

**INSTRUMENT TO RECORD DEDICATORY INSTRUMENTS**

This Instrument is being recorded by Lennar Homes of Texas Land and Construction, Ltd., a Texas limited partnership d/b/a Friendswood Development Company and Beazer Homes Texas, L.P., a Delaware limited partnership, (collectively the "Declarant") under the Declaration described below for the Ashbel Cove Community Association, a Texas nonprofit corporation (the "Association") pursuant to Section 202.006 of the Texas Property Code.

Section 202.006 of the Texas Property Code requires a property owners' association to record each dedicatory instrument in the real property records of the County in which the property to which the dedicatory instrument relates is located, if such instrument has not previously been recorded; and

Restrictive covenants and other matters concerning the Subdivision are set forth in the Declaration of Covenants, Conditions and Restrictions for Ashbel Cove recorded under Harris County Clerk's File No. 2019351073 in the Official Public Records of Harris County, Texas, as corrected in the Correction Declaration of Covenants, Conditions and Restrictions for Ashbel Cove recorded under Harris County Clerk's File No. 2019499463 in the Official Public Records of Harris County, Texas (the "Declaration").

The Association is currently subject to the following additional dedicatory instruments which have not previously been recorded, attached hereto and made a part hereof, to-wit:

**Builder Guidelines**

Pursuant to Section 202.006 of the Texas Property Code, the Declarant for the Association does hereby record such additional dedicatory instruments, a copy of which is attached hereto.

Executed on the 10<sup>th</sup> day of DECEMBER, 2019.

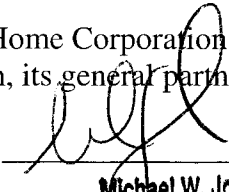
Lennar Homes of Texas Land And Construction, Ltd.,  
a Texas limited partnership, d/b/a Friendswood  
Development Company

By: U.S. Home Corporation, a Delaware  
corporation, its general partner

By:

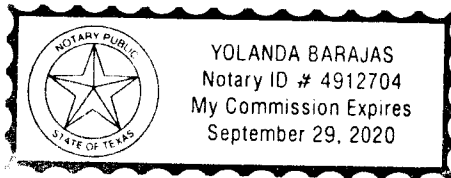
Name:

Title:

  
Michael W. Johnson  
Vice President

THE STATE OF TEXAS     §  
   §  
COUNTY OF HARRIS     §

This instrument was acknowledged before me on February 3, ~~2008~~ <sup>2019</sup>,  
by Michael W. Johnson, the Vice President of U.S Home Corporation, a  
Delaware corporation, as general partner of Lennar Homes of Texas Land and Construction, Ltd.,  
on behalf of said entities.



Yolanda Barajas  
Notary Public, State of Texas

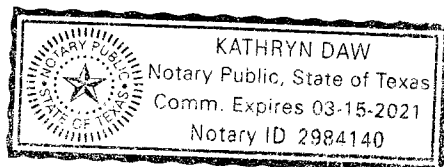
Beazer Homes Texas, L.P., a Delaware limited partnership

By: Beazer Homes Texas Holdings, Inc., its  
general partner

By: Greg Coleman  
Name: Greg Coleman  
Title: Authorized Signatory – West Region

THE STATE OF TEXAS     §  
   §  
COUNTY OF HARRIS     §

This instrument was acknowledged before me on January 8th, 2020, by Greg Coleman,  
the Authorized Signatory – West Region of Beazer Homes Texas Holdings, Inc., as general partner  
of Beazer Homes Texas, L.P., on behalf of said entities.



Kathryn Daw  
Notary Public, State of Texas

# **ASHBEL COVE**

## **GUIDELINES - BUILDER FOR NEW RESIDENTIAL CONSTRUCTION**

**2019**

# ASHBEL COVE

## BUILDER GUIDELINES FOR NEW RESIDENTIAL CONSTRUCTION

### TABLE OF CONTENTS

<b>I. Areas of Application, Architectural Review Procedures</b>	
A. Areas of application.....	1
B. Architectural Review Procedures.....	1
C. Disclaimers.....	2
<b>II. Site Planning</b>	
A. Minimum Building Setbacks.....	3
B. Home Sizes.....	3
C. Corner Lots and Intersections.....	3
D. Sidewalks, Front Walkways, and Steps/Retaining Walls.....	4
E. Garage and Driveway Locations.....	5
F. Fences and Gates.....	9
G. Landscaping.....	13
H. Lot Drainage.....	15
I. Site Maintenance during Construction.....	15
J. Construction Parking.....	16
K. Lake Lots and Greenbelt Lots.....	16
<b>III. Architectural Design and Materials</b>	
A. Massing of Home/Scale/Proportions.....	17
B. Exterior Elevations and Materials.....	17
C. Windows.....	19
D. Roof Treatment and Overhangs.....	19
E. Chimneys.....	19
F. Address Identification.....	20
G. Lighting.....	20
H. Screening.....	20
I. Exterior Colors.....	21
J. Security Devices.....	21
K. Second Story Balconies.....	21
<b>IV. Model Homes/Model Home Park</b>	
A. Model Home Layout.....	23
B. Maintenance: Model Home Exteriors & Landscaping.....	23
C. Model Home/Builder Signage.....	24

# ASHBEL COVE

## BUILDER GUIDELINES FOR NEW RESIDENTIAL CONSTRUCTION

---

### I. AREAS OF APPLICATION; ARCHITECTURAL REVIEW PROCEDURES

---

#### A. Areas of Application

These Builder Guidelines ("Guidelines") outline design goals, design criteria and the design review process for new home construction in *Ashbel Cove*, developed by Friendswood Development Company (hereinafter "Developer" and "Declarant").

All new home construction must be reviewed and approved by the Architectural Review Authority (the "ARA") appointed by Declarant prior to commencement of any building or construction activity. This approval can be secured in a timely fashion if applicable criteria specified in Sections II, III and IV of this guide are met to the satisfaction of the ARA.

New home construction must conform to these Guidelines; to the Declaration of Covenants, Conditions, and Restrictions (the "Declaration"), to Sales Contract provisions; and to state and local building codes, zoning ordinances, or other governmental regulations (collectively "the Applicable Codes"). If provisions of these Guidelines are more restrictive than the Declaration, the Sales Contract, or the Applicable Codes, the provisions of these Guidelines apply. If these Guidelines conflict with the Declaration, Sales Contract, or Applicable Codes; the provisions of the Declaration, Sales Contract or Applicable Codes apply. These Guidelines may be amended by addition, deletion, or re-issuance at any time by Declarant without consent of the Association Members.

Subsequent construction, exterior remodeling and/or expansion, and items not covered in these Builder Guidelines will be reviewed and approved by the ARA in accordance with the *Ashbel Cove Residential Improvement Guidelines For Homeowners* ("Homeowner Guidelines") published and promulgated by the ARA.

#### B. Architectural Review Procedures

The design for each home must be approved in writing by the ARA before construction of the home may begin. Any deviation from approved plans during construction, without the ARA's written approval, constitutes a violation. Corrections of such deviations may be required. Notice of approval shall be made in writing by the ARA to the party submitting the plans. Copies of approved plans and approval notices will be kept on file by the ARA until completion of the development section. The ARA will review submissions and make every effort to give notice of approval or disapproval within ten (10) working days following receipt and review of submissions.

The ARA meets as necessary to review design submittals. The Developer's Residential ARA Administrator will screen all submittals before calling a meeting of the ARA. The ARA will only review completed submittals. All drawings must be accurate enough to be scaled reliably. Faxed or emailed materials will be accepted for preliminary home design and plot plan approvals. Any variances, however, must be requested and granted in writing. Faxes or emails will not be accepted in place of normal submission procedures. Submittals shall be sent to:

*Ashbel Cove ARA  
c/o McCauley ARC  
13711 Pristine Lake Lane  
Cypress, Texas 77429*

Only complete submittals will be reviewed. All drawings shall be drawn to scale. Faxed or emailed materials will be accepted for preliminary home design (approval of master set of plans) and plot plan change approvals only. Variances/Deviations must be requested in writing.

1. Plan Design: The ARA requires one set of the following for production home plan submittals
  - a. Floor Plans on 11" x 17" sheets.
  - b. Front Elevations on 11" x 17" sheets; all elevations must be shown and must include complete notations of all exterior materials (including but not limited to walls, doors, roof, windows, fascia, dormers, chimneys and decorative elements).
  - c. Notation of square footage

It is the builder's responsibility to assure that foundation plans are designed by a registered professional engineer experienced in residential home construction.

Upon approval of a production home floor plan and series of elevations, only site/plot plan approvals are required for each home.

