

RESOLUTION REGARDING ARCHITECTURAL GUIDELINES FOR
LAKEWOOD HILLS COMMUNITY IMPROVEMENT ASSOCIATION
ADOPTED BY UNANIMOUS WRITTEN CONSENT OF BOARD OF DIRECTORS
OF LAKEWOOD HILLS COMMUNITY IMPROVEMENT ASSOCIATION

We, the undersigned, being all of the members of the Board of Directors of Lakewood Hills Community Improvement Association (the "Association"), a Texas non-profit corporation organized under the Texas Non-Profit Corporation Act, as presently constituted, do by this writing consent to the following actions and adopt the following resolution:

WHEREAS, that certain instrument entitles "Declaration of Covenants, Conditions and Restrictions and Easements, Lakewood Hills, Section One (the "Declaration") filed or record in the Official Public Records of Real Property under Film Code No. 513-40-0868 et seq., and County Clerk's File No. S490584 restricts every lot within Lakewood Hills, a Harris County subdivision, according to the map or plat thereof filed at Film Code #385125 on March 10, 1997 of the Map Records of Harris County, Texas; and

WHEREAS, Article IV of the Declaration created an Architectural Control Committee ("ACC") for the specific purposes of protecting the environmental integrity of Lakewood Hills by prohibiting any building, fence, wall or other structure or improvement of any nature from being placed, constructed, erected or maintained on any lot within Lakewood Hills or any exterior addition to or change or alteration therein from being made until complete and final construction plans and specifications shall have been submitted to and approved by the ACC as to (a) conformity and harmony of external design and location to surrounding structures and topography, and (b) quality of workmanship and materials; and

WHEREAS, Article IV, Section 6 of the Declaration further provides the ACC also has the right, where not otherwise set forth in the Declaration or the plat of Lakewood Hills, to specify:

- (a) minimum setbacks;
- (b) the location, height and extent of fences, walls, or other screening devices;
- (c) the orientation of structure and landscaping on lots with respect to streets, wall and structures or adjacent properties; and
- (d) limited number of acceptable exterior materials and/or finishes that may be used in the construction, alteration or repair of any improvement; and

WHEREAS, pursuant to Article III, Section 2 of the Declaration, the duties and power of the ACC have vested in the Board of Directors of the Association and the Board of Directors of the Association continues to function as the ACC for Lakewood Hills and now hold all authority granted to the ACC by the Declaration.

WHEREAS, the Board of Directors of the Association desires to establish procedures for orderly review of construction plans and specifications and guidelines with respect to the design, location, height, orientation, quality of workmanship, and types and colors of acceptable materials or exterior additions, structures, and improvements on lots in Lakewood Hills, so that a harmonious exterior design within Lakewood Hills is consistently maintained.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Association functioning as the ACC for Lakewood Hills hereby adopts the following procedures and guidelines relating to buildings, additions, improvements, and structures, which shall supplement the Declaration.

I. OVERVIEW

The Board of Directors of the Association has established these architectural guidelines in accordance with the authority granted to them by the provisions of the Declaration. 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 Lakewood Hills with information relating to the type, color and quality and grade of materials which may be used in the construction of various kinds of structure and improvements, and the sizes and locations of such improvements and structures, and information relating to the procedure utilized by the Association with respect to application for proposed improvements and structure and allocations thereto.

These procedures and guidelines may be amended by the Board of Directors of the Association from time to time as it deems necessary and appropriate. The Board of Directors of the Association functioning as the ACC, shall hereinafter be referred to as the ACC.

II. 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 ACC in writing by completing the application form currently in use by the ACC. Complete and final plans and specifications for any exterior addition, change, alteration or improvement should be attached to the application. All applications, additional information, or request for appeal shall be mailed or delivered to the office of the managing agent

of the Association, not to members of the ACC.

The ACC reserves the right to request any additional information it deems necessary to properly evaluate any application. In the event that the ACC requests additional information, the application shall be considered incomplete and denied until such information is submitted to the ACC and the thirty (30) day requirement for approval of the application, as described in Article 4, Section 8 of the Declaration, shall not begin until such information is received. In the event that the ACC requests additional information and the information is not received within thirty (30) days from the date of the request, the application shall be considered denied; however, the applicant may thereafter submit a new application with the requested information to the ACC for its review.

2. ACC Decisions. ACC 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 ACC. All decisions of the ACC shall be confirmed by the signature of a majority of ACC members.

ACC decisions shall be conveyed in writing by the ACC or 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, but subject to paragraph 1, above, any application that is not approved or disapproved within thirty (30) 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 no to any of the use, restrictions set forth in the Declaration and (ii) in no event shall nonaction 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 ACC's written response, all approved exterior changes, additions or improvements shall be completed with thirty (30) days of the date construction, installation or erection is commenced unless an extension is otherwise approved by the ACC.

