

**SIENNA POINT ESTATES
BUILDING REQUIREMENTS**

EXHIBIT D

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1. INTRODUCTION

- 1.1. Sienna Point Estates is a subdivision within the Sienna Plantation master planned community. The subdivision has 270 lots, most of which are wooded, ranging from two acres to eleven acres in size. Included in the subdivision are four lakes, Thompson Lake, House Lake, Star Lake and Oyster Creek Lake, as well as three community parks and a nature preserve, all of which add to the natural beauty of the area.
- 1.2. The affairs of the Sienna Point Homeowners Association, Inc. (Association) are managed by a Board of Directors (Board). This document describes all the Association's requirements for a property owner to design and construct a home and related improvements in the subdivision. The purpose of these guidelines is to ensure a sense of design continuity within the community, thus preserving land values and visually appealing living environment.
- 1.3. The fundamental principles underlying the requirements can be found in the "Declaration of Covenants, Conditions and Restrictions for Sienna Plantation", the "Declaration of Covenants, Conditions and Restrictions for Sienna Point, Section One (1) in Sienna Plantation", and the subsequent annexation agreements for Sienna Point, Section 2 and Section 3, collectively referred to as "Deed Restrictions" or "CCR's". Every Owner is encouraged to read these documents thoroughly, since they form the basis for virtually all aspects of lot development and long term residence in the neighborhood. Following are key extractions from the Deed Restrictions.
- 1.4. Article VI-1 of the Sienna Point CCR's states that "...the Lots in the subdivision shall be subject to the restrictions set forth in this Article VI. Every grantee of any interest in a Lot by acceptance of a deed or other conveyance of such interest, agrees to be bound by the provisions of this Article". The restrictions regulating the construction and maintenance of improvements within Sienna Point Estates are enforceable under Texas law.
- 1.5. As provided in the Sienna Point CCR's, Article VI-2, the Sienna Point Homeowner's Association Board has established an Architectural Review Committee (ARC). The purpose of the ARC is to review and evaluate plans and specifications for all proposed construction, improvements, and alterations in the subdivision, in order to ensure consistent and harmonious architecture.
- 1.6. The ARC has adopted various building guidelines as required by the Deed Restrictions (e.g. Design Guidelines, Landscape Guidelines, etc.). Guidelines mentioned in the CCR's have been incorporated herein and made part of this document by reference. Also incorporated into this document are specific design requirements that have been established by the ARC and ratified by the Board.
- 1.7. Also as required by the Deed Restrictions, the ARC has established an application and review procedure for the Owner or builder plans and specifications, which will be provided to the Owner under separate cover.
- 1.8. Provided the Officers and Directors of the Sienna Point Homeowners Association, Inc. and the members of the ARC act in good faith and with reasonable and customary care, neither the Officers, Directors, members of the ARC nor any employee, agent or representative ("covered parties") thereof shall

be liable to any owner, builder or other party for any and all claims, penalties, liabilities, losses, damage (including, without limitation, engineering and expert witness fees, attorneys' fees and cost of litigation), loss or prejudice suffered or claimed arising out of the performance, actions or review of any plans, specifications or materials by any covered party. Review and approval of any plan submission is made on the basis of aesthetic considerations only. Neither the ARC nor the Board of Directors assumes responsibility through the plan review to ensure 1) the structural integrity or soundness of approved construction, 2) compliance with any building codes or standards, or government requirements (although certain codes are highlighted herein to assist the owner), or 3) that all dwellings are of comparable quality, value, size, design, or are aesthetically pleasing or otherwise acceptable to neighboring property owners.

