

49

**NOTICE OF DEDICATORY INSTRUMENTS
FOR
VALLEY RANCH HOMEOWNERS ASSOCIATION, INC.**

STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

The undersigned, being the authorized representative of Valley Ranch Homeowners Association, Inc., a property owners' association as defined in Section 202.001 of the Texas Property Code (the "Association"), hereby certifies as follows:

1. Subdivision: The Subdivision to which the Notice applies is described as follows:

Valley Ranch, Section One (1), a subdivision in Montgomery County, Texas, according to the map or plat thereof recorded in Cabinet Z, Sheets 191 and 192, of the Plat Records of Montgomery County, Texas.

Valley Ranch, Section Two (2), a subdivision in Montgomery County, Texas, according to the map or plat thereof recorded in Cabinet Z, Sheets 193 and 194, of the Plat Records of Montgomery County, Texas.

Valley Ranch, Section Three (3), a subdivision in Montgomery County, Texas, according to the map or plat thereof recorded in Cabinet Z, Sheets 195 and 196, of the Plat Records of Montgomery County, Texas

2. Restrictive Covenants. The description of the document(s) imposing restrictive covenants on the Subdivision, the amendment(s) to such document(s), and the recording information for such document(s) are as follows:
- a. Document: Declaration of Covenants, Conditions and Restrictions for Valley Ranch Single Family Residential Areas
 - b. Recording Information: Montgomery County Clerk's File Number 2006-006119
3. Other Previously Recorded Dedicatory Instruments: The following is a Dedicatory Instrument governing the Association that was previously recorded:
- a. Document: Bylaws of Valley Ranch Homeowners Association, Inc.
 - b. Recording Information: Montgomery County Clerk's File No. 2006-066350.

4. Additional Dedicatory Instruments: In addition to the Restrictive Covenants identified in Paragraph 2, above, and the Other Previously Recorded Dedicatory Instrument identified in Paragraph 3, above, the following documents are Dedicatory Instruments governing the Association:

- a. Articles of Incorporation; and
- b. Valley Ranch Builder Guidelines.

True and correct copies of such Dedicatory Instruments are attached to this Notice.

This Notice is being recorded in the Official Public Records of Real Property of Montgomery County, Texas for the purpose of complying with Section 202.006 of the Texas Property Code. I hereby certify that the information set forth in this Notice is true and correct and that the Dedicatory Instruments attached to this Notice are either the originals or true and correct copies of the originals.



Rick S. Butler, authorized representative
Valley Ranch Homeowners Association, Inc.

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned notary public, on this day personally appeared Rick S. Butler, authorized representative of Valley Ranch Homeowners Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and in the capacity therein expressed.

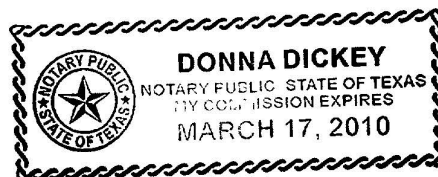
SUBSCRIBED AND SWORN TO BEFORE ME on this the 30th day of May, 2008, to certify which witness my hand and official seal.



Notary Public in and for the State of Texas

Return to:

Rick S. Butler
Butler & Hailey, P.C.
1616 South Voss Road, Suite 500
Houston, Texas 77057



**ARTICLES OF INCORPORATION
OF
VALLEY RANCH HOMEOWNERS ASSOCIATION, INC.**

I, the undersigned, natural person, of the age of eighteen (18) years or more, a citizen of the State of Texas, acting as incorporator of a corporation under the Texas Non-Profit Corporation Act, do hereby adopt the following Articles of Incorporation for such corporation:

ARTICLE I

The name of the corporation is Valley Ranch Homeowners Association, Inc. (hereafter referred to as "this corporation" or the "Association").

ARTICLE II

The Association is a non-profit corporation, and shall have all the powers and duties specified in and allowable under the Texas Non-Profit Corporation Act. No part of the assets or net earnings of this corporation shall inure to the benefit of, or be distributable to its members, directors, trustees, officers, or other private persons, except that the Association shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article IV below.

ARTICLE III

The period of this corporation's duration is perpetual.

ARTICLE IV

The purposes for which this corporation is formed are:

- (a) To promote the health, safety and welfare of the residents of the Valley Ranch, Section One (1), Valley Ranch, Section Two (2) and Valley Ranch, Section Three (3) single family subdivisions in Harris County, Texas, as described in the Declaration (hereinafter defined) and such other property as may be annexed into the jurisdiction of the Association, and to be and constitute the non-profit corporation to which reference is made in that certain Declaration of Covenants, Conditions and Restrictions for Valley Ranch Single Family Residential Areas, which is applicable to the property within the above named subdivisions and has been or will hereafter be recorded in the real property records of Harris County, Texas (the "Declaration"). In order to carry out such general purposes, the Association shall have the general power to:

- (1) Fix assessments (or charges) to be levied against the Lots within its jurisdiction and establish services to be provided for the benefit of its Members;
 - (2) Enforce any and all covenants, conditions, restrictions and agreements applicable to the Lots within its jurisdiction; and
 - (3) Insofar as permitted by law and the Declaration, to do any other thing of a similar nature that will promote the common benefit and enjoyment of the Owners of the property within its jurisdiction.
- (b) Without limiting the foregoing general statement of purposes and powers, the Association shall have the power to:
- (1) Cause to be kept a complete record of all its receipts and disbursements;
 - (2) Supervise all agents and employees of the Association and to see that their duties are properly performed;
 - (3) Fix, levy and collect the assessments and other charges as authorized by the Declaration and perform its other duties as described therein;
 - (4) Buy or otherwise acquire, sell, or otherwise dispose of, mortgage, or otherwise encumber, exchange, lease, hold, use, operate, and otherwise deal in and with real, personal, and mixed property of all kinds and any right or interest therein for any purpose of the Association;
 - (5) Procure and maintain adequate liability insurance for its Board of Directors, its officers, agents and employees;
 - (6) Exercise all powers reasonably necessary to effectuate the purposes of the Association;
 - (7) Manage, control, operate, maintain, preserve, repair and improve the Common Area and any other property acquired by the Association, or any property owned by another for which the corporation, by rule, regulation, Declaration, or contract, has a right or duty to provide such services;

- (8) Borrow money for any purpose subject to such limitations as may be contained in the Declaration or the Association's By-Laws;
- (9) Enter into, make, perform and enforce contracts of every kind and description, and to do all other acts necessary, appropriate or advisable in carrying out any purpose of the Association;
- (10) Provide or contract for services benefitting the property within its jurisdiction including, without limitation, garbage removal and any and all supplemental municipal services as may be necessary or desirable;
- (11) Contract with other associations, organizations, or groups to provide for the maintenance of property adjacent to or adjoining the property within its jurisdiction; and
- (12) Spend money for the improvement or maintenance of property within its jurisdiction, or adjacent to or adjoining such property.

The foregoing enumeration of powers shall, except where otherwise expressed, be in no way limited or restricted by any reference to or inference from the terms or provisions of any other clause, but shall be regarded as independent powers.

This corporation shall not engage in any activities or exercise any powers that are not in furtherance of the purposes set forth above in Paragraphs (a) and (b) of this Article IV. This corporation is organized pursuant to the Texas Non-Profit Corporation Act and does not contemplate pecuniary gain or profit to the Members thereof and is organized for non-profit purposes and nothing contained in the foregoing statement of purposes shall be construed to authorize this corporation to carry on any activity for the profit of its Members, or to distribute any gains, profits or dividends to its Members as such.

ARTICLE V

This corporation shall be a membership corporation without certificates or shares of stock. All Owners, by virtue of their ownership of a Lot subject to the Declaration or to a declaration of covenants, conditions and restrictions hereafter imposed on property brought within the jurisdiction of the Association, are Members of the Association. The Members shall be divided into classes and entitled to vote in accordance with the provisions contained in the Association's By-Laws and the Declaration.

ARTICLE VI

The mailing address of the initial registered office of this corporation is 7702 FM 1960 East, Suite 302, Humble, Texas 77346 and the name of its initial registered agent at such address is Community Asset Management, Inc.

ARTICLE VII

The business and affairs of this corporation shall be conducted, managed and controlled by a Board of Directors. The Board shall consist of not less than three (3) nor more than five (5) members. The initial Board of Directors shall consist of the following individuals:

- (1) Brandon Creighton
235 I-45 North
Conroe, Texas 77304
- (2) Steve Sample
234 I-45 North
Conroe, Texas 77304
- (3) Leesa Price
235 I-45 North
Conroe, Texas 77304

All of the members of Board of Directors shall be appointed by the Declarant during the Class "B" Control Period. Thereafter the Members shall elect the Directors. The method of election of members of the Board, removal and filling of vacancies, and the term of office of directors shall be as set forth in the By-Laws. The Board may delegate such operating authority to such companies, individuals, or committees as it, in its discretion, may determine.

ARTICLE VIII

To the fullest extent permitted by Texas statutes, as the same exist or as they may hereafter be amended (but, in the case of any such amendment, only to the extent that such amendment permits broader limitation than permitted prior to such amendment), a director of this corporation shall not be liable to this corporation for monetary damages for an act or omission in the director's capacity as a director. Any amendment of these Articles of Incorporation shall be prospective only and shall not adversely affect any limitation on the personal liability of a director of this corporation existing at the time of such repeal or amendment.

ARTICLE IX

This corporation may be dissolved only as provided in the By-Laws and by the laws of the State of Texas.

ARTICLE X

The name and street address of the incorporator is:

Name:

Address:

Richard L. Rose

3 Greenway Plaza, Suite 2000
Houston, Texas 77046

ARTICLE XI

The judgment of the directors, whether the directors are the initial directors or substitute directors, in the expenditure of funds of this corporation shall be final and conclusive, so long as such judgment is exercised in good faith.

