

**AFFIDAVIT IN COMPLIANCE WITH SECTION 202.006
OF THE TEXAS PROPERTY CODE**

THE STATE OF TEXAS §
 §
COUNTY OF BRAZORIA §

BEFORE ME, the undersigned authority, on this day personally appeared Sarah B. Gerdes, who, being by me duly sworn according to law, stated the following under oath:

“My name is Sarah B. Gerdes. I am over twenty-one (21) years of age and fully competent to make this affidavit. I have personal knowledge of all facts stated herein, and they are all true and correct.

I am the attorney for The Lakes at CountryPlace Community Association, Inc., a Texas non-profit corporation (the “Association”), and I have been authorized by the Association’s Board of Directors to sign this Affidavit.

The Association is a “property owners’ association” as defined in Section 202.001(2) of the Texas Property Code.

Attached hereto is the original of, or true and correct copy of, the following dedicatory instrument, including known amendments or supplements thereto, governing the Association, which instrument has not previously been recorded: **The Lakes at CountryPlace C.A.I. Architectural Review Committee Guidelines**.

The document attached hereto is subject to being supplemented, amended or changed by the Association.

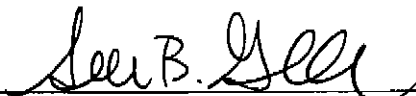
Dedicatory instruments of the Association that have already been filed in the Real Property Records are as follows:

- a. Declaration of Covenants, Conditions and Restrictions for The Lakes at CountryPlace filed on March 27, 1998 under Clerk’s File No. 98011041 in the Official Public Records of Brazoria County, Texas.
- b. Declaration of Annexation of The Lakes at CountryPlace, Section Two (2) filed on August 14, 1998 under Clerk’s File No. 98033957 in the Official Public Records of Brazoria County, Texas.
- c. Declaration of Annexation of The Lakes at CountryPlace, Section Three (3) filed on August 14, 1998 under Clerk’s File No. 98033958 in the Official Public Records of Brazoria County, Texas.
- d. Amendment to the Declaration of Covenants, Conditions and Restrictions for The Lakes at CountryPlace filed on November 17, 1998, under Clerk’s File No. 98048901 in the Official Public Records of Brazoria County, Texas.
- e. Declaration of Annexation of The Lakes at CountryPlace, Section Four (4) filed on June 10, 1999 under Clerk’s File No. 990026567 in the Official Public Records of Brazoria County, Texas.
- f. Declaration of Annexation of The Lakes at CountryPlace, Section Six (6) filed on June 10, 1999 under Clerk’s File No. 99026568 in the Official Public Records of Brazoria County, Texas.

- g. Declaration of Annexation of The Lakes at CountryPlace, Section Eight (8) filed on March 21, 2000 under Clerk's File No. 00011559 in the Official Public Records of Brazoria County, Texas.
- h. Declaration of Annexation of The Lakes at CountryPlace, Section Five (5) filed on September 20, 2000 under Clerk's File No. 00040509 in the Official Public Records of Brazoria County, Texas.
- i. Declaration of Annexation of The Lakes at CountryPlace, Section Seven (7) filed on September 20, 2000 under Clerk's File No. 00040508 in the Official Public Records of Brazoria County, Texas.
- j. Instrument to Record Dedicatory Instruments filed on August 1, 2003 under Clerk's File No. 03047445 in the Official Public Records of Brazoria County, Texas.
- k. The Lakes at CountryPlace CAI Fine Policy filed on May 4, 2006 under Clerk's File No. 2006025633 in the Official Public Records of Brazoria County, Texas.
- l. Supplemental Notice of Dedicatory Instrument for The Lakes at CountryPlace Community Association, Inc. filed on October 27, 2006 under Clerk's File No. 2006064054 in the Official Public Records of Brazoria County, Texas.
- m. Supplemental Notice of Dedicatory Instrument for The Lakes at CountryPlace Community Association, Inc. filed on November 30, 2006 under Clerk's File No. 2006070126 in the Official Public Records of Brazoria County, Texas.
- n. Supplemental Notice of Dedicatory Instrument for The Lakes at CountryPlace Community Association, Inc. filed on February 10, 2010 under Clerk's File No. 2010005482 in the Official Public Records of Brazoria County, Texas.
- o. Supplemental Notice of Dedicatory Instruments for The Lakes at CountryPlace Community Association, Inc. filed on December 28, 2011 under Clerk's File No. 2011052875 in the Official Public Records of Brazoria County, Texas.
- p. Supplement Notice of Dedicatory Instrument for The Lakes at CountryPlace Community Association, Inc. filed on December 5, 2012 under Clerk's File No. 2012055201 in the Official Public Records of Brazoria County, Texas.
- q. Supplemental Notice of Dedicatory Instrument for The Lakes at CountryPlace Community Association, Inc. filed on July 29, 2013 under Clerk's File No. 2013036831 in the Official Public Records of Brazoria County, Texas.
- r. Supplemental Notice of Dedicatory Instrument for The Lakes at CountryPlace Community Association, Inc. filed on November 12, 2013 under Clerk's File No. 2013054910 in the Official Public Records of Brazoria County, Texas.
- s. DCC& R Resolution: Parking in Driveways for The Lakes at CountryPlace Community Association, Inc., filed on November 7, 2017 under Clerk's File No. 2017054873 in the Official Public Records of Brazoria County, Texas.
- t. The Lakes at CountryPlace Community Association, Inc.'s Resolution Adopting Fine Policy filed on January 24, 2018 under Clerk's File No. 2018003611 in the Official Public Records of Brazoria County, Texas.
- u. Affidavit in Compliance with Section 202.006 of the Texas Property Code filed on April 17, 2018 under Clerk's File No. 2018018747 in the Official Public Records of Brazoria County, Texas.
- v. The Lakes at CountryPlace Community Association, Inc. Policy Regarding Solicitation of Candidates for Election to the Board of Directors filed on May 29, 2018 under Clerk's File No. 2018026247 in the Official Public Records of Brazoria County, Texas.
- w. Amendment to Declaration of Covenants, Conditions and Restrictions for The Lakes at Country Place filed on February 15, 2019 under Clerk's File No. 2019006870 in the Official Public Records of Brazoria County, Texas.
- x. Affidavit in Compliance with Section 202.006 of the Texas Property Code recording the Amendment of the By-Laws of The Lake at CountryPlace Community Association, Inc. filed on January 1, 2020, under Clerks File No. 2020003383 in the Official Public Records of Brazoria County, Texas.

