does not begin until receipt of this additional information. Failure by the ACC to approve or disapprove the application within the 30 day period does not imply that the homeowner has permission to proceed with the improvement. While every effort to respond within the 30-day period, an application is automatically denied if no decision is rendered.

If an application is not approved, the ACC will state in its letter why such approval was denied, and what type of application changes, if any, would alter that decision. An application can be approved, but its approval may be contingent on specific provisions stated by the ACC to ensure that the improvement is harmonious with other ACC guidelines. If the homeowner fails to comply with these stipulations, the approval will be negated, and the homeowner will be required to remove the improvement.

The ACC Chairperson cannot approve his/her own improvement.

Please note that ACC approval is required prior to the installation or construction of any improvement or change. If an improvement is made without ACC approval, then the Board of Director for Barkers Ridge Homeowners Association, Inc. has the legal right to enforce its removal.

5.0 Appeals Process

In the event that the ACC disapproves an application, or fails to render a decision within the 30-day period, the applicant may submit to the ACC a written request for reconsideration or to gain a decision on a qualified ACC application within a reasonable time period.

In the event of reconsideration, the applicant may submit with the written request for reconsideration an explanation of additional or extenuating circumstances or any other information with the applicant considers relevant to the original application. The ACC must review the request for reconsideration at the meeting of the ACC next following the date upon which the request is received and then notify the applicant in writing of its final decision. In the event that the request for reconsideration is denied, or no decision is rendered within 60 days of the original application, the applicant may submit to the Board of Directors of the Association the written request for reconsideration. The Board of Directors must review the request for reconsideration at the meeting of the Board of Directors next following the date upon which the request is received and notify the applicant of the Board's decision. All decisions of the Board of Directors must be final. During the period of appeal to the ACC and/or the Board of Directors, the decision of the ACC on the original application must remain in effect.

In the event that the ACC does not render a decision within sixty (60) days after a complete

LAST REVISED: OCTOBER 1, 2009

NOTE: THE ACC GUIDELINES ARE SUBJECT TO MODIFICATION AS THE NEEDS OF THE COMMUNITY CHANGE.
SUCH MODIFICATIONS WILL BE ADOPTED BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS, AT A DULY
CONSTITUTED MEETING OF THE BOARD.

application has been submitted, the applicant may petition the Board of Directors to convene within the next thirty (30) days to consider the application, or can require a decision by the Board of Directors within this thirty day period.

6.0 Easements

It is the homeowners' responsibility to secure consent to encroachment or release of easement from all affected companies.

Approval by the ACC of any encroachments of an easement must not serve as an amendment or change of that easement. Any encroachment upon such easement must be at the sole expense and risk of the homeowner.

7.0 Variances

If an owner asks for a variance, then the ACC and/or the Barkers Ridge Homeowners Association Board of Directors have twenty (20) days to render a decision.

Any request for variance must be deemed to have been disapproved for the purposes hereof in the event of either (a) written notice of disapproval from the Architectural Control Committee; or (b) failure by the Architectural Control Committee to respond to the request for variance.

8.0 Inspection

All improvements are subject to inspection by the ACC.

9.0 Compliance/Non-Compliance

Homes or home improvements built after the approval and adoption of these ACC guidelines are expected to be in full compliance with all provisions of the guidelines in effect at the time of the application.

Homeowners must comply with all applicable restrictions and must observe the filing requirements for any improvements. A homeowner is not in compliance if: 1) an improvement was made that is/was prohibited at the time of the beginning of the construction of the alteration of the improvement; or 2) an improvement was made and an application was not filed with the ACC.

Unapproved and/or prohibited improvements are subject to removal or modification at the homeowner's expense, unless a variance is granted. Homeowners should apply to the ACC for any outstanding unapproved improvements.

Homeowners have 180 days year within which to complete the improvement approved by the ACC. If the improvement is not started within the 180-day period, the application approval is withdrawn, and the homeowner cannot proceed with the improvement. If the improvement has been started and has not been completed, the Board of Directors of the Barkers Ridge Homeowners Association has the right to require the homeowner to submit another application.