- 1.9. In accordance with Article VI, Section 1 of the Slenna Plantation CCR's, it is imperative that no development activity take place before plans and specifications for the lot have been reviewed and formal written approval has been obtained from the Architectural Review Committee. This includes clearing of any trees or any other major activity that would affect the ultimate overall appearance of the lot. The Board has deemed it appropriate for Owners to clear brush and undesirable undergrowth, limb up trees, etc. before plans are approved. If in doubt as to what is permissible, please contact a member of the ARC.
 - 1.10. Per the Slenna Point Estates deed restrictions, the Owner has six months from the date of approval to start construction, or the approval is considered withdrawn. Once construction has started, the Owner has one year to complete the project.
 - 1.11. All approved improvements must be in place at the time of the move-in inspection. Any desired improvements after move-in must be submitted (or resubmitted as the case may be) to the ARC for review and approval.
 - 1.12. These requirements shall be reviewed annually (normally in February of each year) to ensure they are up-to-date and reflect current standards. Any changes will be approved by the Board and announced at the annual HOA meeting in April.
2. CONSTRUCTION PRACTICES
 - 2.1. Building codes
 - 2.1.1. The Owner and builder must comply with any and all ordinances that may be in effect from Missouri City, Fort Bend County and/or any other governmental agency (e.g. HUD, EPA) having applicable jurisdiction. In all cases where conflicts exist between these guidelines and other agency ordinances, the more rigorous shall apply.
 - 2.1.2. The Owner or builder must contact the appropriate individual charged with inspecting for compliance with Missouri City codes. Refer to "Instructions for Application" for contact details.
 - 2.2. Tree Protection
 - 2.2.1. The following procedures are recommended to ensure the survival and good health of trees existing on site.

- 2.2.1.1. Tree protection fencing should be placed around the drip line of trees to prevent vehicle traffic or storing of machinery or equipment which can cause soil compaction and mechanical damage.
- 2.2.1.2. Excessive pedestrian and vehicle traffic should not occur within the drip line of trees.
- 2.2.1.3. Soil should not be excavated, spread, spoiled or otherwise disposed of within drip line of trees. Adding more than 1"-2" of soil a year kills trees.
- 2.2.1.4. In close areas, where fencing to the drip line is not possible, protect the trunk by strapping (not nailing) a continuous shield of wood, 2" x 4" x 5', around the trunk and lay plywood or pile dirt on the ground in the drip line of tree to prevent compaction of soil by trucks or machinery.
- 2.2.1.5. Where tree clusters are preserved, the Owner is encouraged to also preserve the natural underbrush, where appropriate. This helps maintain conditions around existing root systems.
- 2.2.1.6. Placement of utilities within the drip line is detrimental to chances of survival on a developed lot. If routing utilities outside the drip line is not possible, keep trench area to a minimum and adhere to tree protection methods described herein.
- 2.2.2. Removal of any tree with a caliper of 12" or more measured 12" from the base of the tree must be approved by the ARC.
- 2.3. Builder and Contractor Signage
 - 2.3.1. The following requirements for signage are intended to present an image of quality in the neighborhood and to squelch the propensity of competing builders to outdo each other in attracting home buyers.
 - 2.3.2. No signs shall be placed until actual construction begins and must be removed within 30 days of completion of construction.
 - 2.3.3. One sign per single family lot is allowed.
 - 2.3.4. Signs shall be no larger than 36" X 48" and may show the builder's name, logo or trademark and contact details only.
- 2.4. Construction Site
 - 2.4.1. The Owner shall be responsible for maintaining a neat construction site during the homebuilding period.
 - 2.4.2. Concrete washout is not allowed to be dumped anywhere in the subdivision, except on the property where it originated.
 - 2.4.3. Trash shall not be allowed to accumulate in piles. Trash receptacles must be available throughout the construction period to collect trash as it occurs. Trash shall not be allowed to blow onto neighboring lots. Street cleaning and trash pickup on adjoining lots should be done on a weekly basis.
 - 2.4.4. Burning of construction debris is prohibited by Texas law. Burning of felled trees may possibly be permitted with approval from certain Texas authorities. It is the responsibility of the Owner and the builder to ensure

that open burning is conducted in accordance with Texas law. In addition, burning must conform to the Sienna Point Estates Burning Policy.

- 2.4.5. Excessive mud and other debris tracked from a job site to any road in the subdivision must be cleaned up immediately.
- 2.4.6. Grass and other vegetation must be maintained in accordance with Sienna Point Estates mowing standards during the construction period.
- 2.4.7. Parking of all construction vehicles is limited to the job site under construction or on the street. No vehicles are allowed to park on any portion of another lot (this includes the strip of land adjacent to the street).
- 2.4.8. Should it become necessary for the HOA to contact the Owner concerning the lack of cleanliness for their Lot, one warning will be given. If the Lot is not cleaned up in the time allowed, construction work will not be allowed until the Lot is cleaned up, and the HOA monetary fine process will be put into effect.