2. Site/Plot Plan: If required in the sales contract, the design for each Site/Plot Plan must be approved in writing before construction of the residence can begin. Submittal must depict:
  - a. Location, dimension, and material notations for walkways, driveway, patios, and all other exterior flatwork, including setbacks, easements, and building lines.
  - b. Lot coverage calculation, including the total area of all footprint areas of impervious cover as listed below, including all building foundations, walks, sidewalks, patios and driveways.
  - c. Proposed location, height, and material of each exterior fence or wall.
  - d. Lot number, block number, section number, and builder name must be clearly printed on the first page of the submittal.

### C. Disclaimers

These Guidelines are intended to describe a general level of conformance for development. The Guidelines and the procedures set forth herein may be modified or waived from time to time by the ARA and do not supersede compliance with applicable federal, state, county, or local laws and regulations.

These guidelines set forth the requirements, procedures, and technical criteria used by the ARA for the review of site development plans and exterior building designs. Approval by the ARA does not constitute approval of or satisfaction of any governmental agency requirements. Compliance with these guidelines does not provide exemption from required state, county or local approval procedures.

All structures must conform to any state or local building codes, zoning ordinances, or other governmental regulations. If any provisions of these Guidelines are more restrictive than other applicable codes, the provisions of these Guidelines apply.

Neither the Declarant, Developer, ARA, nor their individual members, partners, employees, agents, or the successors or assigns of any of them shall be liable in damages to anyone submitting to them for approval of any plans and specifications or request for variances from the Guidelines, or to any owner or occupant of any parcel of land affected by the Guidelines, or to any third party, and the submission of plans or requests constitutes an express waiver and release of these third parties to the fullest extent permitted by law.

## II. Site Planning

### A. Minimum Building Setbacks

Site plans must conform to restrictions set forth in the Declaration of Covenants, Conditions, and Restrictions for *Ashbel Cove* (the "Declaration") to be recorded in the Official Records of Real Property for Harris County; the recorded subdivision plat which shows building setback lines; easements dedicated by separate instruments; and all applicable government ordinances and building codes. In some cases, additional setbacks may be enforced by deed restrictions, neighborhood architectural guidelines, and/or the ARA for aesthetic reasons. Developer reserves the right to modify setback requirements.

Building setback lines will be in accordance with the recorded plat or the DCCRs, whichever is greater.

Prior to placement of any forms, builder should review the most recently recorded plat and any recorded encumbrances for the specific lot to verify all setback requirements.

### B. Home Sizes

Home sizes (in livable square feet) shall abide by the following:

- **Fifty Foot (50') Lots: 1,400 SF min to 2,700 SF max**
- **Sixty Foot (60') Lots: 1,800 SF min to no SF max**

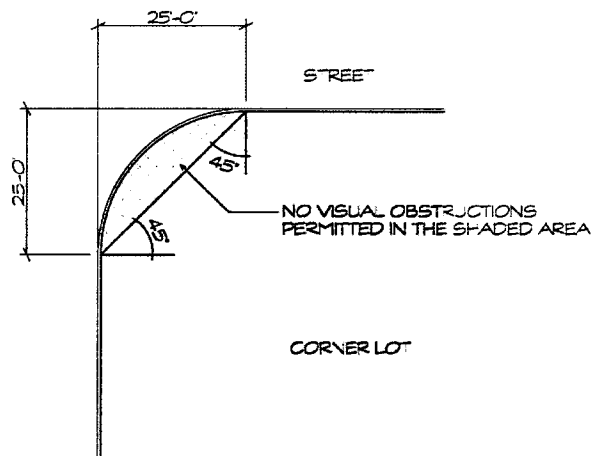
### C. Corner Lots and Intersections

#### 1. Corner Lots

Garages and driveways shall be located adjacent to the interior property line and prohibited adjacent to the corner side street. "Side out" garages to a corner side street are prohibited.

#### 2. Intersections

An area of open space is required at all corner lots where intersections occur. These intersections shall be unobstructed to permit pedestrian and vehicular view when near an intersection. No trees or other potentially opaque landscaping is permitted in this area. This shall be twenty-five feet (25') in distance from each street at the corner [Figure 1].

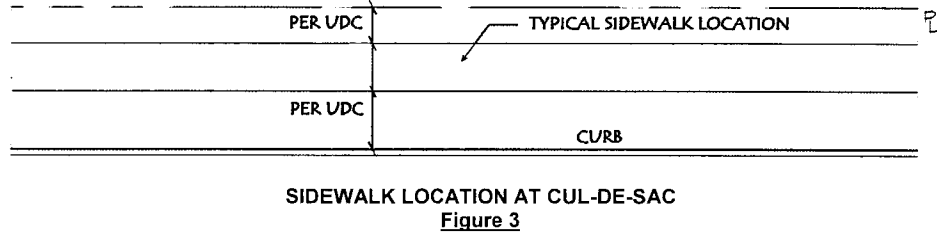
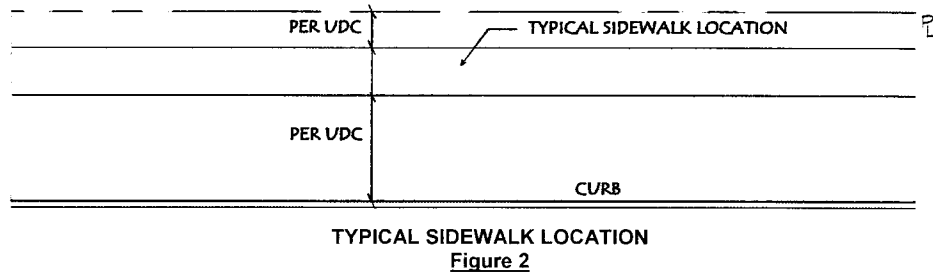


CORNER VISIBILITY  
Figure 1

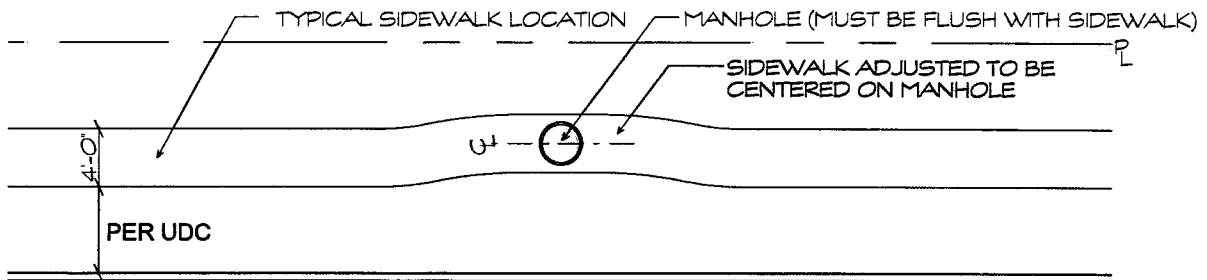
## D. Sidewalks, Front Walkways, and Steps/Retaining Walls

### 1. Sidewalks [Figures 2-4]

Sidewalks are to be constructed by builders within street rights of way (R.O.W.) frontage parallel to all front or side property lines adjoining street R.O.W. The sidewalks shall be five feet (5') in width and conform to City and County construction standards. The sidewalk shall be located in the right-of-way, in accordance with the UDC. [Figure 2]. Sidewalks shall be located three feet (3') from back of curb on all cul-de-sacs [Figure 3].



- a. Construction and location must conform to City and County construction standards and ADA Guidelines. Construction must be a "picture-frame finish" applied to driveway and walkway areas that intersect the sidewalk in order to achieve a continuous look.
- b. Sidewalk shall continue uninterrupted visually through both front walk paving areas and driveways. Sidewalks through driveways shall be five feet (5') wide, maximum 2% cross slope. Sidewalks shall run continuously through front walkways and driveways, with broom finish and trowel border.
- c. Curved sidewalks are permitted only where streets curve, right-of-way width changes or other site factors necessitate. Gentle curve sections only shall be permitted.
- d. Where walkways intersect manholes, the sidewalk should be adjusted such that the manhole is centered in the sidewalk. The elevation of manholes or other objects located within a sidewalk shall be adjusted to maintain a flush surface with the sidewalk. This will typically require the removal and resetting of the manhole ring [Figure 4].



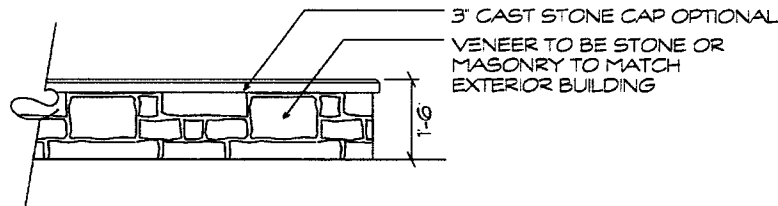


## 2. Front Walkways

- a. A walkway from the street curb or driveway to the front door is required and shall be three feet (3') in width with a continuous slope from the edge of the porch to the street and or driveways.
- b. Materials for walkways shall be concrete or decorative brick pavers or natural stone which conform to the materials used on the home and are set in a concrete foundation. Any other accent materials must be approved by ARA. Walkway material must not continue through sidewalk.
- c. Any curvilinear elements should be shown on the site plan.