10.0 Complaints

Homeowners are encouraged to help maintain the aesthetic quality of Barkers Ridge. To this end, residents may identify violations of the ACC Guidelines, and report them to Crest Management Company. All complaints will be handled in the same manner as is discussed in the Application Process.

11.0 Controlling Documents

LAST REVISED: OCTOBER 1, 2009

NOTE: THE ACC GUIDELINES ARE SUBJECT TO MODIFICATION AS THE NEEDS OF THE COMMUNITY CHANGE. SUCH MODIFICATIONS WILL BE ADOPTED BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS, AT A DULY CONSTITUTED MEETING OF THE BOARD.

In the event of a conflict between these ACC Guidelines and the Declarations, the Declaration must control.

06-06-05-01-05

LAST REVISED: OCTOBER 1, 2009

NOTE: THE ACC GUIDELINES ARE SUBJECT TO MODIFICATION AS THE NEEDS OF THE COMMUNITY CHANGE.
SUCH MODIFICATIONS WILL BE ADOPTED BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS, AT A DULY
CONSTITUTED MEETING OF THE BOARD.

GUIDELINES

1.0 General Guidelines

The ACC must consider the following factors upon the review of each application for an exterior change, addition, or improvement:

- Size and dimension
- Color and harmony with existing structures and improvements
- Quality of materials
- Location
- Harmony and appeal of the exterior design
- Quality of construction
- Elevation
- Compliance with applicable statutes, ordinances, building codes and covenants, conditions, and restrictions
- Safety of the community.

The guidelines may be amended from time to time as circumstances, conditions, or opinions of the ACC dictate.

2.0 Outbuildings

An outbuilding is any structure which is not attached to the main house structure, except for detached garages. This includes, but is not limited to, all storage sheds, gazebos, and playhouse/forts.

Consistent with the general guidelines stated in section 1.0, the standard, type, quality and color of the materials used in the construction of the outbuilding must be harmonious with the standard, type, quality and color of the materials used in construction of the main residence on the lot. Shingles and paint utilized must match that of the residence. Small, prefabricated metal storage buildings that have been approved before the authentication of the ACC Guidelines dated before October 25, 2006 are not subject to removal. However, prefabricated metal storage buildings do not meet the standard of harmony under the revised Guidelines dated October 25, 2006 and thereafter, and all storage buildings must be kept in good repair. All must be maintained free of mold or rust and re-painted as needed and kept in good repair and appearance.

Outbuildings must not exceed eight feet (8') in height, with a maximum floor space of 10' X 12', except as approved on a case by case basis. The structure must be kept a minimum of five (5) feet off the property line and the distance from the side fence will be determined based on visibility from the street in front of the lot.

All outbuildings must be within the enclosed, fenced back yard.

Outbuildings whose structure is permanent, or if a permanent slab is desired, must not be placed within existing easements, unless the easement holders involved have granted their written consent to such encroachment, and a copy of said consent is provided to the ACC. In any case, outbuildings must be placed such that they are not readily visible from the streets adjacent to the home.

No storage building can be built up against any side or rear wall of a home unless its maximum height is less than six (6) feet and it is not visible above the fence. It must also comply with all

LAST REVISED: OCTOBER 1, 2009

NOTE: THE ACC GUIDELINES ARE SUBJECT TO MODIFICATION AS THE NEEDS OF THE COMMUNITY CHANGE.
SUCH MODIFICATIONS WILL BE ADOPTED BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS, AT A DULY
CONSTITUTED MEETING OF THE BOARD.

other requirements for proper construction, size, and location.

Outbuildings must not interfere with the natural drainage of the lot or neighboring lots.

Plants may be required of the homeowner to help shield the storage building from street view if the ACC believes the building placement is too easily visible from the street or nearby lots.

A freestanding gazebo must be at least six (6) feet away from the house. Approval will be granted on a case-by-case basis. The gazebo, at the peak of the structure, must not be higher than twelve (12) feet and must be five (5) feet away from any property line. If the roof is shingled, it must match the house shingles.