3. LOCATION AND SITING REQUIREMENTS

3.1. Building Setbacks and Easements

- 3.1.1. Nothing can be constructed in the building setbacks or easements as defined in the following paragraphs and further illustrated in Figure 1 found at the end of this document. Property lines typically start 35' from the centerline of the road (Ft. Bend County has a 70' wide right of way for the street). Refer to individual plats for exact requirements.
 - 3.1.1.1. For lots greater than three acres, building setbacks from front, rear and side property lines shall be 100', 60' and 60' respectively. Outbuildings shall be 80' from a rear or side property line.
 - 3.1.1.2. For lots smaller than three acres, building setbacks from front, rear and side property lines shall be 80', 40' and 40' respectively. Outbuildings shall be 60' from a rear or side property line.
 - 3.1.1.3. All lots backing onto Thompson Lake, House Lake and Oyster Creek Lake have an additional twenty foot Lake Maintenance Easement measured from the "average" or typical waterline.
 - 3.1.1.4. The original Sienna Point Estates developers intended for lots in the subdivision to be of a style termed "Country Estate Lots". This style of development typically includes employment of a system of unimproved trails. In the case of Sienna Point Estates, the first 25' from any street-side property line is designated as a 'community trail easement'. This easement is part of the common grounds of the community and may not be improved or developed without the prior written approval of the Sienna Point Homeowners Association, Inc.

- 3.1.1.5. A 10' utility easement starts at the beginning of any street-side property line and is included in the above-mentioned 25' community trail easement.
- 3.1.1.6. More stringent setbacks may be required in the recorded plat. In case of a conflict between these guidelines and the setbacks called for in the recorded plat, the recorded plat shall govern.
- 3.1.2. If two or more adjacent lots are combined, and the intended structures overlap the lots or violate a single lot setback, the combined lots will be considered as a single lot for determining new setback requirements (refer to 3.1.1.1 and 3.1.1.2 above).
- 3.1.3. If in the opinion of the ARC, the relaxation of the setbacks can protect and enhance an existing natural feature such as a specimen tree, consideration will be given for a variance on a case-by-case basis. To secure such variance, the Owner is required to provide evidence in the form of a tree survey, plan or site photographs, which verify the existence and character of the site feature initiating the variance request. The owner must request and receive a variance in accordance with the Variance Policy before undertaking any construction that will encroach into the easements or setbacks
- 3.1.4. Prior to house plan submittal to the ARC, the Owner should review the recorded final plat for the specific lot to verify all setback and easement requirements. Prior to pouring of any concrete, Owners are encouraged to obtain written confirmation from their builder that all setback and easement requirements have been met.
- 3.2. Culverts
 - 3.2.1. Placement of the culvert(s) requires ARC prior approval. In most cases, this cannot be determined until the house has been approved, since it depends on the driveway location.
 - 3.2.2. The Owner must contact Ft. Bend County to obtain approval of the size and type of culvert to be installed (currently, 6:1 sloped end treatments and no cutouts are allowed).
- 3.3. Driveways and Entry Features
 - 3.3.1. Driveway tie-ins to existing roadways are to be in accordance with Missouri City codes.
 - 3.3.2. All driveways must be constructed of concrete.
 - 3.3.3. All driveways shall be a minimum width of 10 feet from the street apron into the garage area or courtyard
 - 3.3.4. The use of stamped and colored concrete, interlocking pavers, brick pavers and borders is permitted.
 - 3.3.5. The driveway must enter the lot at 90 degrees (County requirement) to the street and flared for easy entrance and exist.
 - 3.3.6. Turnaround or circular drives are allowed. Under no circumstances may an entire front yard be paved as a driveway.
 - 3.3.7. Driveways must be a minimum of 40' from a side property line.
 - 3.3.8. Driveways must avoid long straight runs by employing one or more, soft, sweeping curves.