## 3. Steps & Retaining Walls [Figure 5]

- a. Retaining wall height shall not exceed eighteen inches (18"). If greater wall height is needed, multiple eighteen inch (18") high walls are acceptable. Taller retaining walls must be approved by the ARA.
- b. Front yard steps and retaining walls must be integrated with the overall design of the front yard.
- c. Materials must match exterior building materials of home and shall be brick or stone.



RETAINING WALL ELEVATION  
Figure 5

## E. Garage and Driveway Locations

### 1. Garages

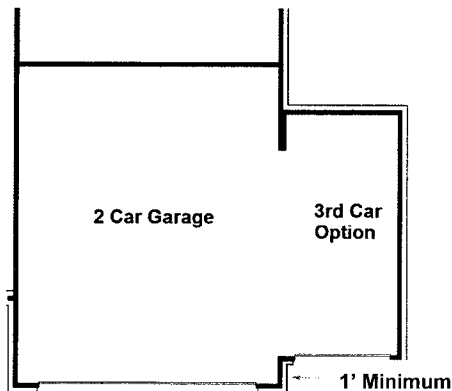
#### Definitions:

- a. "Three Car Front-Load Garage" shall mean and refer to a garage with three bays side-by-side that face toward the front right of way, with front-facing garage doors which provide for free and unencumbered access by owner's motor vehicles.
- b. "Garage Bay" or "Bay" shall mean and refer to a standard 10' x 20' Garage Bay. Garage Bays may be wider or deeper based on the configuration of the residence. However, the Garage must retain the appearance of having two standard Garage Bays. For the purposes of these Guidelines, reference is made to the "Main Bay" which is a double Bay with a double garage door and the "Third Car Bay" which is the single bay with a single garage door.
- c. "Detached Garage" shall mean a parking structure whose exterior walls are surrounded by open space. Detached garages are prohibited on lake lots.

### 2. Massing of Home/Scale/Proportions

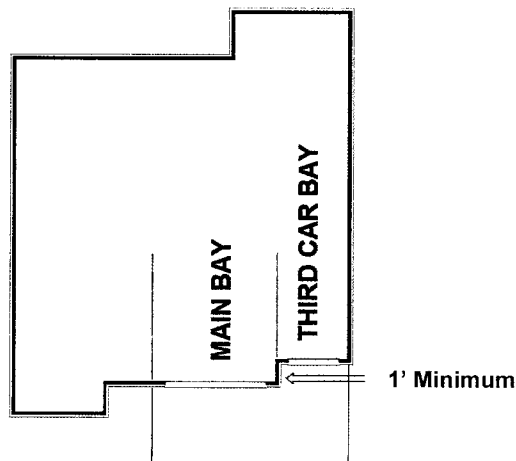
- a. Detached two-car garages shall be set back a minimum of sixty (60') feet from the front property line. A breezeway or covered patio connecting the home to the detached garage is required.

- b. Attached two-car garages may be “front loaded” (doors facing the street) or “hook-in” (doors perpendicular to the street).
- c. Three car garages may be attached or detached, subject to the criteria above, “split” with a combination of doors parallel and perpendicular to the street) or they may be front loaded, subject to ARA approval. Detached garages are prohibited on greenbelt and lake lots.
- d. All homes in *Ashbel Cove* must have a minimum two-car garage. All homes in *Ashbel Cove* Sections 2 & 4 (60' Lots) that are built with a 40' wide slab must have a three-car garage such that the front of the home covers the entire 50' buildable width of the Lot.
- e. Any Three Car Front-Load Garages shall be integral to the overall architecture of the home and appropriately designed for the lot size. Any “add-on” or “optional” garage on a smaller home plan shall be approved on a case by case basis by ARA [Figure 6].
- f. Garage door material shall be metal. No wood garage doors will be allowed unless the materials are approved by ARA.



EXAMPLE OF THREE CAR FRONT-LOAD GARAGE OPTION TO BE APPROVED ON A CASE BY CASE BASIS BY ARA  
Figure 6

- g. The Third Car Bay must be set back at least one (1') foot from the adjacent Main Bay. [Figure 7].



SETBACK OF THIRD CAR BAY FROM MAIN BAY  
Figure 7

3. Garage Doors

- a. The use of three single garage doors is prohibited. Builder will be required to use one single garage door for the Third Car Bay and one double garage door for the Main Bay. The doors may be either seven feet (7') or eight feet (8') in height.
- b. Color, trim and hardware for each garage door is to be identical. Garage door colors that are different than the house shall be reviewed and approved by the ARA.

4. Repetition - DELETED

Photo 1 - DELETED

5. Driveways [Figures 8-10]

a. Design:

- All driveway designs are subject to review by the ARA.
- Refer to City or County Ordinances for construction guidelines and ADA requirements.

b. Curb Conditions:

Where four inch (4") mountable curbs are utilized, no saw cuts are permitted. Where six inch (6") barrier curbs are utilized, builder shall saw-cut street and curb and tie in driveway steel in accordance with county standards. **Builder is solely responsible for realigning grade of the gutter flow line in accordance with regulations and shall repair damaged curbs and gutters which cause ponding water ("bird baths") resulting from their construction activities.**

c. Alignment

Driveway must be perpendicular to the street with a five foot (5') radius on driveway apron (unless special consideration is to be taken regarding existing structures, i.e., storm sewer inlets in the curb). The joint will be constructed in conformance with City and County requirements.

d. Width

Driveway shall be seventeen feet (17') wide at front sidewalk for all garages (two car, three car, swing-in, etc...). Refer to [Figures 8-10] for 3-car garage driveway transition alignment. Any variations are subject to ARA review and approval.

e. Materials and Finish

Concrete or other masonry materials (e.g. interlocking pavers, and brick borders) relating to the architecture of the home and other site materials are acceptable; However, materials other than standard concrete must be submitted to the ARA for approval. Where the driveway intersects the sidewalk, the driveway finish may not continue through the sidewalk. Picture frame finish is required.

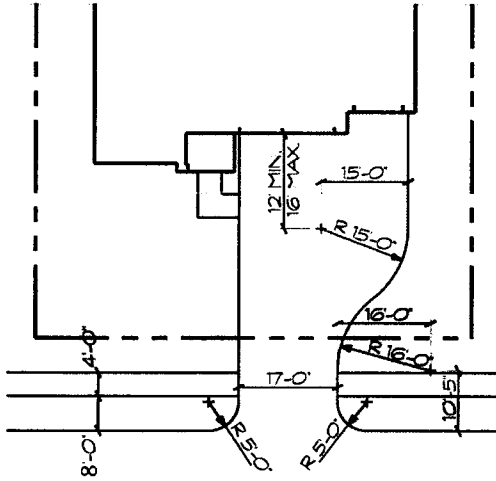
f. Dimensions

Typical driveways shall be no more than one foot (1') on either side of a Front Load Garage at the front of the home. This would result in a driveway width no greater than thirty feet (30') at front building line (typically smaller) and no closer than three feet (3') to the side lot line.

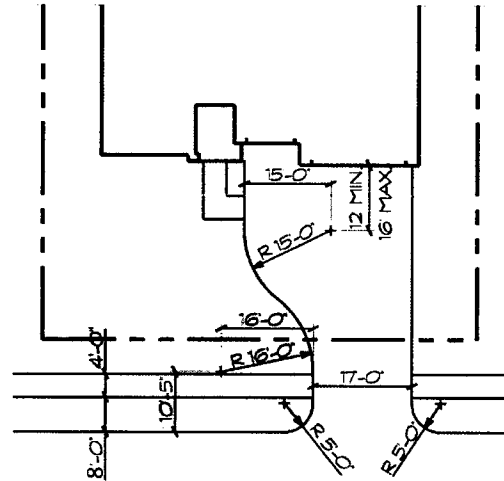
Builder shall use radii of sixteen feet (16') and fifteen feet (15') to transition the driveway from its seventeen foot (17') width at the sidewalk to its full width at the garage. The transition shall always take place on the single car garage door bay.

g. Circular Drives

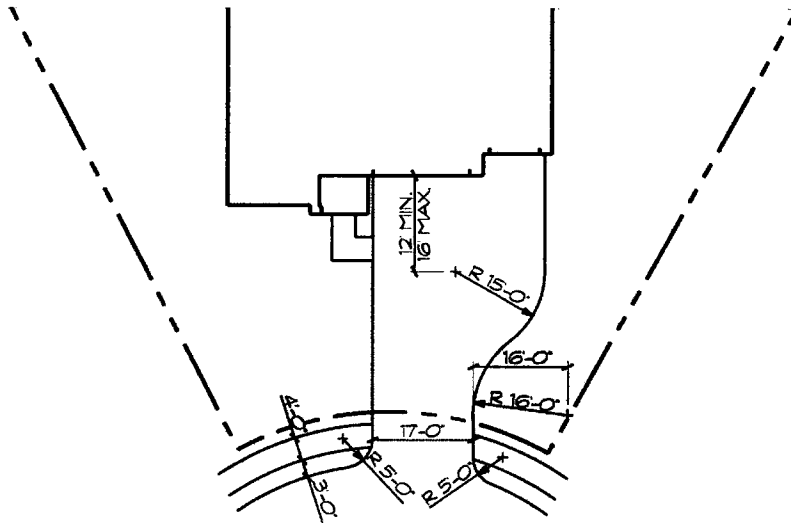
Circular Drives are not allowed.