- y.
- z. Affidavit in Compliance with Section 202.006 of the Texas Property Code recording The Lakes at CountryPlace Clubhouse Parking Lot & Common Area Rules filed on April 22, 2020, under Clerks File No. 2020020169 in the Official Public Records of Brazoria County, Texas.
- aa. Affidavit in Compliance with Section 202.006 of the Texas Property Code recording The Lakes at CountryPlace Meeting Media Policy filed on July 22, 2020, under Clerks File No. 2020039943 in the Official Public Records of Brazoria County, Texas.
- bb. Affidavit in Compliance with Section 202.006 of the Texas Property Code recording The Lakes at CountryPlace Election Ballot Counting Policy filed on October 2, 2020, under Clerks File No. 2020057586 in the Official Public Records of Brazoria County, Texas.
- cc. The Lakes at CountryPlace Community Association, Inc. Resolution Regarding Surveillance Cameras filed on February 22, 2021, under Clerks File No. 2021010008 in the Official Public Records of Brazoria County, Texas.

SIGNED on this the 1st day of April, 2021.

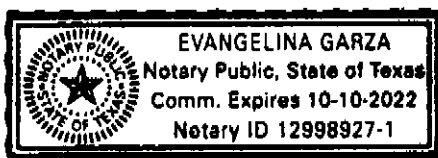

 Sarah B. Gerdes, Attorney/ Agent for The Lakes at
 CountryPlace Community Association, Inc.

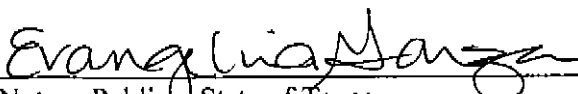
VERIFICATION

THE STATE OF TEXAS §
 §
 COUNTY OF FORT BEND §

BEFORE ME, the undersigned authority, on this day personally appeared Sarah B. Gerdes who, after being duly sworn stated under oath that she has read the above and foregoing Affidavit and that every factual statement contained therein is within her personal knowledge and is true and correct.

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public, on this the 1st day of April, 2021.




 Notary Public, State of Texas

RETURN TO:

 SEARS
 BENNETT
 & GERDES, LLP

6548 GREATWOOD PKWY.
 SUGAR LAND, TEXAS 77479

THE LAKES AT COUNTRYPLACE C.A.I.

ARCHITECTURAL REVIEW COMMITTEE - MODIFICATIONS (ARC)

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ARCHITECTURAL REVIEW COMMITTEE GUIDELINES

Pursuant to Article VI, section 3 of the Declaration of Covenants, Conditions and Restrictions ("DCCR") for The Lakes at CountryPlace, the Architectural Review Committee Modifications (ARC) was created to enhance property values by requiring conformity to certain standards of construction, visual appeal, uniformity and design. The DCCRs state that:

No construction of improvements, or modifications, additions, or alterations to existing improvements, shall be commenced or maintained by any Owner with respect to any of the Lots in the Properties, including, without limitation, the construction or installation of sidewalks, driveways, parking lots, mail boxes, decks, patios, courtyards, swimming pools, tennis courts, greenhouses, playhouses, awnings, walls, fences, exterior lights, garages, guest or servant's quarters, or other outbuildings, nor shall any exterior addition to or change or alteration therein be made (including, without limitation, painting or staining of any exterior surface), unless and until two (2) copies of the plans and specifications and related data showing the nature, color, type, shape, height, materials, and location of the same shall have been submitted to and approved in writing by the applicable Architectural Review Committee as to the compliance of such plans and specifications with this Declaration and as to the harmony of external design, location and appearance in relation to surrounding structures and topography.

It is the general purpose of the ARC to approve or disapprove applications submitted to it for proposed alterations, additions or changes to be made to the exterior of the house and/or lot itself.

ARC Request Procedure

The official submittal of plans and specifications to the ARC is to provide a review process for conformance to guidelines and standards, adopted by the ARC. The end result is to impart a visual character and a sense of community through controlled architecture, landscaping, and other design elements identified in these guidelines.

