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Westcreek Village Community Association

Architectural Guidelines

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**ARCHITECTURAL GUIDELINES
FOR
WESTCREEK VILLAGE COMMUNITY ASSOCIATION**

The Board of Directors (the "Board of Directors") of Westcreek Village Community Association ("the Association"), a Texas non-profit corporation and the Westcreek Village Architectural Review Committee ("the "ARC") do hereby certify that at a joint meeting duly called and held the following resolutions and guidelines were unanimously made and adopted:

WHEREAS, the Association, acting through its Board of Directors, wishes to exercise the authority granted to it by the provisions of the Declaration of Covenants, Conditions and Restrictions (the "Declaration") applicable to Westcreek Village ("Community"), to maintain the harmonious and Architectural design of the subdivision in accordance with the provisions of the Declaration; and

WHEREAS the Declaration created an Architectural Control Authority for the specific purpose of approving building, additions or improvements on any lot or commercial unit; and

WHEREAS, by virtue of certain provisions of the Declaration and certain assignments by Friendswood Development Company (the "Declarant"), the Association now holds all authority granted to the Architectural Review Committee; and

WHEREAS, the Declaration provides that no buildings, additions or improvements of any kind shall be erected or placed on any lot until the construction plans and specifications including, but not limited to, site layout, building location, building materials, colors and elevation, have been submitted to and approved in writing by the Association; and

WHEREAS, the Board of Directors and the ARC desire to establish procedures for the orderly review of construction plans and specifications, and the Board of Directors and the ARC desire to establish guidelines with respect to the type, size, quality and color of exterior additions and improvements on lots in South down, so that a harmonious exterior design within the subdivision is consistently maintained;

NOW, THEREFORE, the Board of Directors and the ARC hereby adopt the following procedures and guidelines relating to buildings, additions, and improvements on lots in Westcreek Village. These procedures and guidelines shall supplement the applicable restrictive covenants set forth in the Declaration:

OVERVIEW

The Board of Directors and the ARC have established these Architectural Guidelines in accordance with the authority granted to them by the provisions of the Declaration and grants made by Declarant. The guidelines are established to assure uniform and fair interpretation of the Declaration and of these guidelines. The guidelines are intended to provide all lot owners in Westcreek Village with information relating to the type, color and quality and grade of materials which may be used in the construction of various kinds of improvements and the size and locations of such improvements, and information relating to the procedure utilized by the Association with

respect to applications for proposed improvements. These procedures and guidelines may be amended by the Board of Directors from time to time as it deems necessary and appropriate.

ARCHITECTURAL REVIEW PROCEDURES AND GUIDELINES

A. Application Procedure

1. Applications. All applications of approval to make any exterior changes, additions or improvements must be submitted to the ARC in writing by completing the application form currently in use by the ARC. Plans and specifications for any exterior change, addition or improvement should be attached to the application. All applications, additional information, or requests for appeal shall be mailed or delivered to the office of the managing agent of the Association, not to members of the ARC or Board of Directors. The ARC reserves the right to request any additional information it deems necessary to rigorously evaluate any application. In the event that the ARC requests additional information, the application shall be considered incomplete until such information is submitted to the ARC and the forty-five (45) day requirement for approval of the application, as described in the Declaration, shall not begin until such information is received. In the event that the ARC requests additional information and the information is not received within forty-five (45) days from the date of the request, the application shall be denied. However, the applicant may thereafter submit a new application with the requested information to the ARC for its review.
2. ARC Decisions. ARC committee members shall consider each application for compliance with the restrictive covenants of the Declaration and with these guidelines. The decision of a majority of members to approve or disapprove an application shall be considered the decision of the ARC. ARC decisions shall be conveyed in writing by the managing agent of the Association to the applicant and shall include a statement of the conditions under which the application is approved, if any, or the primary reason(s) for disapproving the application. In Accordance with the Declaration, any application that is not approved or disapproved within forty-five (45) days of the date of its receipt shall be deemed to have been automatically approved provided, however, that (i) any such approval shall extend only to Architectural Guidelines and not to any of the use restrictions set forth in the Declaration and (ii) in no event shall non-action be deemed to constitute approval of an application for any change, addition, or improvement or any other item that would violate the restrictive covenants in the Declaration. Unless otherwise stated in the ARC's written response, all approved exterior changes, additions, or improvements shall be completed within (30) days of the date construction, installation or erection is commenced.
3. ARC Appeals. In the event that the ARC denies an application, the homeowner has the right to appeal to the ARC again with any new information they may have. If the application remains denied the homeowner may appeal to the Board of Directors. No appeal should be heard without ARC opinion.
4. Board of Directors. In the event that the appeal is denied by the ARC, the applicant may submit a written appeal to the Board of Directors. The Board of Directors shall review the appeal at one of its next two meetings following the date upon which the request for appeal

is received and notify the applicant of the Board's decision. All decisions of the Board of Directors shall be final.

5. Status of Applications During Appeal. During the appeal period, the decision of the ARC on the original application shall remain in effect. Further, an appeal of a decision of the ARC shall not be considered a new application resulting in approval of the original application if a response to request for reconsideration is not submitted by the ARC or the Board of Directors within forty-five (45) days of the date of its receipt.