3-CAR GARAGE DRIVEWAY ALIGNMENT A  
Figure 8



3-CAR GARAGE DRIVEWAY ALIGNMENT B  
Figure 9



3-CAR GARAGE DRIVEWAY ALIGNMENT AT CUL-DE-SAC  
Figure 10

## F. Fences and Gates

### 1. Wood Fencing Guidelines

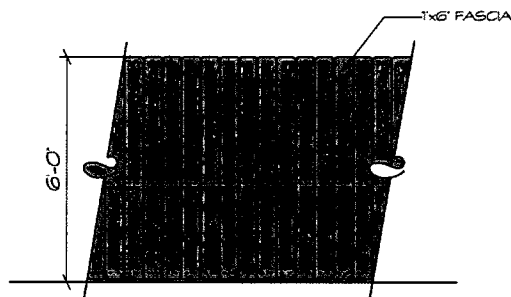
#### a. Materials:

All wood fences are to be constructed with quality, new wood, consisting of treated pine posts and stringers, with posts on eight foot (8') centers and a minimum of two stringers. All other material shall be No. 2 grade cedar.

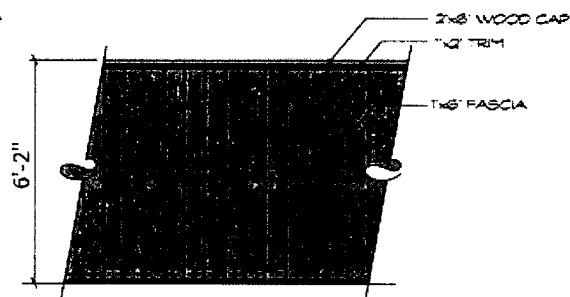
- Standard Fence - The top stringer shall be a maximum of sixteen feet (16') to prevent sagging. Pickets to be No. 2 grade one inch (1") by six inch (6") cedar. No other materials are acceptable. **[Figure 11]**
- Front Facing Fences & Corner Lots - Capped wood fences will be required on all front facing fences and corner lots. Capped wood fences shall have three (3) stringers, with a two inch (2") by six inch (6") cap, one inch (1") by six inch (6") fascia and one inch (1") by two inch (2") trim affixed to the top stringer. **[Figure 12]** See landscape guidelines for required Ligustrum hedge along corner lot side fence. **All fences along Reserves will be capped with a 6" rot board making them 6'-6" tall.**

#### b. Height:

Fences are typically limited to six feet (6') nominal measurement above natural grade. Builder may be required to construct eight foot (8') high fences where perimeter conditions warrant. Builder will get approval from Developer prior to constructing any fence taller than six feet (6').



STANDARD WOOD FENCE  
**Figure 11**

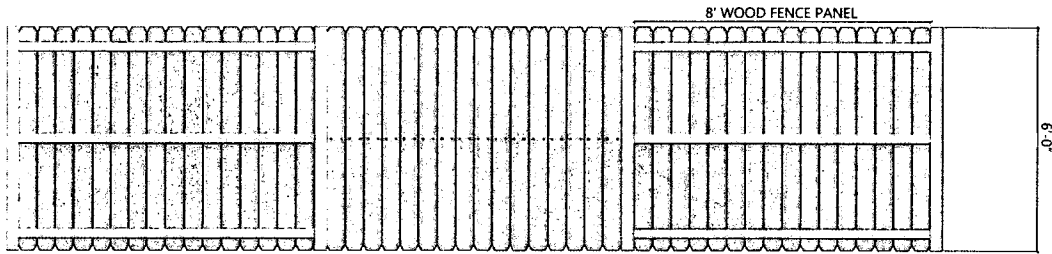


CAPPED WOOD FENCE  
**Figure 12**

#### c. Location: **[Figure 13]**

##### • Interior Lots:

Fence must be set back at least fifteen feet (15') from the front of the home, but no further back than the mid-point of the home. The intent of the construction is to screen the air conditioning units, but still provide access to public utility meters and services. Capped wood fence is required with fences facing the public view, to include fencing between adjoining Front Facing Fences (between homes). A "good neighbor" fence policy is required for all privately viewed conditions. **[Figure 13a]** Alternating sections are to occur at regular fence post intervals only, so that an entire panel is dedicated to one lot and the following panel is dedicated to the adjacent lot and so forth. In this manner, both lots receive approximately the same exposure to finished sides of a picket fence structure.

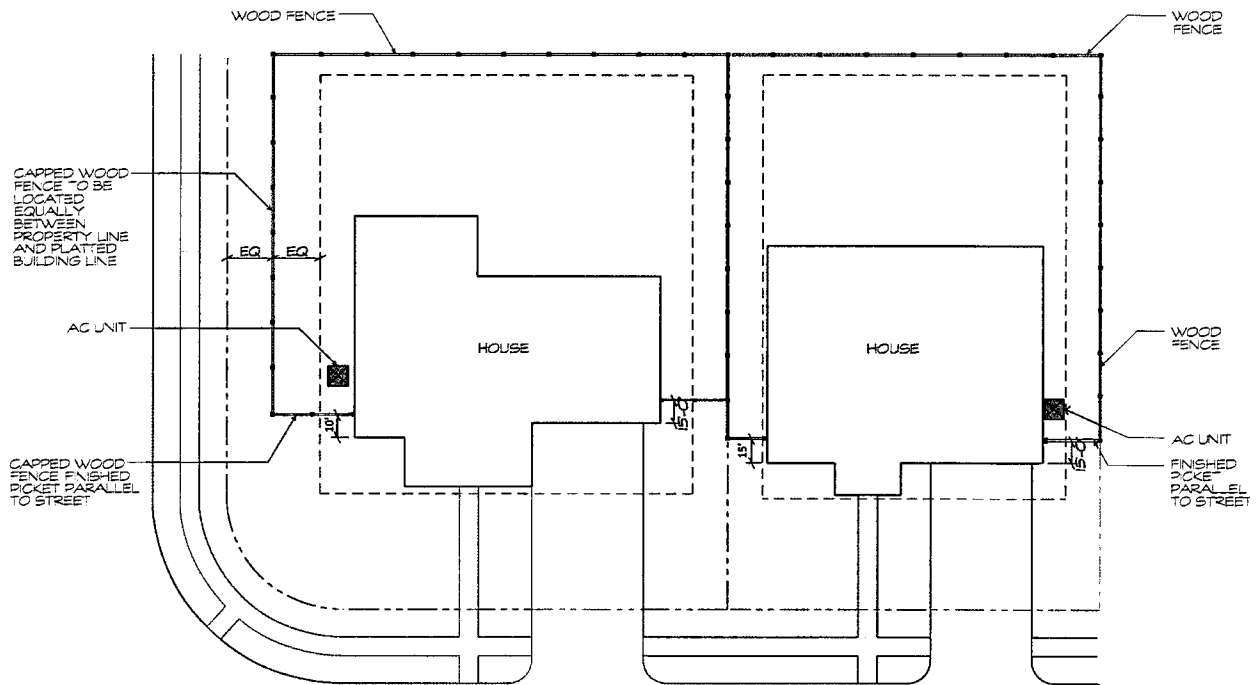


GOOD NEIGHBOR FENCE  
Figure 13a

- Corner Lots:

**Fence must be located halfway between the property line and the building line.** For example, if a corner lot building line is ten feet (10'), the fence must be located five feet (5') within the property, not on the property line. **No variance will be granted for violating this provision.**

The fence perpendicular to the side street (parallel to the front street) may be set back as necessary to provide for access to public utility meters, but must be far enough forward to screen the air conditioning units. The finished, or "picket" side of the fence must face the side street and will be capped. However, the fence must be set back no more than ten feet (10') from the front of the home.