All construction or remodeling with exterior exposure, expansion, and/or demolition of structures or major landscaping projects must be reviewed and approved by the ARC prior to commencement of any on-site building or construction activity. The approval process can be facilitated if complete and high-quality submittal documentation is provided to the ARC. The ARC reserves the right to alter the review process in order to ensure an adequate review of all submissions while accommodating the needs of the requesting owner.

To preserve the aesthetic appearance of The Lakes at CountryPlace CAI, no landscaping, grading, excavation, or filling of any nature whatsoever shall be implemented and installed on a Lot in the Properties by the Owner or any other Person unless and until the plans therefore have been submitted to and approved in writing by the ARC.

The site plan (Lot plat including utility zones, no build zone calls outs, fences, gates, location of air conditioning unit(s), and any trees larger than four inches (4") in diameter), architecture and landscape plan must be approved in writing by the ARC before modification(s) can begin. The ARC is committed to a high level of design quality within our communities by reviewing design and plotting submissions and working with our owners to achieve this goal.

An ARC Modification Request Form must be completed in its entirety and mailed to the address indicated at the top of the form or dropped off at the Clubhouse. Online submissions can be done through the Management company if available. All pertinent information such as plans, specifications, building permits, locations indicated on a copy of the survey, etc. should be included with the application.

These forms are available from the property management company or at the Clubhouse. The ARC cannot respond to verbal requests for approval - all applications must be made in writing. All approvals must be in writing. No verbal approvals are permitted.

The ARC should respond within thirty days from the date of receipt of an application. If additional information is required by the ARC, 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.

If an application is not approved, the ARC 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 ARC, then they should contact the ARC Chair or may attend the monthly ARC meeting. Owners are encouraged to attend the planned ARC meetings whenever they submit a modification request to help facilitate review especially for requests for structural modifications or those that may seek a variance to these recorded guidelines.

Pursuant to Article VI, Section 8 of the Association's DCCRs:

The Architectural Review Committees may grant variances from compliance with the restrictions of this Declaration and from their respective standards and guidelines when circumstances such as topography, natural obstructions, hardship, or aesthetic or environmental considerations require, but only in accordance with duly adopted rules and regulations. Such variances may only be granted, however, when unique circumstances dictate and no variance shall be effective unless in writing or estop the applicable Architectural Review Committee from denying a variance in other circumstances. For purposes of this Section, the inability to obtain approval of any governmental agency, the issuance of any permit, or the terms of any financing, shall not be considered a hardship warranting a variance.

Guidelines

The following are guidelines adopted by the ARC to specify their standards, requirements, and thought processes used in evaluating an application. These guidelines will be amended from time to time as the circumstances, conditions, or opinions of the ARC dictate. It should be noted that each application is considered on its own merit and that the ARC may grant a variance from these guidelines and/or from certain provisions of the DCCRs.

The Guidelines do not supersede the requirements of the DCCRs unless specifically permitted therein.

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

Permits

In January 2013 LACP was annexed into the City of Pearland. The LACP ARC committee for any modifications/changes requiring a City of Pearland permit that the owner must supply a copy of the permit in conjunction to the ARC application. To find the most current list of permits required changes residents should go to the City of Pearland website. As of January 2015, the following residential changes require City permits:

1. Residential Building
2. Backflow Water
3. Driveway / Concrete Pads / Concrete Walkways
4. Electrical
5. Garage Sale
6. Fire / Burn
7. Irrigation systems
8. Plumbing (Sewer, Water, and Natural Gas)
9. Roofing
10. Residential Fence

GUIDELINES

1. **Outbuildings**
 - 1.1. Scale and Style - Decks, patios, and screened porches, particularly elevated decks, should be of a scale which is compatible with the home to which attached, adjacent homes and the environmental surroundings.
 - 1.2. No outbuilding may be installed without ARC approval. An "outbuilding" is defined as any structure which is not attached to the main structure. This definition does not include bonafide additions to the main residence or garages, but does include storage sheds. The colors should match/blend with the predominant exterior colors of the main residence.

- 1.2.1. Materials should match those of the main residence in both size and color; however, the ARC may approve small prefabricated metal or plastic storage buildings providing the color blends with the main residence.
- 1.2.2. It should have a peaked roof, no higher than eight feet (8') from the ground to the highest point, and a maximum of 10'x12' floor space. The structure must be kept a minimum of eight feet (8') off the rear property line unless granted variance due to configuration of individual lot 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 the side lot fence be less than three feet (3'), regardless of visibility. The location must also be far enough away from the fence to allow for drainage to occur entirely on the owner's lot.
- 1.2.3. An outbuilding 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. The electric company may charge a fee for this consent letter. If a storage building is not on the utility easement, but on a slab, and can be moved, the ARC will consider it as portable.
- 1.2.4. No storage building can be built up against any side or rear wall of the home unless its maximum height is less than six feet (6') and it is not visible above the fence. It must also comply with all the other requirements for proper construction, size, and location.
- 1.2.5. If under six feet (6'), may be placed inside yard provided three feet (3') minimum distance from side lot line is observed.
- 1.2.6. No outbuilding may be built on a golf course or lake-facing lot.
- 1.3. Outbuilding shall not be situated on the lot so that they may pose a problem to the effective drainage of the lot or neighboring lot.
- 1.4. Any impact to drainage of any neighboring lot and/or common area will be the responsibility of the party responsible for the change.
- 1.5. Every outbuilding (except a greenhouse) shall correspond in style and architecture with the dwelling to which it is appurtenant unless otherwise approved with written consent of the ARC.