B. General Guidelines

The ARC shall consider the following factors upon the review of each application for an exterior change, addition, or improvement:

1. Size and dimension.
2. Color and harmony with existing structures and improvements.
3. Quality of materials.
4. Location (Note: The ARC may not grant permission to construct or place an improvement upon or across any utility easement; consent to encroach upon any utility easement must be obtained in writing from the owner of the easement; the ARC may grant permission to construct or place an improvement upon or across a drainage easement, provided that the ARC may revoke its consent if it determines that the improvement impedes or adversely affects drainage; in the event that the ARC revokes its consent, the homeowner shall bear the responsibility to remove the improvement at his sole cost and expense.);
5. Harmony and appeal of exterior design.
6. Quality of construction.
7. Elevation.
8. The provisions of applicable statutes, ordinances, building codes and covenants, conditions, and restrictions.

Provided, however, that the approval of an application shall not be construed as a warranty or representation by the ARC that the change, addition or improvement, as proposed or as built, complies with any or all applicable statutes, ordinances or building codes, or as a warranty or representation by the ARC of the fitness, design or adequacy of the proposed construction.

C. Fences

Any fence to be constructed on a Lot, whether an entirely new fence or a fence that is to replace an existing fence, requires the written approval of the ARC as to design, height, location, type and color of materials prior to the commencement of construction of the fence. The rear yard of each Lot in the Subdivision is required to be fully enclosed by an approved fence.

Major Thoroughfare Facing Fences; specifically those fences facing the main thoroughfares on Royal Gardens, Forest Heights, and Hudson Oaks shall have the following specifications:

- a. All fences must have 6' tall, 5.5" wide, grade "A" cedar dog-ear pickets.
- b. Rot boards are required and must be 2 x 6" treated pine beveled edge rot board at its base.

- c. All fences should have three 2 x 4" horizontal rails and 4 x 4 x 8' treated pine posts cemented into the ground.
- d. Pickets must face out towards the street with rails and posts facing into the owners' yard.
- e. Adjoining fences should align with one another at the rot board and the top cap.
- f. Fences built upon hills or uneven ground should still align to adjoining rot boards and have either sod or an additional rot board fill in the gaps. If an additional rot board is used, it shall be a 2 x 6" treated pine beveled edge rot board cut to the specifications of the gap.
- g. All fences shall have a 2x6' cedar top cap and 1x4" cedar fascia.
- h. All fences shall be stained with Wood Defender Semi-Transparent stain in Sable Brown.

All other fencing shall have the following specifications:

1. Pickets. All fences facing the Greenbelt or situated parallel to the front lot line or parallel to a side street adjacent to a corner lot shall be constructed with the pickets on the outside so that no posts or rails are visible from the Greenbelt or street in front of the lot or from the side. In order to maintain a uniform public appearance, these pickets must be cedar and six (6') foot in height. A six (6') foot cedar picket with a required six (6") inch beveled edge rot board for a total height of 6'6" from natural ground. Fences and rot boards must be aligned to neighboring fence lines.
 - a. All fences must have 6' tall, 5.5" wide, grade "A" cedar dog-ear pickets.
 - b. Rot boards are required and must be 2 x 6" treated pine beveled edge rot board at its base.
 - c. All fences should have three 2 x 4" horizontal rails and 4 x 4 x 8' treated pine posts to be spaced no more than 7' on center and to have a 30" minimum set in concrete every post.
 - d. Adjoining fences should align with one another at the rot board.
 - e. Fences built upon hills or uneven ground should still align to adjoining rot boards and have either sod or an additional rot board fill in the gaps. If an additional rot board is used, it shall be a 2 x 6" treated pine beveled edge rot board cut to the specifications of the gap.
 - f. Top caps (cap rails) are not permitted unless on a major thoroughfare facing fence as defined above.
2. Gates. All gates shall be constructed with materials consistent with the fence material.
3. Color.
 - a. Wood Fences. No portion of a wood fence on a lot which is visible from the street in front of the lot or, if a corner lot, the street adjacent to the side of the lot may be painted or stained with the exception of the Major Thoroughfare fences.
4. Chain link and wire fences are not permitted.
5. Setback Lines. Fences may not be constructed on a lot forward of any applicable setback line, unless approved in writing by the ARC.

6. Maintenance of Fences. All fences shall be properly maintained to prevent cracking, chipping, fading, or mildewing. Fences and gates must be kept in good repair with no missing or broken pickets. Deteriorating or warped pickets, rails, or bars must be repaired or replaced.

7. Attachments. No improvement or structure may be attached to a fence unless otherwise provided by these guidelines. No "lean-to's."

8. Existing Fence Removal. When a fence is replaced, all of the materials comprising the previously existing fence must be removed from the Subdivision along with all the trash created by the removal.

9. Wrought Iron Fences. Any security perimeter fences to be installed forward of the front (or side street) building line shall be:

- a. Constructed only of wrought iron measuring at least six feet (6') in height but not exceeding six and a half feet (6.5') in height;
- b. Painted or otherwise coated black with a matte finish;
- c. Iron rods shall be spaced 4" apart.

1. Height of Fences. All perimeter fences shall be six feet five inches (6.5') in height. Fences between the house and garage may be between four and six and a half feet (4'-6.5'); however no fence shall exceed six feet five inches (6.5') in height.

