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Guidelines
for
New Home Construction
and
Modifications to Home and Property
("The Guidelines")



THE
Reserve
AT SPRING LAKES

Fee

Prepared for

Zion Road Properties, LLC

By

Planned Community Management, Inc.
a division of Severn Trent Services, Inc.

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Stan Stewart
County Clerk, Harris County, Texas

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2011-2012

Introduction and Purpose

Welcome to The Reserve at Spring Lakes, a 232 acre master planned community of 1+ to 5+ acre home sites situated among existing trees and manmade lakes. The community is envisioned to offer refined country living just north of downtown Tomball and within 30 miles of all that Houston has to offer. These Builder Guidelines have been developed to ensure that property owner's building designs are complimentary to the environment and Architecture of the community.

The Guidelines serve as a supplement to the Declaration of Covenants, Conditions, and Restrictions (CCR's) for new home construction. Once a property is developed, The Guidelines will serve as a supplement to the CCR's in providing direction for modifications to the developed property. All have been developed to enhance the long term value of the physical environment of The Reserve at Spring Lakes. These guidelines are an aid in the community's goal that each property developed within it contributes in a positive way to the character and overall quality of the community and in doing so establishes particular principles and certain standards to be observed by all property owners.

Creativity and flexibility of architectural and landscape design, tailored for the property owner's lifestyle within the framework of the community's vision, are strongly encouraged. The community also supports and promotes building and construction practices that work with the natural environment while being beneficial to the property owners both financially and environmentally. The property owner's team of designers and/or builder can, through design and construction practices, provide a home that initially and over time can save the owner money.

The Architectural Control Committee (ACC) is to review and evaluate all plans and specifications for any and all proposed construction and future improvements and alterations within the community. These guidelines are to be used by the ACC in the review of builder or owner plans. The ACC, on a case by case review, may grant variances to these guidelines; and these guidelines may be revised over time.

A. New Home Construction

I. Architectural Review Process

A. Submission Procedures and Approval of Plans

In order to ensure the integrity of the development concepts defined in these guidelines, all construction of new homes will be subject to review by the Architectural Control Committee in accordance with the procedures outlined below. The members of the Committee will not be liable to any person under any circumstances whatsoever in connection with its approval or disapproval of plans, drawings, or specifications, including without limitation, any liability based on soundness of construction, adequacy of plans, drawings or specifications, or otherwise.

1. Preliminary Plan Submittal and Fee

The property owner or their builder shall submit the filled out application form, three (3) sets of 11" x 17" or half size floor plans, elevations, Lot plan showing building setbacks and easements, and a labeled color board(s) illustrating intended Architectural materials and colors. The Plan Review Fee and Refundable Deposit shall be included with the submission. Subsequent preliminary submittals are subject to additional reduced fees if significant changes to the plans are made or the initial plan submittal does not incorporate a significant amount of the design elements outlined by these Guidelines. The amounts for these fees and the refundable deposit, and who payments are to be made payable to are outlined on a Fee Schedule that will be provided to the applicant upon request. The submittal should be delivered to the address on the Application Form provided in the Appendix.

The Committee shall review the application and return comments to the applicant regarding compliance to these guidelines and being in harmony with the community. The intent for this preliminary review is to provide initial guidance prior to fully developing documents to construct the home.

2. Final Plan Submittal and Fees

The property owner or their builder shall submit the filled out application form; a geotechnical report specific to the Lot; a copy of the Committee's comments from the preliminary review; three (3) sets of 11" x 17" or half size documents clearly indicating such items as the Lot plan indicating locations, dimensions, and materials for walkways, driveway(s), culverts and end treatments, patios or any other flat work, fences and/or exterior

walls, the mailbox, as well as easements, setbacks, and building lines; floor plans; exterior elevations of all sides of the structure(s) indicating locations of all exterior wall materials and colors, roof materials, window types, and exterior lighting; foundation plan(s) with a State of Texas registered engineer seal; drainage plans indicating direction of drainage and swales; landscape plans indicating location, type, and planted size of plant material; irrigation plan(s) indicating head, valve, piping, and control locations; and any other plans or documents necessary to illustrate to the Committee how the requirements of these guidelines will be fulfilled or illustrating any other improvements to the Lot which will be constructed concurrently with the structures such as the mailbox, culvert end treatment, fences and exterior walls, swimming pools, etc. No fee or deposit is required at this submission. A labeled color board(s) in digital format showing all exterior finish materials and colors to be used on the home and other improvements is also to be included. In addition, should the Committee deem it necessary to see physical samples of any materials or products, the applicant shall be prepared to present such samples for review. Where the requested samples will be delivered will be determined at the time of the request. The plans must include a clear and accurate summation of square footage.