1.6. No structure of any kind or character which incorporates wood construction on the exterior shall be erected on any Lot unless such structure receives at least two coats of paint at the time of construction or the exterior is of redwood or cedar material.

1.7. Appropriate City permit(s) required.

2. Play structures

2.1 Playhouse/fort must be no higher than twelve feet (12') maximum. If the fort has a platform, then the platform can be no higher than four feet (4') off ground and centered in the backyard to protect the neighbor's privacy.

2.2 Trampolines are considered play structures that require approval before being erected on any Lot.

2.3 If a play structure has an awning or canvas covering, then color options are limited and reviewed on a case-by-case basis. Also, the material must be kept in quality condition or replaced otherwise its removal will be requested by the HOA.

2.4 Placement of play structures must be in the back yard and its distance to the rear property line should not be any closer than eight feet (8').

2.5 All structures requesting placement on a Lot which abuts a Lake or the Golf Course will NOT be required to be located a minimum of forty feet (40') from the common property line as per the Association's DCC&Rs and will instead be evaluated on a case-by-case basis.

2.6 A structure set in concrete may not be placed inside the utility easement.

3. Patio Covers, Pergolas, Gazebos, Palapas

3.1 Appropriate City permit(s) required for any type of covering.

3.2 Patio covers:

3.2.1 Should be constructed of materials which complement the main structure.

3.2.2 Generally, the roofing material for patio covers should be the same as the roofing material on the house. Exceptions will be considered on a case-by-case basis.

- 3.2.3 If attached to the house, it must be integrated with the house to either match or complement the existing roofline (flush with eaves for first story roofline).
- 3.2.4 Posts and frames should be trimmed out to complement the house. Supports must be stained or painted wood, brick, or metal columns. No pipe is allowed.
- 3.2.5 At no time, however, shall a shingled roof be allowed with an unpainted frame. The frame will have to be stained, or painted. If painted, it must match the trim of the house whether treated or untreated wood is used.
- 3.2.6 Construction Materials:
 - 3.2.6.1 Painted wood (to match trim of house)
 - 3.2.6.2 Natural pressure-treated wood such as cedar, fir, redwood, may be used. Treated pine must be painted or stained. Stain must complement the house.
 - 3.2.6.3 Fiberglass is not acceptable as a construction material. All patio cover material must be completely framed in so that no raw edges of the material are visible.
 - 3.2.6.4 If the ARC is to approve canvas as a roofing material on a patio cover, it must be an earth tone color and the structure must be located where it is not visible from the street. Also, the canvas must be kept in quality condition or its removal will be requested by the HOA. No blues or greens allowed for residential use.
- 3.2.7 Patio covers may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment.
- 3.2.8 Patio covers must be situated on the lot to provide drainage solely into the owner's lot. If a proposed patio cover location is less than five feet (5') away from a side or rear lot line, the ARC will require that it be guttered with downspouts if it is to be a solid cover.

3.3 Pergolas

- 3.3.1 Pergolas may be attached or freestanding structures. On a case-by-case review, with a maximum height at peak of eleven feet (11') and must be three feet (3') offside property lines and eight feet (8') off the back fence.
- 3.3.2 The finished appearance must be natural pressure-treated wood such as cedar, fir, redwood, which may be used. Treated pine must be painted or stained.
- 3.3.3 Pergolas may be painted or stained but must complement the house. Paint will be approved on a case-by-case basis.

3.4 Gazebos

- 3.4.1 Freestanding gazebos must be at least six feet (6') away from the house. On a case-by-case review, with a maximum height at peak of eleven feet (11') and must be three feet (3') offside property lines and eight feet (8') off the back fence.
- 3.4.2 Construction materials and aesthetics are the same for gazebos as listed above in section 3.2 for patio covers.

3.5 Palapas

- 3.5.1 Palapa covers are allowed in both attached and freestanding forms. Freestanding palapas must be at least six feet (6') away from the house. On a case-by-case review, with a maximum height at peak of eleven feet (11') and must be three feet (3') offside property lines and eight feet (8') off the back fence.
- 3.5.2 Construction materials for palapas must be authentic African reed, Fiji, or Traditional Palm. Other materials may be considered on a case-by-case basis. However, synthetic or hay materials are prohibited.

4. Basketball Goals

- 4.1 The basketball goal backboard and net must be maintained in excellent condition at all times.
- 4.2 The backboard must be regulation size and either clear or white fiberglass.

- 4.3 Basketball goals may be attached to a home, mounted on a pole in the ground, or portable.
- 4.4 If mounted on a pole, then the pole can be no larger than six-inch (6") diameter and must be regulation height. The pole may be either black or silver.
- 4.5 The location of all mounted goals (home or pole) will be approved on a case-by-case basis.
- 4.6 A portable basketball goal may not be placed in the street such that it affects traffic. In no event shall a basketball goal remain in a street when not in use.
- 4.7 If any complaints are received, the basketball goal will be subject to immediate removal at the request of the ARC.