D. Pools

An application for the construction of a swimming pool, spa or jacuzzi must include a plot plan showing the proposed location of the swimming pool, spa or jacuzzi in relation to the property lines, building lines, existing structures and existing or proposed fences. The application shall also include a timetable for the construction of the pool, spa or jacuzzi. No swimming pool, spa or jacuzzi shall be approved unless the area in which the pool is to be located is either enclosed by a six foot (6') fence constructed of wood or of wrought iron with a maximum of three inches (3") between each bar or such a fence is proposed to be constructed in conjunction with the swimming pool.

All swimming pools must have a drainage system below the ground providing drainage. Spas and jacuzzi must also have an adequate drainage system according to the requirements of any governmental agency having jurisdiction or, in the event there is no governmental agency having jurisdiction, as deemed appropriate of the ARC. Under no circumstances shall water from a swimming pool, spa, or jacuzzi be permitted to drain onto the surface of the lot on which the swimming pool, spa or jacuzzi is situated or onto any adjacent lot. No swimming pool, spa or jacuzzi shall be constructed in a manner to impede drainage on a lot or to cause water to flow on an adjacent lot.

During construction, the pool area shall be enclosed with a temporary fence or barrier, unless a fence already exists. If a portion of an existing fence is removed during construction, a temporary fence or barrier must be erected to fully enclose the area in which construction is taking place. Further, no building materials shall be kept or stored in the street overnight. Excavated material shall either be used on site or immediately removed from the premises by the pool contractor. The

construction of all swimming pools must be in compliance with the national electrical code and include the installation of a ground fault circuit interrupter. There shall be no surface discharge on the lot or to an adjacent property. No swimming pools may be enclosed with screens. No swimming pool, spa or jacuzzi shall be constructed in a manner to impede drainage on a lot or to cause water to flow on an adjacent lot. Drainage plan with elevation should be submitted with pool application.

There shall be no above ground pools.

E. Outbuildings

1. General Rules. Any type of building that exists on a lot which has a floor and/or walls and/or a permanent roof, but is not attached to the residential dwelling or to a detached garage on the lot, shall be considered an outbuilding. Gazebos and children's play structures, as hereinafter defined, are subject to separate requirements as set forth in subparagraphs E.2 and E.3, respectively. Only one (1) outbuilding, the height of the walls (excluding the roof) no greater than 8 feet; the total height of the building (including walls and roof) no greater than 10 feet; and the building less than 100 square feet of floor space, shall be permitted on a lot. The standard type, quality and color of the materials used in the construction of the outbuilding shall be harmonious with those of the main residence on the lot. No exterior portion of an outbuilding shall be made of metal, with the exception of the roof if the proposed roofing material conforms to the provisions relating to roofing materials set forth in Section K and is otherwise compatible with the color and type of materials used in the construction of the remainder of the outbuilding. An outbuilding shall be located in the rear portion of the lot but may not be located on the rear utility easement unless the outbuilding is moveable. Outbuilding locations must also conform to the building front and side setback restrictions. No outbuilding may be located on a lot such that it impedes drainage from the lot or causes water to flow onto an adjacent lot. Further, if an outbuilding is to be constructed on a lot, the lot must be enclosed by a six foot (6') fence, or such fence must also be proposed concurrent with the application for approval to construct the outbuilding. A fence approved in conjunction with an application to construct an outbuilding must be completed within thirty (30) days of the date that the outbuilding construction begins.
2. Gazebos. For the purposes hereof, a gazebo shall be defined as a free standing, open framed structure with lattice—type walls, whose purpose should not be for any type of storage. These typically are circular or octagonal shaped structures. There are two approved types of gazebos:
 - a. Conical shaped (peaked) roofed gazebos. These gazebos cannot exceed twelve feet (12') in height (height measured from the ground) and the horizontal supports cannot exceed eight feet (8'), from the deck level.
 - b. Flat lattice (arbor type) roofed gazebos. These cannot exceed ten feet (10') in height (height measured from the ground) and the horizontal supports cannot exceed eight feet (8') in height from the deck level.

For both structures, the footprint area is limited to one hundred (100) square feet (typically 10' by 10'). All gazebos must have a permanent roof with materials as set forth in Section K. The materials used in construction of the gazebo shall be harmonious with the standard, type, quality, and color used in the construction of the main residence on the lot. Louvered

or trellis style gazebo roofs may be allowed as long as the quality of materials is approved. Pressure treated wood may be stained, painted, or covered by shingles. Water and electricity may be permitted upon approval and according to the national electrical code. All pipes and cables must be underground. Gazebos must be located a minimum of six feet (6') from all rear and side property lines. Further, if a gazebo is to be constructed on a lot, the rear portion of the lot must be enclosed within a six foot (6') fence or such a fence must be proposed in conjunction with the application for approval to construct the gazebo. A fence approved in conjunction with an application for approval to construct a gazebo must be completed within thirty (30) days of the date that the gazebo is constructed or erected. No gazebo shall impede drainage on the lot or cause water to flow onto an adjacent lot.

