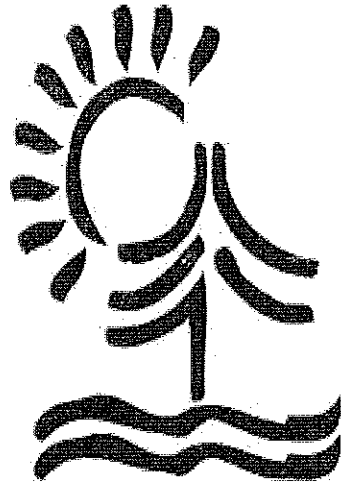


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**ARCHITECTURAL MODIFICATION AND EXTERIOR
MAINTENANCE GUIDELINES
FOR THE
SUMMERWOOD COMMUNITY
ASSOCIATION, INC.**

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SUMMERWOOD™

Table of Contents

Definitions	6
Overview	7
Section 1 – Architectural Modification Guidelines	
A. Architectural Modification Application Procedure.....	8
1. Submission	8
2. Residential Plan Standards.....	9
3. Contractor / Owner Construction Requirements	9
4. Compliance Inspection.....	11
5. ARC Decisions.....	11
6. Appeal of the ARC Decision	12
7. Status of Applications During Appeal.....	12
B. Architectural Modification Guidelines.....	12
C. Architectural Standards	13
1. Address Markers.....	13
2. Arbors / Gazebos / Pergolas / Trellises.....	13
3. Basketball Goals.....	14
4. Benches and Other Outdoor Seating	15
5. Decorative Items.....	15
6. Display of Certain Religious Items	16
7. Driveways	16
8. Exterior Painting	18
9. Exterior Siding	19
10. Fencing.....	19
11. Flags and Flagpoles.....	21
12. Garage Conversions.....	23
13. Garage Doors	23
14. Gazebos	23
15. Generators.....	23
16. Landscape Edging	25
17. Mailboxes.....	25
18. Outdoor Lighting	26
19. Patio Covers	27
20. Patio Covers, Patio Enclosures	28

21.	Pergolas.....	29
22.	Pet Kennels	29
23.	Playhouses, Play Structures, Trampolines, and Swing Sets.....	29
24.	Port Cache	30
25.	Preferred Plants.....	30
26.	Rainwater Recovery Systems.....	31
27.	Roofing Materials and Accessories.....	32
28.	Room Additions	33
29.	Signs.....	35
30.	Skateboard Ramps	35
31.	Solar Energy Devices	35
32.	Solar Film.....	36
33.	Solar Screens	36
34.	Storage / Utility Sheds	36
35.	Storm Doors.....	37
36.	Sunrooms	37
37.	Swimming Pools, Spas and Ground Level Decks.....	38
38.	Trellises	39
39.	Walkways.....	39
40.	Windows, Window Coverings, and Awnings.....	41
41.	Additional Criteria.....	41
D.	Variances.....	41

Section 2 – Exterior Maintenance Guidelines

Overview	42
1. Basketball Goals.....	42
2. Decorative Items.....	42
3. Driveways	42
4. Fencing.....	43
5. Landscaping	43
6. Landscape Edging	43
7. Mailboxes.....	44
8. Pets.....	45
9. Structure Maintenance.....	45
10. Swimming Pools	46
11. Walkways.....	46

Formal Adoption of Architectural Modification and Exterior Maintenance Guidelines by Board of Directors48
Exhibit A: Legal Description of Property49
Exhibit B: Preferred Plant List50
Exhibit C: Property Managers, Penalties.....55
Exhibit D: Home Improvement Request.....56

SUMMERWOOD COMMUNITY ASSOCIATION, INC.

ARCHITECTURAL MODIFICATION AND EXTERIOR MAINTENANCE GUIDELINES

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

WHEREAS, the Summerwood Community Association, Inc., (the "Association"), is the governing entity for the Summerwood Community consisting of Summerwood Sections 1-12, 14-34, and 36-38, as well as Lake Forest Village Sections 1-3, as more particularly described in Exhibit "A", attached hereto (the "Subdivision"); and

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WHEREAS, the Subdivision is governed by the Consolidated and Amended Declaration of Covenants and Restrictions for Summerwood, recorded in the Real Property Records of Harris County, Texas, under Clerk's File No. V677818, along with any amendments and supplements thereto (the "Declaration"); and

WHEREAS, Article IV of the Declaration provides for a scheme of architectural control within the Subdivision, whereby no improvements may be constructed or modified within the Subdivision, without the owner thereof first applying for and obtaining the written approval of the Association's Architectural Review Committee; and

WHEREAS, Section 4.3(a) of the Declaration authorizes the Association to adopt and amend the Association "Architectural Guidelines"; and

WHEREAS, Article III of the Declaration sets forth a framework for regulation and rule-making authority by the Association, with respect to the property comprising the Subdivision (the "Restrictions and Rules"); and

WHEREAS, Section 3.2 of the Declaration authorizes the Association to modify or expand the Restrictions and Rules of the Association; and

WHEREAS, Exhibits "B" and "C" to the Declaration contained the initial Restrictions and Rules, and Architectural Guidelines of the Association; and

WHEREAS, the Association, through its board of directors, is authorized to regulate the use, maintenance, repair, replacement, modification, and appearance of the Subdivision, pursuant to Texas Property Code, Section 204.010(a)(6); and

WHEREAS, the Association deems it necessary to amend and adopt additional Restrictions and Rules, and Architectural Guidelines, to provide further guidance to owners, of their obligations with respect to the modification, addition, and maintenance of their property and improvements;

NOW THEREFORE, pursuant to the foregoing, and as evidenced by the Certification hereto, the Association, through its Board of Directors, hereby adopts, establishes and imposes on the Subdivision, the following:

Definitions

Terms used in this document have the following meanings:

Association	Summerwood Community Association, Inc.
ARC	Architectural Review Committee of the Association
Summerwood	All sections of Summerwood under the jurisdiction of the Association
Board	The Board of Directors of the Association
Community – Wide Standard	The standard of conduct, maintenance, or other activity generally prevailing in Summerwood or the minimum standards established pursuant to the Architectural Guidelines, Restrictions and Rules, and Board resolutions, whichever is the highest standard.
Declaration	The “Declaration of Protective Covenants” and all “Amended Declaration of Covenants, Conditions and Restrictions” applicable to Summerwood (recorded March 19, 2002 file #V677818)
Guidelines	Rules, standards and procedures established by the Board of Directors, ARC pertaining to buildings, additions or other modifications in Summerwood (see Article IV, Section 4.3 of the Declaration)
Property Managers	Professional, property-management organization contracted and compensated by the Association to provide day-to-day assistance to the Board, ARC as defined in the By-Laws of the Association. Property Managers are identified in Exhibit C.
Thirty Days	Thirty (30) days, not including legal holidays <u>This thirty day time period begins to run upon receipt of the application and plan(s) by the ARC.</u>

Overview

The purpose of architectural modification and exterior maintenance standards is to keep the community attractive for the enjoyment of residents and for the protection of property and property values. The Declaration authorizes the Board to establish and expand rules and the ARC, with the consent of the Board of Directors, to establish rules, standards, and procedures for the orderly development of the subdivision and requires homeowners to obtain written approval from the ARC for any buildings, additions, or other modifications to their property. This is to ensure that the improvements and / or modifications comply with the provisions of the Declaration and the Architectural Modification Guidelines and exterior maintenance meets the Exterior Maintenance Guidelines or the Community – Wide Standard. The ARC and the Board have established these Guidelines in accordance with the authority granted to them by the provisions of the Declaration and certain grants made by the Declarant.

These Guidelines have been established to assure uniform and fair application of the Declaration and are intended to provide all lot owners in Summerwood with information about: the expectations and standards relating to exterior maintenance of the home and all related parts associated with a Unit; the type, color, quality of materials which may be used in the construction of various kinds of improvements; the size and locations of such improvements; and information about the procedures used by the ARC in reviewing applications for proposed improvements.

The ARC reserves the authority to review and approve applications for buildings, additions, or improvements which are not explicitly described by these Guidelines and to consider additional guidelines in the review process whether published or not. The Board and ARC may amend these Guidelines, as it deems necessary and appropriate.

Architectural Modification Application Procedure

1. **Submission:** All site or building construction, improvements, modification, alterations, or additions thereto require approval in writing from the ARC prior to construction or placement. This covers new construction as well as, but not limited to, additions, fences, patios, storage buildings, play equipment, pools, and changes in house colors. All applications for approval to site or building construction, improvements, modification, alterations, or additions thereto shall be submitted to the ARC in writing by fully completing the application form currently in use by the ARC, a copy of which is attached hereto as Exhibit D or such form as may hereafter be adopted by the ARC and / or the Board. Each application must be accompanied by plans / specifications. The plans / specifications must be supported by the following information:

- a. Drawing(s) of the proposed addition / modification showing the top, front, side, and rear exterior views; overall dimensions (length, width, height) of the modification; and the layout and dimensions of supporting structures;
- b. A copy of a plot plan (showing location of easements, existing buildings and structures, the proposed location of the modification, and applicable building set back lines);
- c. A description of all materials to be used. Specifically, before exterior colors are used, they must be approved, including but not limited to, brick, siding, roofing material, and paint;
- d. Color samples for all materials involved shall be included and;
- e. Deposit check, if required.

It is the owner's responsibility to determine all easements and setbacks that exist upon their property. No construction should occur within these easements or building set back lines. If approved construction is not commenced within nine (9) months, a new application will have to be submitted. All building permits must be in effect at the time of construction. The ARC has thirty (30) days from final submittal of plans and permits to approve the plans and authorize commencement of construction.

The ARC reserves the right to request any additional information deemed by it to be necessary to properly evaluate the application. In the event that the ARC requests additional information and such information is not submitted by the applicant in a timely manner (so that the application may be approved or disapproved within thirty (30) days of its receipt), the application shall be denied. However, the applicant may thereafter submit a new application with the requested information to the ARC for its review.

The completed application form shall be submitted to the Summerwood Manager with plans and specifications as indicated. Failure to obtain ARC approval before construction or modification on the property is subject to penalties defined in Exhibit C.

Any questions pertaining to these standards may be directed to the Property Managers.

2. Residential Plan Standards: All plans and specifications shall be **drafted in a professional manner**. An architect or designer is not required, but recommended for easier interpretation and generally better design results. Our plan standards are as follows:

- a. Site Plan(s): A site or plot plan to show the dimensions of the proposed construction or modification. Draft at a minimum scale of 1/16" = 1'0".
- b. Elevations: Draft at an architectural scale (1/4" = 1'0").
- c. Specifications: List all specifications relating to project design, structural framing, and quality of exterior materials, colors, textures, and shape.
- d. Basis of Approval: Approval of plans and specifications shall be based, among other things, on adequacy of site dimensions, structural design, conformity, and harmony with external design and of location with neighboring structures and sites, and conformity to both the specific and general intent of the restrictions.

3. Owner / Contractor Construction Requirements: A property owner may enter into a contract with their selected contractor to provide construction services. It is the property owner's responsibility to ensure the contractor is aware of and understands the requirements of these Guidelines. The owner and contractor acknowledge and accept the authority of the Association to require certain standards. The owner and contractor acknowledge and accept the authority of the Association to enforce adherence to these standards through fines or other legal action. The owner and contractor agree to abide by the following:

- a. The burning of construction material, debris, and other scrap on the property or within Summerwood, wetland reserves, common areas, and right-of-way (*i.e.*, ditches, parks and all easements) is strictly prohibited.
- b. The work site shall be kept clean. The property owner and the contractor are responsible for all trash and debris being picked up and removed promptly. No dumping within Summerwood, wetland reserves, common areas, and right-of-way (*i.e.*, ditches, parks and all easements) is allowed. A commercial construction trash container may be placed on the lot during construction. The container must be placed on the lot and may not be placed on adjacent lots, roadways, cul de sac islands or other common areas. Board approval is required if the container will be present for more than 14 days.
- c. Owner / contractor and their hired trades are responsible for keeping mud, dirt, etc. off of the roadway and meeting all E.P.A. requirements regarding movement of silt and other materials from construction site to

drainage swales and / or adjacent properties. Owner / contractor and their hired trades will be responsible for repair to any road, road right-of-way, shoulders, or drainage swales damaged during the course of construction.

d. Dumping or cleaning of cement trucks or dumping of construction material **is not allowed** within Summerwood, wetland reserves, common areas, and right-of-way (*i.e.*, ditches, parks and all easements).

e. Design of roadside drainage swales must not be altered.

f. Construction access is limited to Applicant's property. Any damage done to Association and / or neighboring property shall be restored to the original condition as determined by the Association and / or neighbor.

g. Building materials shall be stored in a neat condition. Scaffolding, framing units, lumber, equipment, and other materials must not be allowed to lean against fencing or trees. Stockpiled mortar sand, soil, or other materials may not be stored in grassed areas, adjacent lots, roadways, cul de sac islands, or other common areas.

h. No building materials or contractor's equipment shall be left on the street overnight. No construction vehicles, trailers, or machinery may be left in Summerwood overnight.

i. No construction signs are permitted.

j. Construction working hours are 7:00 a.m. to 8:00 p.m. Monday through Saturday and 9:00 a.m. to 8:00 p.m. on Sunday. Loud radios, noise, or speakers mounted on vehicles or similar areas are prohibited.

k. During the course of construction, owner / contractor and their hired trades shall take all responsible precautions to minimize interference with traffic and to protect the general public from injury from movement of vehicular traffic in connection with the construction. Parking of construction vehicles on both sides of a street, on swales, lawn areas, common areas, or other such areas is prohibited. All vehicles must be street legal and follow the required city, county and state permits and regulations.

l. Owner / contractor and their hired trades shall keep scrap material and trash produced in connection with the project confined to the lot.

m. Owner / contractor and their hired trades shall protect pavements, curbs and gutters, swales or drainage courses, sidewalks, streets, shoulders, utility structures (including, without limitation, fire hydrants, manhole covers, valve boxes and second stage inlets), and other property continuous or leading to the lot from damage. Streets, sidewalks, drives, and other property shall be kept clean and clear of equipment, building materials, dirt, debris, and similar materials. Any damage to streets and curbs, drainage inlets, sidewalks, street lights, street markers, mailboxes,

walls, manholes, water hydrants, landscaping, lawns, irrigation, etc. shall be the responsibility of the owner / contractor. Any items not repaired in a timely manner and to the original condition as determined by the Association, neighbor or other entity may be repaired and all such costs billed to the property owner.

n. If any telephone, cable television, fiber optic, electrical, water, gas, etc. lines are cut or damaged, it is the contractor / owner's responsibility to report the accident to the appropriate utility provider immediately.