ARTICLE XII

The By-laws of this corporation shall be adopted by the Board of Directors and shall thereafter be amended or altered by a majority vote of the Board of Directors of this corporation; provided, however, any amendment of the By-laws during the Class "B" Control Period must be approved by the Declarant.

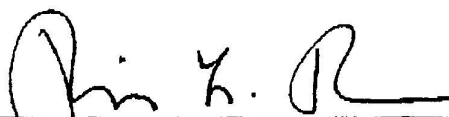
ARTICLE XIII

These Articles of Incorporation may be amended with the approval of two-thirds (2/3rds) of the votes of each class of the Members of the Association who are voting, in person or by proxy, at a meeting duly called for such purpose.

ARTICLE XIV

All capitalized terms used in these Article of Incorporation shall be defined in the same manner as defined in the Declaration, which definitions are incorporated herein by this reference.

IN WITNESS WHEREOF, for the purpose of forming this Association under the laws of the State of Texas, I, the undersigned, constituting the incorporator of this Association, have executed these Articles of Incorporation this 13th day of December, 2005.



Richard L. Rose

VALLEY RANCH

Design Guidelines and Construction Standard for Single-Family Residences

Builder Guidelines

DESIGN GUIDELINES AND CONSTRUCTION STANDARDS FOR SINGLE-FAMILY RESIDENCES

Valley Ranch Builder Guidelines

Adopted
June 6, 2005
By the
Architectural Review Committee (ARC)

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Purpose of Guidelines

These Builder Guidelines (also referred to herein as design guidelines and guidelines) have been established for use by third party builders in the Valley Ranch planned community. They are aimed at ensuring an attractive, coordinated physical environment both during and after construction. Design diversity is encouraged in order to create a specific identity for each residential section. However, certain standards have been adopted for key elements to provide continuity and to maintain overall quality. The builder should familiarize himself and his building team with the requirements of the Builder Guidelines and confirm they have the latest revision.

Valley Ranch is located in Montgomery County, who should be contacted at the beginning of the building process to insure compliance with all applicable regulations. Compliance with all governmental regulations is the obligation of the third-party builder.

As the development matures, there will likely be changes made to the design guidelines and to the community development plan. The Architectural Review Committee (ARC) reserves the right to modify, change and grant variance to the design guidelines.

Site Layout

1.1 General

The builder/owner is responsible to construct homes and maintain individual lots in a manner prescribed by the Declarations of Covenants, Conditions and Restrictions, the recorded plats/re-plats, the rules and regulations of the Homeowner's Association (HOA), and these guidelines.

Compliance with building setback lines, lot layouts, driveways, sidewalks, garages and etc. is required of the builder/owner. Ties to the utilities are the responsibility of the builder/owner.

The builder/owner shall comply with any and all ordinances that may be in effect from Montgomery County and/or any other governmental agency (i.e. MUD, EPA) having applicable jurisdiction.

1.2 Building Setbacks

All homes and buildings within the community shall be located in conformance with the building line setbacks shown on the recorded plat and with the setbacks contained in this section.

Front building setback lines are typically twenty-five feet (25') unless otherwise shown on the recorded final plat.

Side lot building setback lines are five feet (5') on each side unless otherwise shown on the recorded final plat.

Corner lot building setback lines are ten feet (10') from the side street property line unless otherwise shown on the recorded final plat. Corner lots adjacent to common open space reserves typically require a five foot (5') side building line.

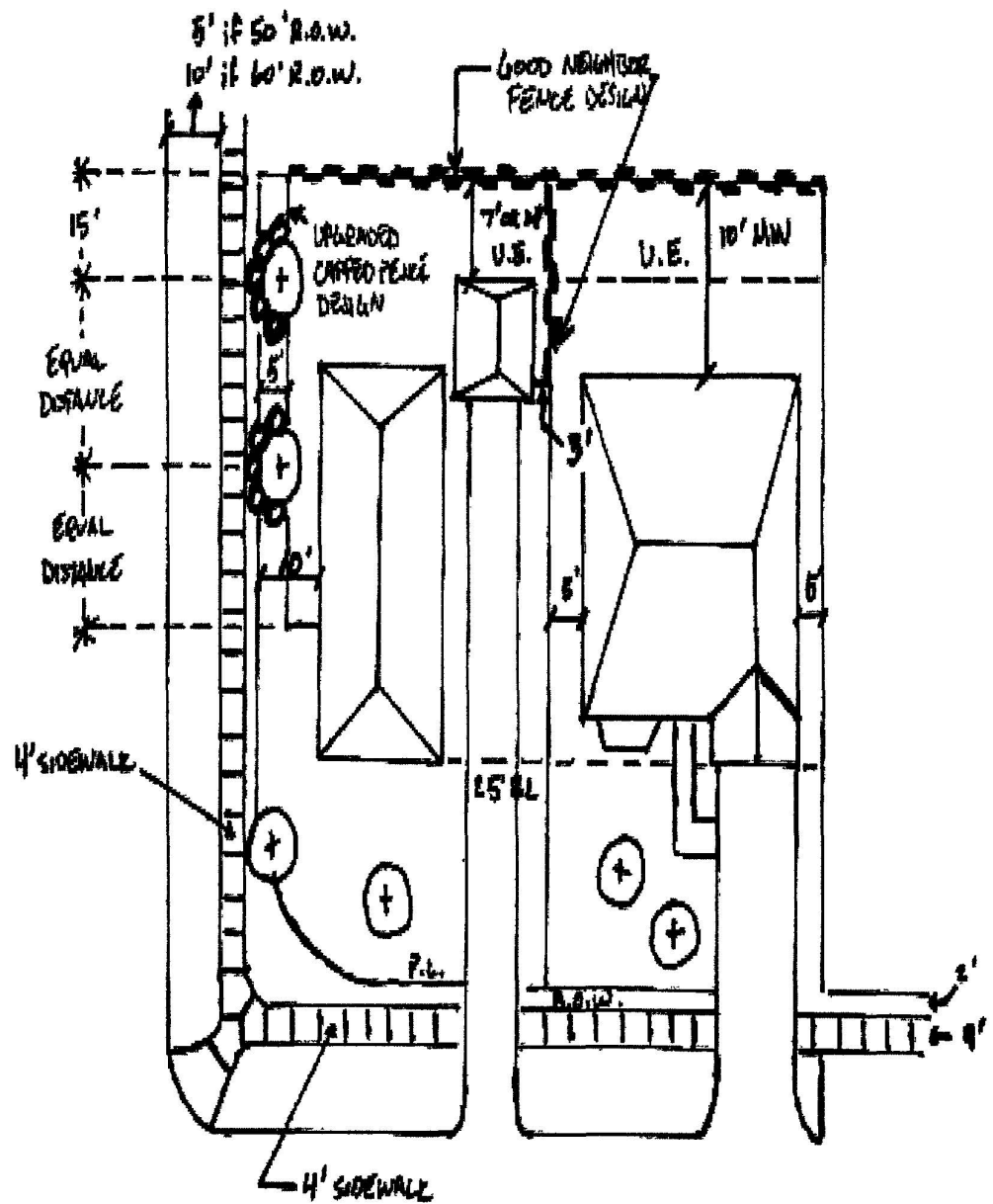
The rear building setback line for the house is ten feet (10') unless otherwise shown on the recorded final plat.

Detached garages shall be set back at least seven feet (7') from the rear property line and no closer than three feet (3') from the side property line provided such placement does not encroach on an existing or contemplated easement and is in accordance with all applicable rules and codes of any governmental agency having jurisdiction. All three foot (3') side setbacks must be approved with express written consent of the ARC and be in accordance with all applicable rules and codes of any governmental agency having jurisdiction. Detached garages with living quarters shall be no closer than five feet (5') from the side property line.

Prior to the placement of any forms on the lot, the builder shall review a title report and the most recently recorded plat or re-plat for the specific lot to verify all setback requirements.

As shown on the recorded subdivision plat, perimeter lots typically have a fourteen feet (14') utility easement at the rear of each lot and interior lots typically have a seven foot (7') utility easement. Some lots also have five foot (5') side lot utility easements that may not be shown on the recorded plat. Encroachment within the easements with any residential structure or garage is prohibited.

TYPICAL LOT SETBACK REQUIREMENTS



1.3 Driveways and Sidewalks

The builder is required to construct all improvements located in the public right of way (R.O.W.) including driveways and sidewalks, in accordance with Montgomery County requirements and this section.