3. Children's Play Structures. For the purposes hereof, a children's play structure shall mean any type of children' s swing sets, play sets, climbing structure, slides, or raised play sets. A maximum of two (2) children' s play structures are allowed on a residential lot. The maximum dimensions for each play structure are ten feet (10') in width by fifteen feet (15') in length by eight feet in height. The play structure may have no more than two (2) columns with a single horizontal support member between them extending above the eight-foot (8 ') height restriction of the play structure. The sole permitted purpose of these extending beams is to support a tarpaulin for a shade area. The beams and their accompanying horizontal cross member may not exceed ten feet (10') in height, measured from the ground. If a shingled roof is used, it must conform to the Provisions for Roofing Materials set forth in the Declaration and these Guidelines. Windssocks or streamers attached to the structure will not be permitted.

Play structures must be enclosed with a six-foot (6'') fence in the backyard. No play structure may be closer than six feet (6' to any property line. Additionally, any play structure with support members and a tarpaulin above the eight-foot height must be located at least ten feet (10') from the property line the adjoining lot is a residential lot. No play structure shall be approved for construction on utility easements or may impede the drainage on the lot or cause water to flow to an adjacent lot.

F. Patio Covers

The standard, type, quality and color of the materials used in the construction of a patio cover must be harmonious with the standard, type, quality and color of the materials used in the construction of the main residence; provided, however, that corrugated roofs for patio covers shall not be permitted under any circumstances. If siding is used on patio covers, it must be of the same type, quality, and color as the siding on the main residence. Roofing materials on patio covers shall conform to the provisions relating to roofing materials set forth in the Declaration and these Guidelines. Louvered or trellis style patio cover roofs may be allowed as long as the quality of materials is approved. Pressure treated wood may be stained or painted provided the color shall conform to the provisions relating to painting set forth in these Guidelines.

Any patio cover which is not attached to the house shall be subject to the Guidelines set forth herein for gazebos.

The location of a patio cover must not encroach on any utility or drainage easement, nor shall it violate the building set back lines applicable to the residential dwelling on any loc. Patio covers must not interfere with drainage or cause water to flow onto any adjoining or adjacent lot.

All patio covers must be adequately supported and constructed of sturdy materials so that the patio cover has no visible sagging or warping. This also applies to any lattice attached to the sides of the structure.

Patio covers which are attached to the house shall be securely attached at a height no less than seven feet (7') nor more than twelve feet (12') from the ground. Patio covers which are attached to a detached garage or breezeway must be securely attached at a height below the eaves of each structure at a height of not less than seven feet (7') nor more than nine feet (9') from the ground. The top of the patio cover at its lowest point shall not be higher than eight feet (8') from the ground. The patio cover roof shall provide an attractive slope away from the house at an angle which does not exceed that of the roof of the house.

The roof of all patio covers (other than arbor or trellis type) must be covered with shingles meeting the roofing guidelines set forth herein and must have a minimum of 3:12 slope. In cases where it is not possible to have a minimum 3:12 slope (e.g. patio covers attached to a single-story dwelling), the ARC may approve a flat type roof with a modified membrane type roofing material provided the color and appearance of such roofing closely matches the roofing of the house. The standard, type, quality and color of the materials used in the construction of a patio cover must be harmonious with the standard, type, quality and color of the materials used in the construction of the main residence; provided, however, that corrugated roofs for patio covers shall not be permitted under any circumstances. Roofing materials on patio covers shall conform to the provisions relating to roofing materials set forth in Section K of these guidelines.

G. Patio Enclosures

A "patio enclosure" is any patio cover which has exterior walls and/or screens (other than "sunrooms" as defined in these Guidelines). All structural components of patio enclosures, including roofing materials, shall be subject to the Guidelines set forth herein for "patio covers." This section describes additional requirements for walls, screens and frames used to enclose a covered patio or deck.

The standard type, quality and color of the materials used in the construction of a patio enclosure must be harmonious with the standard type, quality and color of the materials used in the construction of the main residence. Exterior walls of a patio enclosure shall be constructed of brick or siding which is of the same type, quality, and color as those of the main dwelling on the lot. Aluminum siding is not allowed. No visible part of the enclosure may be made of metal other than the screens, frames, and storm doors. Patio enclosure screens must be the same color as existing window screens on the main dwelling and must have adequate cross-member support to avoid sagging. The exterior color of doors, sills, beams, frames, or other visible supports must match the exterior colors of the main dwelling or the color of existing window frames.

H. Storm Doors

The color of the trim on all storm doors must be harmonious with the existing structure. The glass door must be a full view door with no obstruction visible from the front of the structure. No visible screens will be allowed on the front storm door.

I. Decks

All decks must be approved by the ARC with respect to location and the standard, type, color, and quality of the materials used in construction. Appropriate fences may be required by the ARC if any portion of a proposed deck would otherwise be visible from the street or an adjacent lot. No deck shall impede drainage on the lot or cause water to flow on an adjacent lot. No deck other than a second level balcony attached to the main residence shall be constructed more than two feet (2') above the ground.