5. Room Additions

- 6.1 Exterior materials and colors should match the house as much as possible.
- 6.2 Detailed plans must be submitted to the ARC including structural and electrical layouts.
- 6.3 Room additions may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment.
- 6.4 On an individual basis. Size and shape will depend on the architectural style and layout of the home, size of the lot, and how well room addition integrates with an existing home. The addition of a storage area will not qualify as a bonafide room addition and will not be permitted. Plans for room addition must show a room of reasonable size to constitute a legitimate request for a room addition. Roof of addition must integrate with existing roof line so as to appear to have been part of the original home. Room additions cannot exceed one-third of the remaining back yard but maybe denied for other reasons, i.e., structural integrity, architectural suitability, etc., even if it does only use one-third of the remaining yard.
- 6.5 Building permits are the responsibility of the homeowner.
- 6.6 The exterior of first-floor room additions shall be brick, stone, or stucco to match the existing house.

- 6.7 No addition shall exceed in height the dwelling to which it is appurtenant without the written consent of the ARC.
- 6.8 A minimum of 51% of the exterior wall area of all residences, exclusive of doors and windows, shall be masonry or brick veneer construction unless a variance from this DCCR restriction (Article VII Section 3) is specifically approved in writing by the ARC.
- 6.9 Every garage and accessory building (except a greenhouse) shall correspond in style and architecture with the dwelling to which it is appurtenant.
- 6.10 Impact to drainage of any neighboring lot and/or common area will be the responsibility of the party responsible for the change.

6. Exterior Painting

- 6.1. Earth tone colors were most often used when homes were constructed. In general, an earth tone color should receive ARC approval.
- 6.2. No ARC approval is required to repaint in accordance with an originally-approved color scheme.
- 6.3. 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.

7. Windows / Screens / Doors

- 7.1. Provided the frames are of a color compatible with the exterior house colors, windows, storm windows, and storm or screen doors will be considered for approval.
- 7.2. Windows facing the front of the house and those facing the street on a corner lot must retain the divided light grid appearance. All other windows may be either divided light grid or single pane appearance.
- 7.3. If a request for a change in the appearance of the front door is made, such change must blend or complement the overall appearance of the house.

8. Decks

- 8.1. The deck floor must not exceed 250 square feet or 20% of the back yard with ARC approval; must not extend beyond the left or right corners of the home; must not extend more than 12 feet from the rear wall of the home; and must be at least five feet from any property line (unless a greater distance is required by the Township). Steps that provide egress to ground level must be at least five feet from any property line.
- 8.1. Side yard locations will not be approved.
- 8.2. It must not be imposing to neighbors or create visual clutter.
- 8.3. Decks may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment.
- 8.4. Decks shall not be situated on the lot so that they may pose a problem to the effective drainage of the lot or neighboring lots.
- 8.5. Decks must be at least three feet (3') offside property lines and eight feet (8') off the back fence.
- 8.6. Decks cannot be higher than 18".
- 8.7. Decks may be stained or painted. If painted, then paint should match the house. Stains and paint colors will be approved on a case-by-case basis.
- 8.8. Only Exterior grade materials may be used.
- 8.9. Impact to drainage of any neighboring lot and/or common area will be the responsibility of the party responsible for the change.
- 8.10. Appropriate City permit(s) required.
- 8.11. Scale and Style - Decks, patios, and screened porches, particularly elevated decks, should be of a scale which is compatible with the home to which attached, adjacent homes and the environmental surroundings.

9. Swimming Pools and Spas

- 9.1. 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. Decking may also require a consent agreement from the utility companies. Consents must be received prior to approval. NOTE: the electric company may charge a fee (\$125 or more) for this consent letter.

- 9.2. Ideally, any pool or spa should be located at least five feet (5') from a side and rear lot line to maintain proper drainage on a lot. However, a minimum of 3 feet will be allowed in certain instances.
- 9.3. Above ground, pools are not permitted.
- 9.4. All access points to a pool must comply with all city and state laws and/or regulations, including, but not limited to, fence enclosure and fence height requirements, and self-closing/self-latching gate requirements.
- 9.5. The property owner is responsible for the repair of damaged landscaping, curbing, and/or driveways upon completion of the pool.
- 9.6. Pools must be located in the backyard and not be seen from the front of the house. Additional screening/planting of bushes/trees may be required.
- 9.7. Spas, Jacuzzi, hot tubs are permitted above ground. Not to exceed 6 ft.
- 9.8. Mechanical equipment or piping for any pool installation must not be visible from the back of the lot if located on a lake and/or golf course.
- 9.9. Pool features, accessories, and equipment must not be directly visible from public view. Additional screening/planting of bushes may be required.
- 9.10. Impact to drainage of any neighboring lot and/or common area will be the responsibility of the party responsible for the change.
- 9.11. Appropriate City permit(s) required.

10. Solar Panels / Screens / Film

- 10.1. The ARC may approve solar panels which are unobtrusive and which blend in with the roof shingle color.
- 10.2. Parabolic solar collectors which are not mounted so as to be flush with the roof will not be approved.
- 10.3. Solar panel frames should be bronze or black in color in order to best blend in with the shingles. All unfinished aluminum must be painted the color of the shingles.
- 10.4. No solar panel should be mounted so that it extends above the roofline.
- 10.5. The ARC would prefer to have solar panels mounted so that they are not visible from the fronting street.
- 10.6. Solar Panels cannot exceed 6 ft in height if installed in the back yard.
- 10.7. Solar screen windows will be considered.