B. General Guidelines

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

1. conformity and harmony of external design and location in relation to surrounding structure and topography;

2. quality of workmanship materials;
3. dimension, shape, height and location (Note: The ACC 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 ACC may grant permission to construct or place an improvement upon or across a drainage easement, provided that the ACC may revoke its consent if it determines that the improvement materially impedes or adversely affects drainage or the intent which the easement was dedicated; in the event that the ACC revokes its consent, the homeowner shall bear the responsibility to remove the improvement at his sole cost and expense.);
4. harmony and appeal of exterior design;
5. structural, mechanical, electrical, and plumbing details; and
6. nature, kind, type, and color of materials.

Provided, however, that the approval of an application shall not be constructed as a warranty or representation by the ACC 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 ACC of the fitness, design or adequacy of the proposed construction. Any building fence, wall, structure or other improvement that was erected prior to the date these guidelines were adopted by the ACC and which previously received approval from the ACC, shall be deemed in compliance with these guidelines.

C. Specific Guidelines

1. Fences

- a. Pickets. All fences 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 street in front of the lot or from the side street.
- b. Gates. All gates shall be constructed with materials consistent with either the fence material or the house material.

c. Color and Materials.

- i. Cedar Fences. No cedar fence may be painted. Cedar fences may be stained in acceptable earthtone colors with the prior approval of the ACC. A stain color sample shall be included with the application submitted by the owner to the ACC.
 - ii. Wrought Iron Fences. Wrought iron fences must be black. The height, location and spacing of the bars of all wrought iron fences must be approved in writing by the ACC. Chain link and wire fences are not permitted.
 - iii. Other Fences. Fence of any other material than that listed above must be approved by the ACC.
 - iv. Exterior Fences. Fence located on lots which make the perimeter of Lakewood Hills must be constructed of vertical pickets.
- d. Setback Lines. Fences may not be constructed on a lot forward of any applicable setback line, unless approved in writing by the ACC.
- e. Maintenance of Fences. All fences shall be properly maintained to prevent fading, mildewing or disrepair.
- f. Height. Fences or walls located on interior side or rear lot lines shall be six (6) feet in height; the height of the fences and walls located elsewhere on a lot must also be six (6) feet in height, or otherwise approved by the ACC. It is understood if a fence or wall crosses a ditch or gully the height of the fence or wall at that point only may exceed the maximum height requirements set forth herein.

2. Swimming 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 (6') fence constructed of

cedar 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. During construction, the pool area shall be enclosed with a temporary fence or barrier, unless a fence already exists. If a portion of all 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.

3. Outbuildings

- a. 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, play apparatus and children's play structures are subject to the requirements set forth in subparagraphs 3.a, 3.b and 3.c below. Outbuildings for the purpose of storage are not permitted. Outbuildings for any other purpose shall be considered by the ACC on a case by case basis. Only (1) play structure not exceeding ten feet (10') in length, ten feet (10') in width and eight feet (8') in height shall be permitted on a lot. The standard type, quality and color of the materials used in the construction of the play structure shall be harmonious with those of the main residence on the lot. No exterior portion of a play structure shall be made of metal. Metal buildings of any type are prohibited. A play structure shall be located in the rear portion of the lot, but may not be located on the rear utility easement unless the play structure is moveable. Play structure locations must also conform to the building front and side setback restrictions. No play structure may be located on a lot such that it impedes drainage from the lot or causes water to flow onto all adjacent lots. Further, if a play structure 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 play structure. A fence

approved in conjunction with an application to construct a play structure must be completed within thirty (30) days of the date that the play structure construction begins.

- b. Gazebos. For the purposes hereof, a gazebo shall be defined as a free standing structure, 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:
- i. Conical shaped (peaked) roofed gazebos. These gazebos cannot exceed the height of the garage and the vertical supports cannot exceed eight feet (8') from the deck level. The deck height shall comply with Section G of these Guidelines.
 - ii. 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. The deck height shall comply with Section G of these Guidelines.

For both structures, the footprint area is limited to one hundred (100) square feet (typically 10' by 10'). The roofs of all gazebos with solid roofs must comply with Article VIII, Section 6, of the Declaration and Section 8 of these Guidelines. 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 material is approved. Pressure treated wood must be stained, painted or covered by shingles. Cedar may be stained, painted or left bare. 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 fence approved 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 and adjacent lot.