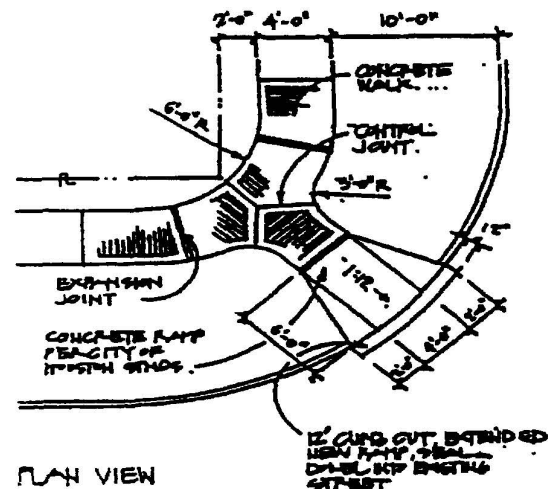
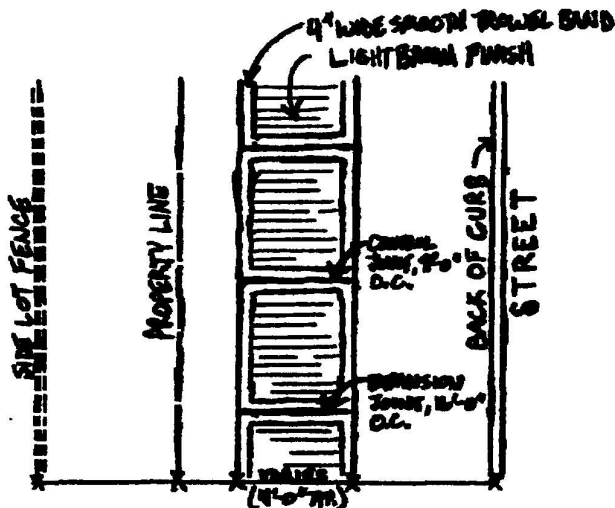
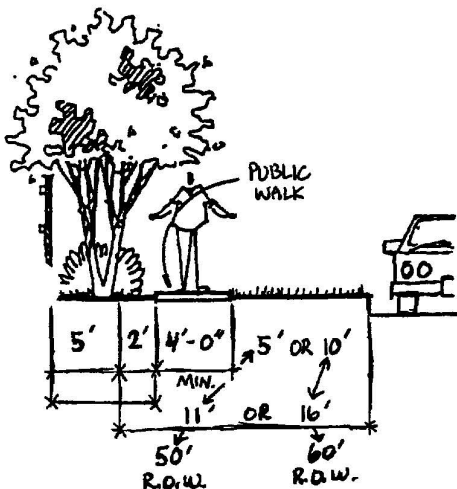
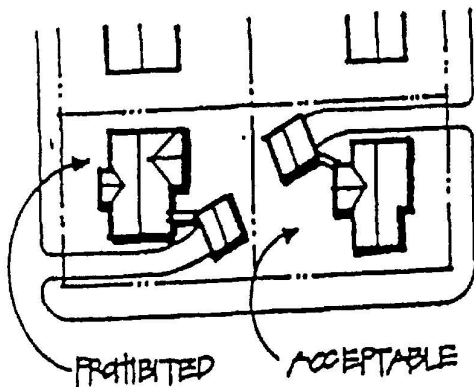
Driveways on corner lots shall be located on the side of the lot furthest from the corner side street.

Concrete driveways are to be a minimum of four inches (4") thick over a sand base. The existing concrete "rollover" curbs are not to be removed. Proposed driveways shall be poured flush to the existing curb. Expansion joints between the curb and driveway are required.

Four foot (4') wide sidewalks shall be located in the R.O.W. Sidewalks will be located 5' inside the street R.O.W. and 2' from the edge of the property line. Sidewalks shall be a minimum of four inches (4") thick over a sand base and shall be lightly broom finished with a four inch (4") picture frame design around each section.

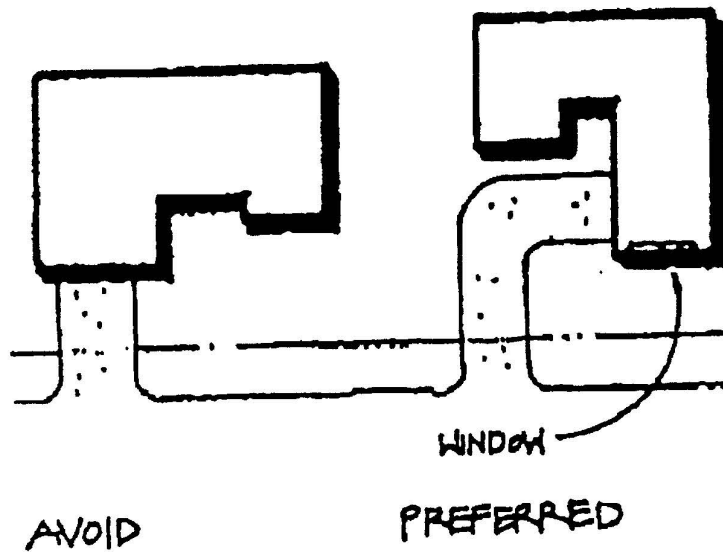
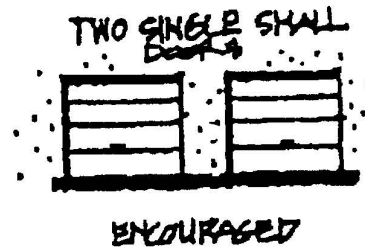
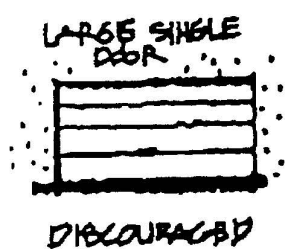
The Builder shall be responsible for acceptance of all driveways and sidewalks by the applicable governmental agency and shall promptly repair or replace such improvements that do not meet the standards of such applicable governmental agency.

Joint use driveways providing access to two or more lots are prohibited.



1.41 Attached Garages

Two (2) car front loaded garages are permitted. Three (3) car front loaded garages are prohibited unless otherwise approved in writing by the ARC. The Builder is encouraged to build homes that contain two eight foot (8') garage doors. Side loaded "swing in" garages are acceptable.



1.42 Attached Garages - Corner Lots

Attached garages facing the side street on a corner lot are prohibited.

1.43 Detached Garages - Corner Lots

Lots siding on standard interior street corners have a ten foot (10') building line of the side facing the corner, a twenty-five (25') front building line (unless otherwise noted) and a five foot (5') building line of the interior lot side. On such lots, the minimum rear setback line will be ten foot (10') for a detached garage.

Detached garages facing side streets are acceptable provided such garage is bricked on the front and on the two sides visible from the street. No garage access, however, will be allowed to any subdivision entry street or collector thoroughfare.

When a garage is detached and side loading on a corner lot, a maximum six foot (6') high fence between the house and garage will be required.

1.5 Pools & Spas

Portable or above ground pools are prohibited. Smaller, prefabricated, above ground spas and/or hot tubs are acceptable. Above ground spas and/or hot tubs, visible from streets or common areas must be skirted, decked, screened or landscaped to hide all plumbing, heaters, pumps, filters, etc.

Swimming pool appurtenances such as rock waterfalls, slides and diving boards must not be over six feet (6') in height. Skimmer nets, long handle brushes, pool chemicals, filters, pumps, heaters, plumbing etc. must be stored so as not to be visible to the public.

Pool walls shall not encroach on any utility easement. If pool plumbing is required in the utility easements, contact the appropriate utility company before digging. Wood or concrete pool decks may be placed on utility easements, but are subject to removal by utility companies in the future.

1.6 Fences

A minimum fence setback of ten feet (10') from the front façade of the house is required unless otherwise approved by the ARC.

A maximum fence height of six feet is allowed unless otherwise approved in writing by the ARC.

Fences are only to be constructed of wood, ornamental iron or masonry.

To insure compatibility of fence design throughout the community, all wood fences visible from the public street that depart from the provided illustration must be approved by the ARC.

All wood fencing visible from the street must have the finished side out.

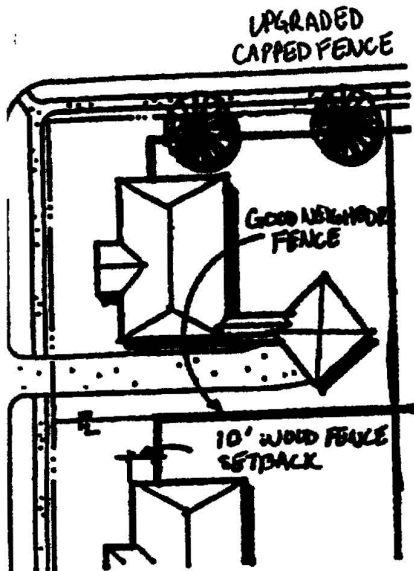
Diagonal and horizontal fencing is strictly prohibited.

1.61 Fences - Corner Lots

Corner lot fences, paralleling the street, must be installed with the finished side out using an upgraded capped fence design including a 2 x 6 cap, 1 x 6 fascia, and 1 x 6 rot board. The fence is to be installed using quality materials and standard construction techniques.

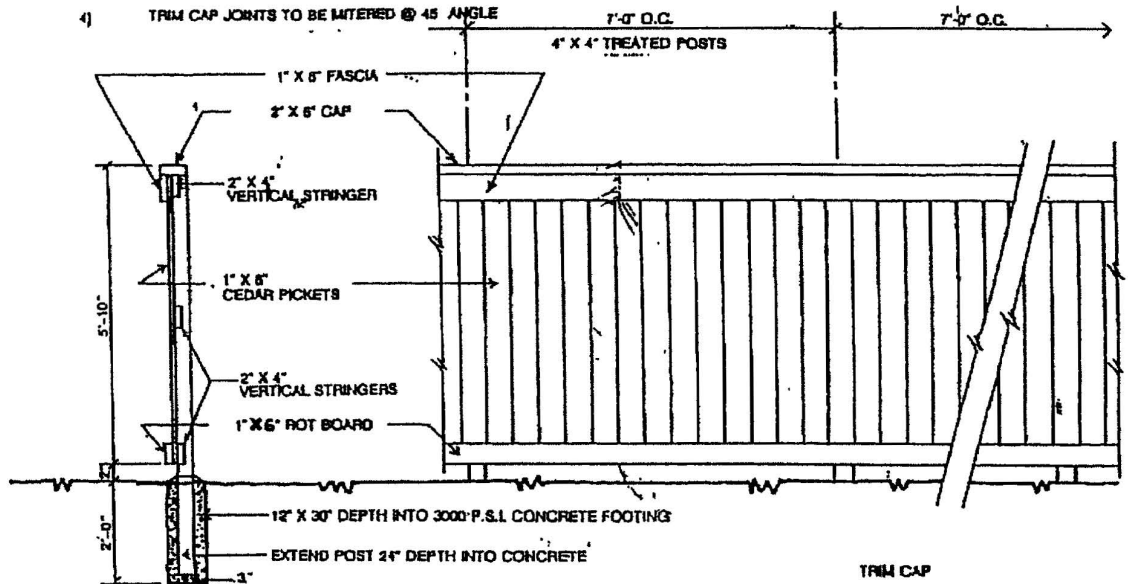
Fences along the side street shall be set back 5' from the property line allowing for required landscaping beds and trees.