Outbuildings must be maintained in good condition.

3.0 Room Additions

All room additions require that detailed design and construction plans be submitted to the ACC well in advance of planned construction. A sixty (60) day notice is required for the purpose of approving these plans.

The standard, type, quality and color of the materials used in construction must be harmonious with the standard, type, quality and color of the materials used in construction of the main residence on the lot. Shingles, siding, bricks and paint utilized must match that of the residence. All such improvements must be to building code standards, and must be architecturally compatible with the original and neighboring homes. Room additions must comply with lot coverage restrictions as set forth in the Declarations.

All windows of the room addition must face the backyard or driveway. Windows which face toward a neighboring home such as to allow someone to directly view upon their property will be reviewed on a case-by-case basis, based upon where the room addition is located within the property, and where the window itself is located. The ACC may disapprove the structure if the privacy of neighboring residents is abridged.

Room additions must not be placed within existing easements, unless the easement holders companies involved have granted their written consent to such encroachment, and a copy of said consent is provided to the ACC.

Room additions must be completed within 180 days of the construction start date.

4.0 Fences

All wooden fences situated parallel to the front lot line or parallel to a side street adjacent to a corner lot must be constructed with the pickets on the outside so that no posts or rails are visible from the street in front of the lot or from the side street. Pickets must be made of cedar wood, and must be at least six feet (6') high, with the exception of gates/fences connecting house and garage, which can be less than, but not more than, six feet high. Fence posts and runners should be constructed with treated wood.

Wooden fences should be left in a natural state, sealed with a clear sealer or waterproofing compound and be kept in good repair and appearance.

Replacement or repair fences, walls, or hedges should be made with similar materials and construction details as to the original fence, wall, or hedge. If fences are replaced with similar

LAST REVISED: OCTOBER 1, 2009

NOTE: THE ACC GUIDELINES ARE SUBJECT TO MODIFICATION AS THE NEEDS OF THE COMMUNITY CHANGE.
SUCH MODIFICATIONS WILL BE ADOPTED BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS, AT A DULY
CONSTITUTED MEETING OF THE BOARD.

materials and construction details, no ACC application is required. Proposed replacement with other materials must be approved by the ACC.

Varnishing or painting the cedar wood pickets visible from the street or public trail is not allowed. All pickets may be treated with a water sealer or a clear stain. However, a sample of the proposed stain must be attached to the application submitted to the ACC, and will be approved only if a clear (no color) stain. Stains that use the description "natural" are not considered to be clear stains and will be approved only if the ACC chairman verifies it as a clear stain.

Replacement wood fences or repaired wood fences may have a horizontal "rot" or base boards, not to exceed six (6) inches in height. The overall height of the fence, however, must not exceed six (6) feet.

Wrought iron fences must not replace original cedar wood fencing except in between detached garages and homes, and must not exceed six (6) feet in height, unless a variance is approved by the ACC. Wrought iron fences must be painted black.

All gates must either be constructed of cedar wood or wrought iron painted black. Chain link fences are explicitly excluded. Gates (including lattice or other structures) may not exceed six (6) feet in height.

5.0 Patio Covers

The standard, type, quality and color of the materials used in the construction of a patio cover must be harmonious with the standard, type, quality and color of the materials used in the construction of the main residence.

Fiberglass and aluminum patio covers will be reviewed on a case by case basis. If canvas is used as a patio cover, the structure must be located where it is not visible to the street. The canvas must be kept in quality condition or its removal will be sought by the ACC. The color of the canvas cover must be earthtone (e.g., black, brown, tan, beige, or grey). No primary colors such as red, blue, or yellows are allowed.

6.0 Decks, Patios & Sidewalks

Decks and patios must be constructed of materials which are harmonious with the main residence, and must be maintained in good condition. Decks and patios may not encroach into building setback lines.

Decks and patios may not encroach into any easement unless the holder(s) of that easement has granted written consent to such encroachment, and a copy of said consent is provided by the ACC.