- 3.3.9. No entry features, such as fences, columns, gates, etc. may be placed within the easements described in Section 3.1 above.
- 3.3.10. The ground adjacent to the street, driveways and other concrete flatwork must be even with the top of the surface and tapered away for good drainage (Missouri City code).
- 3.4. House footprint
 - 3.4.1. The front façade of the house must be aligned parallel with the street, except for houses on corner lots.
 - 3.4.2. For corner lots, orientation of the house with respect to the street will be reviewed on a case-by-case basis.
- 3.5. Rooftop elements
 - 3.5.1. All stack vents and attic ventilators shall be located on the rear slopes of roofs
 - 3.5.2. Satellite dishes are to be placed as inconspicuously as possible.
 - 3.5.3. Skylights and solar collectors shall only be placed on the rear slopes of the roof.
 - 3.5.4. External radio or television antennae and towers are not allowed.
- 3.6. Garage Placement
 - 3.6.1. All efforts should be made to deemphasize the garage as viewed from the street.
 - 3.6.2. Garage doors cannot face the street. For corner lots, a garage opening may face the side street, that is, the street that does not serve as the primary access for the residence. The placement of the garage opposite the corner, behind the residence is encouraged.
 - 3.6.3. Both attached and detached garages must be set back a minimum of five feet from the main front façade of the residence. (Attached garages are defined as garages that are integral with the house by sharing one or more walls. Detached garages are garages that are not integral with the house). The front façade of a porch qualifies as the "main front façade" only if the porch is substantial enough to be the major focus of the front of the house.
 - 3.6.4. Detached garages must be connected to the house with a covered walk, or breezeway, no longer than twenty five feet in length.
- 3.7. Carports
 - 3.7.1. Freestanding or lean-to type carports are not allowed.
- 3.8. Pools, Spas and Decks
 - 3.8.1. Portable or permanent above-ground swimming pools are not allowed.
 - 3.8.2. Swimming pool appurtenances such as rock waterfalls and sliding boards must not be over six feet in height if visible from public view
 - 3.8.3. No wood decks are allowed.
 - 3.8.4. Spas or hot tubs may be permanently installed above grade depending on the design and location. No portable spas are permitted.
 - 3.8.5. Pumping and filter equipment must be screened.
- 3.9. Utilities
 - 3.9.1. General

- 3.9.1.1. All Home Owners are reminded that there is no public water distribution system (fire main and hydrants) in Sienna Point Estates. You are encouraged, although not required, to give thought to the added safety that a residential sprinkler system would provide to your home, your family and your personal property.
- 3.9.2. Water well and septic system
- 3.9.2.1. Septic systems must be of the aerobic type in accordance with Fort Bend County Health Department (FBCHD) requirements.
- 3.9.2.2. In order to avoid ground water contamination, placement of the water well and septic disposal fields must be in accordance with the master plan for placement of these facilities in the subdivision. This plan is on file with the Fort Bend County Health Department. The ARC also has copies. Compliance with this plan is mandatory unless changes are approved by FBCHD.
- 3.9.2.3. Typically, the master plan shows the water well and disposal field locations to be near the street of each property. Additionally, the master plan shows that water wells of adjacent properties abut the common property line and that disposal fields abut the opposite common property line. This maintains safe distances between the wells and disposal fields of adjacent properties. It is unlikely that the FBCHD will approve changes involving a flip-flop of the well and disposal field across the property. However, moving the well or disposal field back from the street appears not to be a problem, since the overall intent for separation is maintained. Be cautioned that other 'distance' requirements must also be met. The water well driller or septic system contractor can usually handle any variance request. It is preferred that the wellhead be behind the front façade of the house.
- 3.9.2.4. The master plan shows the disposal field as a small square, which suggests a buried lateral field of old. The current practice of above ground disposal requires a much larger area, which must be taken into account when laying out the disposal field. Typically, these disposal fields are laid out along the side or the rear of the property. They must not spray onto any front easement or within 10' of a side property line. They must also conform to distance requirements from water wells.
- 3.9.2.5. Well water pressure tanks must not be visible from the street. Typically, they are located in the garage or to the rear or side of the house. There is no technical reason to locate the tank near the wellhead.
- 3.9.2.6. All water well and septic system equipment must be screened from view from the street and from neighbors, using appropriately sized (minimum of three gallons) evergreen

shrubs. Wellheads can also be painted green to make them less conspicuous.

3.9.3. Propane tank

3.9.3.1. Propane tanks must be buried and located to the rear or the side of the house.

3.9.3.2. Typically, refill trucks require the tank to be within 100' of the driveway, in order that their hoses can reach the tank.

3.9.4. Electrical connection

3.9.4.1. Routing of electrical power cable from the power transformer box to the house shall be underground. Similarly, all power cables to outbuildings must be underground.

3.9.4.2. The meter box location shall not be visible from the street and must not be located on the front of the house.

3.9.4.3. Variances for meter box location can be granted for those residences with fences, where the Owner does not wish to allow the meter reader to enter their property. In this case the meter box can be along the fence line at an inconspicuous location, typically being incorporated into a column and concealed.