At this time, Builders also are required to submit a certificate of insurance demonstrating they hold Commercial General Liability insurance in the amount of \$1 Million Dollars, \$2 Million Aggregate and Automobile Liability Coverage, \$1 Million Dollars. The Reserve at Spring Lakes is to be named as an Additional Insured with Certificate Holder Status.

The Committee shall review the submission for compliance to these guidelines, being in harmony with the community, and responding to any comments from the preliminary submittal. A letter will be issued to the applicant with the Committee's response and any comments or conditions.

3. City of Tomball Requirements

The Reserve at Spring Lakes is within the city limits of Tomball and thus builders are required to provide the City with all documents necessary to obtain building and other permits from them. Appendix A is a copy of the City's Submittal Checklist for Residential Building Plan Review. The current checklist and other information are available online at:

<http://www.ci.tomball.tx.us/permitsinspections/permits.html>

Or the City's Permits and Inspections Department may be reached at 281-290-1402.

The City of Tomball provides water and sanitary sewer service to The Reserve at Spring Lakes. Connection to these and applicable fees must be coordinated with them.

B. Site Operations

1. Pre-construction

- a) The builder will request a pre-construction meeting once the corners of all structures are located and construction flagging forms the outline of them.
- b) The builder will have clearly marked with construction flagging all trees intended to be removed for construction of the structures.
- c) If the culvert has not been installed, that location shall also be flagged.
- d) The above items will be reviewed and discussed for possible adjustments.
- e) Sediment control measures and locations will be discussed.
- f) Additional Lot clearing and general site preparation will be discussed.
- g) Concrete washout location, dumpster location, portable toilet location and screening, materials storage location, parking, and builder conduct will also be discussed.
- h) Builder shall provide contact information for themselves and the superintendant.

2. Construction

- a) Builder will allow representatives from the Committee as well as the Association to inspect property without liability at any time.
- b) Construction hours shall be 7 A.M. to 8 P.M. Monday – Saturday unless exception is granted by the ACC for such activities as early concrete delivery.
- c) Noise level during construction shall not exceed such decibels as to create a nuisance to nearby residents. This is the cumulative noise level of required construction activity sources and non-required sources (radios, etc.).
- d) Food packages and associated wrappings are to be placed in an appropriate receptacle immediately after consumption and/or meal.
- e) Materials are not to be delivered and or placed on any Lot other than the Lot under construction. Stored building materials shall be kept in a neat condition so as not to detract from the appearance of the neighborhood and so as to give the visual impression from the adjacent street(s) of a clean, orderly worksite.
- f) A collection of all approved materials to be used on the exterior of the home shall be maintained on site in one protected location for the duration of construction. These samples may be referred to on occasion for clarification of approved materials.
- g) Natural and established drainage ditches or swales shall not be driven on or through nor materials placed upon. Damage to drainage ways shall be repaired within seventy-two (72) hours or correction will be achieved and subsequent cost charged back to builder.

- h) The site is to be cleared daily of all debris that may be blown to other Lots during any type of storm activity or other high winds. Scrap materials and trash produced in connection with the construction of a house shall be kept to a confined area preferably to the side or behind the house. Roll off dumpsters are permitted off street. A small dumpster (2 cubic yards) is permitted in the street at commencement of flatwork until an all weather surface is available on the Lot. Any dumpster should bear only professional signage and no graffiti or other non-business graphical insignia.
- i) Builder will protect pavements, drainage ditches, landscape areas, walls/fences, culverts and end treatments, streets, shoulders, utility structures (including fire hydrants, electric pull boxes, sprinkler systems, manhole covers, and valve boxes) and other property located on or adjacent to a Lot by Builder, its employees, agents, subcontractors, and suppliers. Builder will keep road rights-of-ways, easements, and other property reasonably clean and clear of equipment, building materials, dirt, debris, and similar materials.
- j) Builder is to screen the portable toilet(s) on three sides with 4 x 8 plywood oriented vertically and supported by 4 x 4 treated posts. The open side shall face the home being constructed.
- k) Builder is required to post an address sign no larger than two feet by two feet (2' x 2') on the Lot near the access point to the site. The sign must be of substantial construction to withstand the element for the duration of construction and contain the following information:

Site Address
 Builder Name
 Superintendent Contact Phone Number
 Builder 24 Hour Contact Phone Number

- l) The use and/or possession of illegal drugs and/or alcohol on the jobsite are prohibited.
- m) Paraphernalia related to illegal drugs and/or alcohol, including empty alcohol container, bumper stickers, t-shirts, etc. is prohibited.
- n) Tobacco use or eating inside homes under construction is prohibited.
- o) Fighting, profanity, rough housing, or otherwise unprofessional behavior on the jobsite or any adjacency will not be tolerated.
- p) Vehicles shall not obstruct access to mailboxes, occupied homes, or the normal course of work.
- q) Builder, their subcontractors, their representatives or employees shall not under any circumstance use the utilities (water and electricity) of occupied homes.
- r) Builder shall keep the interior and exterior of all improvements constructed on a Lot in good working condition and repair until the close of the sale of the home. This shall include, but not limited to promptly replace any glass, paint, roof materials, bricks, stone, or other exterior building materials or attachments which are damaged.

- s) Unless note otherwise above, Builder must commence to cure violations within twenty-four (24) hours after receipt of written notice of violation and diligently proceed to complete the cure. If Builder fails to comply, the Association may perform the work which is the Builder's responsibility and charge Builder for cost of the work. In addition, a fine of \$100.00 per day will be charged.

C. Post Construction

1. Home and Lot are to reflect the same standards as occupied homes.
2. Builder is responsible for correcting any deficiencies caused by deliveries or sub-contractors, i.e. damaged streets or culverts, ruts to adjacent properties or common areas, damage to fencing or landscape, etc.
3. Builder shall request of the Architectural Control Committee representative an inspection of the completed construction for compliance or non-compliance with these guidelines. Upon completion of the review, the ACC shall issue a Certificate of Compliance or Non-Compliance and either return or withhold the deposit until such time all deficiencies are in compliance.

II. Site Planning

A. General

Emphasis at The Reserve at Spring Lakes shall be towards Architecture that fits the landscape and the community image; a façade or massing of structures making a proportionately appropriate presentation to the street; the preservation of the natural beauty of the native landscape while, at the same time, providing reasonable flexibility to the property owner to make the desired and necessary improvements to their property.

It is desirable to maintain the openness of each Lot while at the same time providing privacy for the property owner at key points within the Lot. Common elements at the Lot perimeter, at the street, and within the front yards will bring identity to the community.

B. Building Setbacks

Unless otherwise approved by the ACC, building setbacks for the primary residence are sixty (60) feet from the front of the property line, twenty (20) feet from the rear of the property line, and fifteen (15) feet from the side property lines.

For corner lots, building setbacks are the same as the above with the exception of the side of the lot adjacent to the street which requires a twenty-five (25) foot setback.

Accessory buildings, such as a storage building or workshop, must be setback no less than two hundred (200) feet from the front of the property line and no less than one hundred (100) feet from the side street.

The ACC may require more or less stringent setbacks. In case of conflict between these Guidelines and the setbacks called for in the recorded subdivision plat, a variance may be sought and granted by the ACC.

If, in the opinion of the ACC, the relaxation of these standards can protect and enhance an existing natural feature such as a tree, consideration will be given for a variance on a case-by-case basis. To secure such variance, the owner/builder is required to provide evidence in the form of a tree survey or provide photographs that verify the existence and character of the site feature causing the variance request.

C. Living Area Requirements

The total living area for residences constructed on lots in The Reserve at Spring Lakes, excluding porches and garages, shall not be less than 3,250 square feet for one story homes, and not less than 3,750 square feet for two story homes with no less than 2,700 square feet on the first floor.