Decks and patios may not be situated on the lot if they pose a problem to an effective drainage of the lot or neighboring lots.

Decks cannot be higher than eighteen (18) inches above grade.

7.0 Swing Sets, Play Forts, & Playhouses

Swing sets, play forts, and play houses may not to exceed ten (10) feet in height, with the deck height not to exceed five (5) feet. All structures must be made of weather proof wood, metal or aluminum. If the material is painted, a color sample must accompany the ACC application for approval.

LAST REVISED: OCTOBER 1, 2009

NOTE: THE ACC GUIDELINES ARE SUBJECT TO MODIFICATION AS THE NEEDS OF THE COMMUNITY CHANGE.
SUCH MODIFICATIONS WILL BE ADOPTED BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS, AT A DULY
CONSTITUTED MEETING OF THE BOARD.

Playhouses must have roofs which are harmonious to the immediate neighborhood.

8.0 Awnings

An awning is a retractable, roof-like shelter fitted over windows or doors to provide protection from the sun, rain and wind, usually made of canvas and stretched over an adjustable metal frame.

Awnings which are visible from any street adjacent to the home must not be permitted. Awnings on the rear portion of a lot must be one (1) color and harmonious with the color of the house. All awnings, including the color thereof, must be approved by the ACC.

9.0 Exterior Painting

A color sample or paint chip of the proposed exterior color of any new addition or improvement must be attached to each application submitted to the ACC. Further, the existing exterior color of a house, garage or other improvement on a lot must not be repainted any other color than the original color without first submitting an application with a color sample or paint chip to the ACC and receiving its written approval. If the exact color as what was originally on the house or garage, or in a color previously approved by the board, then an ACC application is not required.

The front door of the main resident must always be painted a single color, harmonious with the principal color of the residential dwelling.

The doors of a garage on a lot must always be painted a single color, harmonious with the principal color of the residential dwelling.

10.0 Sidings & Gutters

The standard, type and quality of the materials used in construction must be harmonious with the standard, type and quality of the materials used in construction of the main residence on the lot. Vinyl siding is permitted.

Siding must be painted to match the existing siding of the residence on the lot. Any change in color from the existing ACC approved color of the residence must first be approved by the ACC.

Gutters must be painted to match the existing color of the residence on the lot.

11.0 Painted Concrete

No concrete on a lot which is visible from the street, whether a driveway, sidewalk, patio or other improvement, must be painted or stained any color.

Concrete which is not visible from the street may be painted or stained only with the ACC's prior written approval.

12.0 Outdoor Carpeting

Outdoor carpeting can only be installed on back porch area. Carpeting on outdoor walkways is expressly prohibited.

Earth-tone colors (e.g. black, brown, tan, beige, or grey) are allowed. No primary colors such as blue, red, or yellow can be approved.

13.0 Storm Windows & Storm Doors

LAST REVISED: OCTOBER 1, 2009

NOTE: THE ACC GUIDELINES ARE SUBJECT TO MODIFICATION AS THE NEEDS OF THE COMMUNITY CHANGE.
SUCH MODIFICATIONS WILL BE ADOPTED BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS, AT A DULY
CONSTITUTED MEETING OF THE BOARD.

Storm doors/windows will be acceptable, provided they are compatible with the color of the exterior of the house.

14.0 Screen Doors, Solar Screens, & Solar Panels

Screen doors will not be allowed on the front of any home, or on any door visible from the street.

Solar screens are allowed on windows subject to prior ACC approval, and only if they blend with the brick and roof color.

Solar panels will be approved only if they are unobtrusive and if they blend in with the roof shingle color. Parabolic solar collectors which are not mounted so as to be flush with the roof will not be approved. Solar panel frames should be bronze or black in color in order to blend with the roof shingles. All unfinished aluminum should be painted the color of the roof shingles. No solar panel should be mounted so that it extends above the roof line. Solar panels may not be visible from the street. Solar panels mounted on stands are not permitted.

15.0 Swimming Pools & Spas

Only in-ground pools will be allowed.