3.9.5. Air conditioners

3.9.5.1. Air conditioners shall not be visible from the street. Typically, they are located to the rear or the side of the house.

3.9.5.2. All air conditioning equipment must be screened from view from the street and from neighbors, using appropriately sized (minimum of three gallons) evergreen shrubs.

3.10. Outbuildings, Sports Courts, Barns and Arenas

3.10.1. All outbuildings, sports courts, barns, arenas (circular exercise area for working horses), etc. must be located behind the residence.

3.10.2. Outbuildings, sports courts, barns, arenas, etc. cannot be built on a property until and unless a residence is built or under construction.

3.10.3. No arena shall be allowed on lots less than 3.5 acres. All arena and arena-related improvements shall be located no closer than 80 feet to a side or rear property line and must be appropriately screened from adjoining lots and street views.

3.10.4. Appropriate landscaping for all outbuildings, sports courts and barns should be considered by the Owner to ensure the beauty of the neighborhood is maintained. Plans for such landscaping must be submitted to the ARC for approval.

3.11. Fences and Pet Enclosures

3.11.1. No fence or gated entrance may be located closer than twenty five feet to the front property line, without exception.

3.11.2. Pet enclosures must be located behind the house and screened from public view.

3.12. Mailboxes

3.12.1. Mailboxes must be located near the driveway and less than 12" from the street.

- 3.12.2. Mailboxes must match the house in materials and style.
- 3.12.3. All mailboxes must include a plaque or engraved stone showing the house number (numbers are to be at least 3" tall)
- 3.12.4. Mailboxes should not exceed five feet in height nor 30 inches in cross section.

4. ARCHITECTURAL REQUIREMENTS

4.1. General

- 4.1.1. The intent of this section is to establish basic design criteria for the construction of residences and other structures within Sienna Point Estates. These requirements and guidelines allow for diversity in design and should produce a climate of individuality, while ensuring the architectural integrity of the community as a whole. Emphasis is on quality material, design and construction in order to promote well-crafted residences within the community.

4.2. House Design

- 4.2.1. The Deed Restrictions require that a one-story main residence must have a minimum living area of 2400 square feet. A two story residence must have a minimum living area of 3000 square feet.

4.3. Foundations

- 4.3.1. Minimum slab elevations should be determined in accordance with Missouri City and Sienna Point Levee Improvement District requirements. In general, the top of the concrete foundation should be at least two feet above natural grade.
- 4.3.2. All foundation plans must be signed and sealed by a Texas Registered Professional Engineer.
- 4.3.3. A formal survey must be undertaken to ensure that building setback lines have not been violated prior to foundation construction.

4.4. Exterior Elevations

- 4.4.1. All houses must include some variation of the ridgeline.
- 4.4.2. Priority must be given to those sides of the house that are visible from streets. However, it should be assumed that the houses will be seen from all angles and therefore, a continuity of materials and details on all elevations must be considered.

4.5. Exterior Materials and Colors

- 4.5.1. Brick, stone and stucco are the only approved materials for the main body of the house. Bricks shall meet standard specifications established by The Brick Institute of America
- 4.5.2. All mortar joints shall be tooled. Slump joints will not be allowed.
- 4.5.3. Mortar color shall be selected to compliment stone or brick color.
- 4.5.4. The use of plywood, hardboard with a pre-finish, vinyl or aluminum siding is prohibited. Vinyl and 'Hardi-board' may be used in soffits.
- 4.5.5. The exterior surface of at least 51% of each elevation must be of masonry construction. Masonry is considered to be only brick, stone or stucco.
- 4.5.6. 'Hardi-board' is not considered as a masonry product for purposes of meeting the minimum 51% masonry requirement on the exterior of

buildings. It may be used in moderation where mechanically or architecturally appropriate.

