

ARCHITECTURAL GUIDELINES for DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR CYPRESS CREEK RANCH, SECTION ONE

THIS ARCHITECTURAL GUIDELINES for DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR CYPRESS CREEK RANCH, SECTION ONE (This "Architectural Guidelines"), is made effective as of the _____ day of _____, 2009 by the Modifications Committee also referred to as the Architectural Review Committee (ARC).

I OVERVIEW

The ARC has established the following outline of Architectural Guidelines in accordance with the authority granted to them by provisions of Article VI ARCHITECTURAL STANDARDS of DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR CYPRESS CREEK RANCH, SECTION ONE. These guidelines are established to assure a uniform and fair interpretation of the Declaration and the power of the Association related to architectural control and regulation of the appearance of the lots in Cypress Creek Ranch, Section One.

These guidelines are intended to provide all lot owners in the Subdivision with information relating to

- i) the design, color, location and grade of materials which may be used in the construction for various kinds of structures and improvements;
- ii) the size and location of such improvements and structure; and
- iii) the procedure utilized by the Association with respect to applications for proposed improvements and structures and allocation thereto.

II ARCHITECTURAL REVIEW PROCEDURES

The following guidelines for architectural review procedures are provided for in Article VII of the Restrictions of Cypress Creek Ranch.

- 2.1 Applications. All applications of approval to make any exterior changes, additions or improvements must be submitted to the Architectural Review Committee (ARC) in writing by completing the application form currently in use by the Association. Complete and final plans and specifications for any exterior addition, change, alteration or improvement should be attached to the application. All applications, additional information, or request for appeal shall be mailed or delivered to the office of the managing agent of the Association, not the ARC.
- 2.2 The ARC will make written contact with the applicant within thirty (30) days of the receipt of such application.
- 2.3 Additional Information. The ARC reserves the right to request any additional information it deems necessary to properly evaluate any application. In the event that the ARC requests additional information, the application shall be considered incomplete and denied until such

information is submitted to the ARC; the time allowance for approval shall not begin until such information is received. In the event that ARC requests additional information and the information is not received within thirty (30) days from the date of the request, the application shall be considered denied however, the applicant may thereafter submit a new application with the requested information to the ARC for it review.

- 2.4 ARC Decisions. The ARC shall consider each application for compliance with the Declaration and with these guidelines. The decision of a majority of members to approve or disapprove shall be considered the decision of the ARC. ARC decisions shall be conveyed in writing by the ARC or the managing agent of the Association to the applicant and shall include a statement of the conditions under which the application is approved, if any, or the primary reasons for disapproving the application. Once all requested information is received, the ARC will render its decision within thirty (30) days.
- 2.5 Completion. Unless otherwise stated in the ARC written response, all approved exterior changes, additions, or improvements shall be completed with sixty (60) days of the date construction, installation or erection is commenced, unless an extension is otherwise approved by the ARC.

III GUIDELINES

- 3.1. ARC Approval Guidelines. The ARC shall consider the following factors upon the review of each application for an exterior addition, change, or alteration:
 - a. conformity and harmony of external design and location in relation to surrounding structures and topography;
 - b. quality of workmanship materials;
 - c. dimension, shape, height and location;
 - d. harmony and appeal of exterior design;
 - e. structural, mechanical, electrical, and plumbing details;
 - f. nature, kind, type, and color of materials; and
 - g. such other factors as the Board may deem appropriate.
- 3.2 Maintenance of Improvements. All improvements and structures must be maintained at all times by the Owner of the lot in a good, attractive and neat condition, as determined by the Board.
- 3.3 Prior Written Approval. Unless otherwise specifically provided in these guidelines, all changes, alterations and replacements of residential dwellings, improvements, and other structures must receive prior written approval from the Board.
- 3.4 No Warranty. The approval of an application shall not be construed as a warranty or representation by the Board that the change addition or improvement, as proposed or as built, complies with any or all applicable statutes, ordinances or building codes, or as a warranty or representation by the Board of the fitness, design or adequacy of the proposed construction.
- 3.5 Grandfather Clause. Buildings and other improvements erected prior to the date these guidelines were adopted by the Board, which buildings and improvement were either (i) previously approved by the ARC or the Board and/or (ii) are in compliance with the Declarations and the

previous Architectural Review Guidelines, shall be deemed to be in compliance with these guidelines. From and after the date these guidelines are adopted by the Board, all new buildings and improvements and any alterations thereto must comply with these guidelines.

