

HIGHLAND KNOLLS COMMUNITY ASSOCIATION, INC.

ARCHITECTURAL CONTROL COMMITTEE

GUIDELINES

DATED

JANUARY, 2009

EXHIBIT "A-1"

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ARCHITECTURAL CONTROL COMMITTEE

GUIDELINES

The Architectural Control Committee ("ACC") was created to enhance property values by requiring conformity to certain standards of construction, visual appeal, uniformity and design. The respective Declaration of Covenants, Conditions and Restrictions for the community ("CC&Rs") provide that no building shall be erected, placed or altered on any lots until the construction plans and specification and a plot showing the locations of such building has been approved in writing as to conformity and harmony of external design with existing structures in the subdivision, and as to location with respect to topography and finished grade elevation, by the ACC. Implicit in these guidelines are all aspects of upkeep and maintenance.

It is the general purpose of the ACC to approve or disapprove applications made to it for proposed alterations, additions or changes to be made to the exterior of the house and/or lot itself. Landscaping does not require ACC approval unless the configuration of the ground changes (i.e., berms, fill dirt, etc.). See section 18.0 of these guidelines for landscaping requirements.

Procedure

A "Request for Home Improvement Approval Form" must be completed in its entirety and mailed to the address indicated on the form. All pertinent information such as plans, specifications, building permits, locations of the proposed improvements must be indicated on a copy of the survey, etc. and all of these items should be included with the application. The survey which must be prepared and signed by a registered surveyor, engineer or other qualified professional (in the ACC's reasonable judgment) must show (by way of distances described in feet and inches) the actual location of the proposed building or improvement on the lot in relation to other buildings and improvements and to all set-back lines, building lines and utility easements on the lot.

Request for Home Improvement Approval forms are available from your management company and/or on the website www.oakparktrails.org. The ACC cannot respond to verbal requests for approval – all applications must be made in writing.

~~The ACC has forty five (45) days from the date of receipt of a Request for Home Improvement Approval application in which to respond.~~ If additional information is required by the ACC, the application process will be extended accordingly. Plans for the implementation of the proposed improvement(s) should allow for the time required to complete the approval process. No construction or alteration should begin prior to the approval. Additionally, should your application be submitted after the fact of construction or alteration, the ACC is not required to provide approval and there is no limitation of time for the review. You may be required to remove said improvements.

If an application is not approved, the ACC will state in their letter why such approval was denied and what type of application changes, if any, would alter that decision. If an applicant wishes to discuss or appeal a decision made by the ACC, the designated representative should be contacted in writing.

Each owner is ultimately responsible for ensuring that all improvements conform to the CC&Rs and other applicable guidelines. Failure by an owner to perform modifications and/or improvements in conformity with the CC&Rs and application guidelines subjects the owner to the risk and expense of removal of each such non-complying improvement. NOTE: The above general procedures pertaining to applications to the ACC do not apply to the installation of antennas, satellite dishes and related masts. Please see Section 9 hereof for the special provisions which apply to antennas, satellite dishes and related masts.

It is the responsibility of the applicant to make sure he or she has the most current guidelines available before proceeding with any improvement. Check with the management company to see if the guidelines have been reissued or amended. No ACC member shall approve his/her own application for improvement.

Introduction

The following are guidelines adopted by the ACC to specify their standards, requirements and thought processes used in evaluating an application. The guidelines may be amended from time to time as the circumstances, conditions or opinions of the ACC dictate. It should be noted that each application is considered on its own merit and that the ACC may grant a variance from these guidelines and/or from certain provisions of the CC&Rs. The ACC has the right to deviate or deny approval for a similar improvement based on the proximity of a property to a main boulevard and on the visual relativity of the site to the overall development. As an example, a home located on the perimeter of the development may be permitted to have a certain styled storage building, whereas on a main entry boulevard and depending on the configuration of the lot, this same item may not be approved. The intent is to maintain overall integrity within areas of higher visual impact.

It should also be noted that ACC approval is required prior to the installation or construction of the improvement or change. If an improvement is made without ACC approval, the Board of Directors has the legal right to enforce its removal.

Compliance/Non Compliance

As stated earlier, these guidelines include all relevant stipulations from the Declaration, but also include many more supplementary details and restrictions that have been approved by the Board of Directors. Since the guidelines (with their additional restrictions) were released a few years after the Declaration, an equitable process must exist to ascertain compliance/noncompliance with both documents.