- 4.5.7. Gable ends of a uniform material tend to be more architecturally pleasing than those which change at the eave line.
 - 4.5.8. Exterior colors must be soft, subdued earth tone colors. Bold, primary or unusual colors are prohibited. While a specific color palette has not been specified, colors which do not, in the determination of the ARC, enhance the community will not be permitted.
 - 4.5.9. High contrast trim or material variations should be avoided in favor of those which are chosen to blend all elements into single themes.
- 4.6. Entrances and Windows
- 4.6.1. Care should be given to the size, type and organization of windows. Scattered windows tend to create awkward, face-like shapes and should be avoided. Appropriate trim, quoins, muntins, shutters and other window features should be carefully considered.
 - 4.6.2. Sunscreens not permitted. Window coverings facing a street or waterfront must compliment the color of the house.
 - 4.6.3. Main entrances to the house must not be flush with the front façade. They must either be recessed or have an overhang. This not only provides protection from the elements for visitors, but adds character to the house.
- 4.7. Roof Design
- 4.7.1. No flat roofs are permitted on any structure.
 - 4.7.2. The slope on all roofs must have a minimum pitch of 5 in 12, except for outbuildings, porches and overhangs, which may have a minimum pitch of 3 in 12.
 - 4.7.3. Roof overhangs are both practical and attractive. Eave and rake overhangs should be a minimum of 12". No flush rakes are allowed. Overhangs should be boxed in.
 - 4.7.4. Exposing the ends of rafters is prohibited. Fascias must be a minimum of six inches wide.
 - 4.7.5. The roof, as an expressive design element, should be kept as visually unobstructed as possible.
 - 4.7.6. The roofing material must be of a minimum 25-year warranty. Acceptable materials are high profile composition shingles, clay tiles, and slate. Other materials can be accepted on a case-by-case basis. (Be careful of new products on the market that have not been time-tested, nor have the benefit of experienced installers).
- 4.8. Chimneys
- 4.8.1. Chimneys must be built out of brick, stone or stucco.
 - 4.8.2. The minimum plan dimensions for an exposed mass is 24" x 24" and a larger size preferred.
 - 4.8.3. In the event of gas fireplaces, direct vents in place of chimneys are allowed.
 - 4.8.4. Take care to ensure the height of the chimney above roof lines is appropriate. The height of the chimney must adhere to fire codes.

4.9. Rooftop Elements

- 4.9.1. All stack vents and attic ventilators shall be mounted perpendicular to the ground plate.
- 4.9.2. All exposed metal roof accessories; stack vents, roof flashing, attic ventilators, etc. shall match the color of the roofing material.

4.10. Garages

- 4.10.1. Efforts should be made to reduce the visual emphasis of the garage.
- 4.10.2. Garages, at a minimum must be able to accommodate the storage of two full size automobiles at the same time. An extension to the length of a garage that permits additional storage space is allowed.
- 4.10.3. No reflective film or foil is permitted on windows.
- 4.10.4. All garage doors must be of a design and color that compliments the adjacent wall.
- 4.10.5. Windows or other architectural features must be used to break up massive garage facades facing the street or neighbors.
- 4.10.6. Garage doors must be broken into acceptable compartments. Generally, not more than two car spaces are covered by one door.

4.11. Outbuildings and Barns

- 4.11.1. Outbuildings and barns shall be a minimum of 200 square feet. Weathervanes, cupolas or other character-adding features are encouraged.
- 4.11.2. All buildings must have a poured concrete slab.
- 4.11.3. The exterior must be of durable material such as metal, hardi-plank, brick or stone. No wood siding may be used unless it is cedar or redwood with two coats of paint.
- 4.11.4. The exterior color of the barn should be a color scheme that is similar or complimentary to the existing residence.
- 4.11.5. The roof must be sloped, with a minimum 3 in 12 pitch.
- 4.11.6. Windows or other architectural features must be included to break up large plain areas, particularly if those areas face a street or neighbors.
- 4.11.7. If electrical service is to be included, power supply cables must be buried.
- 4.11.8. Exterior lighting must comply with existing association rules and regulations and no light overflow is permitted onto any adjoining properties.

4.12. Property Fences

- 4.12.1. No fencing shall be built on a property until and unless a residence is built or under construction.
- 4.12.2. Wrought iron fences shall be a minimum of five feet high across the front property line and four feet high on the side property lines. Gates shall be a minimum of 6' high at the center. Wrought iron fences shall be painted black.
- 4.12.3. Wooden split rail (three or four rails) or Virginia crossboard fences shall be a minimum of four feet high and a maximum of five feet high. Posts shall be no more than eight feet apart.