Electric meters, A/C units and other facilities located on the street side of the lot are required to be placed behind the fence or screened by landscaping.

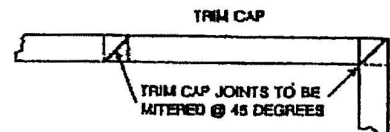


GENERAL WOOD NOTE:

- 1) VERTICAL PICKETS TO BE NO. 1, 1" X 6" CEDAR
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) 4" X 4" POSTS TO BE APPROXIMATELY 7'-0" O.C.
- 4) TRIM CAP JOINTS TO BE MITERED @ 45° ANGLE



NOTE: FOR ILLUSTRATION PURPOSES ONLY.
REFER TO CONSTRUCTION PLANS FOR COMPLETE
DETAILS AND SPECIFICATIONS.



1.62 Fences - Ornamental Iron

Ornamental iron fence is prohibited unless approved by the ARC. If ornamental iron fences are approved by the ARC, they may be installed in lieu of wood privacy fence, in courtyard areas where open decorative fencing is aesthetically pleasing.

Iron fencing will not be permitted on side lot lines between homes or on side yards adjacent to a street.

Ornamental iron fence should be primed and painted a semi-gloss black.

Iron posts are to be set in concrete footings.

Iron fencing can be attached to a masonry wall or brick column. Iron is not to be attached to any wood fencing. In this situation, the iron fence is to be terminated with a three inch (3") minimum square post adjacent to the wood post.

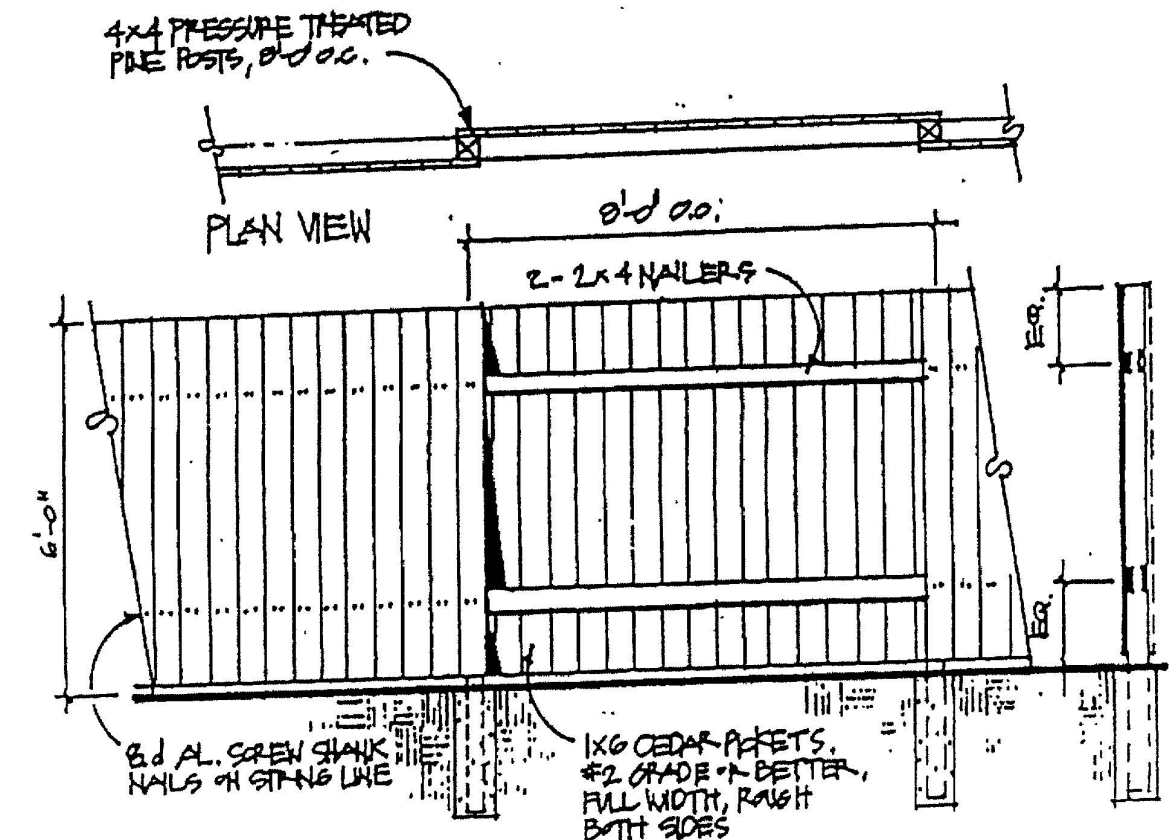
No materials (i.e. screening, wire mesh) shall be attached to the iron fence.

1.63 Wood Fence - Interior Lots

All wood fences are to be constructed with 1 x 6 cedar pickets, #2 treated southern yellow pine posts and rails. Posts and rails are not to be visible from the street or common areas. Pickets are to be attached with eight-penny (8) aluminum screw-shank nails on a string guide. No used material is allowed.

Wood fences on rear lot lines and side lot lines perpendicular to the fronting street shall be installed according to the illustration. Alternating "good neighbor" design eight foot (8') panels of solid pickets and exposed rails are intended to provide a uniform attractive fence to each abutting property.

Fences are to be kept in good repair.



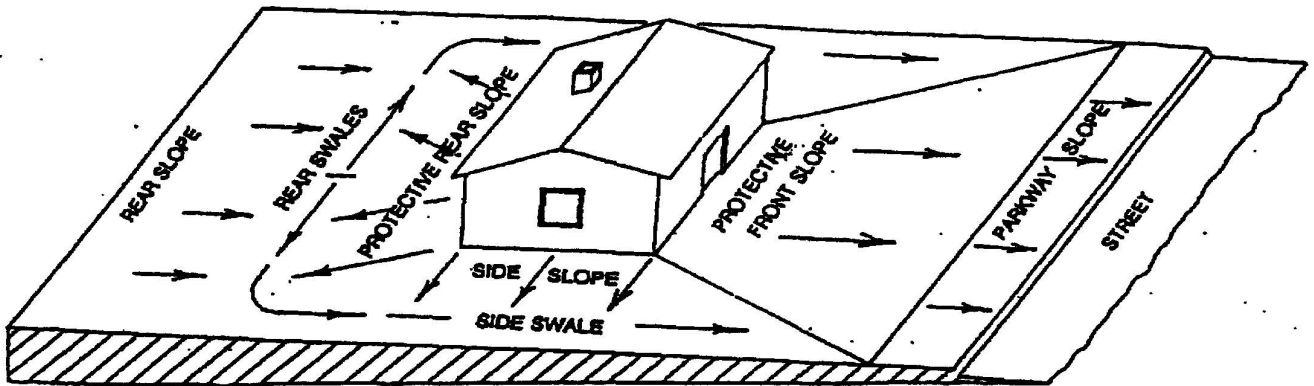
1.7 Lot Drainage

It will be the responsibility of each builder to provide adequate drainage for each lot in conformance with the drainage plan.

The builder must establish a drainage pattern upon completion of the house to insure that each lot has positive drainage away from the house foundation and other lots, and drains to an adjacent street.

The builder must establish a drainage pattern upon completion of the house. It is the homeowner's responsibility to maintain these drainage patterns and not alter the flow of water from their lot.

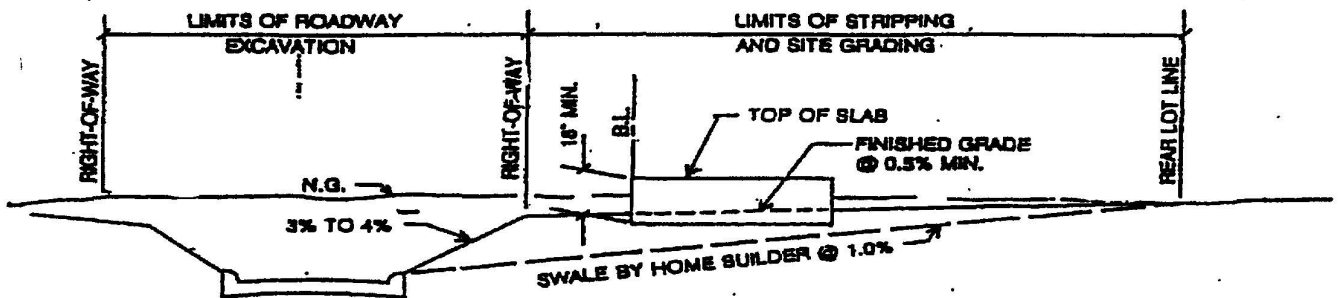
LOT DRAINAGE



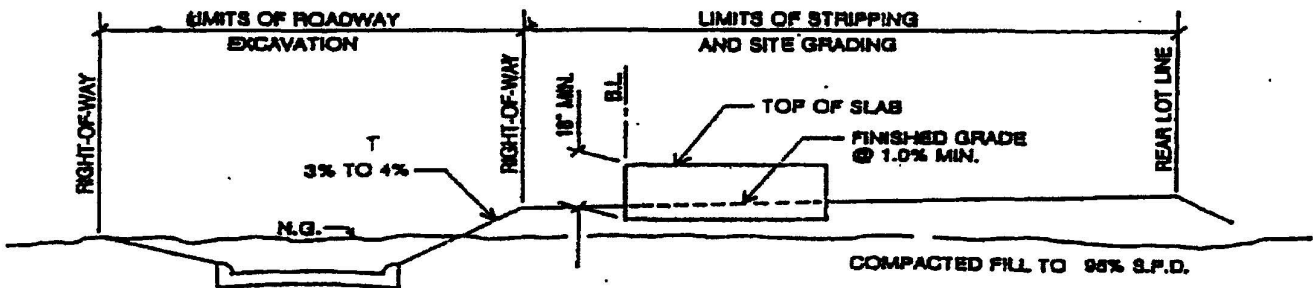
NOTE: ALL DRAINAGE TO STREET
SWALES, SIDE SLOPES AND
PROTECTIVE SLOPES BY
HOME BUILDER

NOTE: FOR ILLUSTRATION PURPOSES ONLY.
REFER TO CONSTRUCTION PLANS FOR COMPLETE
DETAILS AND SPECIFICATIONS.