IV SPECIFIC GUIDELINES

4 Specific Guidelines:

4.1 Swimming Pools/Spas

- 4.1.1 Only in-ground pools will be allowed, with exception listed below in section 4.1.8.
- 4.1.2 All applications for the construction of a swimming pool/spa must include a plot plan showing the proposed location of the pool/spa and all pool/spa equipment in relation to the property lines, building lines, existing structures and existing fences.
- 4.1.3 Pools and spas must be completely enclosed by a perimeter fence as defined in Section 4.5 of these guidelines.
- 4.1.4 The application must include a timetable for construction. During construction, the construction area must be barricaded and equipment and supplies are not permitted in the street.
- 4.1.5 Pool pumps and equipment must be screened and not be visible from the fronting street.
- 4.1.6 Utility easements and lot lines specified by plats must be observed.
- 4.1.7 Unless otherwise approved by the ARC, pools and spas must not be closer to the rear lot line than ten feet (10'), nor to the side lot line than ten feet (10').
- 4.1.8 Above ground pools will receive special consideration. An above ground pool is Acceptable provided it is not over 4' in height. Decking around pool cannot be over 18" above ground so to ensure privacy of neighbors. If there is a walkway around pool, it cannot be wider than 2 feet or higher than the wall of the pool. Railings for walkway cannot be visible above the 6 foot fence. It must also be three feet to five feet (3'-5') from the side and rear fences and cannot be visible from the street.

4.2 Patio Covers

- 4.2.1 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. Colors will be approved on a case-by-case basis.
- 4.2.2 The location of the structure must be clearly depicted on a plot plan showing the proposed location.

4.3 Portable or Permanent Basketball Goals

- 4.3.1 Unless otherwise approved by the ARC, the backboard, rims, and net shall be maintained at all times with the colors and styles as originally purchased. The net, pole and all mounting supports must be maintained in an attractive condition.
- 4.3.2 With the exception of maintenance and repair addressed in Section 4.1, a basketball goal shall not be modified in any respect nor shall the location be changed from that approved by the ARC.
- 4.3.3 All basketball goals must be erected or placed behind the building set back line of the lot or erected or placed not

closer to the street than half the distance from the front of the garage to the street.

4.4 Fence

- 4.4.1 All wrought iron fencing must be maintained properly with no rust or breakage.
- 4.4.2 Replacement or repairs of fence must be made with similar materials and construction details as used in original fence.
- 4.4.3 Pickets must be made of wood, and a minimum of six feet (6') high, and a maximum of seven feet (7') high with the exception of gates/fences connecting house and garage, which can be a minimum of four feet (4') high.
- 4.4.4 Materials must be raw wood (natural cedar or similar type wood product), color-harmonious masonry, or black (or color harmonious) wrought iron. The standard, type and quality of any driveway wrought iron fence shall be harmonious with the standard, type and quality used throughout the subdivision.
- 4.4.5 No painting, colored staining or colored varnishing of fences is allowed without ARC approval.
- 4.4.6 No fence may extend forward of the front building line.
- 4.4.7 No chain link fencing is permitted.

4.5 Painted Concrete

- 4.5.1 Concrete that is visible from the street may be painted or stained, but only after ARC approval

4.6 Screen Doors/Solar screens/Storm Doors/Windows

- 4.6.1 Screen Doors/Solar screens/Storm Doors/Windows must be color compatible with the exterior of the main residence and approved by the ARC committee.
- 4.6.2 Storm doors/windows will be Acceptable, provided they are compatible with the color of the exterior of the house and are recessed within door closing.
- 4.6.3 Storm and screen doors will be permitted on all rear and side doors. Storm and screen doors shall be constructed of aluminum or wood. The color shall be in harmony with the existing colors of the house.

4.7 Yard Decorations

- 4.7.1 Decorative accessories, such as sculptures, birdbaths, birdhouses, fountains, benches, swings or other decorative embellishments placed on any portion of a lot visible from the street must be approved.
- 4.7.2 Excessive seasonal yard decorations must be approved. (Excessive is defined as that which causes traffic congestion.)

4.8 Burglar Bars

- 4.8.1 Unless otherwise approved by the ARC, burglar bars must not be installed so as to be in public view. Burglar bars must be installed inside a residence and screened at all times by shades, shutters, curtains, blinds or other suitable window coverings.

4.9 Outdoor Carpeting

- 4.9.1 Outdoor carpeting can only be installed in back yards and must not be visible from the fronting street.