- c) Children's Play Apparatus. For the purposes hereof, a children's play apparatus shall mean any type of children's swingsets, play sets, climbing structure, slides, or raised play sets. A maximum of two (2) children's play apparatuses are allowed on a residential lot. The maximum dimensions for each play apparatus are ten feet (10') in width by fifteen feet (15') in length by eight feet (8') in height. The play apparatus may have no more than two (2) vertical beams with a single horizontal support member between them extending above the eight foot height restriction of the play apparatus. The sole permitted purpose of the 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. Tarpaulin colors will only be approved if harmonious with the color of the residential dwelling. Wind-socks or streamers attached to the apparatus will not be permitted. Play apparatuses may be located behind the front and/or side building setback lines of the dwelling or garage.
- d) Children's Play Structures. For purposes hereof, a children's play structure shall mean any type of children's playhouse, clubhouse or playfort. The same guidelines for play apparatus shall be applicable to play structures.

4. Garages

As outlined in Article V, Section 5 of the Declaration, all garages must be for not more than three (3) cars. All garages must be functional and capable of housing cars; any proposed alteration to a garage which make the garage incapable of housing cars will be denied by the ACC.

5. 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. Roofing materials on patio covers shall conform to the provisions relating to roofing materials set forth in Article V, Section 8, of the Declaration and Section 8 of these Guidelines.

6. Decks

All decks must be approved by the ACC with respect to location and standard, type, color and quality of the materials used in construction. Appropriate fences may be required by the ACC 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 fifteen inches (15") above the ground.

7. Exterior Lighting

All security and landscape lighting must be approved by the ACC. All new lighting which is approved by the ACC 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 ACC's written approval of the lighting. If, at the end of the ninety (90) day period, the ACC determines that the lighting is not unreasonably offensive or an annoyance to surrounding residents, the ACC's approval shall be final; otherwise, the lighting shall be removed or modified in accordance with the decision of the ACC.

8. Exterior Materials

- a) Masonry. The exterior of all buildings shall be primarily of masonry exterior. A sample of the brick or other masonry to be used may be submitted with the application. The exposed portion of any chimney that is exposed as a part of the exterior wall shall be brick or other masonry to match the remainder of the residence. The exposed part of a chimney that is not a part of the exterior wall and that pierces the roof shall be constructed of brick or other masonry to match the remainder of the residence or may be stucco. No wood will be permitted as an exterior chimney enclosure.
- b) Paint. At least two (2) color samples or "paint chips": of the proposed exterior color of any new addition or improvement must be attached to each application submitted to the ACC. Further, the existing exterior color of the main body of a house, garage or other improvement on a lot, as well as any trim or accent color, shall not be changed without first submitting an application with at least two (2) color samples or paint chips to the ACC and receiving its written approval. The ACC has established and shall maintain a chart depicting the acceptable colors and shades for the exteriors of homes and other improvements on lots within the subdivision. Each color sample or paint chip shall be compared to the colors and shade of colors set forth on the color chart to assure that each approved color is harmonious with the color scheme established for the

subdivision.

9. Materials and Additions

- a) Materials. A sample of the proposed shingle to be placed on any existing roof or any new improvement must be attached to each application submitted to the ACC as provided by Article V, Section 8 of the Declaration. Roofs must be of either #1 perfection 18" wood shingles, tile or composition of tile Timberline type or equal. Additionally, the color must be harmonious with the color scheme established in the subdivision.
- b) Roofing Additions. No solar panel or similar types of additions shall be permitted on the front of the roof ridge line and/or gable of a structure.

10. Antennae.

Exterior antennae of any sort, including satellite dish antennae, and same are prohibited.

11. Basketball Goals.

Basketball goals should be mounted either (a) on the garage wall or roof with the backboard parallel to the automobile entrance, (b) on the garage-to-house breezeway cover or (c) on a rigid steel or aluminum pole. Wooden poles shall not be permitted. The backboard material must be fiberglass or safety glass. The color must be clear (safety glass) or white with the exception of manufacturer's outline markings. The rim must be of heavy gauge steel and orange in color. The net must be a white nylon. The backboard supports must be firmly attached to the structure. Nails, by themselves, are not permitted. Mounting supports may be of wood, steel, or aluminum, but they must be painted an acceptable color as outlined in Section 7. Painting of these guidelines. All goals must be a minimum of ten feet (10') behind the front building line of the dwelling on the lot that extends from the front of the house or garage parallel to the street. If the front/side building line is defined by the garage, then the goal must be at least twenty (20) feet from the curb line. A pole mounted goal must not be within ten feet (10') of the adjoining neighbor's amenities (air conditioning unit, shrubbery, gas meter, etc.) unless properly protected (i.e., by fence or shrubbery) or unless the written consent of the neighbor is obtained. No pole mounted goals will be allowed along the neighbors adjoining side of a driveway if a neighbor's first story house window(s) are exposed. The pole must be a manufacturer's weather resistant finish and be either black or in a color consistent with the ACC's house painting guidelines under Trim (Section 7). An application for approval to erect a basketball goal must include either a plot plan or a to scale drawing depicting the location the goal and its relationship to the adjoining neighbor's property. In the case of a pole mounted

goal, the plan or drawing should include the neighbor's amenities and a neighbor's written consent if applicable. 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 security lighting guidelines. A good neighbor policy concerning noise and disturbing the peace must be followed.