All applications for the construction of a swimming pool/spa must include a plot plan showing the proposed location of the pool/spa in relation to the property lines, building lines, existing structures and existing fences.

Pools and spas must be completely enclosed by a fence or barrier. If the wooden privacy fence is used for this purpose, it must be in conformance with the requirements of Section 4. Other fences must be at least four feet high with no openings, holes or gaps larger than four inches measured in any direction. Gates opening directly into the pool area must be equipped with self-closing and self-latching devices designed to keep, and capable of keeping such doors or gates securely closed at all times when not in actual use. Said latching devices must be attached to the upper quarter of such gates or doors. The door of any dwelling occupied by human beings and forming any part of the enclosure herein above referred to need not be so equipped.

The application must include a timetable for construction.

During construction, the construction area must be barricaded at all times. Equipment and supplies are not permitted in the street.

Pool pumps and equipment must not be visible from the streets adjacent to the home.

Pool pump and equipment rooms will be reviewed on an individual basis.

No pool structure can be higher than the fence line.

If any pool or spa construction uses access to the backyard over or through (1) a landscape area maintained by the Association; (2) a fence owned by the Association; or (3) a sidewalk; then either the homeowner or the pool contractor must deposit 10% of the cost of the project, or a minimum of \$1,000, with the Association. The deposit will be returned only (1) if there is no damage to the landscape area, fence, or sidewalk; or (2) any damage is repaired to the satisfaction of the Association. The Association may retain all, or any portion, of the deposit depending on the extent of the damage as determined by the Association. Nothing herein must prevent the Association from seeking damages in excess of the deposit amount.

LAST REVISED: OCTOBER 1, 2009

NOTE: THE ACC GUIDELINES ARE SUBJECT TO MODIFICATION AS THE NEEDS OF THE COMMUNITY CHANGE.
SUCH MODIFICATIONS WILL BE ADOPTED BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS, AT A DULY
CONSTITUTED MEETING OF THE BOARD.

16.0 Basketball Goals

No ACC application is required for basketball goals meeting the following requirements.

- A white fabric net must be maintained on the rim at all times. The net must be replaced in the event that it becomes frayed or torn. Chain nets are not allowed.
- An orange or black steel or metal rim must be affixed to the backboard at all times. The rim must be repaired or, if necessary, replaced in the event that it becomes broken or bent.
- The backboard must be clear acrylic, fiberglass painted gray or white or weatherproofed wood painted white or gray, with the exception of an orange or black square outline above the rim. The backboard must be repainted repaired or replaced in the event that the surface of the backboard becomes chipped or cracked or the backboard becomes warped or unaligned.
- All mounting supports must be steel or aluminum and painted the same color as the exterior color of the structure upon which they are mounted. The pole on which the backboard is mounted, if applicable, must also be steel or aluminum and painted either silver or black. The pole, if applicable and all mounting supports must be maintained in an attractive condition.
- Garage-mounted basketball goals may be accepted in all sections and will be subject to the same provisions aforementioned.
- Pole mounted basketball goals and portable/moveable basketball goals must be behind the building line on the lot. In the case of an attached garage, these basketball goals must not be closer to the street than half the distance from the front of the garage to the street. This also applies to detached garages on corner lots.

17.0 Birdhouses

Birdhouses must not be visible from the street in front of the lot.

Maximum dimensions for birdhouses must be two feet in width, two feet in length and two feet in height.

No birdhouse must be mounted on a pole exceeding sixteen feet in length.

The materials, color and construction of the birdhouse must be harmonious with the home and other improvements on the lot.

Birdhouses must be maintained in like-new condition at all times.

Only one birdhouse is permitted per lot.

18.0 Yard Decorations

There must be no yard decorations, such as sculptures, birdbaths, fountains or other decorative embellishments placed on any portion of a lot visible from any street without approval. These yard decorations will be reviewed on a case by case basis.