The Declaration was in existence prior to any home building in Highland Knolls C.A. It is expected that all residents will comply with the restrictions and requirements specified in that document. This includes the requirement to file an application for approval to the ACC for all improvements, conditions or restrictions specified in the Declaration.

Homes or home improvements built prior to the approval and adoption of these guidelines must, as stated above, comply with the restrictions of the Declaration, but will not be required to be in compliance with any of the additional restrictions or details which are not specified in the Declaration.

Homes or home improvements built subsequent to approval and adoption of these guidelines are expected to be in full compliance with all provisions of the most current release of these guidelines.

Homeowners shall comply with all applicable restrictions and shall 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 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 homeowners' expense, unless a variance is granted. Homeowners should apply to the ACC for any outstanding unapproved improvements.

Inspection

All exterior improvements are subject to inspection by the ACC.

Enforcement

Article VII, Section 7.1, of the Declaration provides as follows:

The Association, or any owner, shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this declaration. Failure by the Association or by any owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

Homeowners will be assessed all costs necessary for compliance pursuant to the procedures set forth in the governing documents of the Association and the statutes of the State of Texas.

Complaints

Homeowners are encouraged to help maintain the beauty of Oak Park Trails (Highland Knolls C.A.). To this end, we all have an obligation to the Declaration and architectural guidelines, and to ensure non-complying improvements get corrected. Should you have a complaint regarding a violation, contact the Management Company. All complaints will be handled in the same manner discussed under Application Procedure.

Controlling Documents

In the event of a conflict between these Guidelines and the Declaration, the Declaration shall control.

1.0 Outbuildings

- 1.1 An "outbuilding" is defined as any structure that is not attached to the main structure. This definition does not include bonafide additions to the main residences or garages wherein an actual opening to the main structure exists, but does include storage sheds, gazebos and playhouse/forts.
- 1.2 The ACC will consider the following:
 - a. The colors should match/blend with the predominant exterior colors of the main residence.
 - b. Materials should match those of the main residence in both size and color; however, the ACC will consider small prefabricated storage buildings providing the color blends with the main residence.
 - c. It should have a peaked roof, no higher than eight feet (8') from the ground to the highest point, and a maximum of 10' x 12' floor space. Structure must be placed and maintained a minimum of eight feet (8') off rear property line and distance from side fence will be determined based on visibility from the street in front of the lot. At no time, however, will that distance from side fence be less than three feet (3'), regardless of visibility. Location must also be far enough away from fence to allow for drainage to occur entirely on the owners' lot.
 - d. A storage building placed on a concrete slab on top of a utility easement will require letters of Consent to Encroach, as it will not be considered portable. Any changes by Reliant Energy, Centerpoint Energy, the telephone companies and other applicable

utility companies for this consent letter(s) will be the homeowners' responsibility. If a storage building is on the utility easement, but not on a slab and can be moved, the ACC will consider it as portable.

- e. No storage building can be built up against any side or rear wall of a home unless its maximum height is less than six feet (6') and it will not be visible above the fence. It must also comply with all the other requirements for proper construction, size and location.
- f. If under six feet (6'), storage structure may be placed in side yard, provided three-foot (3') minimum setbacks are observed.
- g. For playhouse/fort structures – see section 19.0.
- h. A freestanding gazebo must be at least six (6) feet away from the house in the backyard. These will be reviewed on a case-by-case basis with a maximum height at peak of twelve (12) feet and must be three (3) feet off side and back fence.
- i. A screened enclosure shall be no higher than twelve (12) feet and shall not create a dome or arched appearance.

2.0 Basketball Goals

- 2.1 The basketball goal backboard, net and post must be maintained in excellent condition at all times. If the net is worn, it must be replaced.
- 2.2 If the backboard is mounted onto the roof by use of a small, triangular mounting structure, the mounting structure must be painted to match the shingle color.
- 2.3 Backboard must be regulation size and white in color or transparent.
- 2.4 Must be mounted on garage or placed on the side of driveway, recognizing a setback of a minimum to correspond with building line.