J. Exterior Lighting

- a. Lighting guidelines.
 - i. Outdoor lights with a rated color temperature of 2700K (warm white) or lower, and amber LED lights (2200K) are preferred.
 - ii. Mercury vapor and metal halide lights are not permitted.
- b. Changes to Existing Lighting. Outside lighting which was installed at the time of original construction or which was installed after original construction with the approval of the ARC may be replaced with a new fixture provided that the output of the new fixture does not exceed the output of the existing fixture or 1500 lumens or 150 watts incandescent equivalent, whichever is greater.
- c. New Lighting.
 - i. Security Lighting. Security lighting shall be permitted with the ARC's approval so long as the total wattage for all security lights does not exceed 15,000 lumens.
 - 1. All security lighting shall be mounted behind the back plane of the house.
 - 2. No pole mounted security lights shall be permitted.
 - 3. No security light fixture shall be allowed above the first story eaves of the house or garage.
 - 4. Light shall not spill or reflect into adjacent properties.
 - 5. Security lighting shall not be brighter than surrounding street lighting.
 - 6. Mercury vapor lights are not permitted.
 - 7. Sodium vapor lights are permissible provided that each sodium vapor light does not exceed 70 watts (approximately 7000 lumens).
 - ii. Landscape and Decorative Lighting. Exterior landscape lighting shall be permitted with the ARC's approval so long as
 - 1. The lighting is located within flowerbeds, shrubs and/or trees.
 - 2. Up lights shall be permitted only if their light is contained and does not spill into the sky.
 - 3. Downlights, spotlights, and floodlights are permitted provided they do not illuminate adjacent property.

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4. Pole mounted landscape and/or decorative lighting shall also be permitted with ARC approval so long as:
 - a. the pole does not extend more than seven feet (7') above the ground
 - b. the light fixture is not situated more than six feet (6') above the ground, and
 - c. the light is neither sodium vapor nor mercury vapor.
- iii. Gas Lights. Two (2) gaslights per lot shall be permitted with the ARC'S approval, provided that the gas lighting color is white.
- iv. Annoyances. All new lighting which is approved by the ARC shall be subject to a ninety (90) day trial period to assure that the lighting is not objectionable to surrounding residents. The ninety (90) day period shall commence on the date of the ARC's written approval of the lighting if, at the end of the ninety (90) day period, the ARC determines that the lighting is not unreasonably offensive or an annoyance to surrounding residents, the ARC's approval shall be final; otherwise, the lighting shall be removed or modified in Accordance with the decision of the ARC.

K. Painting

No exterior surface of any house, garage, or other structure or improvement on any lot shall be painted without prior approval of the ARC. This applies to existing, as well as new construction, and whether the proposed colors are the same or different from the existing colors. Color samples of the proposed exterior color(s) must be attached to each application submitted.

Charts depicting examples of the acceptable earth tone colors and shades of earth tone colors for the exteriors of homes and other improvements on lots are available for review on the Association's website. Each color sample or paint chip shall be compared to the colors and shades of colors set forth on the color chart to assure that each approved color is harmonious with the color scheme established for the subdivision. Each exterior color must not only be an earth tone, but also an acceptable shade of an earth tone color. As used in these guidelines "earth tone" shall mean acceptable shades of beige, brown, gray, and white as shown on the ARC's color chart.

The following additional guidelines shall also apply:

1. Harmonious colors. The proposed colors must be harmonious with each other and with the colors of exterior brick and roofing materials.
2. Principal Colors of Dwellings. The principal color of the dwelling and garage situated on a lot, including the garage door, must be a muted earth tone and must not be the same color as any adjacent or facing dwelling on a neighboring lot. The ARC may approve similar paint colors on neighboring structures in cases where brick or accent colors are substantially different from those of the neighboring structure.
3. Trim. Soffit, fascia board, window and door and rain gutters must also be an earth tone color; however, the shades of trim color may be deeper than the principal color of the dwelling or garage.
4. Gutters. When rain gutters are painted, their color must be earth tone colors and harmonious with the existing structure. When "maintenance—free" gutters are installed or replaced, their color must be harmonious or match the previous Iv approved existing gutters.

5. Accents. Shutters, window hoods, the side panels of doors and windows and the exterior surfaces of doors may be painted any acceptable earth tone color, including trim colors and certain acceptable shades of dark green, black, blue—gray, rust or dark blue. Window hoods may also be painted in a copper tone metallic based paint. Only one accent color is permitted per lot. Exterior doors may be stained a natural wood color or may be painted to match the other accents, trim, or main house color.

All colors on the “Pre-Approved Paint Color List” will be “fast-tracked” for prompt approval. For all other colors, a sample of the proposed exterior color of any new addition or improvement must be submitted with each application to the ARC.

L. Roofing Materials and Additions

1. Materials. The brand and shingle color of the proposed shingle to be placed on any existing roof or any new improvement must be included on each application submitted to the ARC. The color of each roofing material must be an acceptable shade of an earthtone color. Felt for all composition roofs must have a weight of at least 30 lbs. Neither aluminum nor reflective roofing material is acceptable. Wooden roof shingles and commercial metal roofs are not allowed.
2. Roofing Additions. No skylights or similar types of additions shall be permitted on the front of the roof ridge line and/or gable of a structure. All roof ventilators shall be located to the rear of the ridge line and/or gable of any structure and shall not extend above the highest point of such structure. The ARC shall have the right to approve exceptions to the foregoing in cases where energy conservation and heating/ cooling efficiency require ventilators that, because of a particular roof design, cannot be hidden from public view. The color of roofing additions must match existing roof vents (if any) or be harmonious with the color of roofing materials.