D. Width of Façade/Massing of Structures

Because this is an acreage Lot community, it is the intent of these guidelines to have a width of the house as wide as possible so as to have a very spacious look from the front. Therefore, no residence shall be less than seventy-five(75) feet in width including the garage (whether attached or detached) and any wing walls the architecture may utilize. Any breezeway and/or porte-cochere between the home and garage do not count toward this minimum dimension.

E. Culverts and Railings

Driveway culverts shall be installed by the property owner's contractor prior to any other construction activity on the Lot. The culvert shall be of the type approved by the City of Tomball and set at an elevation established by the City. Reference Appendix B for design details of the culvert and railing. Design flow lines of the drainage ditches must be maintained throughout the construction period. The driveway apron or entrance to each Lot from the pavement of the street shall be paved with concrete.

The Owner of the Lot is responsible for any repair, replacement, and maintenance of the driveway apron, headwall, culvert, and ditch flow line and slopes.

F. Driveways

The drive apron must be installed after the culvert and prior to any other construction activities on the lot and shall be used as the entrance to the property for construction of residence. Either the permanent or a hard surface drive shall be constructed to prevent the tracking of mud and construction debris into the streets.

All driveways shall be constructed with a maximum width of twenty (20) feet at the street and must be a minimum distance of ten (10) feet from the side property line at the street and five (5) feet interior to the Lot. The width of the driveway may vary as it approaches the residence and garage. To the extent possible, meandering driveways that make a curvilinear path are to be constructed as opposed to driveways that make a straight, direct path to the building site. Turnaround or circular drives will be considered on a case-by-case basis by the ACC.

Any parking provided shall be of an approved surface.

The use of concrete, stamped and colored concrete, unit pavers as a border in conjunction with concrete paving, unit paving (brick and concrete), permeable paving (unit, poured-in-place, or aggregate) is permitted. Aggregate driveways must be maintained in a neat, rut and pothole free condition. Decomposed granite as an aggregate paving is not permissible. Color, pattern, and design will require the approval of the ACC prior to construction.

G. Mailbox

Mailboxes shall be provided and located in clusters within the community.

H. Site Layout

Only one single-family residence and related accessory building shall be constructed on each lot. Separate and attached "housekeeper's" quarters will be permitted subject to the architectural restrictions contained in the CCR's and these Guidelines.

Because of the large size of estate Lots, and due to the long distances between residences, consideration should be given to site buildings with regard to views and site lines. In so doing, the siting of the structure(s) should take into consideration such factors as the views from adjoining roadways, relationship to

adjoining lots and structures, preservation of existing trees, and relationship to utility connections.

Site layout is encouraged to take advantage of and/or remedy affects of solar orientation. Thoughtful orientation working with the sun's track across the Lot throughout the year in conjunction with other aspects of home construction can significantly reduce energy expenses. Siting the structure(s) with respect to existing or proposed trees can often lessen the affect of unavoidable solar exposure.

I. Tree Protection / Preservation

The following procedures are recommended to ensure the survival and good health of trees existing within The Reserve at Spring Lakes. The owner/builder should use the following guidelines to preserve and protect trees on the construction site.

Except as may be necessary to provide room for construction of improvements in accordance with approved plans or to remove dead trees, no trees with a caliper of eight (8) inches or more at a point four feet six inches from the base of the tree may be removed from a lot unless specifically approved by the ACC.

Where tree clusters are preserved, owner/builder is encouraged to also preserve understory if possible. This helps maintain conditions around existing root systems.

Placement of utilities within the drip line is detrimental to chances of survival of trees. If routing utilities outside the drip line is not possible, keep trench area to a minimum and adhere to tree protection methods described in previous section. In some cases, consider boring under the tree root system.

Tree protection fences shall be erected prior to commencing work other than culvert installation and according to City of Tomball standards for tree protection. The City's specification Section 01562 Tree and Plant Protection is located in Appendix C or can be found at:

http://www.ci.tomball.tx.us/engineering-planning/development-docs/technical_specifications/01562.pdf

Fences shall completely surround the tree or clusters of trees, located at the outermost limits of the tree branches (dripline) and shall be maintained throughout the construction of the home.