3.0 Patio Cover

- 3.1 Should be constructed of materials that complement the main structure.
- 3.2 Prefab covers made of aluminum may be approved providing they are of an earth tone color – unfinished aluminum will not receive ACC approval. All metal must be painted. Wood frame may be allowed to go unpainted provided treated wood is used, as outlined below in 3.5.
- 3.3 If attached to house, must be integrated into existing roof line (flush with eaves), and if it is to be shingled, shingles must match roof. Entire patio cover and posts should be trimmed out to match house. Supports must be painted wood, treated wood or metal columns. No pipe is allowed.

- 3.4 At no time, however, shall a shingled roof be allowed with an unpainted frame. Frame will have to be painted to match trim of house whether treated or untreated wood is used.
- 3.5 Approved patio construction materials are as follows:
 - a. Painted aluminum (to match trim of house).
 - b. Painted wood (to match trim of house).
 - c. Natural pressure treated wood such as cedar, fir or redwood may be used. Treated pine must be painted or stained.
 - d. Canvas is not permitted.
- 3.6 Patio covers may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment.
- 3.7 Patio covers must be situated on the lot to provide drainage solely into the owners' lot. If a proposed patio cover location is less than five feet (5') away from the side lot line, the ACC will require that it be guttered with downspouts, if it is to be a solid cover.
- 3.8 For screened enclosures, see Section 1.2.i.

4.0 Room Additions

- 4.1 Exterior materials and colors should match the house as closely as possible.
- 4.2 Detailed plans must be submitted to the ACC.
- 4.3 Room additions may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment.
- 4.4 Approval shall be on an individual basis – Size and shape will depend on architectural style and layout of home, size of lot, and how well room addition integrates with existing home. Addition of a storage area will not qualify as a bonafide room addition and will not be permitted. Plans for the room addition must show a room of reasonable size to constitute a legitimate request for a room addition. The roof of the addition must integrate with existing roof line so as to appear to have been part of the original home. The addition must be opened to the main structure and be serviced by central heat/air conditioning and electrical. All such improvements must be designed to building code standards of the City of Houston. Room additions may be denied for other reasons, i.e., structural integrity, architectural suitability, etc.
- 4.5 Building permits, as required by the applicable municipality (city, county, etc.) must be submitted with the "Request for Home Improvement Approval" form. In some instances, the ACC will grant approval with the provision that a copy of the permit must be received by the ACC within thirty (30) days of the approval letter.

- 4.6 Additions must comply with lot coverage restrictions as set forth in the Declaration and must include with their application written acknowledgment from a licensed architect that they have read the Declaration and Guidelines and blueprints stamped by a registered professional engineer and that the improvement meets or exceeds them. Any costs incurred with the request will be incurred solely by the homeowner.
- 4.7 Any second story garage exterior, must be architectural consistent with the main dwelling.
- 4.8 All windows should face the backyard or driveway. Windows should not face toward any neighboring home such as to allow someone to view directly upon their property.

5.0 Exterior Painting

- 5.1 Exterior painting must be approved by the ACC. Exterior brick cannot be painted.
- 5.2 Earth tone colors are most often used and accepted (i.e., white, brown, tan, beige or gray). The color of neighboring homes will be taken into consideration, along with the applicant's house brick features.
- 5.3 Extremely bold colors or pastels are prohibited.
- 5.4 Front doors may be stained, a natural wood color, or painted the same color as the house trim. Other paint colors may be approved on a case by case basis.
- 5.5 Siding and trim should generally stay within the earth tone family (i.e. white, brown, tan, beige or gray). No primary colors such as blues, reds, greens or yellows will be allowed.
- 5.6 Vinyl siding and aluminum is not permitted for either siding or trim.

6.0 Storm Windows and Storm/Screen Doors

- 6.1 Provided the frames of these are of a color compatible with the exterior house colors, storm windows and storm or screen doors should receive ACC approval.
- 6.2 All storm doors must be a full glass door. No front screen doors are allowed.

7.0 Decks

- 7.1 Decks may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment.

- 7.2 Decks should not be situated on the lot so that they may pose a problem to the effective drainage of the lot or neighboring lot.
- 7.3 Decks cannot be higher than eighteen inches (18") above grade.
- 7.4 Paint or stain should match or complement the house.
- 7.5 Second story decks will be reviewed on a case by case basis.
- 7.6 Decks may only be constructed in the backyards.