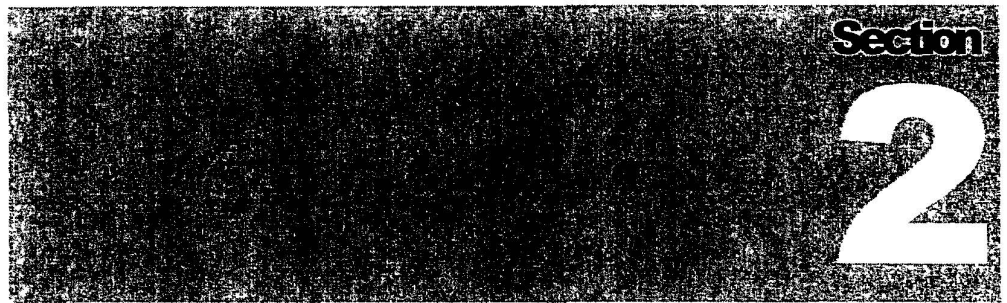
F.H.A. LOT GRADING TYPE "A"



TYPICAL GRADING ON LOTS WITH TOP CURB CUTS GREATER THAN 18"
F.H.A. BLOCK GRADING, TYPE "1"



TYPICAL GRADING ON LOTS WITH TOP OF CURB CUTS LESS THAN 18"
F.H.A. BLOCK GRADING, TYPE "1"



Architecture

2.1 Minimum & Maximum Square Footages

In order to provide a distinction between neighborhoods, the following floor area requirements must be adhered to unless otherwise approved in writing by the ARC. These requirements meet or exceed the minimum requirements set forth in the Declaration of Covenants, Conditions and Restrictions for each section and may be modified by the ARC.

The square footage is to be calculated as the total air-conditioned floor area of any single-family residence exclusive of open porches, garages or breezeways.

50' Lot Section 1 story plans: 1300 – 2700

 2 story plans: 1300 – 2700

55' Lot Section 1 story plans: 1500 -- 3000

 2 story plans: 1500 – 3000

60' Lot Section 1 story plans: 1800 – No Max

 2 story plans: 1800 – No Max

2.2 Elevation Repetition

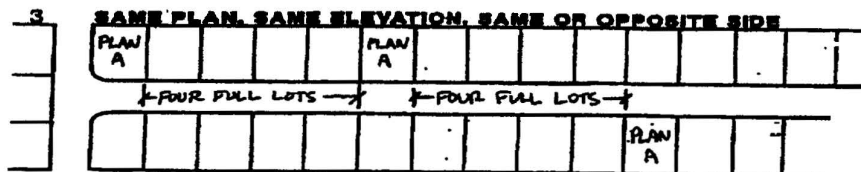
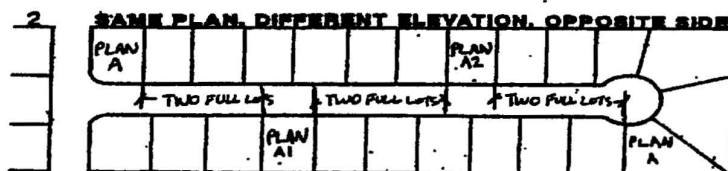
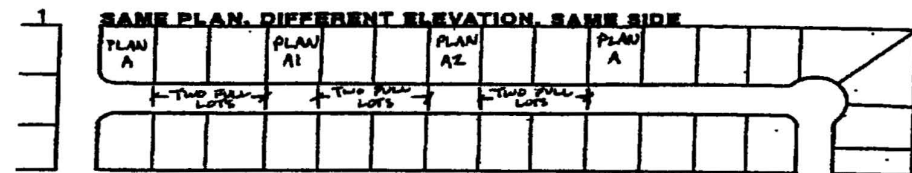
Location of house designs should avoid excessive repetition on the street scene. Unless otherwise approved in writing by the ARC, the following shall apply:

A floor plan may be repeated with the same front elevation no more than every fifth lot (four (4) full lots in between homes). Brick and trim colors should vary in this situation.

A floor plan may be repeated with a different front elevation on every third lot (two (2) full lots in between homes).

Identical brick, stone or stucco selections are generally prohibited on homes that are adjacent to one another.

The ARC reserves the right to reject an elevation that closely resembles that of a nearby house or in any way detracts from the overall street scene.



2.3 Exterior Materials

Samples of all finished materials must be submitted by the builder to the ARC for approval.

Soft subdued colors as approved by the ARC should be used. Bold primary colors are prohibited. Each builder is required to submit a color palette to the ARC for approval.

The front elevation and the first floor of both side and rear elevations must be brick. Stone, stucco, or accent hardi-plank siding may be used in small areas on the front elevation if approved by the ARC.

Any structure that backs a major thoroughfare through the subdivision must have a brick rear elevation. Hardi-plank siding may be used in small areas on the rear elevation of structures backing a major thoroughfare if approved by the ARC.

In masonry construction, all mortar joints are to be tooled with mortar color complimentary to the brick color. Gray is an acceptable mortar color.

No material change should ever occur on an outside corner.

High contrast trim or material variations are prohibited in favor of those that are chosen to blend the elements and color.

2.31 Chimneys

Chimneys should be used to establish a repetitive design element throughout the community. They may be out of brick, stone, hardi-plank or stucco.

If the chimney is placed on the front façade of the house or on a façade directly facing the street, the front and sides of the chimney shall be constructed completely of the primary masonry material of the adjacent wall (i.e., brick, stone or stucco).

The height of the chimney should be in proportion to the roof line and adhere to the fire codes.

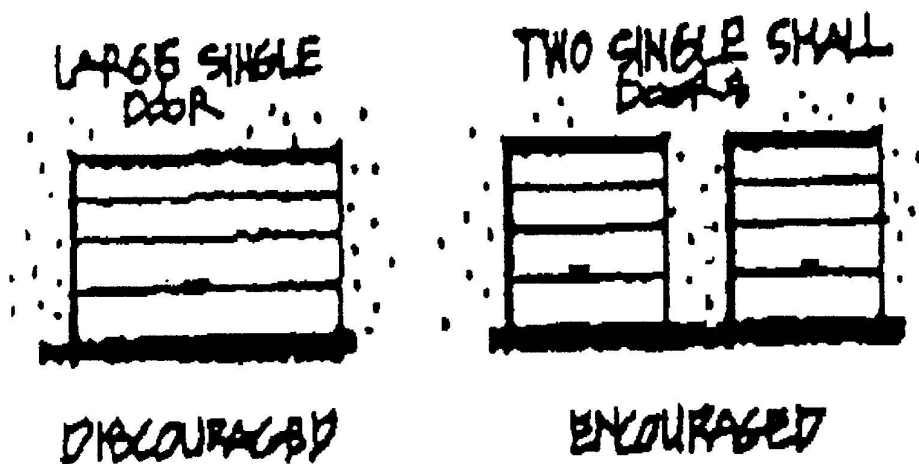
Exposed metal flues are not allowed. Fire place chases are required and must be covered with material complimentary to the house.

2.4 Garage Doors

Single sixteen foot (16') garage doors are allowed on detached garages and swing in garages, but are discouraged on front loaded garages.

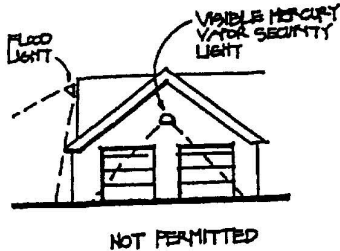
When attached two car garages are built, two single doors divided by a column are preferred.

All garage doors are to be metal. Glass fenestrations are acceptable with ARC written approval. No reflective film or foil is permitted on the windows.



2.5 Exterior Lighting

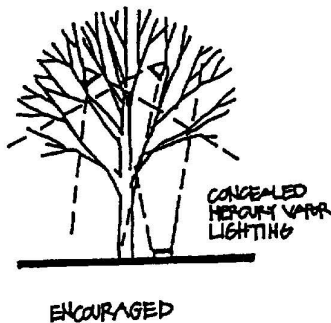
The builder/owner may install and maintain lighting on individual lots in a manner so as to not cause distraction, nuisance or be unsightly.



Exterior illumination of architectural features such as columns, entries, chimneys and landscape features is acceptable.

Ground lighting or decorative light fixtures are acceptable, decorative fixtures must be of high quality materials and workmanship, and be in scale with the residence.

Freestanding decorative fixtures are acceptable with written ARC approval.