Seasonal yard decorations for holidays including Christmas, Easter, Thanksgiving and Halloween

LAST REVISED: OCTOBER 1, 2009

NOTE: THE ACC GUIDELINES ARE SUBJECT TO MODIFICATION AS THE NEEDS OF THE COMMUNITY CHANGE.
SUCH MODIFICATIONS WILL BE ADOPTED BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS, AT A DULY
CONSTITUTED MEETING OF THE BOARD.

must be removed within two weeks after the holiday has passed.

19.0 Landscaping

General landscaping is defined as living plants, shrubs, flowers, etc. and utilization of non-living material necessary for growth (e.g., bark, mulch). Landscaping is not generally subject to ACC review except in circumstances wherein such landscaping is intended to accomplish a structural objective, such as a hedge or visual barrier, or is visually objectionable and not in harmony with the surrounding neighborhood, or is specifically referenced in the Declarations.

The front and side yards of each lot must be predominantly St. Augustine grass (approximately 75%).

Landscaping must compliment the style and architecture of the home and conform to the color scheme of the immediate neighborhood.

Trellises, lattices, window boxes, arbors, and permanent brick borders must have ACC approval.

Landscaping must not interfere with the natural drainage of the lot or neighboring lots.

Shrubbery is required in front of all homes in conformance with the overall scheme of the neighborhood. The Owners or occupants of all Lots must at all times keep all weeds and grass thereof cut in a sanitary, healthful and attractive manner, and edge curbs that run along the property lines.

Removal of any tree measuring more than 3 inches in diameter, measured 2 feet from the ground, requires submission of an ACC Application and approval given by the ACC. Trees removed upon approval by the ACC will generally require the stumps to be ground and for a replacement tree to be planted in the former location of the removed tree. This ensures maintaining the same amount of "green space" within the community.

Tree stumps shall not be left visible on lots. Once approved for cutting by the ACC, the Committee will recommend that the stump be removed and that the area affected be restored appropriately (tree replacement, ornamental plantings (shrubs, flowers, etc.), mulching, or re-sodding). A tree that is dead and has been cut cannot be left as a visible stump.

Trees that have fallen as a result of natural causes, i.e. diseased, damaged by lightning or wind, etc. must be removed in a timely fashion. As stated above, no tree stumps shall be left visible. Failure to comply will result in an immediate homeowner fine for covenant violation and may require further homeowner remedy.

20.0 Burglar Bars

Burglar bars must be on the inside of windows and match the color of the window pane decorator strips.

Burglar bars will be reviewed on a case by case basis.

21.0 Antennae & Satellite Dishes

All satellite dish antennas greater than eighteen (18) inches in diameter must be approved by the ACC. Satellite dishes greater than eighteen (18) inches in diameter must be mounted such that no part of said dish exceeds six (6) feet in height and cannot be seen from any road on the front,

LAST REVISED: OCTOBER 1, 2009

NOTE: THE ACC GUIDELINES ARE SUBJECT TO MODIFICATION AS THE NEEDS OF THE COMMUNITY CHANGE.
SUCH MODIFICATIONS WILL BE ADOPTED BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS, AT A DULY
CONSTITUTED MEETING OF THE BOARD.

side or back of the house. Additionally, the ACC may require certain disguising such as shrubbery for dishes greater than eighteen (18) inches in diameter.

All other antennae must refer to the applicable Declaration of Covenants, Conditions and Restrictions.

22.0 Mailboxes

Individual mailboxes will not be permitted.

Only U.S. postal approved and installed mailboxes are acceptable in the areas designated by the U.S. Postal Service.

23.0 Driveways

Driveways must not be wider than two car widths in front of the building line.

Driveways may be no wider behind the front building line than needed to provide adequate, straight-in access to the garage door(s).

Driveways must not extend beyond or beside the front of the garage.

Circular (or semicircular) driveways will not be permitted.

The cracks between cement driveway sections must be kept free of significant vegetation.

24.0 Exterior Lighting

Only clear or white light bulbs may be used for exterior lighting, and must not be of an intensity which causes annoyance to neighboring homes. Under no circumstances must vapor lighting be permitted.

Directional lights of flood lights must be aimed so as not to shine directly in the windows of neighboring homes.