Pruning to provide clearance for structures, vehicular traffic, and construction equipment shall take place before construction begins. Trees approved for

removal shall be removed in a manner which does not impact trees to be preserved.

When installing concrete adjacent to the root zone of a tree use a plastic vapor barrier behind the concrete to prohibit leaching of lime into the root zone.

J. Drainage

The Reserve at Spring Lakes has been designed and constructed utilizing surface drainage in the form of ditches and swales and, to the extent these drainage ditches and swales are located in front, side or rear Lot easements, the Owners shall not re-grade or construct any improvements or other obstruction on the Lot which adversely affects the designed drainage flow. The Owner shall be responsible for returning any drainage swale disturbed during construction or thereafter to its original line and grade, and the Owner shall be responsible for maintaining the drainage ditches or swales appurtenant to said Owner's Lot in their original condition during the term of his ownership.

It will be the responsibility of each Owner/Builder to provide adequate drainage for each home. Each Owner of a Lot must not in any way interfere with the established drainage pattern over their Lot from adjoining or other Lots in the community, and must make adequate provisions for the drainage of their Lot in the event it becomes necessary to change the established drainage over their Lot (which provisions for drainage shall be included in the Owner's plans and specifications submitted to the ACC and subject to the ACC's approval). For the purposes hereof, "established drainage" is defined as the drainage which existed at the time that the overall grading of the community, including landscaping of any Lot in the community, was completed by the Developer.

Each Owner/Builder, unless otherwise approved by the ACC, must finish the grade of the Lot so as to establish good drainage from the rear of the Lot to the front street or from the building site to the front and rear of the Lot as dictated by existing drainage ditches and swales constructed by Developer for drainage purposes. Caution should be used in establishing the foundation elevation so that adequate drainage from the back yard around to the front and the reverse is not impaired by driveways or slabs. No pockets or low areas may be left on the Lot where water will stand following a rain or operation of the irrigation system. With the approval of the ACC, an Owner may establish an alternate drainage plan for low areas by installing underground pipe and area inlets or by installing an open ditch with area inlets, however, the drainage plan for such alternate drainage must be submitted to and approved by the Committee prior to the construction thereof.

The ACC's sole function in reviewing drainage plans is to see if the drainage pattern has been or will be altered by the proposed construction and to make a determination if the Owner/Builder has evaluated the effects of their

construction to other properties and of the effect of potential flowing and rising water that may affect the submitted improvements.

K. Sediment Control

All Owners and/or Builders shall comply with the National Pollutant Discharge Elimination Rules and Regulations applicable to their respective Lot(s) as required by EPA under the Water Quality Act of 1987 amending the Clean Water Act, as said laws, rules and regulations may be amended from time to time. Builders shall be responsible for filing and securing all necessary permits.

In order to maintain clean streets and prevent siltation into drainage channels, all projects in The Reserve at Spring Lakes are required to practice sediment control during construction. As soon as site disturbance commences, sediment control methods shall be installed in such a way as to filter all storm water runoff from the tract into the street. The sediment control system shall remain in place and in good repair until construction is complete, landscaping is installed, and lawns are established. Builder shall inspect the system after each precipitation event at the Lot, but not less than once a month. At that time any corrective measures must be taken. Failure to do so may result in moneys being withheld from the deposit.

III. Architectural Design and Materials

The general purpose of this section is to encourage variety, diversity, interest, and individuality in home Architecture. Homes should reflect regional traditions and respond to the character design requirements of the Gulf Coast climate. Rather than prescribing a specific formula, the guidelines and requirements are intended to foster a thoughtful and comprehensive approach to creating an uncommonly well-designed community.

A. Massing/Scale/Proportion

It is important to keep in mind that the Lots at The Reserve at Spring Lakes are not to be developed independently of their neighbors, and therefore may not be designed as stand-alone monuments. For this reason, a more organic composition is preferred: one that can coexist within view of other conscientiously designed residences.