M. Miscellaneous

1. Birdhouses. Birdhouses shall be permitted subject to the following:
 - a. A birdhouse shall not be visible from the street in front of the lot.
 - b. No birdhouse shall be larger than two feet (2') in width, two feet (2') in length and two feet (2') in height.
 - c. No more than two (2) birdhouses shall be permitted on a lot.
 - d. No birdhouse shall be situated higher than ten feet (10') above the ground.
 - e. The materials used in construction of each birdhouse and the color of each birdhouse must be harmonious with the home and other improvements on the lot.
2. Window and Door Awnings. Awnings which are visible from any street shall not be permitted. Awnings on the rear portion of the lot must be approved by the ARC. The color and materials used are subject to approval by the ARC.
3. Satellite Dish Antennae. Satellite dish antennae shall be approved by the ARC only if the following requirements are met:

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- a. Each satellite dish antenna shall be situated in the back portion of the lot so that it is not visible from any street that borders the property. The rear portion of the lot must be enclosed with a six-foot (6') fence or such a fence must be proposed in conjunction with the application for approval to erect the satellite dish antenna.
- b. No portion of a satellite dish antenna may be visible above the six-foot (6') property line fence at any time.
- c. The color of a satellite dish antenna shall be harmonious with the color of the house and improvements on the lot. As a condition of approval, the ARC may require additional screening through landscaping. All cable or wiring shall be buried from the dish to its entrance into the house. No cable or wiring shall be visible from the street in front of the lot or any, side street.
- d. May not be located in any utility easement or drainage easement.
- e. Must be located at least s IX feet (6 t) from all boundary lines.

4. Garage Conversions. An originally constructed garage may be converted into a family room only if a replacement garage capable of storing not less than two (2) vehicles is constructed on the lot. The replacement garage, as well as any exterior changes to an originally constructed garage, must be approved in writing by the ARC. Unless otherwise approved by the ARC, each garage, whether used for storage of vehicles or not, must maintain the outward appearance of a garage. Detached two-story garages shall not be acceptable.

5. Carports. There shall be no carports.

6. Basketball Goals.

- a. Basketball Coals must be mounted either on the garage wall or roof with the backboard parallel to the automobile entrance; on the garage—to—house breezeway cover; or on a rigid steel or aluminum pole (no wooden poles) .
- b. The backboard material must be a fiberglass or safety glass. the color must be clear (safety glass), gray, or white except for the white, black, orange, or red manufacturer's outline markings. The rim should be of heavy gauge steel and white, black, or orange in color. The net must be a white nylon, unless otherwise approved by the ARC.
- c. The backboard supports must be firmly attached to the structure, using either lag bolts into underlaying support members (garage studs or trusses) or threaded bolts and nuts through the structure's roof or wall. Nails, by themselves are not permitted. Mounting supports may be of wood, steel, or aluminum. Supports must be painted of a color complying with the house painting guidelines.
- d. All pole mounted goals must be behind the front building line that extends from the front of the house or garage parallel to the street. No pole mounted goals will be allowed along the neighbor's adjoining side of a driveway if a neighbor' s first story house window(s) are exposed. The pole must have a manufacturer's weather resistant finish or be painted black or in a color consistent with the ARC's house painting guidelines under Trim (Section K. 3.).
- e. An application for approval to erect a basketball goal must include either a plot plan or a scale drawing depicting the location of the goal. The homeowner must maintain the basketball goal in its original approved condition (including rim and net). If lighting is provided for the basketball area, it must comply with existing security lighting guidelines. A good neighbor policy concerning noise and disturbing the peace must be followed.

- f. Applications must include the following:
 - 1. Roof or Wall Mounted Goals: A photograph or detailed sketch showing the location of the goal on the garage.
 - 2. Pole—Mounted Goals: A copy of the lot survey showing the exact location of the goal relative to the front of the main structure, lot lines, and easements.
- g. Pole mounted goals installed near a boundary line must include with the application a letter stating that the owner will remove the goal if requested by the Board.
- h. The Board may require removal of any basketball goal which it reasonably determines to be a nuisance to the neighbors.

7. Sunrooms. A sunroom is any room with glass—enclosed walls or a glass ceiling. The ARC may reject any application to construct a sunroom on a lot on the basis of its overall design and conformity with existing structures regardless of whether or not the proposed sunroom complies with the technical specifications set forth below.

- a. Applications must be accompanied by a detailed scale drawing or blueprint showing the three-dimensional relationship of the sunroom to the existing structure. Applications must also include a plot plan showing the location of the sunroom in relation to all lot boundary lines, the residence, the easements and the building setback lines. Applications must also include a detailed building material list and include the name, address, and business phone number of the contractor or installer. Applications may be rejected for failure to provide any of their required items.
- b. A sunroom may be added to the rear of the residence only. Applications for sunrooms on cul-de-sac lots and corner lots where the rear of the house faces a street or other community property will be considered on a case-by-case basis.
- c. Supporting structural members must be of a color and shade similar to and harmonious with the exterior color of the residence. No metallic or direct reflecting style shading/ tinting of the glass will be permitted. Applicants may be required to submit actual samples of the glass with the proposed shading/ tinting material applied for approval.
- d. The floor of the sunroom must be of reinforced concrete slab.
- e. The roof of a sunroom must have a minimum pitch of 1" per 12" of projection. The sunroom may not project more than 20' measured from the rear facing plane of the residence. The sunroom may not project beyond either side-facing plane of the residence. A sunroom may not encroach on any existing setbacks or easements.
- f. Sunrooms are only permitted as ground structures. The maximum height of the roof, measured from the concrete floor, may not exceed either 12' or the height of the eaves of the wall that the sunroom projects from, whichever is lower.