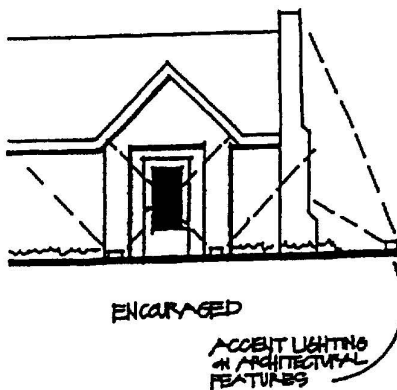


Mercury vapor lights, when used for a special landscape lighting affect (hung in trees as up or down lights), are permissible only with prior written approval from the ARC.

Colored lenses on low voltage lights, colored light bulbs, fluorescent, and neon lighting is not permitted without written ARC approval.

Incandescent, low voltage incandescent, metal halide, quartz and natural gas lights are acceptable.

Spotlights are to be directed to avoid light spill onto any adjacent property.

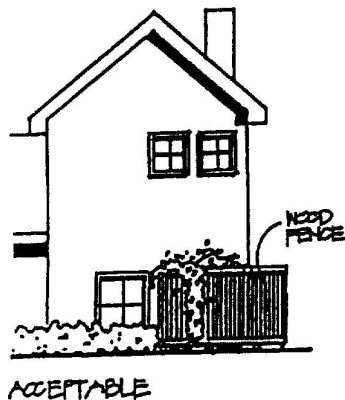
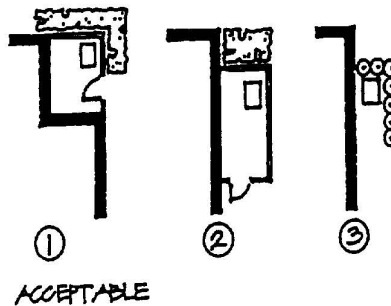


2.6 Screening

All meters, air conditioning units, etc. are to be placed away from public view, preferably in the rear or fenced side yards. In the absence of a completely fenced side yard, meters, air conditioners, etc. must be screened from view.

Wood fences and/or shrubs are acceptable screening materials.

Hedges may be used for screens if plants are mature enough and spaced close enough to provide adequate screening. Screening with plants is to be accomplished with the initial installation and not to assumed growth at maturity.



2.7 Rooftop Antennae & Satellite Dish

The roof, as a design element, should be kept as visually unobstructed as possible.

No rooftop antennae will be permitted in the outside of a residence. All antennae must be concealed within the attic or otherwise completely concealed.

Installation of any satellite dish requires prior written approval from the ARC.

All satellite dishes in excess of 1 meter in size shall be located in a fenced back yard with no part of the dish visible above the top of the fence. All satellite dishes less than 1 meter in size shall be installed so as not to be visible from the street directly in front of the house

2.71 Roof Materials & Protrusions

All roofs are required to have 25 year architectural shingles.

Vent stacks and other necessary roof protrusions, where possible, should be located to be away from view from the adjacent street. All vent stacks and flashing are to be painted to match the color of the shingles. Shingles are to be overlapped at valleys so that no valley flashing is exposed.

2.72 Roof Gutters & Downspouts

Gutters and downspouts are not required. If used, however, they should be integrated with the architectural design in color, shape, and location.

If gutters are not used, positive drainage away from the house should be provided.

Downspouts are to be located to provide a clean, unobtrusive appearance, terminated by either splash blocks or drained underground to appropriate termination.

Roof drains that will ultimately create erosion or run across pedestrian walks and paths are not acceptable.

Drainpipes tied into rain gutter downspouts must be completely hidden from view. Plant shrubs or ground cover large enough and dense enough to hide drainpipes are required.

2.73 A/C Equipment

No window or rooftop HVAC equipment is permissible. Extreme care should be taken in location of condensers to avoid noise infiltration of adjoining bedrooms and other "quiet" zones.

Landscape

3.1 General

Landscaping shall be installed by the builder prior to the conveyance of the home to a purchaser. Multiple layered flower beds in accordance with the "Minimum Landscape Requirements" contained in this section are required. A single row of foundation planting is not acceptable.

Planting beds are to be curvilinear with varied widths, with the shrub mass in tiers, smaller shrubs and ground cover in the front and larger shrubs in the rear of the beds.

All planting beds visible from the street shall be mulched.

No gravel of any size or color is permitted for substitution of shrubs, ground cover or grass lawns. Specimen boulders and rock borders are permitted.

All front yards and side yards not enclosed by privacy fencing shall be planted with solid grass sod.

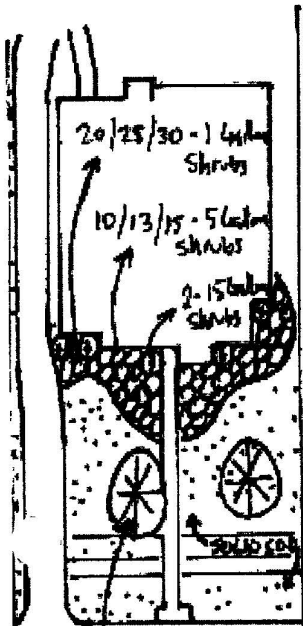
All lots shall have two machine planted Live Oak with a minimum size of 3.5" caliper in the front yard. On corner lots, an additional second tree is required. A different species of trees may be installed if approved in writing by the ARC.

3.2 Minimum Landscape Requirements

YARD TREE REQUIREMENTS

<u>Lot Width</u>	<u># Required</u>	<u>Type</u>
50' Lot	1 each	3.5" min Live Oak
55' Lot	1 each	3.5" min Live Oak
60' Lot	2 each	3.5" min Live Oak

One machine planted tree must be installed on every front lot. Two Machine planted trees must be installed on every front corner lot. Trees are to have a minimum 3.5" caliper measured 12" from the base of the tree.



SHRUB REQUIREMENTS

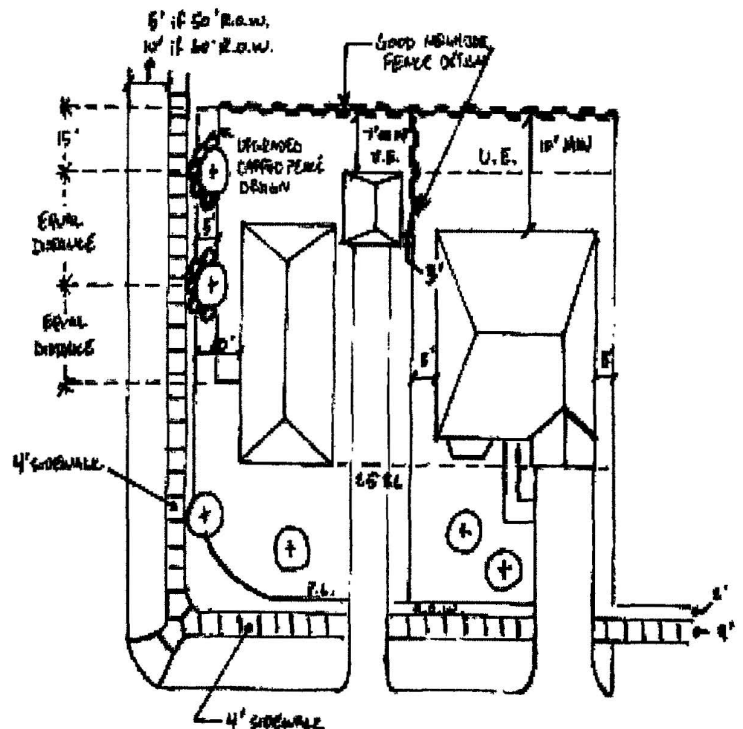
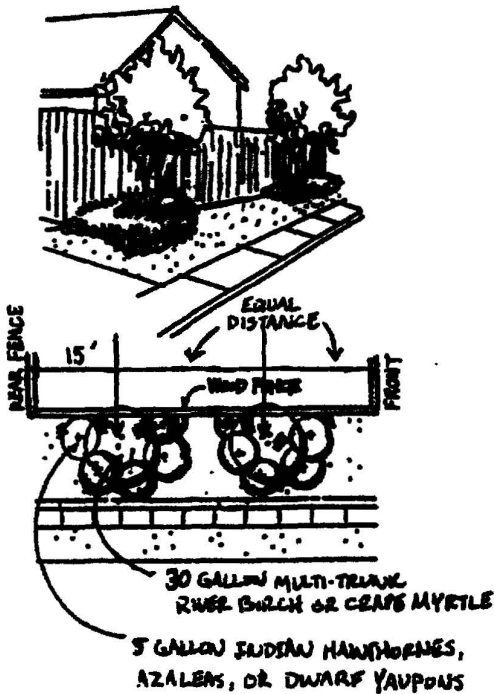
<u>Lot Width</u>	<u># Required</u>	<u>Type</u>
50' Lot	2 each	15 gallon
	10 each	5 gallon
	20 each	1 gallon
55' Lot	2 each	15 gallon
	13 each	5 gallon
	25 each	1 gallon
60' Lot	2 each	15 gallon
	15 each	5 gallon
	30 each	1 gallon

3.3 Corner Lot Landscaping Requirements

Corner lots that do not have landscape easements (by developer) will be required to soften long wall or fence with landscaping. A minimum 7' - 0" wide space should be left between a sidewalk and fence to allow for landscaping.

Side fence lines will require two landscape clusters between the sidewalk and the fence. The two landscape clusters will be equal distant from each other and evenly spaced along the fence line.

Each landscape cluster shall require one (1) 30 gallon multi-trunk River Birch or Crape Myrtle, and five (5) 5 gallon Indian Hawthorns, Azaleas, or Dwarf Yaupons.