The massing of a home should be appropriately scaled to the street or streets if on a corner Lot, and the surrounding homes. The home should have reasonable variations in its massing and should avoid large expanses on a common plane. Relief should be provided on all elevations by providing set backs which can break down the massing where possible. Pieces of the home should be scaled appropriately to each other. Logical placement of material or texture changes can significantly help in creating appropriate massing.

B. Exterior Elevations and Materials

Development of spaces for the enjoyment of outdoor living is encouraged. Porches, overhangs, trellises, and the softness of shade and shadow as a result of articulated massing and details are all desirable features of the exterior elevations.

Where a one-story home occurs next to a two story home, it is suggested that the two-story home have a one-story element adjacent to the one-story home. Where this is not desired or possible, varying the ridge line on a two-story home help to break up the massiveness of a continuous roof line and helps in transitioning in size from two-story homes to neighboring one-story homes.

If shutters or other distinct Architectural elements are incorporated into the design of the home, it is recommended that they be featured on all elevations which face a street.

Windows must occur on all street facing elevations of homes. This requirement helps achieve a positive character for the community since it emphasizes the importance of the home when experiencing the street scene.

Primary exterior materials allowed for the home are brick, natural stone, simulated stone, fiber cement lap siding with a maximum exposure of six (6) inches, and stucco. While a variety of primary exterior materials are allowed, a maximum of three (3) are allowed on any one home. Secondary exterior materials allowed for accents are fiber cement shingle siding, natural wood timbers, and other materials considered on a case-by-case basis. The aesthetic merits of any combination of exterior materials are subject to review and approval by the Committee in order to maintain the Architectural integrity and consistent visual experience of The Reserve at Spring Lakes.

C. Entrances and Windows

All openings in a structure such as doors and windows should relate to each other on all elevations both vertically and horizontally. This should occur in some clearly defined order and scattered or random placements should be avoided. Both entrances and windows should be in proportion as they relate to the building mass as a whole. All sides of a home should receive equal design consideration. Reflective glass is prohibited.

Entrances should be the focal point of the elevation which they serve. Entrances proportioned to convey a sense of human scale are more appropriate than those with exaggerated dimensions. Any grandeur should be experienced upon entering the home, not worn on its exterior façade. Recessed or protruded one-story elements add to the Architectural detail of the home.

Windows should appear as Architectural features recessed, projected, or bordered by projections that provide a shadow pattern and reduces reflectivity. While the elevations will differ on various sides of the house, windows on all sides must be treated with the same attention to detail given to the front and street elevations. All facades shall contain some degree of doors, windows, or other openings in the walls.

Consideration should be given to style in order to achieve an appropriate treatment (e.g. divided light for a traditional style, a clear single glass surface for contemporary).

If shutters are incorporated as part of the design, they should be appropriately scaled to relate to the window opening and appear authentic even if they are not. Shutters must also occur in pairs. The color must harmonize with the other colors on the house. Where shutters are used on a home located on a corner Lot, it is suggested that shutters occur on the side street elevation as well as the front. Decorative metal work associated with entrances and windows will be considered only if the Committee determines that it is compatible with the Architectural character of the home. Burglar bars are not considered decorative metal work.

D. Roof Treatment and Overhangs

The roofline of each house should create it own relationship to the street, other common areas, and to its adjacent structures when viewed from all directions. The overall profile and articulation of the roof should be sufficiently irregular to break up anything that would otherwise appear too boxy or discordant with neighboring structures. It is recommended that the roof height not exceed 3/4 of the total elevation for single story homes and 1/2 for two story homes.

All residences at The Reserve at Spring Lakes should predominately have pitched/gabled roofs. Flat roofs or roofs with very shallow pitches will be allowed when in combination with pitched roofs. The dominate roof form shall have a minimum pitch of 6 on 12 and a maximum pitch of 10 on 12. The Committee will consider other configurations in roof forms if appropriate to the style of Architecture on a case-by-case basis.

Allowed roof materials in earth tone colors include three-dimensional architectural grade asphalt shingles with a minimum 30 year warranty, pre-finished standing seam metal, natural or simulated slate, clay tiles, and concrete tiles. No corrugated materials are allowed. Copper roofing is encouraged over architectural accents such as bay windows. As with exterior materials, there are a variety of roof materials allowed, however, there must be only one primary roofing material and no more than one secondary roof material.