4. Compliance Inspection: The ARC is NOT required to perform site inspections, however may elect to do so if warranted.

a. Periodic Inspection: If performed, it will be by the ARC to assure compliance of utility easement, drainage easements, flowage easements, and setbacks to assure compliance of all building requirements such as disposal of debris, burning of debris, and all other requirements made by the contractor / owner.

b. Final Inspection: If performed, it will be to review the site after completion of modification(s). Included are, but not limited to, additions, pools, decking, walkways, painting, landscaping, and other items necessary to present an aesthetic condition on the lot. Final inspection shall not be relied upon by any person or entity as to the sufficiency, suitability, fitness, workmanship, or quality of the design or construction of the improvements. Neither the Board of Directors, ARC, Association, Property Managers, nor any of their respective members, officers, directors, shareholders, employees, or agents shall be liable because of the approval or non – approval of any modification.

c. Non – Compliance with ARC Approval: If for any reason a structure is deemed not to be in compliance with approved plans, the owner will be notified in writing. The ARC will require the cessation of construction until the item(s) in non-compliance are corrected. Other permits or approvals may be required from the City, County or other governmental entities. It is the responsibility of the owner to obtain all required City, County or other governmental approval.

FAILURE TO COMPLY WITH THE ABOVE REQUIREMENTS MAY RESULT IN FINES AND/OR LEGAL ACTION.

5. ARC Decisions: ARC Members shall consider each application for compliance with the restrictive covenants of the Declaration and with these guidelines. The decision of a majority of the Members necessary to approve or disapprove an application shall be considered the decision of the ARC.

ARC decisions shall be conveyed, through the Property Managers, in writing, by regular mail to the applicant, postmarked within five (5) business days of determination, subject to the 30-day provision of paragraph 1.A. of these Guidelines, 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 thirty (30) days of the date of its receipt by the ARC shall be deemed to have been approved; however, no approval, whether expressly granted or deemed granted, shall be inconsistent with the Architectural Modification Guidelines unless a written variance has been granted. In no event shall non – action be deemed to constitute approval of an application for any change, addition, or modification or any other item that would violate the restrictive covenants in the Declaration. Unless otherwise stated in the ARC's written response, all approved changes, additions, or modification (other than the construction of the main dwelling) shall be completed within nine (9) months of the date that construction, installation, or erection is commenced unless otherwise provided by the ARC. If approved construction does not commence within nine (9) months, approval shall be deemed withdrawn and a new application will have to be submitted.

6. Appeal of the ARC Decision: In the event that the ARC disapproves an application, the applicant may, within thirty (30) days, submit a written appeal to the Board of Directors, along with any additional information the applicant considers relevant to the original application. The Board of Directors shall review the appeal at one of its next two (2) meetings following the date upon which the appeal is received. The decision of a majority of Directors in attendance at a duly held Board meeting shall be considered the decision of the Board and shall be final. Final Board decisions shall be conveyed in writing 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.

7. Status of Applications during Appeal: During the appeal period, the decision of the ARC on the original application shall remain in effect. Failure of the Board of Directors to respond to a request for reconsideration within sixty (60) days of the date of its receipt shall NOT automatically result in approval of the original application.

B. Architectural Modification General Guidelines

The Board and the ARC shall consider the following factors along with Exhibit "C" and "D" of the Declaration of Covenants, Conditions, and Restrictions and any guidelines or policies adopted by the Board upon the review of each application for all site or building construction, improvements, modifications, alterations or additions thereto:

1. The quality of construction and materials, colors, exterior design (elevation), size (dimensions), and location must be harmonious with existing and other proposed structures and location with respect to topography and finished grade elevation, and must be in compliance with the provisions of the Declaration.
2. The location must not violate the building setback lines, utility or drainage easements as shown on the official recorded plat, nor obstruct drivers' vision at street intersections.

NOTE: The ARC may grant permission to place a structure over, under, upon, or across any utility easement. Consent to encroach upon any utility easement must be obtained in writing from the owner of the easement (*i.e.* utility companies). The ARC may grant permission to place an improvement upon or across a drainage easement subject to the condition that the improvement must not impede drainage of any property served by the drainage easement (*i.e.*, including adjacent lots). If deemed necessary, in its sole discretion, the Association may revoke consent to encroach upon any drainage easement. Removal of improvements (if required by the owner of the easement or the Association) shall be solely the property owner's responsibility, cost, and expense.

3. Improvements that are intended for other than single – family residential purposes or that may become an annoyance or nuisance to the neighborhood are not permitted.
4. Improvements must be located so that their use will not infringe upon the enjoyment of neighboring amenities or place neighboring property at increased risk of damage.

The ARC shall also consider the provisions of the Declaration and of applicable statutes, ordinances, and building codes. However, approval of an application shall not be construed as a warranty or representation by the ARC that the modification, 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. Architectural Standards

1. **Address Markers:** All homes are required to have clearly visible house numbers which are easily readable from the street.

- a. Address numbers must be visible at all times and cannot be obstructed by shrubs, trees, etc.
- b. Numbers may be made of wood, metal, ceramic, or carved into stone. No peel and stick or adhesive numbers will be permitted. Wood numbers may be painted black, white, or the color of the house trim.
- c. Numbers must be permanently attached with nails or screws. Glue type adhesive is not permitted.
- d. Numbers shall not exceed six (6) inches in height.
- e. Curb numbers are not permitted.

2. **Arbors / Gazebos / Pergolas / Trellises:** The structure shall be defined as a free standing, open framed structure whose purpose shall not be for any type of open storage.

- a. **Location:** The structure must be located on the rear yard and must be a minimum of five (5) feet from side property line and may not violate the

rear property line as shown on the plot plan or plat map. It must not encroach on any utility or drainage easement and must not interfere with drainage or cause water to flow onto any adjacent lot. Any lights attached to the structure must be positioned so that light does not spill over onto adjacent lots. No pergola shall protrude from the side of the residence.

b. **Material:** Acceptable materials are powder coated steel, powder coated aluminum, resin, or wood resistant to decay, such as pressure-treated yellow pine, redwood, cedar, or treated wood painted a color and shade similar to and harmonious with the exterior of the residence. No uncoated metal or screen will be permitted. Shade canopies or sails are not permitted shade cover for patios, pools, gazebos, pergolas, trellises, arbors and / or driveways.

c. **Dimensions:** The maximum height of an arbor, gazebo, pergola, or trellis shall not exceed twelve (12) feet measured from the natural ground. The maximum height of the walking area shall be no greater than eighteen (18) inches measured from the natural ground. The total walking area of the covered structure shall not exceed three hundred (300) square feet; however, structures larger than 40% of the rear yard will not be approved.

3. **Basketball Goals:** All basketball goals are to be submitted to the ARC for review of style and placement. Only one goal shall be permitted per lot. Only commercially manufactured equipment is permitted.

a. **Location:**

- i. **Permanent goals:** Permanent goals, including goals on poles installed in the ground, are not permitted.
- ii. **Portable goals:** Goals must never be more than eight (8) feet in front of the garage. Houses with recessed garages may only place portable goals behind the front building setback line. Portable goals must be placed so that the backside of goal's backboard is against (parallel) to the front of the garage entrance or parallel to the driveway. Goals must never violate the side building lines. Goals must never be placed in the streets or on sidewalks.
- iii. **Garage Mounted Goals:** Goals must be placed so that the backside of goal's backboard is parallel and horizontally centered to the front of the garage entrance.

b. **Construction:**

- i. **Pole:** All poles must be metal and black in color.
- ii. **Backboards:** Backboards must be Plexiglas, graphite, fiberglass, glass, plastic, or other weather resistant material. All backboards must be clear, white, gray, or black with the exception of manufacture's outline markings (no logos / decals except the official NBA or WNBA logo) and must be of standard size.
- iii. Nets are required on all rims at all times, no chain type nets are allowed.

- iv. Nothing may be stacked on the back or base of the goal to hold it down. Base must be filled per manufacturer's instructions.

4. Benches and Other Outdoor Seating:

- a. Location: Benches and outdoor seating in front of the home must be placed on a covered porch. Seating in the front yard including, but not limited to, in the grass, landscape beds, on walkways, and on uncovered porches is prohibited. This section does not apply to seating in the back or side yard behind an approved fence.
- b. Materials: All park benches and outdoor seating must be constructed of metal or wood and be earth tone in color.

5. Decorative Items: Decorative items are any items which are not part of the main residential structure, garage, or living landscape material and are placed for decorative reasons. This section pertains to decorative items in public view including on porches, in landscaped beds or grass, attached to or hanging from trees, shrubs or other landscape material, attached to the home (not included in builder elevation), on driveways, in front of garages or other locations that are not concealed from view by an approved structure or fence. Small sculptures, live potted plants and other similar decorative items may be placed in the locations listed within the following conditions:

- a. Location: Decorative items should be an integral part of the exterior aesthetics or landscaping and blend in with the existing shrubbery or trees. Placement of decorative items on the sidewalk and / or the right of way areas is strictly prohibited.
- b. Size and Quantity: Decorative items that are visible from the street may not exceed eighteen (18) inches in height. The exception is decorative landscape planters used for the display of flowers or other approved landscape material. Yard accessories are not to exceed three (3) in number. Permitted Flags, as defined in the Guidelines for Display of Flags do not count as decorative items. Other flags including, but not limited to, seasonal, decorative, or sports flags, are considered decorative items and will be considered in the permitted quantity.
- c. A single, well maintained wreath per door may be displayed at any time of the year and shall not count towards the maximum quantity.
- d. Customary seasonal decorations of a temporary nature placed on the exterior of the home in commemoration or celebration of a publicly observed holiday are excluded from the quantity restriction. All holiday decorative items should coincide with a holiday. Holiday decorations for year – end holidays, including but not limited to, Christmas, Hanukkah and Kwanzaa, may be displayed from November 1st through January 15th. Decorations with sound or generators shall be turned off between the

hours of 10:00 p.m. and 8:00 a.m. Holiday decorations may not unreasonably disturb the peaceful enjoyment of adjacent homeowners.

e. Materials: Decorative accessories and landscape planters must be constructed of precast concrete, marble, painted cast aluminum, terra cotta, bricks (matching home), or other durable material. Wooden barrels, plastic, fiberglass, and other non-durable materials are not acceptable materials for landscape planters or decorative accessories.

f. Landscape planters must be maintained with landscape materials at all times.

g. Prohibited Accessories: Bird baths, large decorative fountains, hose reels mounted to front of house, and other items not meeting the established guidelines are not permitted within the visible front or side yards of residential lots. Hoses should not be of colors other than green or of earth tones and they, along with toys, tools, and landscaping material, must be stored out of sight when not in use.

6. Display of Certain Religious Items:

a. A property owner or resident may display or attach one or more religious items to each or any entry to their dwelling. Such items include anything related to any faith that is motivated by the residents' sincere religious belief or tradition.

b. Individually or in combination with each other, the items at any entry may not exceed twenty – five (25) square inches total in size.

c. The items may only be displayed on or attached to the entry door or frame any may not exceed beyond the outside edge of the door frame.

d. To the extent allowed by the Texas state constitution and the United States constitution, any such displayed or affixed religious items may not:

- i. threaten public health or safety; or
- ii. violate any law; or
- iii. contain language, graphics or any display that is patently offensive to a passerby.

e. Approval from the Architectural Review Committee is not required for displaying religious items in compliance with these regulations.