Low voltage landscaping lights require ACC approval.

Yard lights may be gas or electric. If electric, the incandescent bulb may not exceed 100 watts, and must be of clear glass type. The maximum acceptable height is six feet (6'), and the pole must be black brown or white, depending on harmony with the existing residence, as determined by the ACC.

25.0 Roofing & Sky Lighting

A sample of the proposed shingle to be placed on any existing roof or any new improvement must be attached to each application submitted to the ACC.

Shingle type, quality and color must be harmonious with the color scheme established for the subdivision.

Repairs or partial replacements must be done with shingles of the same type, quality and color of the existing roof.

All composition shingles used on the roof of a home must have at least a 20-year manufacturer's warranty.

LAST REVISED: OCTOBER 1, 2009

NOTE: THE ACC GUIDELINES ARE SUBJECT TO MODIFICATION AS THE NEEDS OF THE COMMUNITY CHANGE.
SUCH MODIFICATIONS WILL BE ADOPTED BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS, AT A DULY
CONSTITUTED MEETING OF THE BOARD.

No sky lights or similar type of additions must be permitted on the front of the roof ridge line and/or gable of a structure.

26.0 Wall Unit Air Conditioners

Wall-mounted air conditioning units will not be allowed.

27.0 Flagpoles & Flags

Permanently affixed flag poles will not be allowed in front or side yards. Bracket mounted flags, placed near the front entry of the home, may be permitted. Decorative flags representing the four seasons or recognized holidays may be flown, but the season or holiday being displayed on the flag must correspond with the season or holiday that is being celebrated. Flags should be no larger than 15 square feet in size.

Permanently affixed flagpoles that have been approved before the authentication of these ACC Guidelines are not subject to removal. However, residents who have installed such flagpoles must remove them prior to the sale or lease of their Dwelling Units.

28.0 Window Coverings

Mirrored or silver reflective window coverings will not be allowed. All other window coverings will be reviewed on a case by case basis.

29.0 Garage Apartments

Garages as built by the builder for the use of vehicles will not be accepted for the conversion to an apartment.

30.0 Garage Doors

Garage doors must be maintained (clean, painted, and in good appearance) and windowed doors should remain unadorned (free of curtain/shutters, posters, painting of glass panes, etc.). Replacement of garage doors requires prior ACC approval.

31.0 Carports

Carports will not be allowed, except in conjunction with the design of a porte cochere.

The standard, type, quality and color of the materials used in construction of the porte cochere must be harmonious with the standard, type, quality and color of the materials used in construction of the main residence on the lot. The color, roofing, and brick must match that of the main residence. The porte cochere must be attached to the side of the main residence, and it must not extend beyond the front building line of the main residence.

32.0 Benches & Yard Furniture

No ACC application is required for park benches less than 5 feet in length constructed of wood and/or wrought iron, painted and/or stained in a color harmonious with the neighborhood, and placed in front of the home in between the driveway and the opposite end of the home's slab no closer to any sidewalk than 6 feet.

No more than one front yard bench is allowed per residence without prior approval. In lieu of one front yard bench, a combination of three (3) wrought iron chairs and one (1) wrought iron table, painted in either a black or white color, may be placed in the front or side lot, subject to the approval of the ACC. The table/chair combination must be contiguous, and can be no closer to any sidewalk or driveway than six feet.

LAST REVISED: OCTOBER 1, 2009

NOTE: THE ACC GUIDELINES ARE SUBJECT TO MODIFICATION AS THE NEEDS OF THE COMMUNITY CHANGE.
SUCH MODIFICATIONS WILL BE ADOPTED BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS, AT A DULY
CONSTITUTED MEETING OF THE BOARD.

All yard furniture must be maintained in good condition, subject to the review of the ACC committee.

33.0 Soft Water, Water Filter Systems

Water systems such as soft water or treatment systems must be installed out of sight from the fronting street.

34.0 Trampolines

Trampolines may be approved subject to the condition that trampoline and safety nets are not visible from the front or side street. Trampolines must also be set as far back as possible from each neighbor's lot that is separated by a common fence line.