Overhangs should be compatible with the Architecture of the home and function as shading devices. Care shall be taken not to exaggerate their lengths or provide too small of an overhang. It is recommended that their use be more pronounced on eave conditions while rake conditions should receive a much more moderate overhang.

E. Chimneys and Roof Top Elements

All chimney construction must meet or exceed all applicable codes. The area measured in plan view of any one chimney shall be no less than 12 square feet and no more than 48 square feet. Chimneys may only be constructed of brick, natural stone, simulated stone, and stucco. No siding of any kind shall be allowed on chimneys.

Spark arrestors and caps are required on all chimneys. The spark arrestor and cap should be unadorned, non-ornamental and designed to match or be compatible with the color and material of the exterior elevations of the home. Caps must be of metal or masonry construction.

Roof top elements including vents, utility penetrations, or other roof protrusions shall not be visible from the front street and shall be painted to match or otherwise closely match the roofing color. Roof top elements and protrusions shall be installed plumb. Gutters and downspouts, if used, shall be strategically placed to minimize their visibility from the front street. They must match or be very similar to the color of the surface to which they are attached. Downspouts must be installed plumb and in a simple configuration.

Roof and valley flashing may remain unpainted, but it is strongly recommended that this flashing be of a pre-finished color that matches the roof color.

F. Garages

Each residence must have an attached or detached garage that will accommodate a minimum of two (2) and a maximum of five (5) automobiles. Garages must be either a side-loading type or a rear-loading type so that garage doors are not facing the street at the front of the lot. If there is a special necessity for a front-loaded garage (with approval of the Committee) the garage opening must be blocked from view of the street by natural planting and landscaping, and accessed by curved or winding driveway, or the front of the garage must be farther back than the rear of the main dwelling and not viewable from the street. No carport shall be erected on any lot unless expressly approved by the Committee. Consideration should be given to connecting detached garages to the main dwelling by a common roofline or a covered walkway.

If attached construction of a side-loading garage is used, a setback of five feet (5') minimum from primary front elevation of house to the face of the garage is encouraged. The face of a porch qualifies as the primary front elevation only if the porch is substantial enough to be the major focus of the façade. A front facing attached garage must be located a minimum of twenty-five (25) feet from the front facing side of a side-loading garage or the primary front elevation of the dwelling, whichever is adjacent to the garage.

All garage doors shall be of the 'carriage' design and of a color which does not draw attention, but rather blends with the overall massing of the home. If possible, the color of the garage door should be less conspicuous in tone from that of the trim. Treatment of details on garage doors should be consistent with the overall character of the house. Garage doors are to be left closed except for ingress and egress. Refer to Appendix D for acceptable garage door images.

The Reserve at Spring Lakes requires single-bay doors, so as to present a smaller-scale appearance relative to the rest of the structure. Some exceptions to the single bay door requirement may be granted when the applicant can demonstrate that it is not physically possible to use a single bay door.

When three or more garage bays are planned, care must be taken in the design of the garage door plane. More than two doors are not allowed in the same plane. The third and/or fourth door(s) must occur in a secondary building plane, offset by a minimum of 24 inches from the primary front wall of the garage, to avoid a continuous uninterrupted wall of three or more garage doors. All garage doors shall be recessed a minimum of 12 inches from the primary front wall of the garage and no garage door shall be over 9 feet in height.

G. Architectural Lighting

Any illumination necessary for evening activities must be directed downward and no brighter than what is necessary to provide for the traverse of steps and paths. Subtle lighting of Architectural elements and trees is encouraged. Exposed lighting sources are discouraged in favor of softer down lighting that reduces glare and lights the surfaces of driveways and walks, etc. Any exterior light should be controlled by a photocell. All exterior light fixtures shall be positioned to only illuminate the Lot they are located on.

All exterior lighting fixtures visible from the street or other public areas must be of an understated design that complements the Architectural style of the residence. Recessed "Soffit" lights are in general preferred over "Coach Lights". Where "Coach Lights" or similar fixtures are proposed, and such fixtures are visible or potentially visible from the street or other properties, the actual lamp of the fixture shall be screened, either through the use of an opaque shield or obscured glass. "Canister" type fixtures, with lighting directed downward, are permitted. Upward illumination or fixtures are generally not permitted.