FENCE LOCATIONS  
Figure 13

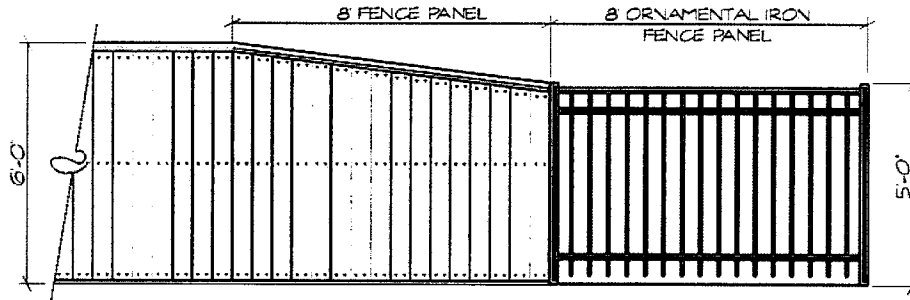
- d. Special Conditions:

**The finished side of a fence should always face the exterior or public side. Any exposures to public roads, greenbelts, drainage channels, or detention basins will be considered public view.**

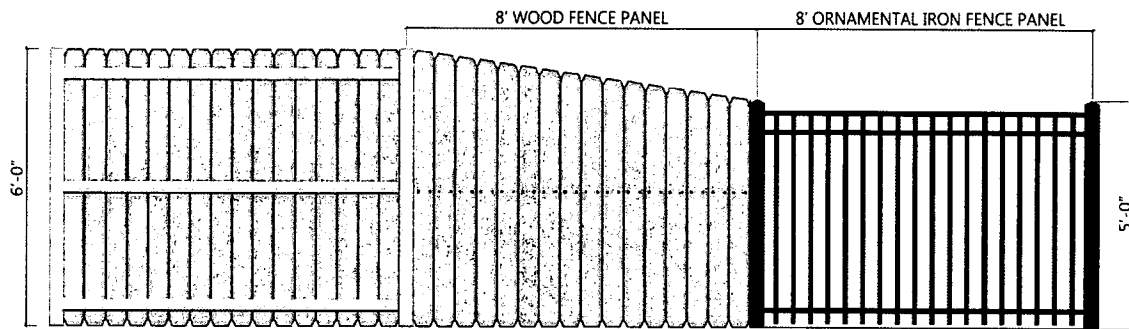
Where residential lots are located adjacent to either a commercial, institutional, or other more public use, the finished side of a fence should always face the non-residential use.

e. Fence Height Transition:

Where six foot (6') wood meets five foot (5') ornamental iron back of lot fence (Greenbelt and Lake Lot Conditions) there shall be a sixteen foot (16') transition from wood to ornamental iron (one panel of wood and one panel of iron) [Figures 14a-b].



**WOOD FENCE TRANSITION  
(Adjacent to Reserve Condition)  
Figure 14a**



**WOOD FENCE TRANSITION  
(Good Neighbor/Between Home Condition)  
Figure 14b**

f. Only non-pigmented stains are allowed on wood fences.

2. Ornamental Steel Fence Guidelines [Figure 15]

a. Location:

Ornamental steel fencing shall be required on the property line of lots adjacent to water bodies, amenity lakes and greenbelts. Ornamental steel fencing on lots adjacent to water bodies shall be constructed by the builder and will be owned and maintained by the property owner of the lot.

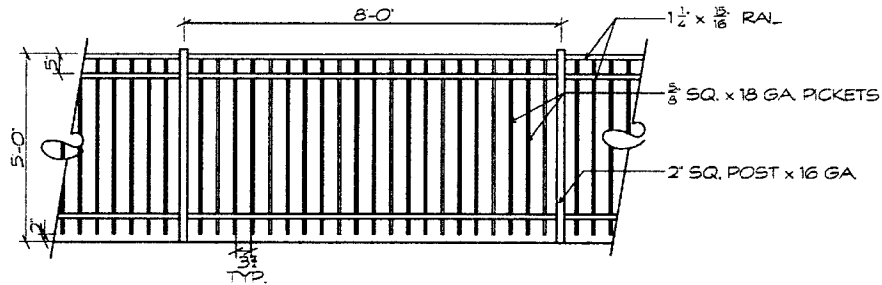
b. System Description:

Fence shall be **Ameristar® Montage ATF™ Welded Ornamental Steel Majestic™ 3R EXT 5'T 8'W, Black**. It shall be installed in accordance with manufacturer's specifications for fence series. Pedestrian gates are allowed, but not required on all lake and greenbelt lots. The gates shall not exceed forty-two inches (42") in width, inclusive of gate hardware.

Fence is three (3) rails and the height of fence shall be five feet (5') measured from natural grade.

c. Quality Assurance:

System shall be installed by contractor thoroughly familiar with the type of construction involved and the materials and techniques specified.



ORNAMENTAL IRON FENCE  
Figure 15

- d. Breezeway fences connecting detached garages to the main residence may be ornamental steel or wood. Fence may be four feet (4') or six feet (6') tall.

3. Concrete Fence [Figure 16]

a. Location:

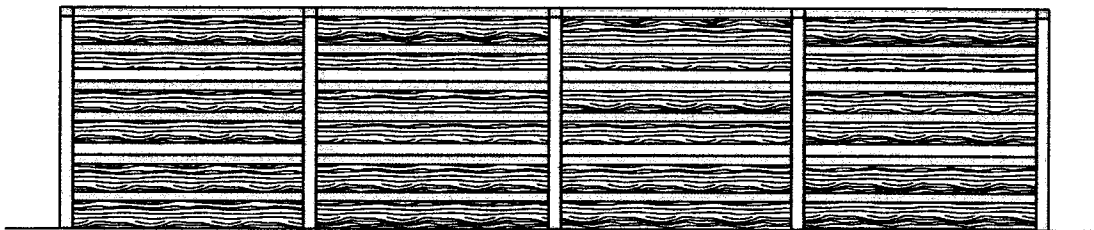
A concrete fence system may be installed along collector roads and thoroughfares throughout the community. The concrete fence system is located within the homeowner association's restricted reserves and shall be maintained by the association.

b. Height:

Typically six feet (6') tall measured from natural ground. Should be noted that any Builder installed fence must not exceed height of Concrete Fence. Fencing should taper down to meet Concrete Fence.

c. Quality Assurance:

System shall be installed by contractor thoroughly familiar with the type of construction involved and the materials and techniques specified.



CONCRETE FENCE  
Figure 16



#### 4. Wood Gates

- a. Gates shall be constructed with the same materials and quality as the adjoining fence.
- b. Pedestrian gates may not exceed forty two inches (42") in width.
- b. Where wood fence conditions exist, no gates will be allowed to open to a public or private area other than the front yard of the home.

### G. Landscaping

When sections consist of heavily wooded lots, the developer requires that the homebuilders attempt to save as many trees and underbrush as possible when constructing the homes. Any tree six inches (6") in diameter (measured twelve inches (12") above ground) or larger that remains in a healthy condition at the appropriate location shall be considered as a substitute for a Yard Tree. Any consideration must be submitted to the ARA for review.

All lots developed within *Ashbel Cove* will be required to follow the following landscape requirements. Please note: landscape requirements differ based on lot widths according to **Figure 19** below.

#### 1. Street Trees (*Centered between the driveway and the property line on the main part of the yard*)

The purpose of Street Trees is to present a formal row of trees parallel to the curb along all street rights of way. The following sets forth the minimum number of street trees required for each typical interior lot. **Street Trees are to be planted halfway between the curb and the sidewalk [Figure 17].**

#### 2. Yard Trees

Yard Trees will be required for each home. Placement of trees on Standard Interior Lots and Corner Lots are illustrated on **[Figure 17]**. Corner Lots have different criteria for different lot widths. **Yard Trees are to be planted in the front yard at least ten feet (10') apart and at least ten feet (10') behind Street Trees.**

#### 3. Other Shrubs and Hedges

In addition to Yard Trees, and Planting Islands, Foundation Shrubs are required against the home in what is called a Front Yard Landscape Bed **[Figure 18]**. A continuous ligustrum hedge is also required on corner lots along the entire length of the side fence. The hedge shall be a minimum of five (5) gallon ligustrum, thirty (30") inches on center **[Figure 17]**.