8. Solar Screens, Window Tint. The color of any solar screens or window tint must be harmonious with that of the house. The frames of the screens must match the color of the window frames of the house or must match the color of the solar screen material. If any window is covered, all the windows on the same side of the building must also be covered. The width of the screen frames must match individual window size (i.e. double— width screens are not allowed). Frames should have appropriate cross—member support to prevent sagging. Window tint shall be harmonious, shall not be reflective and must be maintained to prevent peeling, cracking, or irregular discoloration.

9. Trees. Trees may not be removed without prior ARC approval, except to remove dead or diseased trees, in which case they must be replaced. When tree removal is required for the construction of an improvement, it must be disclosed in the application for that improvement. When trees are removed for any reason, the homeowner must also remove the remaining stump and fill any resulting hole.

A minimum of two hardwood or deciduous tree must remain in the front yard of any residential lot, unless otherwise approved by the ARC. New trees must be a minimum of 2.5" caliper

These are a few of the types of trees that will be permitted:

Evergreen – Deodar Cedar, Camphor Tree, Southern Magnolia, Slash Pine, Loblolly Pine, and Live Oak.

Deciduous – Red Maple, Pecan, American Sweetgum, American Plane, Southern Red Oak, Water Oak, Willow Oak, Shumard Oak, Common Baldcypress, Riverbirch, Cedar Elm, Chinese Evergreen Elm (Weeping or Drake).

10. Skateboard Ramps. Skateboard ramps are not allowed.

11. Topiaries.

- a. For the purposes of these Guidelines a "topiary" shall be defined as a plant or shrub that has been trimmed or formed into a fantastic shape. The definition is broadened to include any ornamental structure composed of or covered with living plant material.
- b. Approved topiaries must be maintained so that only living plant material of natural color is exposed. No mesh, substrate, or other non—living supporting structures may be visible at any time.
- c. Lights within the structure are prohibited.
- d. Topiaries must be planted in or placed on the ground; they may not be suspended from trees or other structures and may not be mounted on a pole or other visible structure.
- e. Topiaries may not be located on any utility or drainage easements.
- f. Topiaries located within a fenced backyard must not be visible from any street and may not exceed an overall height of six feet (6').
- g. Topiaries located elsewhere (i.e. other than within a fenced backyard):
 1. are limited to not more than two (2) topiaries per lot.
 2. must be set back at least ten feet (10') from any side street property lines, and at least five feet (5') from any interior property line.
 3. must not exceed four feet (4') in height, four feet (4') in length and two feet (2') in width.
- h. The Board reserves the right to require removal or relocation of any topiary (approved or not) which it reasonably determines to be non-harmonious with the community.

12. Exterior Siding. When exterior siding is replaced or added to any existing structure or new improvement on the Lot, it must be of the same type, quality, size, and color as the existing siding on the main residence (unless all exterior siding is being replaced at one time) . If all exterior siding is being replaced at one time, the type of siding may be changed to any one of the following

acceptable materials; wood, wood product (e.g. Masonite) , vinyl, vinyl—coated aluminum, or vinyl—coated steel provided it is approved by the ARC. Aluminum, steel, or other metal siding shall not be acceptable.

The following additional guidelines apply to replacement or additional exterior siding:

1. minimum of a 20—year warranty from a reputable manufacturer (warranty information should be submitted with the application).
2. thickness, visible width, and spacing of the siding must be consistent with that of the original exterior siding; each application submitted to the ARC shall specify the thickness , width and spacing of the existing and proposed siding, and shall include a sample of the proposed siding material;
3. color of all siding (including siding that is not painted) must comply with the Guidelines for Painting as set forth herein; each application must include at least five (5) color samples of the proposed siding color.
4. must be installed and maintained to avoid sagging, waving , warping or irregular coloration; the Board of Directors may require the homeowner (at homeowner's sole responsibility and expense) to repair or replace siding chat fails to adhere to these guidelines.

13. Flags and Flag Poles. In accordance with The Texas Property Code — Section 202.111, Residents may display the following:

1. The flag of the United States of America;
2. The flag of the State of Texas; or
3. An official replica flag of any branch of the United States armed forces.