12. Mailboxes.

Mailboxes and Identifying Numbers must be approved by the ACC with respect to size, type and quality of materials and harmony of design and color with existing structures and the overall character and aesthetic appeal of the community. All mailboxes must also comply with all applicable U.S. Postal regulations or restrictions.

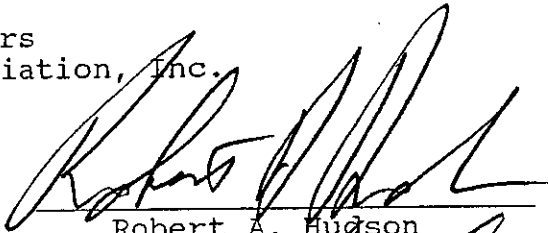
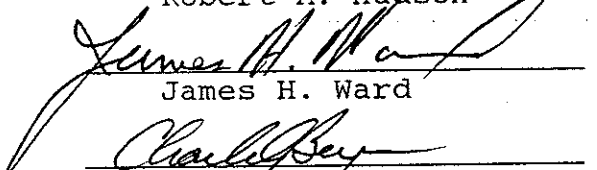
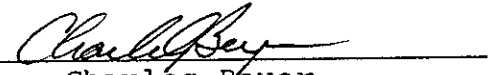
We direct that this consent be filed with the minutes of the proceedings of the Board of Directors of the Association and in the Official Public Records of Real Property of Harris County, Texas, to constitute notice to all owners and purchasers of lots within Lakewood Hills of its existence.

This consent is executed pursuant to Article 9.10 of the Texas Non-Profit Corporation Act and Article V, Section 6 of the By-Laws of the Association which authorizes the taking of action by the Board of Directors by unanimous consent without a meeting. This consent is executed in multiple counterparts, which, when placed together, shall constitute the fully executed original instrument.

DATED as of _____, 1997.

Board of Directors
Homeowners Association, Inc.

Date _____
Date _____
Date _____


Robert A. Hudson

James H. Ward

Charles Beyer

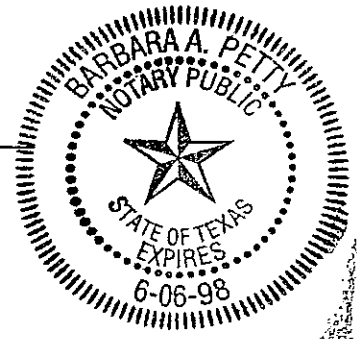
STATE OF TEXAS

COUNTY OF HARRIS

Before me, a notary public, on this day personally appeared Robert A. Hudson known to me to be the person whose name is subscribed to the foregoing instrument and, being by me first duly sworn and declared that he executed same in the capacity and consideration therein expressed.

Given under my hand and seal of office this the 19th Day of the Month of June, 1997.

Barbara A. Petty
NOTARY PUBLIC - STATE OF TEXAS



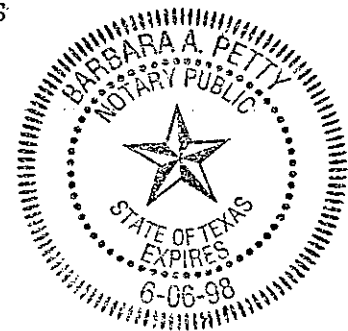
STATE OF TEXAS

COUNTY OF HARRIS

Before me, a notary public, on this day personally appeared James H. Ward known to me to be the person whose name is subscribed to the foregoing instrument and, being by me first duly sworn and declared that he executed same in the capacity and consideration therein expressed.

Given under my hand and seal of office this the 19th day of June, 1997.

Barbara A. Petty
NOTARY PUBLIC - STATE OF TEXAS

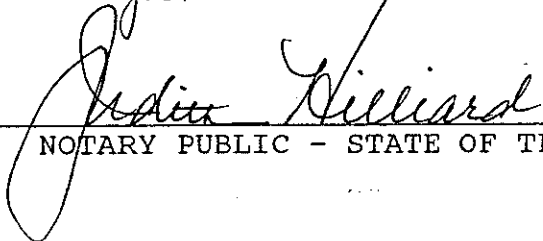


STATE OF TEXAS

COUNTY OF HARRIS

Before me, a notary public, on this day personally appeared
Charles Beyer known to me to be the person whose
name is subscribed to the foregoing instrument and, being by
me first duly sworn and declared that she executed same in the
capacity and consideration therein expressed.

Given under my hand and seal of office this the 19th Day of
the Month of June, 1997.



NOTARY PUBLIC - STATE OF TEXAS