8.0 Swimming Pools and Spas

- 8.1 No pool or spa of any type may encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment. Pool decking which extends into an easement also requires a consent agreement. Consents must be received prior to approval. Note: The respective utility company may charge for this consent letter and such charge will be the homeowner's responsibility.
- 8.2 No pool and/or deck shall be within five feet (5') of the side property lines and/or greater unless otherwise defined by the plat and/or CC&Rs.
- 8.3 No above ground pool will be accepted and/or approved. However, above ground spas, Jacuzzis or hot tubs are allowed provided they are screened from public view.
- 8.4 All pools must be enclosed within a fenced area.
- 8.5 Pool pumps and other equipment must be screened within the fenced perimeter and not visible from the fronting street.
- 8.6 Pool enclosures will be reviewed on an individual basis.
- 8.7 All new pools are required to be inspected by the local governing entities for proper water connections and drains.
- 8.8 If any pool or spa construction uses access to the backyard over or through: (1) a landscape area maintained by the Association; or (2) a sidewalk; then either the homeowner or pool contractor must deposit \$1,000 with the Association. The \$1,000 will be returned only: (1) if there is no damage to the landscape area or sidewalk; or (2) any damage is repaired to the satisfaction of the Association. The Association may retain all, or any portion, of the \$1,000 deposit depending on the extent of the damage as determined by the Association. Nothing herein shall prevent association from seeking damages in excess of \$1,000.
- 8.9 No waterfall can be higher than the fence line.

9.0 Antennas and Dish-Type Devices

- 9.1 No Dish-Type Devices in excess of One Meter (39 inches). No direct broadcast satellites, multichannel multipoint distribution type devices will be permitted on any lot.
- 9.2 No Dish-Type Device, Antenna or any related mast shall be erected, constructed, placed or permitted to remain on any lot unless such installation is located to the rear one-half (1/2) of the roof ridge line, gable or center line of the principal building and to the extent feasible shall not be visible from the frontage street or any adjoining street.
- 9.3 No freestanding Dish-Type Device, Antenna and any related mast shall be placed on any portion of the lot without the prior written consent of the ACC; provided, however, any freestanding antenna approved by the ACC must be located behind the rear wall or the principal building and must be screened from view by installation of approved fencing or other screening devices.
- 9.4 If the owner of a lot proposes to install a Dish-Type Device, Antenna and any related mast that in any manner whatsoever which does not strictly comply with the conditions set forth in this Section, such owner must submit an application to the ACC and obtain written approval of the ACC prior to commencing such installation. In connection with the ACC's decision, the ACC shall consider such factors as it deems appropriate, in its reasonable discretion. The granting of a variance from such conditions shall in no way affect the owner's obligation to comply with all governmental laws and regulations and other regulations affecting the lot concerned.

10.0 Fence, Gates and Fence Extensions

- 10.1 All proposed fences must be approved by the ACC.
- 10.2 Any fence, wall or hedge intended for the purposes of privacy and/or security shall be no greater than **six foot, six inches (6'6")** in height.
- 10.3 No painting, staining or varnishing of fence.
- 10.4 Wood fences must be of cedar only. Pickets should have limited knots and blemishes. Posts and caps may be treated pine. Replacement wood fences or repaired wood fences may have horizontal 1x6 treated pine "rot" or base boards.
- 10.5 No chain link type fence, no split rail fence or decorative type fence is permitted.
- 10.6 Fence extension requests will be reviewed on a case by case basis and should be submitted by both neighbors sharing the side lot line and fence, except in the case of a corner lot.
- 10.7 No fence may extend so as to encroach in front of a building line.

- 10.8 All corner lot fences, fences which face a designated reserve, or that are visible from any street must be installed with the picket side facing out.
- 10.9 Replacement or repairs of fence must be made with similar materials and construction details as used in original fence.
- 10.10 Fencing shall be uniform throughout the development. Wrought iron may be used in areas of decorative use in sections across driveways or where used across a building line so long as there are no items, (storage or otherwise), visible from a fronting street.
- 10.11 Metal fences may be wrought iron, steel or aluminum. The fence may have alternative metal finishes for longevity (e.g., epoxy, or powder coating) but must be finished black. Metal fences shall not be higher than six feet, six inches (6' 6") tall.
- 10.12 Gates must be constructed of compatible material to its respective fence type.
- 10.13 Driveway wrought iron and simulated iron gates are permitted, but must be painted black. Any decorative patterns or designs on a gate will be approved by the ACC on a case-by-case basis.
- 10.14 Any wall, fence or hedge erected on a lot shall pass ownership with title to the Lot and it shall be the Owner's responsibility to maintain said wall, fence or hedge thereafter. Fences and gates must be maintained in good condition.