4.10 Swing Sets/Play Forts/ Playhouses

- 4.10.1 All applications for construction of swing sets, play areas, and play houses must include a plot plan showing the proposed location in relation to the property lines, building lines, existing structures and fences.
- 4.10.2 Must be made of weatherproof wood or metal. The color must be harmonious with the color of the main residence or landscaping and must be maintained in an orderly fashion.
- 4.10.3 Structure must be maintained and located in the rear yard behind a fence, which encloses the yard constructed in accordance with the specifications in Section 4.5.
- 4.10.4 Unless otherwise approved by the ARC, structure must not be closer to the rear lot line than ten feet (10'), nor to the side lot line than 10 feet (10').

4.11 Awnings

- 4.11.1 Awnings will be reviewed by the ARC.

4.12 Mailboxes

- 4.12.1 Only U.S. postal approved and installed mailboxes are Acceptable in the areas designated by the U.S. Postal Service.
- 4.12.2 If a mailbox requires replacement, unless otherwise approved by the ARC, the mailbox must be replaced with one that is structurally the same as the prior mailbox and maintains the overall character and aesthetics of the previous design.

4.13 Driveways and sidewalks

- 4.13.1 Driveways shall be a minimum of ten feet (10') in width. Any changes or additions to driveways must be approved by the ARC.
- 4.13.2 The cracks between cement driveway sections shall be kept free of vegetation.
- 4.13.3 An improved walkway or sidewalk must be a minimum of four feet (4') in width from the front door of residence to the curb or private driveway.

4.14 Landscaping

- 4.14.1 Landscaping must be maintained in an orderly and attractive condition at all times.
- 4.14.2 Landscaping must compliment the style and architecture of the home and be proportionate in scale and height to the structure to create complement.
- 4.14.3 Landscaping must not interfere with the sight lines for vehicular traffic, especially on corner lots.
- 4.14.4 Landscaping shall not interfere with the natural drainage of the lots or neighboring lots.

4.15 Accessory buildings/Decks/Patios

- 4.15.1 All applications for the construction of an out building, storage shed, gazebo, deck or patio must include a plot plan showing the proposed location of the improvement in relation to the property lines, building lines, existing structures and existing fences.
- 4.15.2 The standard type, quality and color of the materials used in construction shall match or be harmonious with the standard type quality and color of the materials used in construction of the main residence on the lot.

- 4.15.3 Outbuildings directly adjacent to residence must have matching materials, i.e. brick adjacent to brick.
- 4.15.4 The footprint size of outbuildings shall be proportional to lot size.
- 4.15.5 Metal storage outbuildings applications will be reviewed on a case by case basis.
- 4.15.6 Accessory buildings shall be maintained in good condition at all times.
- 4.15.7 All accessory buildings must be located in the rear yard.
- 4.15.8 Accessory buildings shall not be placed within existing easements, unless the utility companies involved have granted their written consent to such encroachment, and a copy of said consent is provided to the ARC.
- 4.15.9 Outbuildings shall not interfere with the natural drainage of the lot or neighboring lots.
- 4.15.10 No more than one storage building will be permitted per lot.
- 4.15.11 Must comply with all local building codes including septic codes set forth by Harris County.

4.16 Exterior Lighting

- 4.16.1 Exterior lighting shall not be of an intensity that causes annoyance to neighboring residences. Complaints from neighbors would constitute redirection, moving, or removing of light fixtures.

4.17 Room Additions to Home or Garage

- 4.17.1 All room additions require detailed design and construction plans and must include a lot survey showing the exact location.
- 4.17.2 The standard, type, quality and color of materials used in construction shall 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 shall 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. I.e.: 1st story of primary residence is brick new construction must also be brick.
- 4.17.3 Room additions shall not be placed within existing easements or encroach over any building setback line.
- 4.17.4 Must comply with all local building codes including septic codes.

4.18 Exterior paint

- 4.18.1 The exterior paint of main residence, garage or other improvement must be maintained. Faded, scratched, or other altered exterior paint must be repainted.
- 4.18.2 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 ARC.
- 4.18.3 The existing exterior color of a main residence, garage or other improvement on a lot shall not be repainted with a different color, or same color with different finish, without first submitting an application with a color sample or paint chip to the ARC and receiving prior written approval.
- 4.18.4 Earth tone colors were most often used when homes were constructed. In general, an earth tone color should receive ARC approval. Other earth tone blend colors will be considered. The

color of neighboring homes will be taken into consideration along with the applicant's house brick features.

- 4.18.5 Exterior color changes will be approved only if the proposed color is in harmony with the other existing homes in the community or if the color is similar to the colors originally employed in the community. In general only those areas that are painted may be repainted, only those areas that are stained can be re-stained; unpainted surfaces and unstained areas such as brick shall remain unpainted and unstained.