As provided by Section 202.018 of the Texas Property Code, the Association may remove any items displayed in violation of these guidelines.

7. Driveways: Driveway standards must be harmonious within the community.

- a. Driveway Extensions: Driveway extensions will be reviewed on an as submitted basis.
- b. The maximum approvable width for a driveway extension shall be eighteen (18) inches on each side.
- c. Under no circumstances will a driveway extension be granted for the purpose of providing additional automobile parking.
- d. Under no circumstances may an entire front yard be paved as a driveway. Driveway coverage should be no more than approximately 25% (as measured from three (3) feet behind the front building line) of the front yard.
- e. Driveway extensions may not be constructed or installed within the side or rear building line.
- f. On lots with sidewalk, the extension shall not extend past the sidewalk. On lots without a sidewalk, the extension shall extend all the way to the curb. County and / or city specifications regarding driveway cuts and curb returns at the driveway opening shall be adhered to. Approval from the appropriate governmental agency shall be required for driveways extending to the street and a copy of the approval must be provided to the Association within 10 days of installation.
- g. Driveway extension shall be constructed of concrete at least four (4) inches thick and must contain an appropriate amount and location of rebar. Extensions shall be attached to the existing driveway. An extension shall not appear to be "added" in appearance and must follow the same design configuration, including but not limited to, expansion joints, placement, shape of concrete sections, and comparable concrete finish. Expansion joints on the extension must line up with those of the original driveway.
- h. Circular or Semi – Circular Driveways: Circular or semi – circular driveways that are not included as part of the original construction plans for the main residence submitted by the builder will not be approved.
- i. Driveway Accents / Borders: Driveway accents / borders will be reviewed on an as submitted basis. The maximum approvable width for a driveway accent or border shall be twelve (12) inches on each side of the driveway. Materials must be harmonious with the residence. Asphalt, stained concrete, and painted concrete are prohibited. Flagstone, patio stones, stamped concrete, cobblestone, and paver stones are permitted. Stones must be mortared or filled in with sand or fine gravel. Area must be prepared with proper compressed earth, leveling sand and base as to prevent movement, weed, and grass growth. Areas between stones must be kept free of grass and weeds.

j. Under no circumstances will a driveway extension and a driveway accent / border be approved on the same property.

k. Asphalt, stained, or painted driveways or extensions will not be permitted.

l. Security / Driveway Gates: Security / driveway gates shall be constructed of wrought iron that shall be painted black. No decorative elements including, but not limited to, iron or metal décor, initials, symbols, words, lattice, cutouts, decorative spires or tips, are permitted. Gate must not exceed eight (8) feet in height and must be five (5) feet back from front setback of house. Homes with a port cache may install gates flush with the front columns. Motor housing and / or opening devices must be located inside the gate.

m. Curb Numbers: Curb numbers will not be permitted.

n. Expansion Joints: Expansion joint replacements made of flexible man-made materials such as vinyl and polyurethane that are specifically designed to replace rotted wood in driveways, sidewalks, patios, and pool decking expansion joints are acceptable for driveways. The replacement material must be the same color throughout the driveway and be either a gray or almond tone that matches the concrete shade as much as possible. Installation must be flush with the surface of the driveway or sidewalk.

8. Exterior Painting: No exterior surface of any residence, garage or other structures on any lot shall be painted a color different from the original ARC approved color without prior approval of the ARC. This applies to existing and new construction. Color samples or "paint chips" of the proposed exterior color(s) must be included with each application submitted to the ARC. Only colors consistent with the Association standards (earth tones of brown, beige, tan, and grey) will be approved. The following additional guidelines shall also apply:

a. Harmonious Colors: The proposed colors must be harmonious with each other and with the colors of the exterior brick and roofing materials.

b. Trim: Soffit, fascia boards, window and door trim, and rain gutters must also be harmonious colors; however, the shades of trim color may be deeper than the principal color of the residence or garage.

c. Gutters: When rain gutters are painted, their color must match the color of the fascia board trim. When "maintenance free" gutters are installed or replaced, their color must match (as closely as possible) the fascia board trim or previously approved existing gutters.

d. Garage Doors: Garage doors shall be painted the same color as trim or siding on main residence. Colored or tinted stain or sealant will be considered for wood garage doors on an as submitted basis based on the colors and overall exterior appearance of the residence.

9. **Exterior Siding:** When siding is replaced or added to any existing structure or new modifications 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.

- a. If all exterior siding is being replaced at one time, the replacement of all siding must match existing lay out as to remain the standard for the property and the type of siding may be changed to any of the following acceptable materials: wood, wood product (e.g., Masonite), or hardiboard.

The following guidelines apply to replacement or additional exterior siding:

- a. Thickness, visible width, and spacing of 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.
- b. Color of all siding (including siding that is not painted) must comply with Guidelines for painting.
- c. Board and batten, rough sawn plywood, hard board, wood, and particleboard siding are prohibited.
- d. Diagonal siding is prohibited.
- e. All houses shall be a minimum of 51% masonry. Homes on lots seventy (70) feet to one hundred (100) feet wide shall be a minimum of 65% masonry. Homes on lots wider than one hundred (100) feet shall be a minimum of 75% masonry. Fiber cement materials are not considered masonry. First floors of homes that back onto a lake shall be 100% masonry on all four (4) sides. All mortar joints are to be tooled with mortar color complementary to the brick color.
- f. All fiber cement materials shall be painted.

10. **Fencing:** Fencing standards must be harmonious within the neighborhood.

- a. When replacing a fence, it must be of like material and height as originally installed by the builder in order to maintain harmony with the surrounding fences.
- b. Wood fence height shall be six (6) feet unless the originally installed approved builder fence was an alternate height. Wrought iron fences shall be four (4) feet tall unless the originally installed approved builder fence was an alternate height. Wrought iron fencing must be painted black.
- c. Rot boards are permitted; however, the overall fence height, including the rot board, may be no taller than six (6) feet measured from the natural ground.

d. Wood fences on a lot lines common with neighboring lot lines shall be installed as a good neighbor fence. Owners sharing the good neighbor fence shall each be responsible for maintaining or repairing the side of the fence facing their lot. An owner may not remove any section(s) of the good neighbor fence without express written permission of the neighboring owner(s) and upon approval from the ARC and / or the Board.

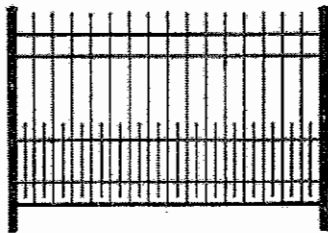
e. Wood fences are to be constructed with #2 cedar or treated pine 1"x6"x6' pickets and two 2"x4" railings or better. No used material is allowed.

f. Front and street side wood fences visible to the public shall have the finished side out. All fencing facing major thoroughfares or collector streets as indicated by the ARC shall have a continuous 2"x6" cedar cap as installed by the builder.

g. Gates, other than approved security / driveway gates, shall be thirty six (36) inches to forty two (42) inches wide. Double gates are not permitted. Scrollwork and / or ornate latches or handles are not permitted. Latches and handles must be black.

h. Fence Paints, Stains, or Tinted Sealants: In order to prevent inconsistent color matches with the fences throughout the community, the application of any paints, stains, or tinted sealant on wood fences is prohibited on any lot fencing. By prohibiting the application of any painted, stained, or tinted product, the fences maintain a harmonious and consistent appearance throughout the community. Clear sealant is permitted.

i. Bottom portion "puppy bars" or "puppy panels" are permitted on iron fences. Puppy bars / panels include the addition of one wrought iron bar with additional vertical bars attached (see sample below). Puppy bars / panel may not contain decorative elements and must match the iron fence as close as possible. No mesh is permitted along fencing.



j. Prohibited Fencing: Vinyl, chain link, and wire fencing shall not be permitted. Diagonal and horizontal fencing is not permitted. Lattice fencing is not permitted.

k. Prohibited Accessories: No items are permitted to be attached to a fence, including but not limited to, hanging baskets, iron or metal décor,

hose reels, etc. No decorative elements are permitted on wood or iron fences, including but not limited to, initials, symbols, words, lattice, cutouts, etc.

11. Flags and Flagpoles: The display of Permitted Flags is permitted in the community. Advance approval from the ARC is required for any free – standing flagpole. Flags other than permitted American flags, Texas flags and official military flags as described below including, but not limited to, seasonal, decorative or sports flags are considered decorative items and count towards the approved allotment of such items. Only Permitted Flags may be flown or displayed on a free – standing flag pole.

- a. Permitted Flags are: the flag of the United States, the flag of the State of Texas, and the official flag of any branch of the United States armed forces.
- b. Permitted Flags must be displayed in a respectful manner in accordance with the current relevant federal, state, or military code.
- c. Permitted Flags must be displayed from a pole attached to a structure or to a free – standing pole. Permitted Flags may not be draped over or directly attached to a structure. For example, a Permitted Flag may not be laid across a fence or stapled to a garage door.
- d. Permitted Flags may be up to three (3) foot by five (5) foot in size.
- e. Only one Permitted Flag may be displayed on a flagpole attached to a structure. Up to two (2) Permitted Flags may be displayed on an approved free – standing flagpole that is at least fourteen (14) feet tall and no more than twenty (20) feet tall.
- f. Flagpoles must be constructed of permanent, long-lasting materials with an appropriate finish that is harmonious with the dwelling.
- g. A flagpole attached to a structure may be up to six (6) feet long and must be securely attached with a bracket with an angle of 30 to 45 degrees down from vertical. The flagpole must be attached in such a manner as to not damage the structure. One attached flagpole is allowed on any portion of a structure facing a street and one attached flagpole is allowed on the rear or backyard portion of a structure. Brackets which accommodate multiple flagpoles are not allowed.
- h. Free – standing flagpoles may be up to twenty (20) feet tall, including any ornamental caps. Free – standing flagpoles must be permanently installed in the ground according to manufacturer's instructions. One free – standing flagpole is allowed in the portion of the property between the main residential structure and any street and one free – standing flagpole is allowed in the rear or backyard portion of a property.

i. Free – standing flagpoles may not be installed in any location described below:

- i. in any location other than the Owner's property; or
- ii. within a ground utility easement or encroaching into an aerial easement; or
- iii. beyond the side or rear setback lines (for example, on a lot with a ten (10) foot side setback line, a flagpole may not be installed closer than ten (10) feet from the side property line); or
- iv. beyond half the distance of the front setback line (for example, on a lot with a thirty (30) foot front setback line, a flagpole may not be installed closer than fifteen (15) feet from the front property line); or
- v. closer to a dwelling on an adjacent lot than the height of the flagpole (for example, a twenty (20) foot flagpole cannot be installed closer than twenty (20) feet from an adjacent house).

j. Lighting may be installed to illuminate Permitted Flags if they will be displayed at night and if existing ambient lighting does not provide proper illumination. Flag lighting must:

- vi. be ground mounted in the vicinity of the flag; and
- vii. utilize a fixture that screens the bulb and directs light in the intended direction with minimal spillover; and
- viii. point towards the flag and face the main structure on the property or to the center of the property if there is no structure; and
- ix. provide illumination not to exceed the equivalent of a 60 watt incandescent bulb.

k. Flagpoles must not generate unreasonable noise levels which would disturb the quiet enjoyment of other residents. Each flagpole owner should take steps to reduce noise levels by using vinyl or plastic snap hooks, installing snap hook covers, or securing a loose halyard (rope) around the flagpole with a flagpole clasp.

l. Flagpoles are allowed solely for the purpose of displaying Permitted Flags. If a flagpole is no longer used on a daily basis, it must be removed.

m. All flags and flagpoles must be maintained in good condition. Deteriorated flags must be removed and promptly replaced. Deteriorated or structurally unsafe flagpoles must be promptly repaired, replaced, or removed.

n. The guidelines above do not apply to any flags other than Permitted Flags including, but not limited to:

- i. flags for schools, sports teams, businesses, or foreign countries; or
- ii. flags with marketing, seasonal, historical, commemorative, nautical, political, or religious themes; or
- iii. historical versions of Permitted Flags.

12. Garage Conversion: Conversion of garage space into livable area, including, but not limited to restrooms, changing rooms, showers, and / or bathtubs, is prohibited. Second story living units above detached garages are prohibited.

13. Garage Doors:

- a. Garage doors shall be painted to match the trim or siding on the residence or stained with a wood based color. Colored or tinted stain or sealant will be considered for wood garage doors on an as submitted basis based on the colors and overall exterior appearance of the residence.
- b. Garage doors may have decorative wrought iron hinges and / or handles.
- c. Decorative decals, painting, embellishments other than approved wrought iron hinges or handles, or other similar items are prohibited.

14. Gazebos: The structure shall be defined as a free standing, open framed structure whose purpose shall not be for any type of open storage.

See Arbors / Gazebos / Pergolas / Trellises

15. Generator: A standby electric generator (SEG) means a device that converts mechanical energy to electrical energy and is:

1. powered by natural gas, liquefied petroleum gas, diesel fuel, biodiesel fuel, or hydrogen;
2. fully enclosed in an integral manufacturer – shipped sound attenuating enclosure;
3. connected to the main electrical panel of a residence by a manual or automatic transfer switch; and
4. rated for a generating capacity of not less than seven (7) kilowatts.