- 4.12.4. Material for split rail or Virginia crossboard fences shall be cedar, redwood, plastic/vinyl or treated wood. The fence must be painted if in front of the house. Side and rear fences may be left to weather.
 - 4.12.5. Solid perimeter fences (boards or panels) are not allowed.
 - 4.12.6. No wire fencing is allowed except when used behind split rail or Virginia crossboard fences
 - 4.12.7. Chain link fences are not allowed (except for pet enclosures-see 4.14 below)
 - 4.13. Utility Equipment Fences
 - 4.13.1. No utility equipment fencing shall be built on a property until and unless a residence is built or under construction.
 - 4.13.2. The maximum height of any equipment fence shall be six feet.
 - 4.13.3. Following are specifications and acceptable materials for equipment fences.
 - Cedar, redwood or treated wood- If attached to the residence, painted to match or complement the exterior of the residence; if detached, painted or stained to blend in with the natural environment.
 - Wrought iron- painted black.
 - Masonry/stone – Material to match the exterior of the residence
 - 4.14. Pet Enclosures
 - 4.14.1. No pet enclosures shall be built on a property until and unless a residence is built or under construction.
 - 4.14.2. Only one pet enclosure shall be allowed on any lot.
 - 4.14.3. Pet enclosures shall be for either domestic dogs or domestic cats
 - 4.14.4. Enclosures must be behind the rear most wall of the residence and must comply with setback and easement requirements.
 - 4.14.5. Following are specifications and acceptable materials for pet enclosures:
 - The maximum height shall not exceed six feet
 - Chain link – painted black or green.
 - Wrought iron – painted black.
 - 4.14.6. Pet enclosures shall be screened from public view.
 - 4.15. Fountains
 - 4.15.1. Fountains are permitted in the front of a residence but should not overwhelm the house or lot.
 - 4.15.2. Fountains should match or complement the house materials and colors.
- 5. LANDSCAPE REQUIREMENTS**
- 5.1. General
 - 5.1.1. The emphasis on landscaping in Sienna Point Estates is the preservation of natural flora as well as wildlife habitat. Thoughtful planning of landscaping also creates a smooth transition from manmade structures to the native landscape.
 - 5.1.2. The Owner should consider professional assistance when planning, installing and maintaining the landscaping. A poor design can severely detract from the beauty of a house. The cost of professional help is well worth the investment in order to finalize and enhance the overall appearance of the residence and lot as a whole.

- 5.1.3. Installation of landscaping must occur prior to occupation of the house.
- 5.1.4. No planting is allowed on the easements (County, community trail easement, utility, lakes, etc) except for around culverts or the mailbox (see 5.2.6 below for specific requirements for plantings in these two areas).
- 5.2. Landscaping Guidelines and Requirements
 - 5.2.1. Beds located against the house that are visible from the street should extend a minimum of four feet out from the slab. They may be shaped in a straight line or sculpted in curves, depending on the architectural design of the structure and the taste of the Owners. It is important to raise the beds above the elevation of the ground, both for necessary drainage and appearance from the street. The top of the beds should be below the top of the slab by at least four inches.
 - 5.2.2. The plantings in the beds at the house should be tiered from the back to the front, with the larger (taller) plants near the slab and the smaller plants in the front. It is recommended that a minimum of three tiers be used. The larger plants are required to be evergreen and a minimum size of three gallons. They should be spaced to achieve screening within three seasons. The next tiers may be smaller in size, but must be planted close enough to ensure concealment of the slab.
 - 5.2.3. Newly planted trees shall be a minimum of 45 gallons if placed in the front yard as a major feature. If the tree is an ornamental or located in a bed near the house, a 30 gallon size is sufficient.
 - 5.2.4. In areas of the elevation of the home where there are large expanses of walls without windows or doors, it is recommended that taller plants or small ornamental trees be used. This concept is also recommended at corners and other locations dictated by architectural highlights. Care should be taken in the selection of plants to ensure that nothing is chosen that may stress the slab or create other problems as the plants mature.
 - 5.2.5. Screening of utility equipment, such as air conditioning units, water wells, water pressure tanks, propane tanks, pool equipment, etc is mandatory. Plantings must be evergreen and a minimum size of five gallons. They should be spaced to achieve screening within three seasons.
 - 5.2.6. Plantings around the mailbox and culverts are allowed, provided they meet the requirements outlined below and have specific ARC approval. Since these plantings will be a major focal point for each home as well as the neighborhood, they will receive the utmost scrutiny, both in the design and installation phase by the ARC, as well as the ongoing maintenance phase by the Deed Restriction Inspection Committee.

Detailed and scaled plans showing dimensions of the bed to be created, driveway, culverts, mailbox, size and type of plantings, etc. must be submitted to the ARC for approval prior to any plantings. Following approval and installation of the plantings, a specific inspection will be made to ensure full and complete compliance with the approved plans.