4.19 Siding/Gutters

- 4.19.1 The standard, type and quality of the siding materials used shall be harmonious with the standard, type and quality of the materials of the main residence on the lot and throughout the subdivision.
- 4.19.2 Siding must be painted to match the existing siding of the main residence on the lot.
- 4.19.3 Gutters must be painted to match the existing color of the main residence on the lot and must be installed to prevent water shed across or onto any other lot.
- 4.19.4 Gutters must be periodically cleaned and shall be kept in an orderly and attractive condition at all times.

4.20 Roofing/Sky Lights/Solar Panels

- 4.20.1 The standard, type and quality of the roofing used shall be harmonious with the standard, type, quality used throughout the subdivision.
- 4.20.2 If a roof is to be replaced with a different color shingle, a sample of the proposed shingle must be attached to an application submitted to the ARC. Same color and type replacements do not require ARC approvals.
- 4.20.3 No skylights, solar panels or similar types of additions shall be permitted on the front of the roof ridgeline and for gable of a structure.

4.21 Flagpoles

- 4.21.1 A bracket mount to front wall of residence is permitted for display of a single decorative flag.

4.22 Garages

- 4.22.1 Garages, as built by the builder for the use of vehicles, must be capable of housing a minimum of two (2) full size vehicles at all times.
- 4.22.2 All overhead garage doors must be constructed of real wood or metal approved as to style and appearance by the ARC.
- 4.22.3 Improvements over a garage are subject to the same ARC requirements as room additions in Section 4.19.

4.23 Carports

- 4.23.1 Carports will not be allowed.
- 4.23.2 Porte-cocheres are allowed but are subject to the same ARC review and approval requirements as room additions.

4.24 Soft Water/Water Filter Systems/ Pool Equipment/Septic covers

- 4.24.1 Water systems such as soft water or treatment systems must be installed out of sight from the fronting street and screened from public view.

4.25 Care of the interior and exterior surfaces of the Association's Perimeter Cement Wall

- 4.25.1 Owners shall insure that trees, shrubbery, improvements and other personal property are not leaning or pressing against the Interior fence Surfaces (identified as those fence surfaces closest to the Homeowner's house) of the "Perimeter fence" (the perimeter cement fence that surrounds the Cypress Creek Ranch, which is located on or adjacent to lots that abut Fry or Mound road so as having caused or may potentially cause damage to the Perimeter Cement fence.
- 4.25.2 Owners shall not intentionally damage the Perimeter fence, but should damage occur that is caused by Homeowner, Homeowner is responsible for any damages to the perimeter fence.
- 4.25.3 The terms "trees" and "shrubbery" as used in this Paragraph 4.30 shall include but is not limited to trees, shrubbery, and all other plantings, including the leaves, branches, and root systems.
- 4.25.4 Owners may allow such plantings on the Interior fence Surfaces of the Perimeter Cement fence as long as they do not cause damage to the cement fence (Vines are not allowed)
- 4.25.5 Any repairs or replacement of the Perimeter Cement fence must be performed in such a way so as to maintain the color and current design of the cement fence. If replacements or repairs are performed, owners or the Association must make all reasonable efforts to ensure that work is performed in such a way so as not to be noticeably different from the existing fence.

4.26 Enclosed Pool Screening or Total Backyard Screening Systems

- 4.26.1 Enclosed pool screening or total enclosed backyard screening systems will be reviewed on a case by case basis.
- 4.26.2 Pool enclosures will be reviewed on an individual basis. Height should not exceed 10 feet. Committee may find screened enclosures Acceptable.

4.27 Solar Water Panels for Pool Heating or for Hot Water Heating

- 4.27.1 Solar water panels for pool heating or for hot water heating are allowed, but shall not be visible from any street. In addition, they shall not be installed at a height so as to be visible by adjacent neighbors when viewed from the ground level.
- 4.27.2 The ARC will approve solar panels which are unobtrusive and which blend in with the roof shingle color.
- 4.27.3 Parabolic solar collectors which are not mounted so as to be flush with the roof will not be approved.
- 4.27.4 Solar panel frames should be bronze or black in color in order to best blend with the shingles. All unfinished aluminum must be painted the color of the shingles.
- 4.27.5 No solar panel should be mounted so that it extends above the roof line.
- 4.27.6 Solar screens are allowed on windows.
- 4.27.7 Colors and manufacturers must be Acceptable to ARC for both screens and panels
- 4.27.8 Solar film must be non-reflective type.

RECORDER'S MEMORANDUM:

At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and 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 herein by me, and was duly RECORDED, in the Official Public Records of Real Property of Harris County, Texas

DEC 30 2011



Stan Stewart
COUNTY CLERK
HARRIS COUNTY, TEXAS