- 10.8. Colors, materials, and manufacturers will be approved on a case-by-case basis by the ARC for both window coverings and solar panels.
- 10.9. Solar film or tinting must be non-reflective type.

11. Satellite Dishes

- 11.1. A satellite dish less than 18" may be installed on a side or backyard location such that it is not visible from the street.

12. Fence and Fence Extensions

- 12.1. All perimeter fences must be uniform in material, height, and design. Replacement or repair of perimeter fences must be made with the same materials and construction details as used in the original fence. Each Owner of the Lot with a perimeter fence must maintain such fence as originally installed and keep said fence repaired in a first-class condition at all times
- 12.2. Fence modifications or extensions will be approved on a case-by-case basis.
- 12.3. No higher than 8' and granted on a limited basis only. Consents from all affected neighbors must be submitted in order to be considered for height extension.
- 12.4. Cedar Fence rot board shall not be greater than 8 inches in height.
- 12.5. Cedar and wrought are only approved materials.
- 12.6. There shall be a fence segment on either side of the house that consists of a 6' wrought iron fencing.
- 12.7. No painting, staining, or varnishing of the fence is permitted without approval. Natural and wood colors will be considered for wood fences on a case-by-case basis.
- 12.8. Wrought iron fences shall be painted black.
- 12.9. Fence extension requests should be submitted by both neighbors sharing the side lot line and fence, except in the case of a corner lot.
- 12.10. No fence may extend so as to encroach across the front building line.
- 12.11. If neighboring owners do not concur as to a proposed fence extension, the ARC will examine the effect the fence extension will have on both properties. If one party will suffer detrimentally from the extension (i.e., will possibly enclose a bay window) the ARC will reject the application.

12.12. Only fence extensions which will be installed picket side out shall be considered by the ARC.

12.13. Replacement or repairs of the fence must be made with similar materials and construction details as used in the original fence.

12.14. Appropriate City permit(s) required.

13. Decorations

13.1. On front lawns of lots and any portion of a lot visible from any street, there shall be no decorative appurtenances placed, such as sculptures, birdbaths, birdhouses, fountains, or other decorative embellishments unless such specific items have been approved in writing by the ARC on a case-by-case basis.

13.2. Benches and gates will be reviewed on an individual basis.

13.3. House numbers may be placed on the house or mailbox, but not on any type of freestanding structure in the front yard.

13.4. Holiday decorations should be removed within two (2) weeks of the end of the applicable holiday.

14. Exterior Lighting

14.1. Additional exterior lighting should not be of wattage or lumen count which will affect neighboring homes.

14.2. Directional lights or floodlights must be aimed so as not to shine in the windows of neighboring homes.

14.3. Low voltage landscape lighting, white in color only, should receive ARC approval.

14.4. Security, mercury vapor, or fluorescent lights, must be attached to the front of the house, preferably the garage. Mercury vapor, fluorescent, and sodium halide are not permitted in the back or side yard.

14.5. Yard lights may be gas or electric. Single lamp only. Maximum height 6'. May be in front or back. Gas or electric lights must be black, brown, or white, depending on the color of the house, and determination of suitable color will be the decision of the ARC.

- 14.6. Colored lighting, exposed transformers and wiring, "spillover" lighting onto neighboring lots, streets, or Common Areas are prohibited. The only exception is temporary holiday lighting displays.
- 14.7. Conduits, outlets, and wiring must be concealed.
- 14.8. Appropriate City permit(s) required.
- 15. Mailboxes
 - 15.1. Because the LACP has communal mailboxes, no individual mailboxes are permitted.
- 16. Wind Turbines
 - 16.1. Wind turbines should be mounted in the rear portion of the roof so that they are not visible from the front or above the roofline.
 - 16.2. The wind turbines preferably should either be a color that will blend with the shingle color instead of unfinished aluminum or be painted to match the shingle color.
- 17. Outdoor Carpeting
 - 17.1. Can only be installed on porch areas.
 - 17.2. Earth tone colors acceptable.
 - 17.3. No green or blue carpet.
 - 17.4. Visibility from the street will be considered on a case-by-case basis.
 - 17.5. Carpeting must be maintained in good condition.
- 18. Burglar Bars
 - 18.1. Will be reviewed on a case-by-case basis. Must not detract from the aesthetics of the home.
 - 18.2. May be acceptable if on the inside of the window.
- 19. Birdhouses
 - 19.1. Maximum preferred height 12'.
 - 19.2. Mounted on 2" diameter metal pipe painted white or black.
 - 19.3. Must be placed toward the middle of the back yard.