Generator may be used for Emergency standby power only.

Generator shall be installed in a location to be screen to the maximum extent possible within the criteria set below. Care shall be taken to avoid the installation near any neighbor's bedrooms and be located in the rear

yard behind an approved fence or other approved screening method. SEG must not encroach any easements. The generator must be anchored to a four (4) inch concrete slab.

Generator power output will not be restricted but the overall operating noise rating at 23 – feet shall not exceed more than eighty (80) decibels in operation mode.

Criteria for installation:

- a. The homeowner shall first apply to and receive written approval from the Association prior to installation of any SEG that will be located outside of the main residential structure on the Property, in the same manner as all other submissions for approval or improvements to property.
- b. The SEG must be installed and maintained in compliance with manufacturer's specifications and applicable governmental health, safety, electrical, and building codes.
- c. All electrical, plumbing, and fuel line connections for the SEG shall be installed only by licensed contractors and all electrical connections must be installed in accordance with applicable governmental health, safety, electrical, and building codes.
- d. All natural gas, diesel fuel, biodiesel fuel, or hydrogen fuel line connections for the SEG shall be installed in accordance with applicable governmental health, safety, electrical, and building codes.
- e. All liquid petroleum gas fuel line connections shall be installed in accordance with rules and standards promulgated and adopted by the Railroad Commission of Texas and other applicable governmental health, safety, electrical, and building codes.
- f. All non – integral standby electric generator fuel tanks for the SEG shall be installed and maintained to comply with applicable municipal zoning ordinances and governmental health, safety, electrical, and building codes.
- g. The SEG and its electrical and fuel lines shall all be maintained in good condition.
- h. If a component of an SEG, including electrical or fuel lines, is deteriorated or unsafe then that component shall be repaired, replaced, or removed as appropriate.
- i. The SEG shall be screened in accordance with plans submitted to and approved by the Association, if it is:
 - i. visible from the street faced by the dwelling,
 - ii. located in an unfenced side or rear yard of a residence and is visible either from an adjoining residence or from adjoining

iii. property owned by the property owners' association, or located in a side or rear yard fenced by a wrought iron or residential aluminum fence and is visible through the fence either from an adjoining residence or from adjoining property owned by the property owners association.

j. The SEG shall be periodically tested in accordance with the manufacturer recommendations.

k. The SEG shall not be used to generate all or substantially all of the electrical power to the residence, except when utility-generated electrical power to the residence is not available or is intermittent due to causes other than nonpayment for utility service to the residence.

l. Manufacturer's recommend routine exercising of SEG to ensure the ability to operate during an outage. Exercising must be scheduled during daytime hours.

m. The SEG shall be located in a location submitted to and approved by the Association.

n. The SEG shall not be located on property owned or maintained by the property owners association or owned in common by the property owners association.

o. The location required by the Association for a SEG may not increase the cost of installing the SEG by more than 10% or increase the cost of installing and connecting the electrical and fuel lines for the SEG by more than 20%.

16. Landscape Edging: Landscape edging is not required, but is encouraged for maintenance purposes.

a. Acceptable Materials: Landscaping brick mortared on a foundation, moss rock, Windsor block, rowlock with soldier course set in concrete band, or mortar joint will be considered. Metal or hard rubber / plastic edging in brown, black, or green is permitted. Any material used must be harmonious with the exterior of the main dwelling.

b. Not Acceptable Materials: Railroad ties, landscape timbers, and / or remaining building materials from the dwelling, such as builder brick are prohibited.

17. Mailboxes: Mailbox type and styles vary by section of the community. Mailboxes must be replaced with like kind. All mailboxes must be safely accessible by the postal carrier without leaving the vehicle and shall remain free from obstructions. Mailboxes must conform to postal service regulations, applicable local, state, and federal regulations and restrictions.

a. Aluminum / Metal Mailboxes: Mailboxes must be black in color with dimensions of approximately 7 ¼" wide x 9 ¼" high x 20" deep. Mailboxes are to be installed at a height of 3.5' – 4.0' from the road surface to the point of mail entry. The mailbox may display the house number on the right – hand side of the road in the direction of traffic or on the front of double hung mailboxes; however, the house number is not required. The house number, if applied, must be inscribed in contrasting color in neat letters and numerals not less than one (1) inch high. An operable red flag to denote out – going mail shall be secured on the right side of the mailbox. Posts holding double boxes shall be the joint responsibility of both homeowners.

b. Brick Mailboxes: The mailbox structure shall be a masonry column approximately twenty four (24) inches wide x twenty four (24) inches deep. The height of the column shall be between four (4) feet and five (5) feet tall to allow for the encasement of a black mailbox insert with dimensions of approximately 7 ¼" wide x 9 ¼" high x 20" deep. Mailboxes are to be installed at a height of 3.5' – 4.0' from the road surface to the point of mail entry. The top of the column will consist of an arched cap and is included in the overall height dimension. The column shall be the same masonry product and color as the residence. Mailbox column should be located adjacent to the front walk of the house and are to be set back six (6) to eight (8) inches from the front face of the curb or road edge to the mailbox door. The mailbox may display the house number on the right – hand side of the road in the direction of traffic or on the front of the column below the mailbox insert; however, the house number is not required. The house number, if applied, must be inscribed in contrasting color in neat letters and numerals not less than one (1) inch high. An operable red flag to denote out – going mail shall be secured on the right side of the brick column. Painted brick or masonry is not permitted.

18. Outdoor Lighting: Outdoor lighting shall be installed in such a way to minimize the amount of spill light on adjacent properties, homes, or streets. All lights must be installed on the rear of the home or garage. The only exceptions are low voltage landscaping lights, lampposts, or decorative fixtures of an understated design which complements the architectural style of the residence. Only steady lighting of white or amber colors is permitted. No flashing lights are permitted. These provisions do not apply to decorative lighting traditionally installed for a holiday.

a. Landscape Lighting: Lights must be located at ground level in landscape beds.

b. Lamppost: Only one (1) lamppost may be approved for placement in the front yard. It must not be placed in the street right – of – way and must luminate white. Lamppost must not exceed seven (7) feet in height, including the globe(s) and any decorative components. Post must be constructed of metal in one of the following colors: black, white, or earth tone. The lamppost must harmonize with the architecture of the residence and neighborhood.

c. Fixtures: All fixtures must be Underwriter Laboratories (UL) approved and may be of the following type: incandescent cannot exceed 150-watts; gas and LED lighting cannot exceed the equivalent amount of light produced by a 100-watt incandescent fixture; high pressure sodium cannot exceed 35-watts.

d. All outdoor lighting must be white or amber. Other colors are prohibited.

e. Mercury vapor lights are prohibited.

19. Patio Covers: Patio covers are considered to be additions to the rear of the residence that have no enclosure walls.

a. Location: Patio covers must not encroach on any utility or drainage easement, nor shall it violate the building setback lines applicable to the residential dwelling on any lot. Patio covers must not interfere with drainage or cause water to flow onto any adjacent lot. Patio covers must be located on the farthest setback plane of the residence and may not be located on the side of the residence. Patio covers may not be located over a driveway.

b. Material: 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 construction of the main residence. Acceptable materials are powder coated steel, powder coated aluminum, brick, or wood. Materials must be completely framed so that no raw edges of material are visible. The roof of the covered patio must be integrated in the existing roof line and 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 and there is positive roof drainage away from the house and adjacent lot. Canvas and corrugated roofs for patio covers shall not be permitted under any circumstances. Under no circumstances will a flat roof be approved. All patio covers must be adequately supported and constructed of sturdy materials so that the patio cover has no visible sagging or warping.

c. Dimensions: Patio covers shall be securely attached at a height not less than seven (7) feet, nor more than twelve (12) feet from ground level. The top of the patio cover at its lowest point shall not be higher than eight (8) feet from ground level. The patio cover roof shall provide an attractive slope away from the house at an angle that does not exceed that of the roof of the residence. No patio cover shall protrude from the sides of the residence.

- d. Shade canopies or sails are not permitted shade structures for patios, pools, gazebos, pergolas, trellises, arbors, and / or driveways.
- e. Pool enclosures are not permitted.

20. Patio Enclosures & Screened Patio / Porch:

Patio Enclosures: A patio enclosure is any patio cover that has exterior walls, other than sunrooms.

- a. Location: Patio enclosures must not encroach on any utility or drainage easement, nor shall it violation the building setback lines applicable to the residential dwelling on any lot. Patio enclosures must not interfere with drainage or cause water to flow onto any adjacent lot. Patio enclosures must be located on the farthest setback plane of the residence and may not be located on the side of the residence. Patio enclosures shall not protrude from the side of the house. Patio enclosures may not be located over a driveway.
- b. Materials: The standard, type, quality, and color of the materials used in the construction of the patio enclosure must be harmonious with the standard, type, quality, and color of the materials used in the construction of the main residence (*i.e.* brick home, enclosure must be brick to match the home). The exterior color of the walls, doors, windowsills, beams, frames or other visible supports must match the exterior color of the residence. The roof must be shingled to match the existing roof and must be integrated to in the existing roof line. A minimum 3:12 slope is required; however, in cases where it is not possible to have a minimum 3:12 slope (*i.e.* 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 residence. Under no circumstances will canvas or corrugated roofs be permitted.
- c. Dimensions: Patio enclosures shall be securely attached to the residence. The roof shall be at a height not less than seven (7) feet, not more than twelve (12) feet from ground level.

Screened Patio / Porch: A screened patio / porch shall be defined as a patio enclosure constructed with screen walls.

- a. Location: Screened patios / porches must not encroach on any utility or drainage easement, nor shall it violate the building setback lines applicable to the residential dwelling on any lot. Screened patios / porches must not interfere with drainage or cause water to flow onto any adjacent lots. Screened patios / porches must be located on the farthest setback plane of the residence and may not be located on the front or side of the residence. Screened patios / porches shall not

protrude from the side of the house. Screened patios / porches may not be located over a driveway.

- b. **Materials:** The standard, type, quality, and color of the materials used in the construction of the patio / porch and screen structure must be harmonious with the standard, type, quality, and color of the materials used in the construction of the main residence (*i.e.* brick home, enclosure must be brick to match the home). The exterior color of the walls, doors, windowsills, beams, frames or other visible supports must match the exterior color of the residence. The roof must be shingled to match the existing roof and must be integrated to in the existing roof line. A minimum 3:12 slope is required; however, in cases where it is not possible to have a minimum 3:12 slope (*i.e.* 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 residence. Under no circumstances will canvas or corrugated roofs be permitted. Non – reflective black screen material shall be used. Screens must be an aluminum, fiberglass, or vinyl – coated polyester patio screen 18 x 14 or 20 x 20 with a minimum thickness of .20 inches. Wood frames must be of a neutral color that is harmonious with the existing color of the residence. No metallic or direct reflecting style of non – powder coated aluminum or steel will be permitted.
- c. **Dimensions:** Screened patios / porches shall be securely attached to the residence. The roof shall be at a height not less than seven (7) feet, nor more than twelve (12) feet from ground level. The ARC and / or the Board reserve the right at their sole discretion to restrict size based on a percentage of the lot which may be covered by the screened patio / porch.

21. Pergolas: The structure shall be defined as a free standing, open framed structure whose purpose shall not be for any type of open storage.

See Arbors / Gazebos / Pergolas / Trellises

22. Pet Kennel: Pet kennels and / or dog runs will not be permitted.

23. Playhouses, Play Structures, Trampolines, and Swing Sets: For the purpose hereof, a playhouse, play structure, trampoline, and / or swing set shall mean any type of children's play houses, play set, climbing / jumping structure, slides, raised play sets, or swing set.

- a. **Location:** Playhouses, play structures, trampolines, and swing sets shall be located in the rear yard so they are screened from public and private view to the maximum extent possible by permanent structures (such as the house, garage, or wood fences). All playhouses, play structures, trampolines, and swing sets must be a minimum of eight (8) feet from the side and rear property lines. No play equipment shall be

approved for construction on easements, nor may impede the drainage on the lot or cause water to flow to an adjacent lot.

b. Size: Playhouses and trampolines must not exceed one hundred (100) square feet in size. The maximum allowable height for playground equipment is twelve (12) feet, including canopy. Standing platforms shall not exceed five (5) feet above natural ground.

c. Materials: Playhouses and play structures must be constructed of materials resistant to decay, such as pressure-treated yellow pine, redwood, cedar, or treated wood painted to be in harmony with the existing residence. Tarp roofs, awnings, or covers must be in primary, green, or earth tone solid colors. Swing sets and trampolines may be constructed of metal. Trampoline safety netting and foam covered poles shall be allowed in the color of black or blue only.