#### 4. Grass Coverage

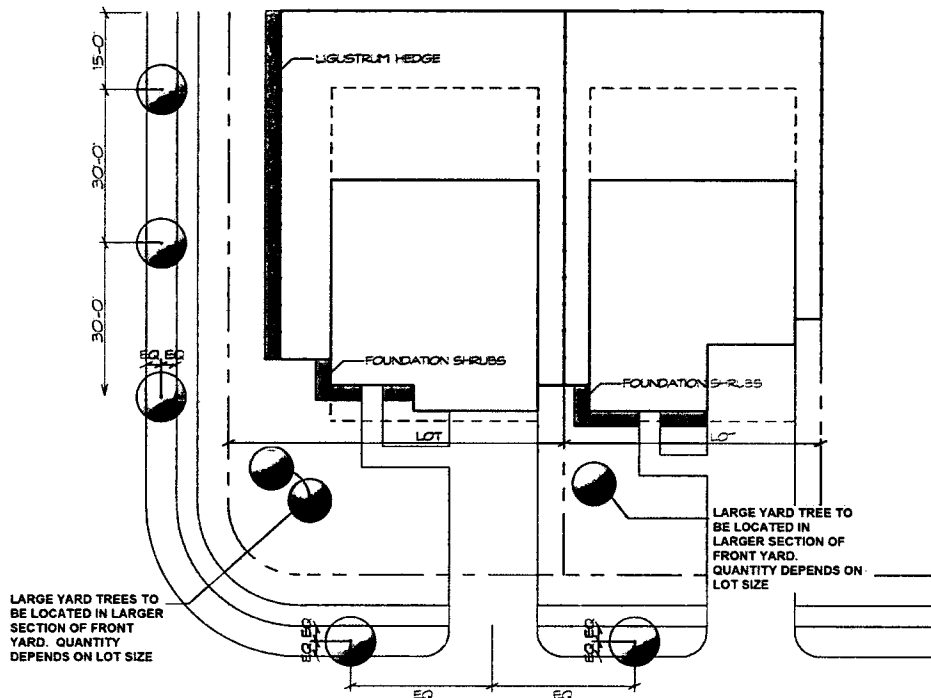
All yards shall be solid-sod with St. Augustine grass.

#### 5. Alternate Landscape Plans

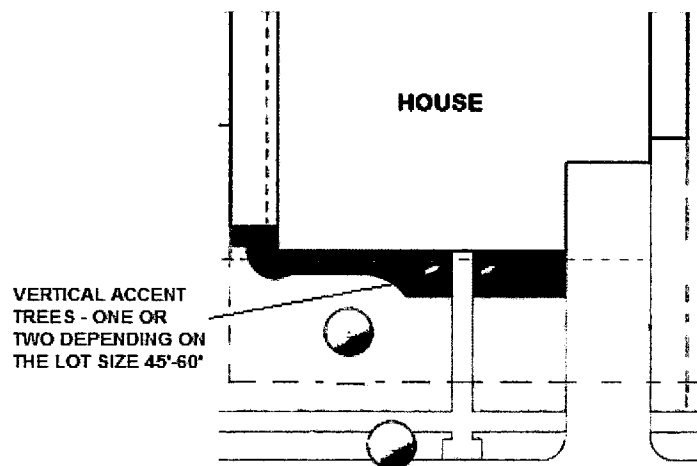
Any proposed deviation from the landscape requirements (on a lot-by-lot basis) must be submitted to the ARA for review.

#### 6. Backyard Landscaping

No specific requirements are set forth for backyard landscaping. However, builder shall landscape the backyards of all lots with lake exposure to a level appropriate with the home.



STREET AND YARD TREES (See Figure 19 for specific number of trees)  
Figure 17



Front Yard Landscape Bed (See Figure 19 for specific number of Trees)  
Figure 18

#### 7. Number and Types of Trees, Shrubs, Plants

The number of required street trees, yard trees, accent trees, shrubs, and plants varies per lot dependent on lot widths according to [Figure 19]. Acceptable types of trees, shrubs, and plants are listed in [Figure 20].

## TREES

Lot Size	Street Trees 65 Gallon Min. 3-Inch Caliper <b>Live Oak</b> Minimum Height 10'-12' Minimum Spread 5'-6'	Yard Trees 65 Gallon Min. 3-inch Caliper <b>Approved Plant List</b> Minimum Height 10'-12' Minimum Spread 5'-6'	Vertical Accent Trees 15 Gallon Min. <b>Approved Plant List</b>	Evergreen/Foundation Shrubs 5 Gallon Min. <b>Approved Plant List</b>	Flowering Shrubs 5 Gallon Min. <b>Approved Plant List</b>	Small Ground Cover 1 Gallon Min. <b>Approved Plant List</b>
<b>Interior Lot - Front Yard</b>						
50'	One	Two	One	Ten	Eight	Fifteen
60'	One	Two	Two	Fifteen	Ten	Fifteen
<b>Corner Lot - Front Yard</b>						
50'	One Front and Three Side	Two	One	Ten	Eight	Fifteen
60'	One Front and Three Side	Two	Two	Fifteen	Ten	Fifteen
<b>Non Standard (Cul De Sac Bulb) Lot - Front Yard</b>						
50'	One	Two	One	Ten	Eight	Fifteen
60'	One	Two	Two	Fifteen	Ten	Fifteen

**Number of Trees, Shrubs, Plants by Lot Size and Lot Type**  
**Figure 19**

Street Trees	Yard Trees	Ornamental/Vertical Accent Tree	Evergreen/Foundation Shrubs	Flowering Shrubs	Small Ground Cover
65-Gal. +3" Cal. Min.	65-Gal. +3" Cal. Min.	15-Gal. Min.	5-Gal. Min.	5-Gal. Min.	1 & 2 Gal.
Live Oak	Bald Cypress	Bottlebrush Tree	Boxwood	Butterfly Bush	Asian Jasmine
	Burr Oak	Crape Myrtle	Cleyera	Camelia	Bulbine
	Live Oak	Holly spp.	Coppertone Loquat	Esperanza	Hamelin Grass
	Magnolia Tree	Little Gem Magnolia	Ligustrum	Fox Tail Fern	Lantana
	Mexican Sycamore	Mexican Plum	Loropetalum	Indian Hawthorne	Mexican Feather Grass
	Red Maple	Texas Mountain Laurel	Pittosporum	Iris	Mondo Grass
	Red Oak		Upright Rosemary	Knock-out Rose	Seasonal Color
	River Birch			Mexican Bush Sage	Wedelia
	Shumard Oak			Plumbago	Weeping Rosemary
	Water Oak			Verigated Ginger	

**Approved Plant Lists**  
**Figure 20**

### H. Lot Drainage

1. Unless otherwise approved in writing from the ARA, all drainage must follow the agency approved Drainage Plan for the subdivision.
2. When a home structure is in place on a given lot, positive drainage is to be directed away from the home structure.
3. Drainage runoff onto adjoining properties is acceptable if the natural contours dictate it. No lot can restrict the natural sheet flow drainage from another lot.
4. In the event the lots do not drain after the installation of swales, area drains may be required.

### I. Site Maintenance during Construction

General Maintenance – Each lot shall be maintained in a neat, clean orderly condition by the builder during construction and until the home is closed. Building debris must be removed from each lot by the builder as often as necessary to maintain attractiveness of the construction site. Debris may not be dumped in any area of the development unless a specific location for such a purpose is approved in writing by the ARA. Each builder will maintain their own concrete washout during the period that homes are under construction. The builder must use best management practices to minimize silt from flowing into the streets. The builder will construct and maintain a “fenced” area within the boundaries of each lot to be used as a trash receptacle. The “fenced” area can be constructed with orange construction fencing.

Builder shall, at all times, be in substantial compliance with the Texas Commission on Environmental (TCEQ) General Permit TXR150000 (or any amendments or revisions) for Storm Water Discharges from Construction Activities, and any requirements relating thereto adopted by any governmental authority having jurisdiction over the lots within the Subdivision and Community. Such compliance shall include, but is not limited to, filing a Notice of Intent ("NOI") with the TCEQ, developing and implementing a Storm Water Pollution Prevention Plan ("SWPPP"), and implementing and maintaining Best Management Practices ("BMP's") dictated by its SWPPP. Builder is responsible for all fines and actions attributable to its failure to comply with these provisions and for any damage caused by builder or builder's contractors to the storm water pollution prevention BMP's installed by Seller pursuant to Seller's SWPPP.

**J. Construction Parking**

All home construction trades and material delivery trucks shall park on one side of the street. This side will be the **even numbered address** side. **This requirement must be strictly enforced during home construction.**

**K. Lake Lots and Greenbelt Lots**

Homes adjacent to greenbelts and lakes should be designed to maximize views to these amenities. Detached garages are prohibited on lake lots. Rear elevations of both custom and production lake-front homes shall have materials equal to front and side elevations. Brick is required on the first floor.