Because trampolines have been approved in the past for homes that back up to Morton Road, trampolines do not require shielding from any road directly behind the lot.

35.0 Signs, Advertisements, and Billboards

No sign or emblem of any kind may be kept or placed upon any Lot or mounted, painted, or attached to any Dwelling Unit, fence, or other improvement upon such Lot, so as to be visible from public view except the following:

- (1) For Sale Signs – An owner may erect one (1) sign on his Lot, not exceeding 2' x 3' in size, fastened only to a stake in the ground which should not extend more than three (3) feet above the surface of such Lot. Handwritten signs are not allowed.
- (2) Developer's Signs – Developer may erect and maintain a sign or signs deemed reasonable and necessary for the construction, development, operation, promotion, leasing, and sale of the Lots.
- (3) Builder's Signs – Any Dwelling Unit builder may utilize one professional sign (of not more than six (6) square feet in size) per Lot for advertising and sales promotion of such Dwelling Unit.
- (4) Political Signs – Political signs may be erected upon a Lot by the Owner of such Lot advocating the election of one or more political candidates or the sponsorship of a political party, issue, or proposal, provided that such signs must not be erected more than thirty (30) days in advance of the election to which they pertain and must be removed within five (5) days after such election.
- (5) Address Numbers – One set of numbers corresponding to the address of the Dwelling Unit may be placed upon the Dwelling Unit. The numbers may be no higher than six (6) inches. The color and display of the address numbers must be compatible with the exterior house colors and appearance of the house. Address numbers may be painted on the curb directly in front of the Dwelling Unit provided that the total painted area does not exceed six (6) inches by twelve (12) inches.

Contractor signs, painter signs, and pool company signs are not permitted.

Lost pet signs are not permitted.

Signs which give notice of a home security system are permitted if placed at or near the front entrance and are no larger than 144 square inches. Window stickers which give notice of a home security system are also permitted.

36.0 Garage Sales

LAST REVISED: OCTOBER 1, 2009

NOTE: THE ACC GUIDELINES ARE SUBJECT TO MODIFICATION AS THE NEEDS OF THE COMMUNITY CHANGE.
SUCH MODIFICATIONS WILL BE ADOPTED BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS, AT A DULY
CONSTITUTED MEETING OF THE BOARD.

Reflecting state regulations, garage sales cannot be held by an individual homeowner more than two times in a calendar year, unless a permit is obtained from the Texas Comptroller of Public Accounts office for appropriate state tax collection.

37.0 Exterior Home Maintenance

The exterior structure of all homes shall be properly maintained in accordance with community standards. These standards include, but are not limited to, the following:

- The exterior structure of all homes shall be free from defects such as rotting, cracking, splitting, crumbling, decay, mold, mildew, fungus or other conditions that create an unsightly appearance.
- All exposed wood and other types of exterior siding shall be uniformly painted so that bare spots are not visible.
- Exterior paint color shall be in accordance with Architectural Control Committee Guidelines – “Exterior Paint”.
- Windows shall be properly maintained. Broken or cracked windows shall be replaced. Damaged window screens shall be replaced.
- All exterior bricks shall be properly maintained. Mortar shall be maintained between bricks and any missing or damaged bricks shall be replaced.
- Gutters and downspouts shall be properly maintained and painted. Missing gutters and downspouts shall be replaced. Sagging gutters shall be repaired.
- Missing and damaged roof shingles shall be replaced in accordance with Architectural Control Committee Guidelines – “Roofing/Skylights”.

These guidelines are not meant to be all inclusive of the measures that should be taken for proper maintenance of each home’s exterior structure. Depending on individual circumstances, other measures may be required.

LAST REVISED: OCTOBER 1, 2009

NOTE: THE ACC GUIDELINES ARE SUBJECT TO MODIFICATION AS THE NEEDS OF THE COMMUNITY CHANGE.
SUCH MODIFICATIONS WILL BE ADOPTED BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS, AT A DULY
CONSTITUTED MEETING OF THE BOARD.