11.0 Decorations

- 11.1 On front lawns of lots and on any portion of a lot visible from any street, there shall be no more than two decorative appurtenances allowed, not to exceed thirty-six inches (36") in height, such as sculptures, birdbaths, birdhouses, fountains, or other decorative embellishments. No pink flamingos allowed in front yard.
- 11.2 A single bench may be placed in the front yard. The bench may be no longer than five feet in length. It must be constructed of wood or metal. The color of the bench must be black or may be left with a natural wood finish if the wood is sealed with a varnish or lacquer to prevent weathering. The bench must be located so that it is placed no more than ten (10') feet in front of the existing building line.
- 11.3 House numbers may be placed on house or mailbox, but not any type of freestanding structure in front yard.
- 11.4 Christmas decorations, including lighting, may not be placed on the house or in the front yard prior to Thanksgiving Day, and must be removed no later than January 31. All other seasonal decoration shall be limited to a maximum of thirty (30) day period.

12.0 Exterior Lighting

- 12.1 Low voltage landscape lighting must receive ACC approval prior to installation. Additional exterior lighting should not be of a wattage or lumen count which will affect neighboring homes.
- 12.2 Directional lights or floodlights must be aimed so as not to shine in the windows of neighboring homes.
- 12.3 Low voltage landscape lighting following the provisions of Sections 12.1 and 12.2 should receive ACC approval.
- 12.4 Colored lighting (except during recognized holiday seasons) is not permitted. Security, mercury vapor, or fluorescent lights must be attached to the front of the house, preferably the garage. L.E.D. landscape lighting will be allowed. Mercury vapor, fluorescent and sodium halite may be permitted in back as long as it in no way shines onto adjacent property.
- 12.5 Yard lights may be gas or electric. Single lamp only and maximum height of six feet (6'). May be in front or back. Gas or electric lights must be black or brown, depending on color of house and determination of suitable color will be the decision of the ACC.
- 12.6 Exterior lights must not affect overall aesthetic appeal.

13.0 Mailboxes

- 13.1 Our subdivision uses communal mailboxes, and as such, applications for the installation of individual mailboxes will not be approved.

14.0 Wind Turbines and Ridge Vents

- 14.1 Wind turbines must either be a color that will blend with the shingle color instead of unfinished aluminum, or be painted to match the shingle color and positioned on the rear slope of the roof structure so as not to be visible from the fronting street. Ridge vents should be of a color which will blend with the shingle color.

15.0 Outdoor Carpeting

- 15.1 There will be no outdoor carpeting approved.

16.0 Burglar Bars

- 16.1 Acceptable provided they are in harmony with house.
- 16.2 Painted to match exterior trim.

17.0 Birdhouse

- 17.1 Maximum height is twelve feet (12').
- 17.2 Mounted on 2" diameter metal pipe painted white or black.
- 17.3 Must be placed toward the middle of back yard and not visible from the fronting street.
- 17.4 Birdhouse and mounting structure must be kept in good condition.

18.0 Landscaping

- 18.1 General: Landscaping (defined as living plants, trees, shrubs, flowers, etc., and utilization of non-living material necessary for growth e.g., bark, mulch, etc.) is generally not subject to ACC review and approval except in circumstances wherein such landscaping is intended to accomplish a structural objective, such as a hedge or a visual barrier, or is visually objectionable, or is not in harmony with the surrounding neighborhood, or is specifically referenced in the Declaration.
- 18.2 Must complement style and architecture of home and conform to color scheme of immediate neighborhood.
- 18.3 Landscaping may not be installed in such a manner as to change the topography or drainage of the lot which may cause water to spread across any other lot (rear or side).
- 18.4 Trellises, lattices, window boxes, arbors, and permanent brick borders, must have ACC approval. Landscape timbers and bricks without mortar do not need ACC approval unless they exceed a height of one (1) foot. The use of builder bricks will not be allowed for landscaping borders.
- 18.6 Front lawns must be sodded with St. Augustine grass.
- 18.7 Artificial plants, trees, shrubs, flowers, etc are not allowed as part of the landscaping.
- 18.8 Trees:
 - a. Homeowners are responsible for the replacement and maintenance of front yard and curbside trees
 - b. An application must be submitted prior to the installation or removal of trees. Only Oak trees (Water, Texas red, and Live) will be approved for Sections 1, 2, 3, 17 & 18. Oaks and Crape