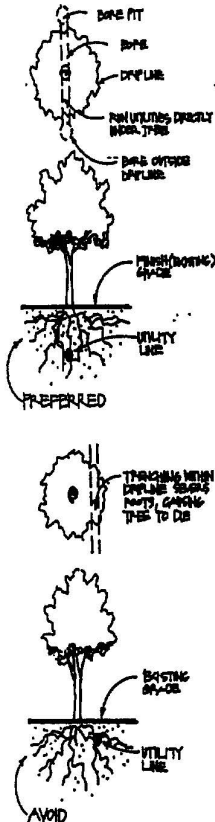
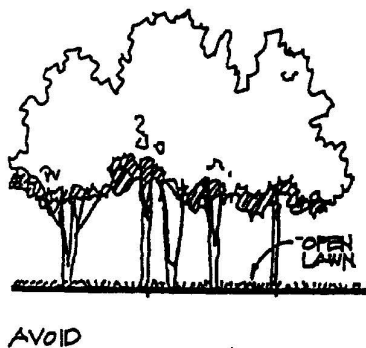
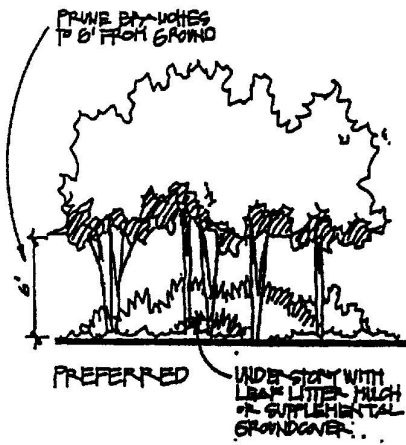
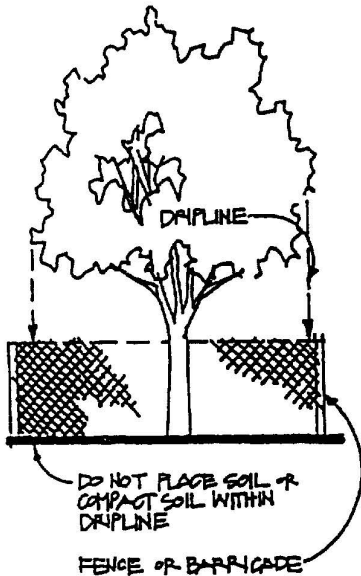
3.4 Tree Removal & Preservation

Building pads in Valley Ranch may be pre-cleared by the builder and/or developer. Additional lot clearing should be minimal. If additional tree removal is required, only trees within ten feet (10') of the building foundation or within three feet (3') of sidewalks, driveways or other flatwork can be removed without approval by the ARC.

The builder/owner shall exercise extreme care during construction to avoid the removal or damage to existing trees. Tree protection fencing should be placed around the drip line of trees to prevent storing of machinery or equipment which can cause soil compaction and mechanical damage. Placement should be at the drip line of the tree.

Trees left in clusters with existing understory increase a tree's chance of survival because less of the root system will be affected. If leaving under story is not practical or desirable, creating planting beds under tree group canopies is beneficial.

When keeping utility lines from within tree canopies is not possible, care should be taken to protect the root system as much as possible. In an effort to protect specimen trees, starting a bore outside of the drip line and tunneling under a tree preserves more of the root system and is worth the additional cost.



3.5 Plant Material - Trees

The following is a list of plant material considered to be acceptable. Other plant material may be used, but priority should be given to plants from this palette. Palm trees, yucca, cactus and bamboo are considered to be out of character with the desired landscape effect and will not be acceptable if seen from streets or common properties.

YARD TREES

Live Oak
Red Oak
Burr Oak
Water Oak
Bradford Pear
Cedar Elm
Pecan
Bald Cypress
Magnolia
Chinese Pistache
Slash Pine
Loblolly Pine
Sweet Gum
Chinese Tallow

ORNAMENTAL TREES

Crepe Myrtle
Wax Myrtle
Red Bud
Evergreen Pear
Ligustrum
Yaupon
Chinese Parasol Tree
River Birch
Parsley Hawthorne
Mexican Plum
Majestic Indian Hawthorn
Phontinia Tree
Saucer Tree
American Holly
Golden Raintree

3.51 Plant Material - Shrubs

Shrubs shall be planted at spacing appropriate with the size of the plant and in accordance with acceptable industry standards. The following are acceptable:

SHRUBS

Dwarf Yaupon
Dwarf Pyracantha
Dwarf Chinese Holly
Dwarf Crepe Myrtle
Dwarf Gardenia
Dwarf Nandina "Purpurea" & "Harbor"
Dwarf Pittosporum
Dwarf Juniper "Bar Harbor" & "Buffalo"
Elegagnus
Pyracantha
Pittosporum
Variegated Pittosporum
Philodendron
Cleyera
Fatsia
Compact Nandina
Nandina
Photinia "Frazeri"
Azalea Karume Varieties
Azalea Indica Varieties
Indian Hawthorn "Clara" "Snowwhite" "Ballerina"
Gardenia
Camelia
Texas Silverleaf
Ligustrum
Italian Jasmine
Oleander
Pineapple Guava
Laurel Leaf Cactus
Possum Haw
Pampas Grass

3.52 Plant Material - Ground Cover

Ground Cover shall be planted at spacing appropriate with size of plant and in accordance with industry standards. The following are acceptable:

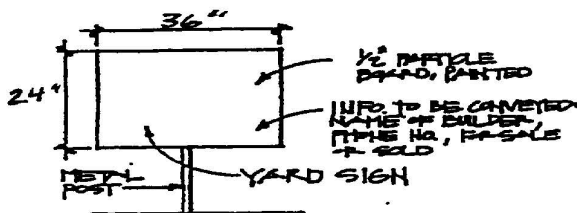
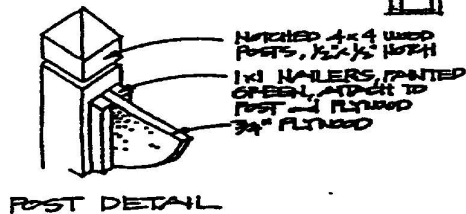
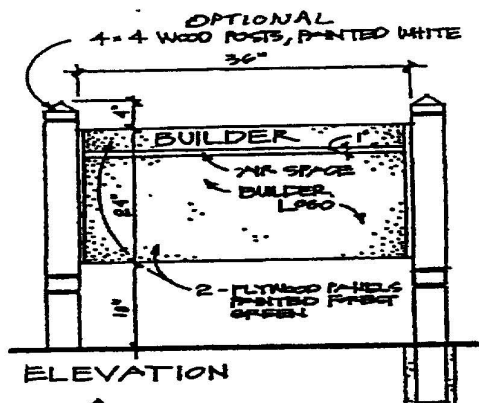
GROUND COVER

English Ivy
Algerian Ivy
Japanese Star Jasmine
Chinese Star Jasmine
Climbing Fig
Carolina Jasmine
Monkey Grass
Liriope/Variegated Liriope
Sprenger Fern
Boston Fern
"New Gold" Lantana
Ajuga
Holly Fern
Honeysuckle
Trumpet Creeper
Sedum
Chinese Wisteria
Wood Fern

Builder Signage

4.1 Builder Signage

All signage should be in accordance with the recorded Deed Restrictions and this section unless otherwise approved in writing by the ARC. One "For Sale" or "Sold" sign per single family lot is allowed until occupancy.



This sign may be a 24" x 36" panel displaying the builder's name and or logo and/or trademark. Color graphics must be submitted to the ARC.

Information to be conveyed:

Name of Builder

Phone Number – Builder Sales Office

In addition, one construction address sign, not to exceed 24" x 36" shall be allowed on each lot during the construction of the home. The sign may display the home address, legal description, and Builder name.

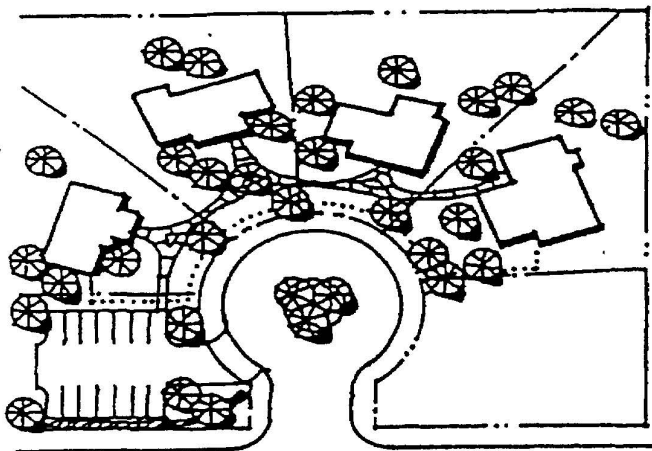
Model Homes / Sales Office

5.1 Presentation

With the exception of sales offices in a garage, the models should be presented as much as possible as the finished product would be sold.

Landscape planting should exceed minimum requirements for other lots. Plants are to be selected from the plant list in the landscape section of the Builder Guidelines.

If planted beds are extended from one lot to another to create a “park-like” atmosphere, care is to be taken to not block the drainage down the side lot lines.



5.2 Signage/Fencing

Each model home shall be permitted one sign to display the name of the Builder. The sign face shall not exceed six feet (6') in width and four feet (4') in height. The total height above the existing lot grade may not be more than five feet, six inches (5' 6"). If placed on corner lots, locate the sign within the property line and within the side set back lines.

Graphics in the sign may include the Builder name, logo and/or slogan, price range, phone number and business hours. Signs may not be internally lighted.

Sign colors are to be selected to enhance quality. Color samples should be submitted to the ARC prior to building signs.