The display of these flags is subject to the following:

1. United States Flags must be displayed in accordance with Title 4 U.S.C. Sections 515.
2. The Texas Flag must be displayed in accordance with Chapter 3 100 of the Texas Government Code.
3. A flagpole, whether attached to a dwelling or freestanding, must be a commercially available product constructed of nonferrous metal materials with a finish appropriate to the materials used in the construction of the flagpole and harmonious to the dwelling.
4. The flag display must conform to all setbacks, easements, and zoning ordinances.
5. Flags and flagpoles must be maintained in good condition; flags and flagpoles that are deteriorating or represent an unsafe condition must be repaired, replaced, or removed.
6. Flagpoles are limited to one per lot, not to exceed 20 feet in height. Flagpoles over eight feet in length or height shall be a minimum of 2 inches in diameter. Flagpoles exceeding 16 feet in height shall be a minimum of 3 inches in diameter at the base.
7. The size of the flag must be proportionate to the height of the flagpole. Maximum flag size for flagpoles up to 16 feet is 3 feet by 5 feet. Maximum flag size of flagpoles over 16 feet and up to 20 feet is 4 feet by six feet. A maximum of two flags per pole is allowed.
8. The size, location and intensity of lights used to illuminate a displayed flag must be approved in advance by the Association's Architectural Review Committee.
9. The external halyard of the flagpole must be secured to abate any noise.
10. Residents can only place a flagpole or flag on their property and no other property.
11. All applications must be approved by the Association's Architectural Review Committee prior to the commencement of the installation.

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14. Security Signs. Security signs shall be permitted subject to the prior approval of the ARC and the following:

- a. Only one (1) sign shall be displayed within view from the street.
- b. The sign shall be no larger than eight (8) inches by ten (10) inches and no higher than eighteen (18) inches from the ground.
- c. The sign shall be positioned within six (6) feet of the front wall of the house.
- d. The sign shall be of good quality issued by an alarm company and must be maintained properly.
- e. The sign must be placed in the garden or shrubbery area and not in the middle of the yard or in any window.

15. Lawn Ornaments and Fixtures.

Front and side yard ornaments are limited to the following:

- a. No more than two large ornaments of any sort will be allowed. This may be two birdbaths, two topiaries, one bench and one birdbath, etc.
- b. All ornaments and fixtures must be set in the flower beds and must not obstruct any intersection view. Benches may be placed on the lawn but not within 10 feet of the curb.
- c. No ornament is to exceed any dimension of 42 inches, height measured from the ground. Only the length of benches may exceed 42 inches.
- d. All ornaments must be securely affixed to the ground.
- e. Signs are not considered ornaments or fixtures and are covered separately under the Deed Restriction covenants Section 7.8.
- f. Topiaries are defined as wire-wrapped or molded plant mediums used for surface growing plants. The shaped growing medium assists the plants in growing into ornamental forms such as various animal shapes.
- g. Ornaments must have ARC approval; this includes color. Banners and signs on ornaments are not allowed. Electric ornaments are not allowed.
- h. Lawn ornaments and fixtures must be maintained in such a fashion as to not detract from the neighborhood.

16. Backyard ornaments:

No backyard ornament may be visible from any street and/or exceed the height of the fence. The exception to this is table umbrellas which are seasonal and may not exceed the height of eight feet.

17. Seasonal Decorations:

Except for lights and decorations within the interior of a Dwelling that are not displayed in a window, lights and decorations that are erected or displayed on a Lot in commemoration or celebration of publicly observed holidays may not be displayed more than six (6) weeks in advance of that specific holiday and must be removed within 30 days after the holiday has ended.

18. Burglar Bars & Security Doors are not permitted. This includes burglar bars installed either interior or exterior of any windows on the home.

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19. Solar Panels. Owners are entitled to install solar panels on the roof of their home or in a fenced-in yard or patio area according to the following:

1. Owners must apply for and receive written approval from the Association's Architectural Review Committee prior to installing solar panels.
2. The Association reserves the right to determine placement and other characteristics of solar panels.
3. Solar panels must be located entirely on the Owner's property.
4. A solar panel shall be no higher or wider than the roofline of the structure it is mounted on.
5. The top edge of the solar panel shall be parallel with the roofline and the solar panel must conform to the slope of the roofline.
6. Solar panels located in a fenced-in yard or patio can be no higher than the fence line.
7. Solar panel frames, brackets, wire, and pipes shall only be silver, bronze, or black in color.
8. If a solar panel is located in an area other than one designated by the Association, it must receive 10% more production than it would in the designated area.

Additions approved before the current guidelines will stand as approved; all future additions and any changes made since initial construction of the home that have not been approved must follow these guidelines.

Approved this 27 day of July, 2022, by:

Board of Directors

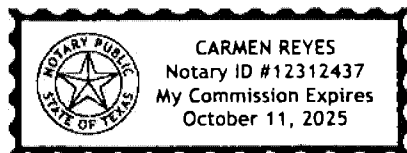
Darrell Woodruff
Darrell Woodruff, President

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Darrell Woodruff, President of the Westcreek Village Community Association and known by me to be the persons whose names are subscribed to the foregoing document and, being by me first duly sworn, declared that they are the persons who signed the foregoing document in their representative capacity and that the statements contained therein are true and correct.

Given under my hand and seal of office this the 27 day of July, 2022.

Carmen Reyes
Notary Public, State of Texas



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Pages 19
09/30/2022 11:32 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
TENESHIA HUDSPETH
COUNTY CLERK
Fees \$86.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



Teneshia Hudspeth
COUNTY CLERK
HARRIS COUNTY, TEXAS

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