### III. Architectural Design and Materials

---

#### A. Massing of Home/Scale/Proportions

The massing of a home should be reasonably scaled to the street and the surrounding homes. Homes should have massing variations and avoid the "straight box" design. In production home programs, attached front loaded garages shall protrude no more than fifteen (15') feet from the front plane of the main residence. In custom home programs, attached front loading garages should be recessed from the front plane of the home with architectural detail.

#### B. Exterior Elevations and Materials

##### 1. Exterior Elevations

Exterior elevations shall include a variety of major and minor architectural features. Major architectural features include but are not limited to: roof pitch or style (i.e. hip, gable), porches, dormers, entry portico, change of material and window bay. Minor architectural features include but are not limited to: window style (i.e. flat or arched), front door style, garage door style, shutters and decorative detail (i.e. gable inset). To be considered distinct from a similar elevation, an elevation shall include two (2) major architectural differences and two (2) minor architectural differences.

Flat, blank elevations on any side shall not be allowed. Windows must occur on all street facing elevations of homes (excluding patio homes or zero-lot-line homes).

##### 2. Repetition of Elevation (See Figures Below)

Elevations in production home portfolios should: avoid monotony, maintain continuity of scale and character, avoid the negative "look-alike" effect of frequent repetition and allow sufficient latitude for the builder in satisfying market demand. Patio homes may have specific criteria. Builders must conform to the following:

- a. **Plan repeat with the same front elevation design.** Every third consecutive lot means at least two other homes must occur between the next repeated same front elevation. Differ brick and trim color of repeated elevation. Patio home brick and trim color may be consistent. Any lots whose projected side lot lines overlap from opposite sides of the street shall not be included in the separation counting. Counting shall commence with the adjacent lot whose projected side lot line does not overlap the starting lot in question. The same plan with the same front elevation may not be built on corner lots back to back. Therefore, even if spacing requirements are achieved, the plan and/or elevation may be disapproved by the ARA. The ARA reserves the right to adjust the lot spacing requirements at any time, including, but not limited to direct line of sight, no direct line of sight and around corners.
- b. **Plan repeat with different front elevation.** Every second consecutive lot means at least one other homes must occur between the next repeated floor plan with a different front elevation design. Differ brick and trim color. Patio home brick and trim color may be consistent. Lots on opposite sides of the street shall be counted or skipped as described in a. above. The same plan with the same front elevation may not be built on corner lots back to back. Therefore, even if spacing requirements are achieved, the plan and/or elevation may be disapproved by the ARA.

The ARA reserves the right to reject an elevation that closely resembles that of a nearby home or in any way detracts from the overall street scene. Additionally, identical brick color and type, and siding color, are prohibited on homes that are adjacent to one another. A custom home may not be repeated within any given section.

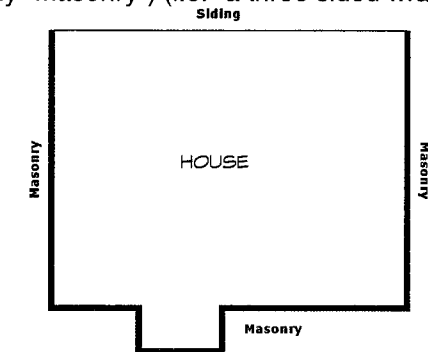
### 3. Exterior Materials

No more than three exterior wall materials are allowed excluding roofing and trim. The following qualify as exterior materials.

- a. Brick: Brick shall be hard-fired and have an overall appearance of relative evenness in color and texture. Painted brick may be permitted where deemed appropriate by the ARA for a particular architectural style.
- b. Siding: Where siding is used, it shall be fiber-cement, horizontal lap siding, eight inch (8") exposure (*Hardiplank® Select Cedar Mill* or equivalent). Diagonal siding is prohibited. Wood, vinyl, metal, and particleboard are prohibited siding materials. Hardiplank or equivalent is not considered masonry.
- c. Trim: All trim shall be smooth/semi-smooth, high quality finish grade stock wood or fiber-cement (*Harditrim® Select Cedar Mill*, *Harditrim® Smooth*, or equivalent).
- d. Stucco: Stucco is permitted if appropriate to the style of architecture and if approved by the ARA.
- e. Stone: Stone veneer may be natural cut stone or manufactured stone veneer such as *Cultured Stone®*.
- f. Synthetic Materials: materials such as metal siding, vinyl siding, and other materials which have the appearance of wood, or stone must be reviewed to ensure a quality appearance for approval by the ARA.
- g. Material Changes: Changes to exterior wall material should have a logical relationship to the massing of the home. Material changes on a common wall plane that occur along a vertical line should be avoided wherever possible.
- h. Awnings: Awnings over entrances or windows are prohibited.

### 4. Masonry Coverage

- a. All Home Sites:
  - i. The front and both sides of the first floor of the home must be all brick, stucco or stone veneer (collectively "Masonry") (i.e. "a three sided wrap"). **[Figure 21]**



**FIRST FLOOR MASONRY COVERAGE**  
**Figure 21**

- ii. On all two-story homes, the second story front elevation must contain Masonry. The sides and back of the second story may be siding, however, the use of a masonry material wrap of at least two feet (2') is required on the second floor where masonry exists on the front elevation. No material change should ever occur on an outside corner. The technique of "shirt fronting" of masonry veneer will not be permitted. Material changes are most successful when made as part of a larger offset; for example, a masonry pier or recessed window.

## C. Windows

If shutters are incorporated as part of the design, they should be appropriately scaled to relate to the window opening and appear authentic. They must also always occur in pairs. The shutter color must harmonize with the other colors on the home. Where shutters are used on a home located on a corner lot, they should occur on the side street elevation as well as the front.

Reflective glass is prohibited.

## D. Roof Treatment and Overhangs

### 1. Materials

25-year warranty, three-dimensional composition asphalt shingles. All shingles must be either charcoal or weatherwood in color, and shall be the same color throughout for a given builder. Metal Standing Seam roofing may be used as an accent element.

### 2. Form

- a. The form and massing of the roof should have a logical relationship to the style and massing of the home. All roof pitches (with sole exception being porches as mentioned below) must be a minimum of 6 on 12.
- b. Fascia depths should be in scale with the mass of the elevation, but the face of the fascia board must be at least six inches (6") (nominal) in size.
- c. Porch roof pitches shall not be less than 3 on 12 unless otherwise approved by the ARA.

### 3. Roof Penetrations

- a. All exposed stack vents, skylight curbs, attic ventilators, and other metal roof accessories shall match or closely resemble the roofing color.
- b. All stack vents and attic ventilators shall be located on the rear roof slopes perpendicular to the ground plane. They shall not be visible from public areas and should be placed in a location which is least visible from adjoining property.
- c. Roof-mounted ventilators shall be no higher than 10 inches (10") above the roof surface.
- d. Skylights should not be visible from the front street.

## E. Chimneys

If chimneys protrude from an elevation and are located on the front elevation, the side-street side elevation of a corner lot or the rear elevation on a lake, or greenbelt lot, the chimney must be brick, stone or stucco, in conformance with the architecture. Prefabricated metal flues should be clad in approved materials to create the image of a traditional masonry chimney. The use of wood or fiber-cement siding is not allowed at these locations.

If a chimney is interior to the roof (not on an external elevation) or at the rear or non-corner side of a home, it must be constructed of materials that match the architectural style and color of the home. Acceptable materials include masonry, brick, stucco, wood or fiber-cement siding.

## F. Address Identification

### 1. Visibility

The address number must be visible from the street. The scale of the address number may vary according to the scale of the home, but may be no larger than 6 inches (6") in height.

### 2. Location

The number for address identification should be inset into the brick either next to the front door or on the front of the home. Internally-lit address numbers are not permitted. Height shall be a minimum of six feet (6') with a maximum of nine feet (9') from the driveway elevation.

## G. Lighting

The type, color, and quality of exterior lighting for the site and home must be consistent with other lighting on the property and in the neighborhood. No high-wattage, commercial/industrial-type fixtures, mercury vapor, or sodium-vapor light sources are allowed in any location.

### 1. Floodlighting

Floodlighting fixtures must be attached to the home or other architectural structure and must not illuminate adjacent public or private properties. Lights must be directed downward and shielded to avoid "hot" glare spot visible by neighbors. Fixture and shield color should be compatible with the building. Conduits and wiring must be concealed.

### 2. Exterior Lighting Fixtures

All exterior light fixtures visible from the street or other public areas must be of an understated design that complements the architectural style of the residence.