24. Port Cache: A port cache is defined as an open framed, roofed structure extending from the entrance of the garage over the adjacent driveway for the purpose of sheltering those getting in or out of vehicles and shall not be used for any type of storage.

a. Location: The structure must be attached to the front of the garage and must be a minimum of five (5) feet from the side line and may not violate the rear property line as shown on the plot plan or plat map. It must not encroach on any utility or drainage easements and must not interfere with the drainage or cause water to flow onto any adjacent lot or common area. Under no circumstances shall the structure, including roof overhang, extend within five (5) feet of the front setback of the residence. Driveway gates installed with port cache must be mounted flush with the front columns. Motor housing and / or opening devices must be located inside the gate.

b. Materials: The standard, type, quality, and color of the materials used in the construction of a port cache must be harmonious with the standard, type, quality, and color of the materials used in the construction of the residence. Brick used in the support columns must match the brick of the residence. The roof must be shingled to match the residence and / or garage. Trim shall be painted to match the residence and / or garage.

c. Dimensions: The width of the port cache must match the width of the garage and may not extend past the side of the garage. The maximum allowable length of the port cache will be twenty five (25) feet; however, it may not extend to within five (5) feet of the front elevation of the residence or violate building setback lines. The roof must be integrated into the existing roof line and have a minimum 3.12 slope. In cases where it is not possible to have a minimum 3.12 slope the ARC may approve an alternate appearance provided that the appearance of such roofing closely matches the roofing of the residence. Under no circumstances will a flat roof be approved.

25. Preferred Plants: The plants listed in Exhibit B are the desired plant materials for Summerwood. Every effort should be made to incorporate these plants into the landscape design for every unit. Other plant material may be used, but priority should be given to plants from this palette. **Artificial plants are not allowed.**

a. Palm trees are considered to be out of character with the desired landscape effect and will not be acceptable if they can be seen from public view or other units. Trees with historically invasive root systems such as Chinese Tallow Trees, Cottonwood, Weeping Willow, etc. are not acceptable. Plants and trees commonly known as invasive varieties are not acceptable. The use of golden euonymus and plants with high susceptibility to disease is discouraged. Arborvitae, Italian cypress, junipers (other than ground cover varieties), yucca, cactus, and bamboo are not in character with the plant palette and are discouraged and may be cause for disapproval.

b. At installation, front yard trees and corner side yard trees are to be a minimum of four (4) inch caliper measured twelve (12) inches from the base of the tree. Minimum requirements for front yards are as follows: lots up to seventy nine (79) feet in width require two (2) trees; lots eighty (80) feet and larger in width require three (3) trees in the front yard.

26. Rainwater Recovery Systems: Rainwater Recovery Systems may be installed with advance approval of the Architectural Review Committee subject to these Guidelines.

a. All such Systems must be installed on land owned by the property owner. No portion of the Systems may encroach on adjacent properties or common areas.

b. Other than gutters and downspouts conventionally attached to a dwelling or appurtenant structure, all components of the Systems, such as tanks, barrels, filters, pumps, motors, pressure tanks, pipes, and hoses must be substantially screened from public view from any street or common area. Screening may be accomplished by:

- i. placement behind a solid fence, a structure, or vegetation; or
- ii. by burying the tanks or barrels; or
- iii. by placing equipment in an outbuilding otherwise approved by the ARC.

c. A rain barrel may be placed in a location visible from public view from any street or common area only if the configuration of the guttering system on the structure precludes screening as described above with the following restrictions:

- i. the barrel must not exceed 55 gallons; and
- ii. the barrel must be installed in close proximity to the structure on a level base with the guttering downspout

- leading directly to the barrel inlet at a substantially vertical angle; and
- iii. the barrel must be fully painted in a single color to blend with the adjacent home or vegetation; and
- iv. any hose attached to the barrel discharge must be neatly coiled and stored behind or beside the rain barrel in the least visible position when not in use.

d. Overflow lines from the Systems must not be directed onto or adversely affect adjacent properties or common areas.

e. Inlets, ports, vents, and other openings must be sealed or protected with mesh to prevent children, animals, and debris from entering the barrels, tanks, or other storage devices. Open top storage containers are not allowed, however, where space allows and where appropriate, ponds may be used for water storage.

f. Harvested water must be used and not allowed to become stagnant or a threat to health.

g. All Systems must be maintained in good repair. Unused Systems should be drained and disconnected from the gutters. Any unused Systems in public view must be removed from public view from any street or common area.

27. Roofing Materials and Accessories: If the replacement shingles are the same grade, type, quality, and color as the existing approved shingles, no approval is required from the ARC. If the replacement shingles vary from the originally approved shingles an application must be submitted to the ARC.

a. Material: All buildings shall be roofed with composition shingles unless otherwise approved in writing by the ARC. Wood shingles are specifically prohibited for safety reasons. Composition shingles must weigh at least 230 pounds per square and have a stated warranty of at least 25 years. Shingles must have a laminated design. Three – tab shingles are specifically prohibited except for use as a starter and cap rows. Shingles shall be of an acceptable type, quality, and color that are harmonious with the residence. Acceptable shingle colors: Barkwood, Brownwood, Driftwood, Weathered Wood, Estate Gray, Onyx Black and Sablewood. Light brown, light gray, blue, green, red, and white colors are not allowed. The ARC may approve other types of roofing material of equal or superior quality in writing.

b. Alternative Shingles: Subject to the conditions below along with advance written approval from the ARC, an owner may install “Alternative Shingles” which are primarily designed to:

- i. be wind and hail resistant; or
- ii. provide heating or cooling efficiencies greater than traditional composition shingles; or
- iii. provide solar energy capture capabilities.

Once installed, any such Alternative Shingles must:

- i. resemble the shingles used of equal or superior quality to the shingles used on other structures within the Association; and
 - ii. be more durable than and of equal or superior quality to the shingles used or authorized to be used on other structures within the Association; and
 - iii. match the aesthetics of the properties surrounding the owner's property.
- c. Roof overlays are not allowed. Prior to roofing, all existing materials must be removed down to clean decking. Any damaged or deteriorated decking must be replaced.
- d. Accessories: Ridge vents are encouraged to improve ventilation, reduce attic temperature and reduce cooling costs, but are not required. All roof protrusions, such as vents and roof jacks must be painted to match the shingles. All roof ventilators shall be located to the rear of the ridgeline and / or gable of any structure and shall not extend above the highest point of the 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. All roofing additions and vents (if any) must be harmonious with the color of the roofing material. Silver is not permitted.

28. Room Additions: All plans and specifications shall be drafted in a professional manner. An architect or a designer is not required but is recommended for easier interpretation and generally better design results. Plan standards are as follows:

- a. Plot Plan(s): A plot plan showing the dimensions of the proposed construction or modification.
- b. Elevation: Draft at an architectural scale (1/4" = 1'0")
- c. Specifications: List all specifications relating to project design, structural framing and quality of exterior materials, color, textures and shape.

Requirements:

- a. A deposit of \$1,000 must accompany the Home Improvement Request.
- b. Exterior materials and color must match the house.
- c. Room additions may not encroach into any utility easements and must comply with all setback requirements for buildings.

- d. Approval of size, shape, and style of architecture will depend on the architectural style and layout of the home. Plans for room additions must show size in proportion to room dimensions of the residence. The roof of the addition must integrate with the existing roof line so as to appear to have been a part of the original home.
- e. Building permits, as required by the municipalities (city, county, etc.) must be submitted with the application. In some instances, the ARC may grant a conditional approval with the provision that a copy of the permit must be provided to the ARC prior to construction beginning.
- f. Balconies may also be permitted and must be approved prior to construction. Balconies may not protrude past the edge of the house and may not be visible from the street.
- g. Outdoor or exterior bathrooms, changing rooms, tubs, and / or showers are considered a room addition and shall only be permitted on the back plane of the home or the rear or interior (yard) side of a detached garage. Outdoor restrooms may not be located on the side of the garage adjacent to (next to) the property side property line or on the side of the residence.

Owner / Contractor Construction Requirements: It is the property owners' responsibility to ensure the contractor and their hired trades are aware of and understand the requirements of these Guidelines. The owner, contractor and their hired trades acknowledge and accept the authority of the Association to require certain standards.

- a. Owner / contractor and their hired trades are responsible for keeping mud, dirt, etc. off the roadways and meeting all EPA requirements regarding movement of silt and other materials from the construction site to drainage swales, storm drains, and / or adjacent properties. Owner / contractor and their hired trades will be responsible for repair to any road, road right of way, shoulders, drainage swales, and / or storm drains damaged during the course of construction.
- b. No dumping of construction materials or cleaning of cement trucks is allowed within the community.
- c. Construction access is limited to the Applicant's property. Any damage done to Association and / or neighboring property shall be restored to the original conditions as determine the Association and / or neighbor.
- d. No building materials or contractor's equipment shall be left on the street overnight.
- e. No construction signs are permitted.

29. Signs: Signage, other than political election signs, are limited to the following: one (1) sign indicating a property is for sale or lease, one (1) sign not in excess of 8" x 8" in size indicating that a security system is in place and one (1) "school spirit" sign per child.

30. Skateboard Ramps: Skateboard ramps are not permitted on public streets. When ramps are not in use they must be stored from public view.

31. Solar Energy Devices: A solar energy device means a system or series of mechanisms designed primarily to provide heating or cooling or to produce electrical or mechanical power by collecting and transferring solar – generated energy. The term includes a mechanical or chemical device that has the ability to store solar – generated energy for use in heating or cooling or in the production of power. Such Devices may be installed with advance approval from the ARC.

- a. Such Devices must be installed on land or structures owned by the property owner. No portion of the Devices may encroach on adjacent or common areas.
- b. Such Devices may only be installed in the following locations:
 - i. on the roof of the main residential dwelling; or
 - ii. on the roof of any other approved structure; or
 - iii. within a fenced yard or patio.
- c. For Devices mounted on a roof, the Device must:
 - i. have no portion of the Device higher than the roof section to which it is attached; and
 - ii. have no portion of the Device extend beyond the perimeter boundary of the roof section to which it is attached; and
 - iii. conform to the slope of the roof; and
 - iv. be aligned so the top edge of the Device is parallel to the roof ridge line for the roof section to which it is attached; and
 - v. have a frame, brackets, and visible piping or wiring that is a color to match the roof shingles or a silver, bronze, or black tone commonly available in the marketplace; and
 - vi. be located in a position on the roof which is least visible from any street or common area which does not reduce estimated annual energy production more than ten percent (10%), as determined by a publically available modeling tool provided by the National Renewable Energy Laboratory (www.nrel.gov) or equivalent entity, over alternative roof locations.
- d. For Devices located in a fenced yard or patio, no portion of the Device may extend above the fence. If the fence is not a solid fence which blocks view of the Device, the ARC may require the Device be placed in a location behind a structure or otherwise require visual screening. The ARC may consider installation of Devices on properties without a fenced yard if there is adequate screening from public view from any street or common area.

e. All devices must be installed in compliance with manufacturer's instruction and in a manner which does not void material warranties. Licensed craftsmen must be used where required by law. Permits must be obtained where required by law.

f. Installed Devices may not:

- i. threaten public health or safety; or
- ii. violate any law; or
- iii. substantially interfere with the use and enjoyment of land by causing unreasonable discomfort or annoyance to any adjoining property owner.

g. All Devices must be maintained in good repair. Unused or inoperable Devices must be removed from public view from any street or common area.

32. Solar Film: Solar film is a thin plastic or other clear material applied to the inside of windows. Solar film may be installed on the front, side, or back of the home. Solar film must be non – reflective and clear. No colored, tinted, or shaded solar film is permitted. Solar film must be installed on the inside portion of the window; exterior application is prohibited.

33. Solar Screens: Solar screens may be installed only on windows on the side or back of the house. Solar screens on front windows of the house are not permitted. No solar screens may be installed unless 20X30 mesh or a maximum of 80% UV rated screen is used. An acceptable material for solar screening is a heavy gauge vinyl mesh that is available in brown or black. The mesh must be enclosed and framed in aluminum that is compatible with the overall color scheme of the contiguous surface of the window on which it is installed. The mounting of the solar screens should not detract from the overall appearance of the house.

34. Storage / Utility Sheds: Sheds or other outbuildings (*i.e.*, tool or storage shed) are to have an exterior that architecturally compliments the exterior of the main dwelling. The roof of a shed or other outbuilding shall conform to the provisions relating to roofing materials set forth in the Declaration and these Guidelines. The placement of said structure shall conform to ARC Guidelines and the Declaration.

a. Location: Sheds or other outbuildings shall be located in the rear yard at or past the rear plane of the residence so they are screened from public and private view to the maximum extent possible by permanent structures (such as the house, garage, or wood fences). All sheds or other outbuildings must be a minimum of five (5) feet from the side property line and may not violate the rear building line as shown on the plot plan or plat map. When the rear or side lot lines of a lot is adjacent to a street no sheds or other outbuildings shall be permitted on that side of the lot. No sheds or other outbuildings shall be approved for construction on

easements or may impede the drainage on the lot or cause water to flow to an adjacent lot.

b. Size: Sheds or other outbuildings shall not exceed nine (9) feet in height from ground level and must not exceed one hundred twenty (120) square feet in size.

c. Material: Prefabricated resin, vinyl, powder coated steel, and powder coated aluminum are permitted. The colors must compliment the colors of the residence. For wood buildings the standard, type, quality, and color of the materials used in the construction of an outbuilding must be harmonious with the standard, type, quality, and color of the materials used in construction of the main residence; provided, however, that corrugated roofs for sheds or other outbuildings shall not be permitted under any circumstances.

d. Under no circumstances will a shed or other outbuilding that will be or could be used for living space be approved.