20. Landscaping

- 20.1. The ARC will consider timbers, bricks, stones, (use native Texas stone), flowerbed borders, landscape lights, trellises, and sprinklers.
- 20.2. Landscaping shall not be situated or allowed to grow without maintenance on any lot such that it poses a problem to the effective drainage of the lot or neighboring lots.
- 20.3. Must compliment the style and architecture of the home and conform to the color scheme of the immediate neighborhood.
- 20.4. Should not interfere or obstruct views of neighboring houses.
- 20.5. Trees and shrubbery should be set back so as not to encroach on neighbor's property. No trees within 10 feet of the bulkhead of a lake, or 15 feet of the edge of the lake if no bulkhead. Because of the potential damage caused by the root system of willow trees, no willow trees may be planted within 25 feet of the bulkhead of a lake; 30 feet if no bulkhead.
- 20.6. Tree stakes or supports of any type may be used for newly installed plants, but shall be removed within one year of planting.
 - 20.6.1. These supports shall not be greater than five (5) feet above the ground.
- 20.7. Vegetable gardens shall be permitted on a case-by-case review and should be placed in the back of the home so as not to be visible from the street.
- 20.8. Impact to drainage of any neighboring lot and/or common area will be the responsibility of the party responsible for the change.

21. Antennas

- 21.1. The backside of the house, lower than the roofline and must not be visible from the street or golf course (if applicable).
- 21.2. If the lot backs onto vacant property or lake and can be seen from the entrance to the subdivision or adjacent road, the screening will be required.
- 21.3. Not allowed on corner lot if visible from the front or side street, regardless of screening, except as may be permitted by law.
- 21.4. People's Choice antenna must be mounted on the rear of the roof, lower than the peak of the roof. If the antenna is visible from the rear street or golf course, it must be screened from view.

22. Driveway Extensions/Sidewalks

- 22.1. Reviewed and approved on a case-by-case basis.
- 22.2. No closer than 3' to the property line and sometimes up to 5'. Driveway extensions can extend no nearer to the side property line than 3 feet and 5 feet in certain instances.
- 22.3. All sidewalks in the side yard must be no greater than 36" wide and centered between house and property line. 30" wide is the recommended width for the standard five-foot (5') side yard.
- 22.4. Free formed patches or extensions are not allowed. A smooth and clean edge shall be required.
- 22.5. Impact to drainage of any neighboring lot and/or common area will be the responsibility of the party responsible for the change.
- 22.6. Appropriate City permit(s) required.

23. Garage Conversions, Carports, Detached Garages

- 23.1. Conversions are permitted provided there are no exterior changes to the garage.
- 23.2. Driveways can never be removed from the front yard even if an alternate garage is built.
- 23.3. Every garage shall correspond in style and architecture with the dwelling to which it is appurtenant.
- 23.4. Appropriate City permit(s) required.

24. Window Air Conditioners

- 24.1. No window or wall-type air conditioners shall be permitted to be used, erected, placed, or maintained on or in any Single-Family Residence, except that the ARC may, at its discretion, permit window or wall-type air conditioners to be installed if such unit, when installed, shall not be visible from a Street.

25. Window Shades/Awnings

- 25.1. Canvas awnings will not be permitted to be installed on windows to reduce solar exposure unless they are on the backside of a house on an interior lot

and not visible at all from the street or golf course. On a corner lot or lot that backs onto a street, canvas awnings will not be permitted at all. When allowed, they must be earth tone colors, no blues, greens, etc., and must be kept in excellent condition at all times or will be subject to immediate removal upon notification by the HOA of their unacceptable condition.

25.2. Awnings will still be allowed for use on playhouses and patio covers, provided they also comply with the above-mentioned requirements for proper location and color.

25.3. Metal and wooden slat-type shades may be allowed by the ARC if they are deemed necessary in a reduction of solar exposure and installation on appropriate windows will be determined by the ARC. At no time, however, will they be allowed on windows on the fronts of the homes.

26. Greenhouses

26.1. Only greenhouse subject to ARC approval will be those constructed of clear glass or plexiglass panels. No fiberglass will be allowed.

26.2. Greenhouse shall not be situated on the lot so that they may pose a problem to the effective drainage of the lot or neighboring lot.

26.3. Impact to drainage of any neighboring lot and/or common area will be the responsibility of the party responsible for the change.

27. Flag Poles

27.1. Flag poles shall not be permitted on any Lot without the prior written consent of the ARC.

28. Garbage

28.1. Garbage pickup occurs twice a week; see The City of Pearland for scheduled days. Garbage may not be put out for pickup any earlier than the evening of the day before the scheduled pickup. Empty trash cans must be removed from the curb and properly stored the evening of trash pickup.

28.2. All garbage cans and related equipment shall be located and concealed from view of neighboring streets and property.

- 28.3. Neither Heavy trash nor Green waste may be put out for pickup any earlier than the evening of the day before the scheduled pickup.
- 28.4. All green waste must be stored or concealed from view of neighboring streets and properties until appropriately specified times.