Myrtles will be approved as curbside trees for the remaining sections of the subdivision.

- c. Each lot may have a maximum of two (2) oak trees in front of each house.
 - d. Two curbside trees may be installed on each lot. Corner lots may have an additional tree installed on the side of the lot.
- 18.9 No object or thing which obstructs sight lines at elevations between two (2) feet and six (6) feet above the surface of the streets within the triangular area formed by the intersecting street lines and a line connecting them at points twenty-five (25) feet from the intersection of the street lines or extensions thereof shall be placed, planted or permitted to remain on any corner lots.

19.0 Swing Sets/Play Structures/Trampolines

ALL PLAYGROUND EQUIPMENT MUST BE SUBMITTED FOR APPROVAL PRIOR TO INSTALLATION.

- 19.1 A swing set, playhouse, play fort, trampoline, or sports equipment, and the like must not have a topmost point higher than twelve (12') feet maximum. If the playhouse/fort has a platform, the platform can not be higher than forty-two (42") above ground and centered in the backyard to protect neighbors' privacy. It shall also be placed so as not to be visible from the fronting street.
- 19.2 Location will be considered for neighbor's privacy, and must not be closer than five (5') feet to any property line.
- 19.3 The equipment must be placed in the backyard, behind a fence and may not be visible from fronting street.
- 19.4 If canvas is used as roofing material on a play structure, it must be kept in good condition or the ACC will request its removal. The color of the canvas cover is subjected to approval by the ACC.
- 19.5 All play equipment must be maintained.

20.0 Driveway Extensions/Sidewalks

- 20.1 Reviewed on an individual basis.
- 20.2 Sidewalks can not be closer than three feet (3') to property line and must be parallel to curb. Driveway extensions can extend no nearer to side property line than three feet (3') or five feet (5') in certain instances.

- 20.3 All sidewalks in the side yard must be no greater than forty-eight inches (48") wide.
- 20.4 Any concrete spilled, poured or washed on a street must be immediately removed leaving the street clean and unstained.
- 20.5 Cars parked in driveways may not block the sidewalks at any time.
- 20.6 Painting a topcoat on driveways and sidewalks is not permitted.
- 20.7 House numbers may be painted on driveway curbs for emergency use. The length is 15" and the height is 6 ½". The background color should be black with white numbers. Designs such as the Texas State Flag or sport teams are permitted.
- 20.8 Driveways must be maintained. No oil spills or rust spots.

21.0 Garage Conversions/Carports

- 21.1 Conversions are not permitted and all garages must be capable of housing a minimum of two (2) cars (and a maximum of three (3) cars) at all times with an operational garage door.
- 21.2 Additional garages or carports are not permitted.
- 21.3 Driveways can never be removed from front yard even if an alternate garage is built.
- 21.4 An application must be submitted for lean-to sheds, potting sheds or any other attachments/additions to a garage. These attachments must meet the structural guidelines set forth in other sections of these Guidelines and/or the Declaration.

22.0 Window Air Conditioners

- 22.1 Must not be visible from street and must be below fence line.

23.0 Window Shades/Awnings

- 23.1 Canvas awnings will not be permitted on windows unless they are on the back side of the house on an interior lot and not visible at all from the street. On a corner lot or lot that backs onto a street, canvas awnings will not be permitted at all. When allowed, colors must match or complement the primary color of the house and must be kept in excellent condition at all times or will be subject to immediate removal upon notification.
- 23.2 Awnings will still be allowed for use on playhouses and patio covers, provided they also comply with aforementioned requirements for proper

location and color.