The intent of these planting is to beautify the neighborhood without interfering with the flow of water in the ditches or blocking the community trail easement. Following are requirements for plantings around a culvert or mailbox.

- 5.2.6.1. All plantings around a culvert must be in a bed and not standalone. The distance to the outer edge of the beds from the culvert itself is dependent upon the steepness of the banks, but in any case should be kept to a minimum.
- 5.2.6.2. All plantings around the mailbox must be in a bed and not standalone. The bed cannot extend more than 42 inches from the mailbox in any direction.
- 5.2.6.3. All plantings around the mailbox and culvert must be evergreen, low lying (maximum of 42" tall) and not overwhelm the entry after they are mature. Sago palms, for example, are not allowed since they can grow to be very big. No trees are allowed.
- 5.2.6.4. As with the house foundation beds, a tiered arrangement is preferred, rather than a mass of a single groundcover. Small rocks and annuals may be placed in the beds to accent the area.
- 5.2.6.5. The beds must be mulched and meticulously maintained.
- 5.2.7. Other areas of landscaping on the property are a welcome addition to the neighborhood. Plans for these beds must be submitted to the ARC, but necessarily at the time of move-in.
- 5.2.8. The Owner is required to mow and maintain his property all the way out to the street, including the ditch and community trail easement.
- 5.3. Flagpoles, Outdoor Art and Landscape Ornaments
 - 5.3.1. Statues, flagpoles, outdoor art, fountains, birdbaths and similar landscape elements are permitted, subject to the approval of the ARC.
- 5.4. Lighting
 - 5.4.1. Exterior illumination of architectural features such as columns, entries, chimneys and landscape features is encouraged. Landscape and house lighting shall be installed and maintained in a manner to not cause distraction, nuisance or to be unsightly. Light sources should not conflict with the sight lines of pedestrians or motorists in a manner that endangers their safety and welfare. Any type of lighting must not "spill over" into neighboring lots.
 - 5.4.2. Individual security lighting is allowed, provided that it does not spill over into adjoining lots or public rights of way. No pole mounted security lighting is permitted.
 - 5.4.3. All lighting fixtures must be of high quality materials and workmanship and be in scale and style with the residence. Free standing decorative fixtures, lampposts, are acceptable but must be approved by the ARC.
 - 5.4.4. Colored lenses on low voltage lights, colored light bulbs, fluorescent tubes and neon lighting are not permissible. Incandescent, metal halide,

quartz and natural gas lights are acceptable. All wiring for exterior lighting must be underground. Pathway lighting and landscape lighting is encouraged. Such lighting must be inconspicuous.

5.5. Drainage

5.5.1. In contrast to traditional higher density suburban developments where it is necessary to speed up and direct runoff with lot grading and drainage manipulation, to the greatest extent possible, Sienna Point Estates utilizes existing natural drainage features while keeping the manipulation of natural drainage features to a minimum. Overland runoff should be channeled only where necessary. The drainage of roadways and private improvements are important but care should be taken to not unnecessarily alter or accelerate the surface runoff of the natural drainage ways.

5.5.2. Swales (small ditches) are to be graded shallow, but wide enough to slow runoff. Avoid steep cuts for a natural look.

5.5.3. Steep slopes of 3: 1 or more should be broken with retaining walls or steps. Terracing of lawns is encouraged only when the grades are too steep.

5.5.4. Caution should be used in establishing the foundation elevation so that adequate drainage from the back yard around to the front is not impaired by driveways or slabs.

5.6. Irrigation

5.6.1. Installation of an irrigation system is encouraged but is not mandatory. Sprinkler heads should be located to effectively water areas intended with minimum overthrow onto pavement, walks, etc., and to effect 100% overlap insuring effective and even coverage.

5.7. Maintenance

5.7.1. All landscaping is required to be maintained in a healthy and attractive appearance. Proper maintenance includes:

- Mowing
- Pruning and shaping
- Weed control in lawns and planting beds
- Adequate irrigation
- Appropriate fertilization
- Insect and disease control
- Seasonal mulching of planting beds
- Replacement and/or removal of diseased or dead plant materials
- Edging of beds, driveways and street

5.7.2. Each lot shall be maintained in a neat, clean and orderly condition by the builder/Owner prior to, during and after construction of the residence.