## H. Screening

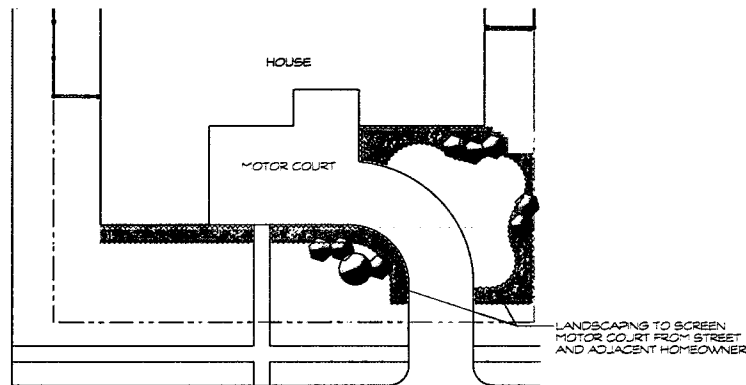
Fences, walls and landscaping are acceptable screening materials. All wood fences must be constructed in accordance with these Builder Guidelines

### 1. A/C Equipment & Home Generators

On corner lots, side-lot A/C compressors and/or home generators must be enclosed behind the side lot fence. On interior lots, A/C compressors and/or home generators may be enclosed in the side lot fence or screened from public view by landscape materials.

### 2. Driveway and Parking Areas

Approved motor courts must be screened with a combination of trees and shrubs to minimize the amount of paving visible from public area and shall be located no closer than three feet (3') to a property line **[Figure 23]**.



Driveway Motor Court  
Figure 23



## I. Exterior Colors

Color variety among homes is required. The ARA shall determine whether near or adjacent homes' brick or trim colors are too similar to allow. No more than three colors (plus brick or stone color) shall be permitted. Trim color and field color must vary.

### 1. Paint

Exterior paints and stains shall complement colors of other materials. Siding and trim should generally stay within the earth tone color family. White and cream trim is permitted. Soft, muted earth tone pastel colors are acceptable. A paint color may be repeated every third home (with 2 between) including same and opposite side of street.

### 2. Brick

Acceptable brick colors are in the earth tone color family. Very dark colored brick is discouraged. No one brick color should dominate a particular street scene. Variety in brick color is strongly encouraged. A brick color may be repeated every third home (with 2 between) including same and opposite side of street.

### 3. Stone Veneer

Stone Veneer shall be natural limestone or manufactured stone of similar color other regional stone color deemed appropriate with the project character as approved by the ARA.

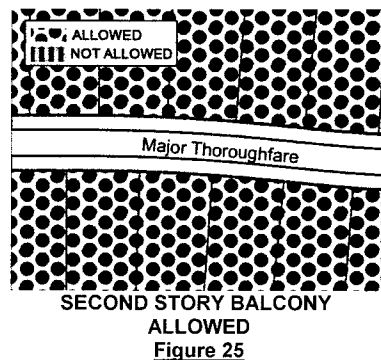
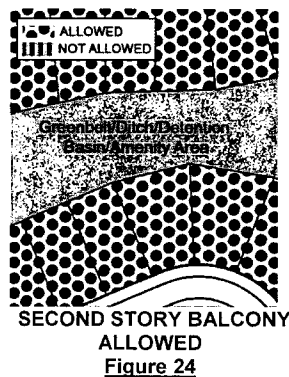
## J. Security Devices

No security devices such as sirens and speaker boxes shall be visible from a public view and, if possible, shall be located inside the home. Security and/or burglar bars on the exterior of homes are prohibited unless specifically approved by the ARA prior to installation.

## K. Second Story Balconies

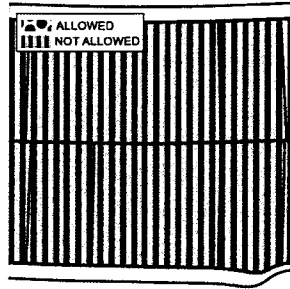
### 1. Allowed [Figures 24-25]

Second story balconies will be allowed when the back of lot faces greenbelts, ditches, detention basins, amenity areas, or major thoroughfares.



### 2. Not Allowed [Figure 26]

Second story balconies will not be allowed when the back of lot faces another lot.

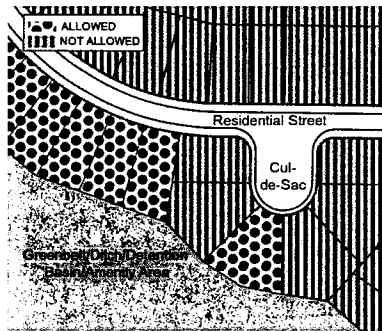


SECOND STORY BALCONY  
NOT ALLOWED

Figure 26

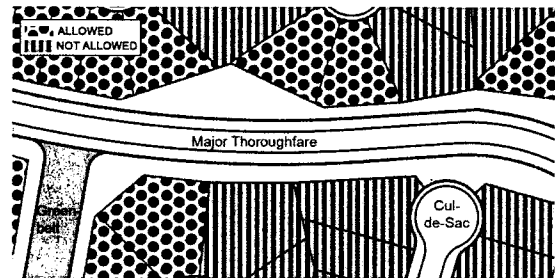
3. Special/Mixed Conditions [Figures 27-28]

Second story balconies will **not** be allowed when the back of lot faces another lot **and** a greenbelt, ditch, detention basin, amenity area or major thoroughfare.



SECOND STORY BALCONY  
SPECIAL/MIXED CONDITIONS

Figure 27



SECOND STORY BALCONY  
SPECIAL/MIXED CONDITIONS

Figure 28

## IV. MODEL HOMES/MODEL HOME PARK

### A. Model Home Layout

#### 1. Modifications

Realizing that model homes will function as sales offices, modifications to the finished product that would actually be sold is expected. However, Builders are expected to emulate as closely as possible the end product that a consumer can expect to receive.

Before sale by the builder, all modifications (e.g., front yard fencing, atrium doors in lieu of overhead garage doors, floodlights, etc.) must be removed and the unit restored to its standard appearance.

#### 2. Yard Lights

Each model should have, unless otherwise specified by the ARA, yard lights installed that will illuminate the model homes during the period from dusk to 10:00 p.m. The builder may employ other types of illumination upon approval of the ARA.

#### 3. Fencing

Fencing on sales models will always be of an iron/metal material of a standard configuration where it is adjacent to front yards. Fences will always permit view of the home and into the lot from the street. Model home fences should never exceed four feet (4') in height in the front yard. Wood fencing is allowed in the rear yards of model homes. All fence designs must be submitted to the ARA for review and approval.

#### 4. Flag Poles

A maximum of two (2) flagpoles per model home site, per builder will be allowed to display a U.S. flag, a Texas flag, or builder flag.

The flagpole should be one-piece construction of brushed anodized aluminum not to exceed thirty-five feet (35') in height. The pole should be capable of withstanding local wind velocities.

The length of the flag should be approximately one-fourth (1/4) the height of the pole on which it is mounted. Building-mounted flagpoles are not permitted. Flags and/or poles must be replaced when they become faded or worn. Flagpoles must be removed after sale of model home.

### B. Maintenance: Model Home Exteriors and Landscaping

#### 1. Model Homes Exterior

Exterior of model homes should be kept in a new and fresh condition. Doors, siding, and trim are to be kept clean and painted when necessary. If, in the opinion of the ARA, areas of a model home require refurbishing, the ARA will give the respective builder two (2) weeks notice in writing in which to correct the deficiencies.

#### 2. Landscaping

The front and rear yards of all model homes are to be landscaped including fully sodded yards and foundation plant material. Model homes shall be allowed to install small water ponds, waterfalls, etc. which shall be removed at the time the model home is converted to a residential home.

### **C. Model Home/Builder Signage**

One (1) yard sign per lot is allowed for the purpose of advertising a particular builder name or to advertise the property for sale or rent. No additional sign, advertisement, billboard, or advertising structure of any kind shall be displayed to public view on any lot.

Builders will be allowed one (1) yard sign per builder, per model park. The sign may be a maximum of thirty-two square feet (32-sq. ft.) in area. Base landscaping is required. The sign will be allowed for a period of time commensurate with the model homes sales program only. Model identification signs may not exceed three (3) square feet. In addition, one (1) sign no larger than three (3) square feet may be used to indicate whether a model home is open/closed and the hours of operation only. This sign must be close to the front door.

*The ARA has the right to remove any sign, advertisement, billboard, or advertising structure which is in violation of these guidelines. All model home signage packages must be submitted to the ARA for review and approval.*

RP-2020-53095  
# Pages 29  
02/05/2020 09:08 AM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
DIANE TRAUTMAN  
COUNTY CLERK  
Fees \$124.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically  
and any blackouts, additions or changes were present  
at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or  
use of the described real property because of color or  
race is invalid and unenforceable under federal law.  
THE STATE OF TEXAS  
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in  
File Number Sequence on the date and at the time stamped  
hereon by me; and was duly RECORDED in the Official  
Public Records of Real Property of Harris County, Texas.



*Diane Trautman*

COUNTY CLERK  
HARRIS COUNTY, TEXAS

RP-2020-53095