29. Signage

- 29.1. No signs, billboards, posters, or advertising devices of any kind shall be permitted on any Lot without the prior written consent of the Modifications Committee.
- 29.2. No signs, billboards, posters, or advertising devices of any kind shall be permitted in the common areas of the Community, without the express permission of the Board of Directors.
- 29.3. Any approved or allowed sign shall not be placed closer than three feet (3') from the street, six feet (6') from the corner of an intersection.
- 29.4. Exceptions to Sign policy
 - 29.4.1. A "Yard of the Month" sign shall be placed on a lot, as approved by the Board of Directors or its designee.
 - 29.4.2. Resale yard signs may be placed on any portion of an Owner's lot and shall be no larger than a standard 2'x2' sign.
 - 29.4.3. Home Security Signs for the purpose of warning the presence of a home security system. These signs shall be small, inconspicuous, and discretely placed on or near the residence, no more than 3' from the house or garage. Each sign shall be from a professional security company and should not exceed one (1) square foot in area.
 - 29.4.4. School "Booster" Signs. One school sign allowed. It must be an official, professionally made sign from a neighborhood school. The sign shall be placed only in the front shrubbery and landscaping adjacent to the front of the house.
 - 29.4.5. Political Signs. One political sign allowed. Political signs may be erected on the homeowner lot and shall be no larger than a standard 3'x4' sign. Political signs are not to be placed in any area of the common area.

30. Irrigation systems

- 30.1. All irrigation systems require a backflow device to be installed.
- 30.2. Placement of system components within the utility easements is done at the owner's risk.
- 30.3. Appropriate City permit(s) required.

31. Vehicles and Parking

- 31.1. The term "vehicles" as used herein, shall refer to all motorized vehicles including, without limitation, automobiles, trucks, motor homes, boats, trailers, motorcycles, mini bikes, scooters, go-carts, campers, buses, and vans.
- 31.2. No vehicle shall be parked overnight on the street.
- 31.3. All vehicles other than standard automobiles and trucks used regularly by the owner/renter shall not be stored on any lot in the properties for more than 72 hours before being classified as a nuisance.
- 31.4. Lots with multiple vehicles must keep those vehicles in the garage or on the driveway. At no time shall they be parked in the street for an extended duration.
- 31.5. The operation of golf carts on the street is allowed. The operator of such vehicles shall adhere to all posted signs within the Association.
- 31.6. The operation of any non-street legal motor vehicle is not allowed.
- 31.7. All vehicles within the Properties must be in a condition that meets the requirements of all state and local governmental authorities as to licensing, safety, and equipment standards.

32. Standby Generators

- 32.1. Standby electric generator must be installed and maintained in compliance with:
 - 32.1.1. The manufacturer's specifications, and
 - 32.1.2. Applicable governmental health, safety, electrical, and building codes.
- 32.2. All electrical, plumbing and fuel line connections must be installed only by licensed contractors.

- 32.3. All electrical connections must be installed in accordance with applicable governmental health, safety, electrical, and building codes.
- 32.4. All-natural gas, diesel fuel, biodiesel fuel, or hydrogen fuel line connections must be installed in accordance with applicable governmental health, safety, electrical, and building codes.
- 32.5. All liquefied petroleum gas fuel line connections must be installed in accordance with rules and standards promulgated and adopted by the Railroad Commission of Texas and other applicable governmental health, safety, electrical, and building codes.
- 32.6. Nonintegral standby electric generator fuel tanks must be installed and maintained to comply with applicable municipal zoning ordinances and governmental health, safety, electrical, and building codes.
- 32.7. The standby electric generator and its electrical lines and fuel lines must be maintained in good condition.
- 32.8. An Owner must repair, replace, or remove any deteriorated or unsafe component of a standby electric generator, including electrical or fuel lines.
- 32.9. An Owner must screen a standby electric generator if the standby electric generator is:
 - 32.9.1. Visible from the street faced by the dwelling,
 - 32.9.2. Located in an unfenced side or rear yard of a residence and is visible either from an adjoining residence or from adjoining property owned by the property owners' Association, or
 - 32.9.3. Located in a side or rear yard fenced by wrought iron or residential aluminum fence and is visible through the fence either from an adjoining residence or from adjoining property owned by the property owners' Association.
- 32.10. The daily hours between 9 am and 7 pm are deemed reasonable times for the periodic testing of a standby electric generator.
- 32.11. Owners are prohibited from using a standby electric generator to generate all or substantially all of the electrical power to a residence, except when utility-generated electrical power to the residence is not available or is intermittent due to causes other than nonpayment for utility service to the residence.

32.12. The placement of a standby electric generator is preferred on the back portion of a Lot, but alternate placement options shall be reviewed on a case-by-case basis.

32.13. An owner shall be prohibited from locating a standby electric generator on property:

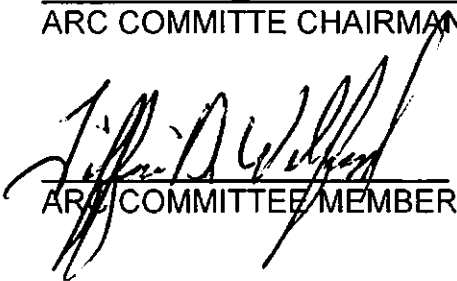
32.13.1. Owned or maintained by the property owners' Association, or

32.13.2. Owned in common by the property owners' Association members.

APPROVED BY:



ARC COMMITTEE CHAIRMAN



ARC COMMITTEE MEMBER



ARC COMMITTEE MEMBER

APPROVED DATE: 5/23/21

FILED and RECORDED

Instrument Number: 2021020379

Filing and Recording Date: 04/01/2021 09:26:02 AM Pages: 27 Recording Fee: \$126.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Brazoria County, Texas.



A handwritten signature in black ink, which appears to read "Joyce Hudman".

Joyce Hudman, County Clerk
Brazoria County, Texas

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cclerk-ysenia