35. Storm Doors: Only full view storm doors may be installed and must be harmonious to the home. No mesh screening is allowed on storm doors. Full view storm doors may be installed on the front, side, or back of the home. The suggested material for storm doors is aluminum. The frame color must match the door trim on which it is installed. The mounting of the storm doors should not detract from the overall appearance of the house.

36. Sunrooms: A sunroom is defined as an attached enclosure constructed with glass walls and glass roofing.

a. Location: Sunrooms must not encroach on any utility or drainage easement, nor shall it violate the building setback lines applicable to the residential dwelling on any lot. Sunrooms must not interfere with drainage or cause water to flow onto any adjacent lot.

b. Material: Supporting structural members must be of a color and shade similar to and harmonious with the exterior of the residence. Glass must be tinted in a shade compatible with the exterior of the residence. No metallic or direct reflecting style shading / tinting of the glass will be permitted. Applicants will be required to submit actual samples of the glass with the proposed shading / tinting material applied for approval. The floor of all sunrooms must be of reinforced concrete slab construction with three (3) inch minimum thickness. No other flooring material will be permitted. Only safety glass will be permitted for the panes; no fiberglass, Plexiglas, plastic, acrylic, mesh, or other materials will be permitted. Safety glass must be a minimum 3/16 inch thick if tempered glass or a minimum 1/4 inch thick if laminated glass. Maximum width of glass between support trusses will be 36 (thirty six) inches measured center – to – center. Support trusses (glazing bars) must be constructed of aluminum or aluminum alloys with electrostatically applied coloring / paint. No natural aluminum oxidation coloring will be permitted. No wood composite, steel,

fiberglass, or plastic trusses will be permitted. Trusses must be of structural box or I-beam construction. Round, oval or "T" shaped trusses will be permitted.

c. Prohibited Accessories: No sunroom shall have exposed air conditioning, plumbing, electrical, or heating duct work installed on the exterior thereof. Vents must be attached to the main residence. No ductwork shall be visible. Window coverings are not required; however, only interior covering will be permitted; there shall be no exterior coverings of the sun room glass permitted.

37. Swimming Pools, Spas, and Ground Level Decks: Pools and spas must be constructed in compliance with the National Electrical Code to include ground fault interrupters and comply with the current Standard Swimming Pool Codes. No above ground swimming pools shall be erected, constructed or installed on any Lot.

A \$1,000 refundable deposit is required at the time of submission. Applications will not be reviewed by the ARC until the deposit is received.

a. Location: All pools, spas, and ground level decks must be located in the rear yard. Equipment such as filters, pumps, etc. must be located in the rear yard but must not encroach upon any easements. Pool or spa walls must not encroach into a side or rear utility easement. Decks may encroach into easements but are subject to removal by utility companies and are placed there at the owner's risk. Pool decking or ground level wood decks must be located at least three (3) feet from the side and / or rear property lines to ensure privacy to adjacent property owners and to allow for lot drainage. Above ground spas must be located a minimum of five (5) feet from the side and / or rear property line. The contractor and the homeowner are responsible for establishing proper drainage of the lot and deck areas during and after construction. No swimming pool, spa, or deck shall be constructed in a manner to impede drainage on a lot or cause water to flow on an adjacent lot.

b. Height: Pool decks or free – standing ground level wood decks must not exceed eighteen (18) inches in height. Rock waterfalls must not exceed six (6) feet in height. Above ground spas must not exceed four (4) feet in height and any decking surrounding the structure must not exceed that height.

c. Access: Access will *not* be granted through any other property or reserve adjacent to the submitted property. This also stands to insure that all debris and dirt will be hauled offsite and *not* dumped on any property in Summerwood. Should these guidelines not be followed at any time Summerwood has the right to retain the deposit and to hold liable the homeowner for any further damages.

d. Shade canopies or sails are not permitted shade cover for patios, pools, gazebos, pergolas, trellises, arbors, and / or driveways.

38. Trellises: The structure shall be defined as a free standing, open framed structure whose purpose shall not be for any type of open storage.

See Arbors / Gazebos / Pergolas / Trellises

39. Walkways: Walkways must be consistent in width and general appearance with residential concrete walkways / sidewalks of the neighborhood.

a. Location: Walkways may encroach into easements but are subject to removal by utility companies and are placed there at the owner's risk. Walkways must allow for lot drainage and not cause water to flow to an adjacent lot or common area. The height of the walkway that connects to a driveway must be equal to or lower than the height of the driveway. Acceptable sidewalk locations are: from the front door directly to the street; front door to the driveway; driveway to the side gate; or from the front door to the side gate.

b. Materials: Flagstone, patio stones, stamped concrete, cobblestone, and paver stones are permitted. Stones must be placed close together and must be mortared or filled in with sand or small gravel stones. Walkways constructed with flagstone, patio stones, cobblestone, or paver stones shall be primarily made from the stone material with the mortar, sand or gravel filling in only the small remaining areas between stones. See examples below. Area must be properly prepared with compressed earth with fine sand and / or gravel to prevent movement of material. Colors must compliment the colors of the residence. Formed concrete is allowed and the color must be consistent with the color of the driveway.

c. Brick walkways will be reviewed on a case by case basis.

d. The maximum approvable width of any walkway is three (3) feet.

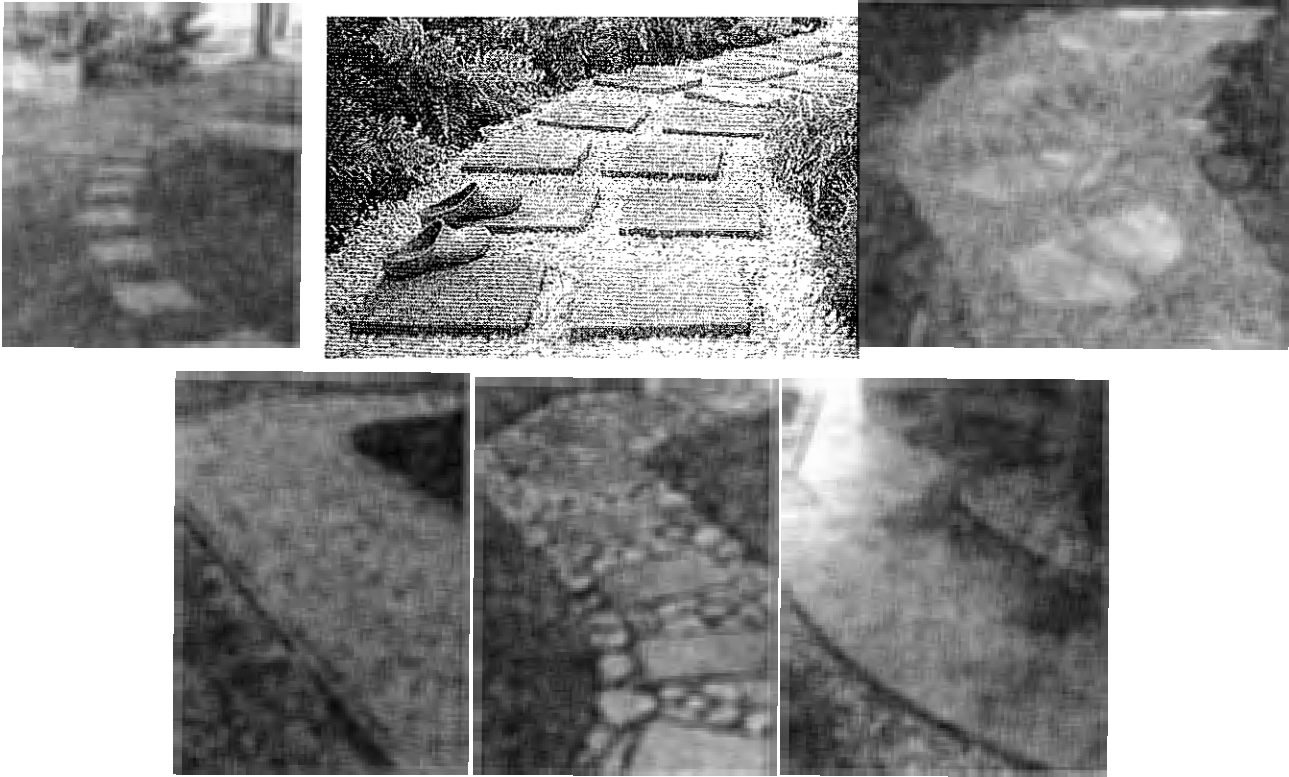
e. Plastic or metal edging is permitted along walkways with sand or gravel; however, edging must be concealed from public view by ground cover plant material. Rock, stone, or other matching material may be used as a border on walkways. Border material must be level with the top of the walkway unless concealed from public view by ground cover plant material.

f. Under no circumstances will walkways be permitted to adjacent lots or common areas.

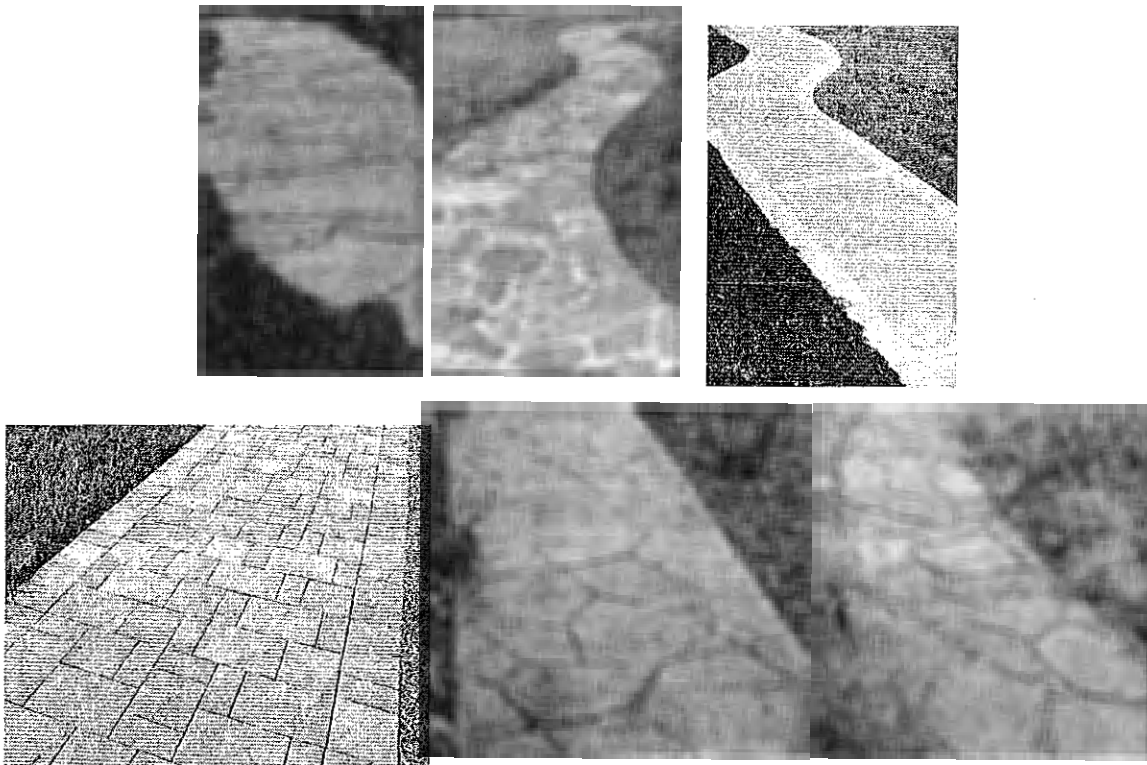
g. Walkways to driveways will be reviewed on an as submitted basis and will not be permitted as a driveway extension, accent and / or border.

h. Prohibited: Painting, tiled, gravel, rock, cinderblock, wood, stained, or colored walkways are not permitted.

Examples of **unapprovable** walkways:



Examples of **approvable** walkways:



40. Windows, Window Coverings, and Awnings: Windows must be non – reflective and clear. No colored, tinted, or shaded windows are permitted. Materials not designed to be used for window coverings including, but not limited to, sheets, blankets, raw fabric and tin foil or other metal, are prohibited. Window and door awnings are not allowed.

41. Additional Criteria:

- a. No alteration or other improvement (i.e. landscaping, curb, obstacle, etc.) is permitted within the street ROW.
- b. All lots must have positive drainage, away from the house, and lots must drain to the drainage system provided to said lot.
- c. All approved modifications to a lot must be maintained to the standards of the Association as outlined in the deed restrictions.
- d. Trash, household garbage, and recycling materials shall be placed in the refuse containers provided by the waste management with tight fitting covers or lids. The refuse containers are to be stored in the garage, the backyard, or in an area adequately screened from a front view of the home with plants or fencing. The refuse containers must be kept out of public view between the regularly scheduled collection days. Materials placed out on days specified for heavy trash pickup must follow guidelines of the waste management company.