- 23.3 All exterior shades must be approved by the ACC prior to installation. The ACC may allow metal or wooden shades if they are deemed necessary in reduction of solar exposure. The color selections of exterior shades must be in accordance with the Section 5 of these Guidelines. After installation, they must be kept in excellent condition at all times. At no time, however, awnings of any sort will be allowed on windows on the front of the house.
- 23.4 Portable awnings/canopies are not allowed.

24.0 Electronic Devices

- 24.1 No electronic devices shall be permitted to cause any distortion or interference whatsoever with respect to any other electronic device in the subdivision.

25.0 Solar Screens/Film

- 25.1 All window film/screen must be approved by the ACC prior to installation. Samples of film/screen must accompany each application
- 25.2 Solar screens are allowed on windows only if they blend with the brick and roof color. Solar window film must be non-reflective type.

26.0 Trash Disposal

- 26.1 No lot shall be used as a dumping ground for rubbish.
- 26.2 All equipment for the storage and disposal of trash, garbage and other waste shall be kept in a clean and sanitary condition away from public view and not visible from the street.
- 26.3 Trash containers should NOT be placed on the curb more than twelve (12) hours before the scheduled trash pickup and should be removed the same day.
- 26.4 Tree trimmings in must be cut lengths not to exceed four (4) feet, and securely tied in bundles. All other yard waste (grass clippings, leaves, and small branches) must be bagged.

27.0 Storage of Building Materials

- 27.1 Building materials placed on lots prior to commencement of improvements must be kept in a neat, clean and orderly condition.
- 27.2 No materials may be placed on the street, or between the curb and the property line.

28.0 Temporary Structures

- 28.1 No structure of a temporary character (trailer, travel trailer, tent, garage, barn or other outbuildings) shall be used on any lot at any time as a residence, either temporarily or permanently.
- 28.2 No trailer, camper, recreational vehicles, or similar vehicles shall be stored permanently or semi permanently in view from other properties, or connected to utilities situated within a lot.

29.0 Exterior Maintenance

The following list includes, but is not limited to, items that can preclude a neat and attractive condition to the subdivision and that are not allowed:

Home Maintenance

- a. Mildew that can be remedied by power washing.
- b. Paint that is discoloring or chipping off any part of the house.
- c. Trim on the house, fascia, or trim around a window that is rotting.
- d. Rain gutters that are bent, sagging or hanging.
- e. Garage doors that are dented, discolored or broken.
- f. Shutters/blinds missing slats or broken.

Landscaping

- g. Grass that is over 6" to 8" tall.
- h. Grass that lies over onto the driveway, sidewalk and/or curb that requires edging.

- i. Weeds in plant beds that are overgrown.
- j. Plants that are dead.
- k. Tree stumps that require removal.
- l. Mulch and bedding supplies left on the driveway for more than seven (7) days. These materials cannot be placed on the street at any time.
- m. Dead grass that needs to be resodded.
- n. Beds left barren for over thirty (30) days.

Miscellaneous

- o. Lumber, bricks, paint cans or any other building material left or stored against the house or on the driveway that can be seen from the street.
- p. Empty plant containers left on the side of the house or on the driveway that can be seen from the street.
- q. Old bicycles (rusted) and/or toys that remain on the side of the house or on the driveway that can be seen from the street.
- r. Trash bags and/ or trash containers that remain on the side of the house or on the driveway that can be seen from the street.
- s. Barbecue grills left on the side of the house or on the driveway that can be seen from the street.
- t. Inoperable vehicles (with expired tags and/or inspection stickers or any other condition that prevents their operation) shall not remain parked on public view.
- u. Flags that are torn or faded.
- v. Garage sale signs not removed immediately after the sale.

Violation Letters

1. **A first letter** will be sent stating the violation. The homeowner will have thirty (30) days to correct the violation or to request a hearing before the Board to dispute the violation.

2. **A second letter** will be sent if a resolution from the first letter was not reached.
 - a. The second letter will state that thirty (30) days after the postmarked date of the second letter, a third letter will be sent if the violation has not been corrected.

3. **A third letter** will be sent if a resolution from the second letter has been reached.
 - a. The third letter will also state that thirty (30) days after the postmarked date of the third letter, if the violation is not corrected, the violation will be turned over to the Association's attorney for resolution.