Signs designating model names, sales office, entrances and exits may not exceed twelve inches (12") in height and eighteen inches (18") in width.

"Trap" fencing is permitted, but must be of ornamental iron design. As a temporary fence, the trap fence may be installed on the property line. Other types of fencing may be given consideration by the ARC if the overall concept of the model home park requires a variance.

U. S. and Texas flags are permitted with prior written approval from the ARC. No "Bandit" signs are permitted under any circumstances within the boundaries of Valley Ranch.

Exterior fluorescent lighting is prohibited. Exterior landscape lighting, highlighting the key elements of the home and yard, is encouraged.

5.3 Sales Office

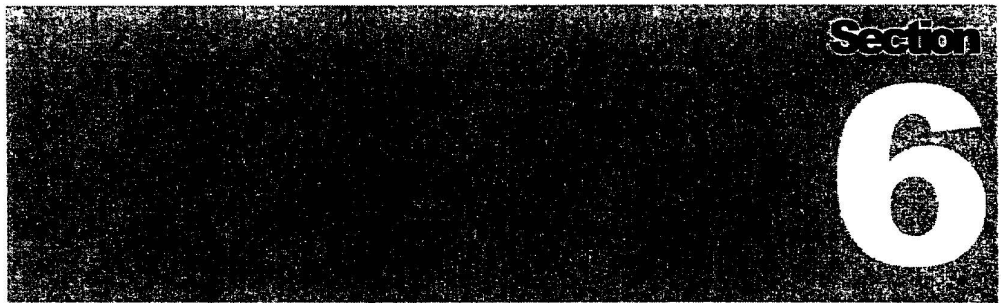
When model homes are no longer used for sales purposes, they are to be converted to standard residences. The ARC is to approve all aspects of the conversion. Sales offices must be put in condition of the typical home in the builder product line. Garages used as sales offices must be converted back to a standard garage.

Meandering sidewalks on lots are to be removed, unless they are tastefully incorporated into the final design for finished lots. Off street parking lots are to be removed after closing model units.

5.4 Parking

Off street parking is permitted but not required in model parks.

Paving must be hard concrete crushed shell, bituminous asphalt, or interlocking pavers.



ARC Submittals

6.1 General

The submittal of plans and specifications to the ARC provides a review process to ensure conformance to the guidelines and standards adopted by the ARC.

All new construction, modification, remodeling with exterior exposure, expansion and demolition of structures must be reviewed and approved by the ARC prior to commencement of any construction activity. The ARC reserves the right to alter the review process in order to ensure a thorough review of all submissions while accommodating the needs of all the Builders and property owners.

The ARC must approve the plans and specifications for a home in writing before construction of a residence can begin.

Submittals should be sent to the attention of:

Valley Ranch
Architectural Review Committee
235 I-45 North
Conroe, TX 77304

6.2 Requirements

The Builder/owner is required to submit complete and accurate design and construction documents for examination by the ARC.

Minimum submittal requirements for items are detailed below (additional information is encouraged):

1. Plan Submittal Form (see enclosed)
2. Schematic Site Plan including:
 - a. Building set backs, easements and R.O.W
 - b. Utility service locations
 - c. Setting of improvements (i.e. house, fencing, flatwork, etc.)
 - d. Location of exterior HVAC equipment
3. Construction Documents (See Section 2.2)
 - a. Floor plans at 1/4" or 1/8" = 1 ft. min. scale
 - b. Exterior elevations 1/4" or 1/8" = 1 ft. min. scale
4. Specifics of any requested variances

The Builder or his agents have complete responsibility for compliance with all governing codes and ordinances.

Builders are encouraged to submit preliminary plans for review by the ARC in a timely manner to avoid any time delays or additional expenses incurred with redesigning plans.

For builders that repeat floor plans, a submittal of each floor plan is not required for every house, provided the floor plan has received ARC approval. The Builder should reference the plan number and provide a site plan, exterior elevation, specifications and other items particular to each site not previously approved as outlined above.

The ARC shall review and approve or disapprove, in writing, each submittal or recommend revisions to those aspects of the plans that are inconsistent with the Builder Guidelines. The review and approval process shall not exceed thirty (30) days.

Construction shall proceed only after approval of the final set of drawings and specifications. Exterior changes that occur during actual construction that differ from the approved drawings will require alterations at the Builder'/Owner' expense to restore compliance with the approved plans. No plans are considered approved unless they are approved in writing by the ARC.

VALLEY RANCH - BUILDER GUIDELINES

VALLEY RANCH

Site Specific Architectural Review Submittal

Builder Name		Submittal Date:	
Submitted Site Legal Description			
Street Address:		Project Start Date:	
Plan Submitted:		Plan Options in Effect:	
Living Area:			
Elevation Submitted:		Masonry Finish:	
Exterior Trim Colors:			
Fascia:			
Louvers/Decorative Items:			
Siding:			
Other:			
REQUEST IS MADE BY SUBMITTAL OF THIS FORM FOR DESIGN REVIEW AND APPROVAL OF THESE PLANS AND SPECIFICATION TO BUILD THE PLAN NAMED ON THE DESIGNATED PROPERTY USING MATERIAL AND COLORS APPROVED BY THE ARCHITECTURAL REVIEW COMMITTEE ACTING FOR VALLEY RANCH. IT IS UNDERSTOOD BY THIS SUBMITTAL THAT RECEIPT OF SUCH APPROVAL CONSTITUTES COMPLIANCE WITH SUBDIVISION GUIDELINES AND STANDARDS AND PROTECTIVE COVENANTS AND DEED RESTRICTIONS SUFFICIENT TO OFFER THE NAMED PLAN FOR SALE, BUT IT DOES NOT RELIEVE APPLICATION FROM CONFORMANCE WITH LOCAL CODES AND ORDINANCES AND OTHER DESIGN CONSIDERATIONS WHICH ARE NEITHER REVIEWED NOR APPROVED BY THE ARCHITECTURAL REVIEW COMMITTEE, NOR FROM FURTHER SUBMITTAL OF EACH SPECIFIC EXAMPLE OF ITS LOT FOR SITE SPECIFIC REVIEW BEFORE CONSTRUCTION. THE ARCHITECTURAL REVIEW COMMITTEE FURTHER IS UNDERSTOOD TO ASSUME NO RESPONSIBILITY FOR STRUCTURAL INTEGRITY NOR FOR ADEQUACY OR CODE COMPLIANCE OF EITHER MECHANICAL OR ELECTRICAL DESIGN BY APPROVAL OF THESE SUBMITTED PLANS.			
Builder's Representative Submitting:			
Person to Contact in Regard to this Submittal:			Phone Number:
I understand below a signed design has been received and approved by the Architectural Review Committee.			

Design approved as submitted

Design approved conditionally pending changes to accommodate the following comments:

Design disapproved as submitted and substantial changes are required to meet applicable standards before resubmittal. Reasons:

Signature of A.R.C Representative

Date

Date Received by A.R.C

VALLEY RANCH - BUILDER GUIDELINES

VALLEY RANCH

Master Architectural Design Review Submittal

Builder Name	Submittal Date:	
Builder:	Telephone:	
Mailing Address:	Fax:	
Plan Submitted:	Living Area:	
Plan Options to be Offered:		
Elevations to be Offered:		
REQUEST IS MADE BY SUBMITTAL OF THIS FORM FOR DESIGN REVIEW AND APPROVAL OF THE PLAN NAMED HEREIN AND ITS NAMED ELEVATIONS AND OPTIONAL ARRANGEMENTS BY THE ARCHITECTURAL REVIEW COMMITTEE ACTING FOR VALLEY RANCH. IT IS UNDERSTOOD BY THIS SUBMITTAL THAT RECEIPT OF SUCH APPROVAL CONSTITUTES COMPLIANCE WITH SUBDIVISION GUIDELINES AND STANDARDS AND PROTECTIVE COVENANTS AND DEED RESTRICTIONS SUFFICIENT TO OFFER THE NAMED PLAN FOR SALE, BUT IT DOES NOT RELIEVE APPLICATION FROM CONFORMANCE WITH LOCAL CODES AND ORDINANCES AND OTHER DESIGN CONSIDERATIONS WHICH ARE NEITHER REVIEWED NOR APPROVED BY THE ARCHITECTURAL REVIEW COMMITTEE, NOR FROM FURTHER SUBMITTAL OF EACH SPECIFIC EXAMPLE OF ITS LOT FOR SITE SPECIFIC REVIEW BEFORE CONSTRUCTION. THE ARCHITECTURAL REVIEW COMMITTEE FURTHER IS UNDERSTOOD TO ASSUME NO RESPONSIBILITY FOR STRUCTURAL INTEGRITY NOR FOR ADEQUACY OR CODE COMPLIANCE OF EITHER MECHANICAL OR ELECTRICAL DESIGN BY APPROVAL OF THESE SUBMITTED PLANS.		
Builder's Representative Submitting:		
Person to Contact in Regard to this Submittal:	Phone Number:	

Design approved as submitted

Design approved conditionally pending changes to accommodate the following comments:

Design disapproved as submitted and substantial changes are required to meet applicable standards before resubmittal. Reasons:

Signature of A.R.C Representative

Date

Date Received by A.R.C

FILED FOR RECORD

2008 JUN -6 PM 1:17

Mark Turnbull
COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF MONTGOMERY

I hereby certify this instrument was filed in
File Number Sequence on the date and at the time
stamped herein by me and was duly RECORDED in
the Official Public Records of Real Property at
Montgomery County, Texas

JUN - 6 2008



Mark Turnbull
County Clerk
Montgomery County, Texas

RECORDING'S MEMORANDUM:

At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All black-outs, additions and changes were present at the time the instrument was filed and recorded