D. Variances: Variances to the design standards and development criteria may be granted at the sole discretion of the Board of Directors when it can be demonstrated that strict compliance would create an undue hardship by depriving the owner of the reasonable utilization of the site, or where unusual circumstances or characteristics which affect the site make strict compliance not feasible. No variance shall be granted unless the general purposes and intent of the Declaration and design standards are maintained. Any variance granted shall only be applicable to the specific site and conditions for which the variance was granted, and shall not modify or change any design standards as they apply to other sites or conditions. All variances must be confirmed in writing and signed by the Board of Directors prior to construction of the improvement. No oral variances shall be granted.

Exterior Maintenance Guidelines

Each owner and / or resident shall maintain his or her property and all improvement as to keep a clean, slightly and safe condition and conform to the Community – Wide Standard. Maintenance obligations shall include, but not be limited to: the maintenance of all visible exterior surfaces of all buildings and other improvements, including fences and walls; the prompt removal of all paper, debris, and refuse; the removal and replacement of dead and diseased trees, shrubs and plant material; the repair, replacement, cleaning and relamping of all approved signs and lighting fixtures, the mowing, watering, fertilizing, weeding, replanting and replacing of all approved landscaping; and, during construction or modifications, the cleaning of dirt, construction debris and other construction related refuse from streets, storm drains, and inlets.

1. Basketball Goals

- a. Nets are required on all rims at all times, no chain type nets are allowed. Nets must be in good repair and may not be torn, damaged or hanging unevenly.
- b. All goal supports, backboards, rims, and nets must be well maintained at all times. Bent rims and broken/damaged backboards must be replaced. Nothing may be stacked on the back or base of the goal to hold it down. Base must be filled per manufacturer's instructions.

2. Decorative Items

- a. All accessories, including wreaths, shall be maintained in such a fashion as to not detract from the neighborhood. Landscape planters must be maintained with landscape materials at all times.

3. Driveways

- a. Driveways shall be kept in good repair. Cracked, broken, or otherwise damaged driveways must be properly repaired.
- b. Expansion joints shall be kept free of grass, weeds, other plant material and debris.
- c. Stained, mildewed, rusted, oil stained, or otherwise discolored driveways are prohibited and must be cleaned.
- d. Prohibited vehicles – No commercial vehicle, recreational vehicle, camper, trailer, all-terrain vehicle, boat, water craft, golf cart or other similar vehicle may be parked on streets, driveway, in grass or otherwise in view. Any vehicle which is inoperable or unused must be kept completely out of public view with in a garage. A vehicle is deemed to be inoperable if it is mechanically unable to safely be operated (*i.e.* flat tire(s), wrecked, missing windshield, etc.) or cannot legally operated on public streets (*i.e.* expired inspection or registration, no license plates, etc.) A

vehicle is deemed to be unused if it remains parked for a period exceeding fifteen (15) days.

4. Fencing

- a. Fences must be kept in good repair. Broken, hanging, or missing slats on wood fences or gates must be repaired or replaced. Rusted, broken, bent or missing bars or supports must be repaired or replaced on wrought iron fences.
- b. Fences must not lean or sag.
- c. Mildew and other discoloration must be removed from fence.
- d. Peeling, chipped, or faded paint on wrought iron fences is not permitted.

5. Landscaping: Frequency of maintenance depends on the weather and rate of growth, weeds, etc.; however, the maintenance must occur often enough to ensure that the lawn, trees, shrubs and landscape beds are maintained to the Community – Wide Standard.

- a. In order to be uniform and standard, the height of grass and vegetation outside of landscaped beds on all Lots shall not exceed six (6) inches.
- b. All area where grass meets concrete, walls, fences, manholes, utility boxes, trees, landscaping beds, or other protrusions must be maintained and clear of any growth.
- c. Shrubbery shall be trimmed and maintained at regular intervals and in a neat, attractive manner.
- d. Beds and other landscape areas shall be kept free of weeds and other unsightly growth.
- e. Any grass, weeds, or other unsightly growth in the crevices of driveways, sidewalks, and landscape borders must be removed.
- f. Trees shall be trimmed and maintained at regular intervals and maintained in a neat, attractive manner. Trees must be trimmed to provide at least nine (9) feet of clearance over sidewalks and curbs and fourteen (14) feet over any portion of the street. Suckers growing from the ground and trunks of trees shall be removed. Dead or damaged trees or those which might create a hazard to homes or Association property must be removed.
- g. Shrubs, trees and other plant material must be maintained as to not obstruct traffic sightlines and prevent hazards to vehicles and pedestrians.
- h. Mulch must be installed in all landscape beds and / or tree rings.

- i. Tree stakes are permitted on size appropriate trees. Tree stakes must be securely attached to trees at all times and shall be removed when the tree is of a size and stability that stakes are no longer necessary.
- j. Grass shall be installed and maintained in all areas of the yard except landscape beds or tree rings.

6. Landscape Edging

- a. Edging must be maintained at all times.
- b. Rusted, broken, or otherwise unsightly edging shall be replaced or repaired.
- c. Landscape brick, Windsor block, rowlock or other similar material must remain stacked in neat, orderly rows. Any material that falls or is knocked out of line must be reset. Missing or broken material must be promptly replaced.

7. Mailboxes

- a. All mailboxes shall have a properly attached door at all times. Missing or damaged doors must be replaced or repaired.
- b. Mailboxes and / or posts with faded or chipped paint must be repainted the same color as originally installed.
- c. Posts, boxes and / or brick shall be kept free of dirt, mildew or other discoloration.

Single or Double Boxes:

- d. Mailbox and posts shall be kept clean and in good repair at all times.
- e. Faded or discolored numbers shall be replaced.
- f. Metal mail boxes and posts shall be painted black and repainted as needed to address faded or chipped paint.
- g. Wood or metal mailboxes shall be properly and securely attached to the post.
- h. Wood or metal posts damaged by lawn equipment or in other manners shall be repaired, repainted or replaced.
- i. Leaning or damaged posts must be promptly repaired or replaced.

Brick Mailboxes:

- a. The column must be properly secured to the concrete base.

- b. Leaning or damaged columns must be promptly repaired or replaced.
- c. Missing or damaged brick or masonry shall be promptly repaired with matching materials.

8. Pets:

Prohibited Activity:

- a. Raising, breeding, or keeping animals or raising livestock or poultry of any kind may not be permitted at a residence.
- b. A reasonable number of dogs, cats, or other usual or common pets may be permitted.
- c. Pets shall be kept on a leash or otherwise confined in a manner acceptable to the Board whenever outside the dwelling. Pets must be physically confined in a secure fenced back yard, on a leash in the control of a responsible person or kept in the house. Pets may not be allowed to roam free. Those pets that roam free, or in the sole discretion of the board, make objectionable noise, endanger the health or safety of, or constitute a nuisance or inconvenience to the occupants of other residences, shall be removed upon request of the Board.
- d. Pets shall be registered, licensed, and inoculated as required by law.
- e. Yards shall be kept free of pet debris and odors. It is the responsibility of the animal owner or caretaker to remove and properly dispose pet waste left by their animal from grass, sidewalks, driveways, common areas, and all other locations.

9. Structure Maintenance: The condition below shall be applicable to all structures on the Lot including, but not limited to: residence, attached or detached garage, sheds or outbuildings, decks, patios, patio covers, gazebos, pergolas, play equipment, and other such structures.

- a. Exterior painting: All exterior paint on all structures on the Lot including, but not limited to, gutters, trim, soffits, fascia boards, shutters, garage vents, and garage doors, shall be kept in good repair at all times. Damaged, scratched, faded or discolored paint, mildew, or otherwise soiled appearance is not acceptable.
- b. Siding: Exterior siding must be installed and maintained to avoid sagging, warping, or irregular coloration; the ARC may require the homeowner (at homeowner's sole responsibility and expense) to repair or replace siding that fails to adhere to these guidelines.

c. Brick: Cracked or broken bricks shall be replaced. Mildewed, stained, dirty or discolored brick shall be cleaned. Mortar shall be kept in good repair and may not be discolored.

d. Garage Doors: Garage doors shall be kept in good repair at all times. Dents, scratches, faded or discolored paint, mildew, or otherwise soiled appearance is not acceptable.

e. Roofs: Shingles shall be kept in good repair. Loose, torn, deteriorated or missing shingles shall be repaired or replaced. Roofs must be kept free of mildew or other discoloration. Large branches and excess leaves or pine needles must be removed.

f. Soffits, trim and door / window frames: Soffits, trim and door / window frames may not sag, hang, have rotted or damaged material or otherwise be in a state of disrepair.

g. Play equipment: All playhouses, play structures, trampolines, and swing sets shall be maintained in such a fashion as to not detract from the neighborhood, such as, but not limited to: for playhouses, play structures, and trampolines replacement of torn or discolored tarps, covers, and netting; for swing sets, painting of any rusted or discolored parts.

h. Decks, Patios and Patio Covers: Decks, patios, patio covers similar structures must be maintained in a sound and attractive manner. Any such structures falling into disrepair must be promptly repaired or removed.

i. Windows: Windows must be maintained in good and attractive condition. Discolored, dirty, mildewed, broken, or otherwise unkempt windows must be cleaned or replaced. Window trim must match trim on home and be kept in good repair. Faded, discolored, and peeling paint and broken or rotted trim is prohibited and must be repaired or replaced. Broken or tattered blinds are not permitted and must be repaired or replaced.

j. Solar Film: Solar film must be maintained in good and attractive condition. Discolored, faded, torn, or bubbled film must be promptly removed. Any such replacements must match the remaining film.

k. Solar Screens: Solar screen must be kept in good repair. Screens may not be loose, torn, discolored / mildewed. Screens shall be securely held within the frames. Frames shall be secured attached to the residence.

10. **Swimming Pools:** All swimming pools and spas must be properly maintained year – round to comply with all County and State regulations. Fences enclosing a pool must be maintained in good repair and be compliant with County and / or State regulations.

11. **Walkways:** The responsibilities of the Owner of each lot shall include the

obligation to maintain, repair and replace when necessary the public sidewalk along the front of the Lot and along the side on corner Lots, which is constructed either within the right – of – way of the adjacent street or within an easement across the Lot, and the street curb.

- a. Walkways shall be kept in good repair. Cracked, broken, or otherwise damaged walkways must be properly repaired and maintained.
- b. Expansion joints shall be kept free of grass, weeds, other plant material and debris.
- c. Stained, mildewed, rusted, oil stained, or otherwise discolored walkways are prohibited and must be cleaned.

CERTIFICATION

"I, the undersigned, hereby certify that the foregoing Restrictions and Rules and Architectural Guidelines, were approved by at least a majority of the Association Board of Directors, at a duly called board meeting properly noticed to members at which a quorum of the board was present."

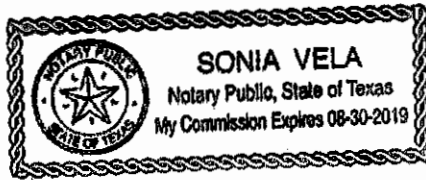
By: Julienne Sugarek

Print Name: Julienne Sugarek
Title: Director + President

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on the day personally appeared the person whose name is subscribed to the foregoing document and being by me first duly sworn, declared that they are the person who signed the foregoing document in their representative capacity, on behalf of the Association and that the statements contained therein are true and correct.

Given under my hand and seal of office this the 27th day of April, 2018.



Sonia Vela
Notary Public, State of Texas

After recording return to:
HOLT & YOUNG, P.C.
9821 Katy Freeway, Suite 350
Houston, Texas 77024

EXHIBIT "A" LEGAL DESCRIPTION OF PROPERTY

Summerwood Community consisting of Summerwood Sections 1-12, 14-34, and 36-38, as well as Lake Forest Village Sections 1-3 all recorded in the Map Records of Harris County, Texas, under Clerk File No.'s R926702, R926704, R926708, S450962, 8398537, 8338448, U128614, U128610, U218023, U866024, V490644, U846109, W440862, V645128, V916767, W440330, X700438, X700440, X767924, X230343, X698621, 20100092692, 20060220324, 20080206447, 20060186192, 20070268377, 20070268397, Z448945, 20070109075, 20080437518, 20060116172, 20130168433, 20080235387, 20100301049, 20100301050, 20150035888, U259444, V542061 and X091225, along with any supplements, amendments, prior plats, or replats thereof, and any additional real property annexed into the jurisdiction of the Association now and in the future.