 - c. Once the violation is turned over to the attorney, the homeowner will be responsible for the legal costs.

4. Thirty (30) day after the postmarked date of the third letter, if the violation continues without resolution, the Board shall have the right to undertake any action authorized by the Declaration, including but not limited to remedying the violation or initiating legal action, the costs of which shall be billed to the homeowner and collected in the same manner as assessments.

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 the number Sequence on the date and at time stamped herein by me; and was duly RECORDED, in the Official Public Records of Real Property of Harris County Texas on

FEB 17 2009



Beverly B. Kayman
COUNTY CLERK
HARRIS COUNTY, TEXAS

CERTIFICATION

STATE OF TEXAS §
COUNTY OF HARRIS §

22
Notice

B

I, the undersigned, pursuant to §202.006 of the Texas Property Code, do hereby certify, as follows:

(1) I am an Agent of Highland Knolls Community Association, Inc., a Texas non-profit corporation;

(2) an instrument titled Highland Knolls Community Association, Inc. Architectural Control Committee Guidelines Dated January, 2009, is attached hereto as Exhibit "A"; and

(3) the property affected by the Highland Knolls Community Association, Inc. Architectural Control Committee Guidelines Dated January, 2009, is described as, to wit:

(a) Oak Park Trails, Section One, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded under Film Code No. 360019 of the Map Records of Harris County, Texas;

(b) Oak Park Trails, Section Two, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded under Film Code No. 360020 of the Map Records of Harris County, Texas;

(c) Oak Park Trails, Section Three, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded under Clerk's File No. T086070 of the Map Records of Harris County, Texas;

(d) Oak Park Trails, Section Four, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded under Clerk's File No. T002673 of the Map Records of Harris County, Texas;

(e) Oak Park Trails, Section Five, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded under Clerk's File No. T673049 of the Map Records of Harris County, Texas;

(f) Oak Park Trails, Section Six, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded under Clerk's File No. T706076 of the Map Records of Harris County, Texas;

(g) Oak Park Trails, Section Seven, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded under Clerk's File No. T673050 of the Map Records of Harris County, Texas;

(h) Oak Park Trails, Section Eight, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded under Clerk's File No. T789671 of the Map Records of Harris County, Texas;

(i) Oak Park Trails, Section Nine, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded under Clerk's File No. W171606 of the Map Records of Harris County, Texas;

[Handwritten initials and marks on the right margin]

RECEIVED
FEB 26 2009

(j) Oak Park Trails, Section Ten, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded under Clerk's File No. V257275 of the Map Records of Harris County, Texas;

lee

(k) Oak Park Trails, Section Eleven, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded under Clerk's File No. X050423 of the Map Records of Harris County, Texas;

lee

(l) Memorial Parkway, Section Fifteen, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded in Volume 322, Page 132, of the Map Records of Harris County, Texas;

lee

(m) Memorial Parkway, Section Seventeen, a subdivision in Harris County, Texas according to the map or plat thereof, recorded under Film Code No. 349140, of the Map Records of Harris County, Texas;

lee

(n) Memorial Parkway, Section Eighteen, a subdivision in Harris County, Texas according to the map or plat thereof, recorded under Film Code No. 352029, of the Map Records of Harris County, Texas;

lee

IN WITNESS WHEREOF, I have hereunto subscribed my name on this the 17th day of February 2009.

[Signature]
James R. Young, Agent

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared James R. Young, Agent for Highland Knolls Community Association, Inc., known by me to be the person whose name is subscribed to the foregoing document and being by me first duly sworn, declared that he is the person who signed the foregoing document in his representative capacity and that the statements contained therein are true and correct.

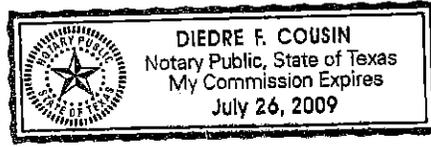
lee

Given under my hand and seal of office this the 17th day of February 2009.

[Signature]
NOTARY PUBLIC, STATE OF TEXAS

After recording return to:
Holt & Young, P.C.
11200 Richmond Ave., Suite 450
Houston, Texas 77082

WV



FILED

2009 FEB 17 PM 2:22

[Signature]
COUNTY CLERK
HARRIS COUNTY, TEXAS