EXHIBIT B
Preferred Plant List

Trees

- American Holly
Ilex opaca
- Bald Cypress
Taxodium distichum
- Bradford Pear
Pyrus calleryana 'Bradford'
- Canaert Redcedar
Juniperus virginiana
- Chinese Pistache
Pistacia chinensis
- Crabapple
Mallus sp.
- Dogwood
Cornus florida
- Fan d'Arc osage orange
Maclura pomifera 'Fan d'Arc'
- Japanese Persimmon
Diospyros kaki
- Laurel Oak
Quercua laurifolia
- Loblolly Pine
Pinus taeda
- Pecan
Carya illinoensis
- Red Oak
Quercus texana
- Savannah Holly
Ilex opaca 'Savannah'
- Soapberry
Sapindus drummondii
- Shumard Oak
Quercus shumardii
- Water Oak
Quercus nigra
- Aristocrat Pear
Pyrus calleryana 'Aristocrat'
- Black Walnut
Juglans nigra
- Burr Oak
Quercus macrocarpa
- Cedar Elm
Ulmus crassifolia
- Chinquapin Oak
Quercus muhlenbergii
- Deodar Cedar
Cedrus deodora
- Drake Elm
Ulmus parvifolia 'Drake'
- Japanese Black Pine
Pinus thunbergii
- Lace Bark Elm
Ulmus parvifolia
- Live Oak
Quercus virginiana
- Mexican Plum
Prunus Mexicana
- Red Maple
Acer rubrum
- River Birch
Betula nigra
- Slashpine
Pinus elliotii
- Southern Magnolia
Magnolia grandiflora
- Sweetgum
Liquidamber styraciflua
- Willow Oak
Quercus phellos

Ornamental Trees

Ornamental Trees may be substituted for 15 gallon shrubs.

- Cherry Laurel
Prunus caroliniana
- East Palatka Holly
Ilex x attenuate 'East Palatka'
- Little Gem Magnolia
Magnolia grandiflora 'Little Gem'
- Nellie 'R' Stevens Holly
Ilex x 'Nellie R Stevens'
- Saucer Magnolia
Magnolia soulangeana
- Tree Form Ligustrum
Ligustrum lucidum
- Crape Myrtle
Lagerstroemia indica
- Flowering Pear
Pyrus calleryana 'Aristocat' or 'Capital'
- Mexican Plum
Prunus Mexicana
- Redbud
Cercis canadensis
- Sweetbay Magnolia
Magnolia virginiana
- Tree Wax Myrtle
Myrica cerifica

Shrubs

- Abelia
Abelia spp.
- American Holly
Ilex opaca
- Banks Rose
Rosa banksia
- Bridal Wreth Spirea
Spirea prunifolia
- China Rose
Rosa chinensis
- Chinese Photinia
Photinia serrulata
- Dwarf Crape Myrtle
Lagerstroemia indica 'dwarf'
- Dwarf Palmetto
Sabal minor
- Dwarf Pyracantha
Pyracantha crenato-serrata
- Dwarf Yaupon Holly
Ilex vomitoria 'Nana'
- Flowering Quince
Chaenomeles japonica
- Fraser Photinia
Photinia x fraseri
- Glossy abelia
Abelia grandiflora
- Green Pittosporum
Pittosporum tobira
- Althea
Hibiscus syriacas
- Arizona Cypress
Cupressus arizonica
- Barberry
Berberis thunbergii atropurpurea
- Burford Holly
Ilex cornuta burfordii
- Chinese Horned Holly
Ilex cornuta
- Dwarf Bottlebrush
Callistemon citrinus, 'Austraflora', 'Firebrand', 'Little John', 'Splendens'
- Dwarf Nandina
Nandina domestica 'Harbor dwarf'
- Dwarf Pittosporum
Pittosporum tobira 'Wheeleri'
- Dwarf Wax Myrtle
Myrica pusilla
- Eleagnus
Eleagnus fruitlandi
- Forsythia
Forsythia intermedia spectabilis
- Fringe Flower Razzleberri
Loropetalum Chinese 'Monraz'
- Grayleaf Cotoneaster
Cotoneaster glaucophylla
- Indian Hawthorne
Raphiolepis indica

- Italian Jasmine
Jasminum humile
- Japanese Cleyera
Cleyera japonica
- Ligustrum
Ligustrum japonicum
- Mock Orange
Philadelphus coronarius
- Nandina Compact
Nandina domestica compacta
- Pineapple Guava
Feijoa sellowiana
- Possum Haw
Ilex decidua
- Pyracantha
Pyracantha fortuneana
- Rosemary
Rosmarinus officinalis
- Silverberry
Elaeagnus fruitlandi
- Texas Palmetto
Sabal texana
- Variegated Pittosporum
Pittosporum tobira 'Variegata'
- Wax Myrtle
Myrica cerifera
- Yaupon Holly
Ilex vomitoria
- Japanese Boxwood
Buxus japonica
- Juniper
Juniperus sp.
- Loquat
Eryobotrya japonica
- Nandina: harbor dwarf, gulf stream, nana
Nandina domestica
- Oleander
Nerium oleander
- Pomegranate
Punica granatum
- Primrose Jasmine
Jasminum mesnyi
- Red yucca
Hesperaloe parvifolia
- Sago Palm
Cycas revoluta
- Tea Rose
Rosa odorata
- Variegated Ligustrum
Ligustrum sinense 'Variegatum'
- Vitex
Vitex agnus-castus
- Winter Honeysuckle
Lonicera fragrantis-sima

Vines, Groundcovers and Ornamental Grasses

- Algerian Ivy
Hedera canariensis
- Asian Jasmine
Trachelospermum asiaticum
- Big Blue Liriope
Liriope muscari
- Carolina Jasmine / Jessamine
Gelsimium sepervirens
- Confederate Jasmine
Trachelospermum jasminoides
- Coralvine
Antigonon leptopus
- Daylily
Hemerocallis spp.
- Ajuga
Ajuga reptans
- Big Bluestem
Andropogon gerardii
- Boston Ivy
Parthenocissus tricuspidata
- Climbing Fig
Ficus pumila
- Coral Honeysuckle
Lonicera sempervirens
- Creeping Rosemary
Rosmarinus spp.
- Dwarf Pampas Grass
Cortaderia selloana 'Pumila'

- English Ivy
Hedera Helix
- Fig Ivy
Ficus pumila (repens)
- Giant Liriope
Ophiopogon jaburan
- Katie Ruellia
Ruellia brittonia 'Katy'
- Liriope
Liriope muscari
- Mermaid Rose
Rosa x bracteaeta
- Muhly Grass
Muehlenbergia lindheimeri
- Pampas Grass
Cortaderia selloana
- Purple Fountain Grass
Pennisetum setaceum
- Sideoats Gramma
Bouteloua curtipendula
- Vinca
Vinca major
- Wisteria
Wisteria sp.
- Evergreen Wisteria
Millettia reticulata
- Fountain Grass
Pennisetum ruppelii
- Japanese Star Jasmine
Trachelospermum japonicum
- Lady Banksia
Rosa banksia
- Maiden Grass
Miscanthus sinensis
- Monkey Grass
Ophiopogon japonica
- New Gold Lantana
Lantana camara 'New Gold'
- Purple Autumn Grass
Miscanthus sinensis
- Rosa x Fortuniana
Rosa x fortuniana
- Trumpet Creeper / Improved Trumpet
Campsis radicans
- Virginia Creeper
Parthenocissus quinquefolia

Perennials and Herbs

- African Blue Basil
Ocimum sp.
- Aussie Sweet Basil
Ocimum sp.
- Basil
Ocimum sp.
- Bergamot
Citrus bergamia
- Blue Plumbago
Plumbago auriculata
- Bouncing Bet
Sapinaria officinalis
- Catnip
Nepeta cataria
- Chives
Allium schoenoprasum
- Comfrey
Symphytum officinale
- Daylily
Hemerocallis sp.
- Artemisia
Artemisia sp.
- Baby Sun / Sunray Coreopsis
Coreopsis grandiflora
- Bay
Laurus nobilis
- Bearded Iris
Iris xiphioides
- Borage
Borago officinalis
- Butterfly Iris
Dietes iridioides
- Chervil
Anthriscus cerefolium
- Cigar Plant
Cuphea micropetala
- Cuban Oregano
Plectranthus amboinicus
- Dill
Anethum graveolens

- Fennel
Foeniculum vulgare
- Firebush
Hamelia patens
- Garden Canna
Canna x generalis
- Germander
Teucrium sp. / Teucrium chamaedrys
- Indian Blanket
Gaillardia sp.
- Lantana
Lantana sp.
- Lemon Balm
Melissa officinalis
- Louisiana Iris
Iris fulva x Iris giganticaerulea x Iris foliosa
- Marjoram
Origanum majorana
- Mexican Bush Sage
Salvia leucantha
- Mint
Mentha
- Oregano
Origanum vulgare
- Patchouli
Pogostemon cablin
- Perennial Verbena
Verbena sp.
- Pink Rain Lily
Zephyranthes grandiflora
- Roman Chamomile
Chamaemelum nobile
- Rose Geranium
Pelargonium graveolens
- Santolina
Santolina sp.
- Sweet Violet
Viola odorata
- Valerian
Valeriana officinalis
- Winter Savory
Satureja montana
- Feverfew
Tanacetum parthenium
- Foxglove
Digitalia purpurea
- Garlic Chive
Allium tuberosum
- Goldsturm Rudbeckia
Rudbeckia x goldsturm
- Lamb's Ear
Stachys byzantina
- Lemongrass
Cymbopogon citratus
- Lemon Thyme
Thymus vulgaris
- Lovage
Levisticum officinale
- Mealy Cup Sage
Salvia farinacea
- Mexican Oregano
Poliomentha longiflora
- Moonbeam / Zagreb Coreopsis
Coreopsis verticillata
- Parsley
Petroselinum crispum
- Pavonia
Pavonia lasiopetala
- Pineapple Sage
Salvia elegans
- Purple Coneflower
Echinacea angustifolia
- Rosemary
Rosmarinus officinalis
- Salvia
Salvia sp.
- Society Garlic
Tulbaghia violacea
- Thyme
Thymus sp.
- White Rain Lily
Zephyranthes candida
- Yarrow
Achillea millefolium

EXHIBIT C

Property Managers

Property Managers for Summerwood:

C.I.A. Services, Inc.
8811 FM 1960 Bypass, Suite 200
Humble, Texas 77338
Phone: (281) 852-1700
Fax: (281) 852-4861
www.ciaservices.com
CustomerCare@ciaservices.com

Penalties for Non – Compliance

If property owner continues construction without approval, legal action against the Property Owner will be initiated including, but not limited, to filing a lawsuit for an injunction for which the property owner will be liable for attorney's fees and other costs incurred.

EXHIBIT D

SUMMERWOOD COMMUNITY ASSOCIATION
HOME IMPROVEMENT REQUEST

All exterior modifications to your property must be approved in advance by the Architectural Review Committee. The ARC will review your request to make sure that the improvement will be done in a professional, sound manner and will fit in with the aesthetics of the community. **Please provide as much detail as possible so that the ARC can properly understand your request. Without a complete description of your request, the form will have to be returned for more information.** After you've filled out this form, please return it to Summerwood Community Association, 8811 FM 1960 Bypass, Suite 200, Humble, TX 77338.

OWNER NAME _____

PROPERTY ADDRESS _____

MAILING ADDRESS _____

PHONE _____ (office) _____ (e-mail) _____

POOL REQUEST and ROOM ADDITION: \$1,000.00 refundable deposit required. Application will not be processed without deposit.

DESCRIBE THE IMPROVEMENT (Must be specific – attach a brochure, sketch, drawing, photo.)

Dimensions: Width: _____ x Length: _____ x Peak Height: _____ x Ceiling Height: _____
Play System: Platform base height from ground: _____

LOCATION OF THE IMPROVEMENT (Must attach a plot plan / survey of your property showing the location clearly marked (drawn) directly on the plot plan. Do not locate upon the rear or side easements.)

MATERIALS TO BE USED (Attach a sample, if appropriate –state if material will match existing)

Paint (paint chips required) _____

Lumber (type/grade) _____

Brick (type/color) _____

Cement _____

Pipe / Electrical _____

Roof (shingle brand, color, weight and warranty) _____

Other _____

(over)

Appendix C (page 2)

OTHER COMMENTS

According to the Deed Restrictions, the Architectural Review Committee has up to 30 days after receipt of this application to make a decision, so please submit the request far enough ahead of time. For your own protection, make sure you don't start the improvement until you have received proper approval. The more detail you provide about your improvement, the easier it will be to understand what you plan to do and to make a decision.

SIGNATURE: _____

Date: _____

-----Please do not write below this line-----

Account Number _____

VREF # _____

Date Received _____

Date Sent to ARC _____

Date of ARC Decision _____

Date returned to Homeowner _____

Check # _____ Check Date _____ Date Received _____ Date Returned _____

COMMENTS CONCERNING REQUEST

APPROVED with the following restrictions, if any:

DISAPPROVED for the following reasons:

ARC Signature and Date:

ARC Signature and Date:

FILED FOR RECORD

8:00:00 AM

Tuesday, May 8, 2018

Stan Stewart

COUNTY CLERK, HARRIS COUNTY, TEXAS

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

Tuesday, May 8, 2018



Stan Stewart
COUNTY CLERK
HARRIS COUNTY, TEXAS