Floodlighting of a residential structure, either temporary or permanent, is not permitted unless the fixture is placed on a motion detector and timer. The motion detected light source should only be operational between the hours of sundown and sunrise.

Lighting for outdoor tennis courts or personal athletic courts will be reviewed by the ACC on a case by case basis. In no circumstances shall such outdoor lighting be permitted which causes a nuisance or is allowed to spill onto adjoining lots.

Free standing decorative fixtures and lamp posts are discouraged considering the scale of the Lots within The Reserve at Spring Lakes. Mercury vapor lights, when used for special landscaping effect, incandescent, low voltage, metal halide, quartz and LED lights are all acceptable. All wiring for exterior lighting should be under ground.

H. Screening

All mechanical and electrical equipment must be completely screened from public view by any combination of approved trees, shrubs, walls, or fences so to not be obtrusive or offensive. Plant materials used to provide for screening must be at a state of growth which permits immediate screening results when installed.

Mechanical equipment must be placed so that it does not intrude visually or acoustically on neighboring property.

Approved turnaround or circular drives shall be screened with a combination of trees and shrubs to minimize the amount of paving visible from public areas.

I. Exterior Colors

It is the intent of The Reserve at Spring Lakes to preserve the appearance of the natural landscape and preclude the use of colors that would appear out of place and, therefore, offensive to the eye.

Exterior paints and stains for each residence shall be selected to complement or harmonize with the colors of the other materials with which they are used. Siding and trim shall generally stay within the earth tone color family, although accent colors that are used judiciously will be considered on a case-by-case basis. Earth tone colors include greens in the olive, sage, and deeper ranges.

The variety and number of exterior colors on each house should be held to a maximum of three not inclusive of non-painted exterior materials and the front door.

J. Window Treatments

Interior window treatments as viewed from the exterior of the home including but not limited to drapery, blinds, and shutters shall be neutral in color.

K. Security Equipment

If security devices are being considered for installation with the new home construction, it is preferred to utilize equipment which is not visible to public view and preferably mostly contained within the home.

However, if exterior security equipment is utilized on the exterior of the home, plans and equipment information must be submitted to the ACC for review and approval prior to installation.

IV. Landscape Requirements and Materials

A. General

As homes are designed and built within The Reserve at Spring Lakes, care must be taken to preserve the existing vegetation. Home placement on the site as well as any outdoor needs must be sensitive to the preservation of existing trees, natural vegetation, and all other site features which can be utilized to enhance the overall appearance of the home. Landscaping desires should be taken into account when planning the entire property.

Any clearing fifteen (15) feet beyond the building pad or two (2) feet beyond the driveway and other hard surfaces requires the written approval of the ACC. Notwithstanding the restriction on clearing, the owner may remove rhus radicans (poison ivy) vines at their discretion.

B. Required Landscaping

Four (4) machine dug trees and two (2) container grown trees selected from the approved plant material list are required within the area between the front building line and the City of Tomball utility easement/drainage easement adjacent to the street only if the ACC determines that the quantity/quality of existing trees are insufficient in providing the streetscape image the community desires. Reference the Appendix for examples of how the community would like these trees to be placed. The machine dug trees shall be a minimum caliper of 5 inches measured 12 inches above the base of the trunk flare. They shall have a minimum height of 17'-0" and a minimum canopy spread of 8'-0". The container grown trees shall be a minimum of 45 gallon in size and have a minimum caliper of 2-1/2 inches measured 4 inches above the trunk flare. They shall have a minimum height of 10'-0" and a minimum canopy spread of 4'-0".

If pine trees are selected for use, consider grouping varying heights together to make a more natural and impressive presentation.

Planting beds are required at the base of the home and to screen additional improvements located on the Lot as directed in other portions of these Guidelines. Planting beds must be located across the front of the home and half way across both ends of the home following the articulation of the façade. This coverage requirement may be adjusted based on how the home and other improvements are oriented on the Lot and if the Lot is on a corner. This is not to preclude additional planting beds in other areas of the Lot.

The beds shall be a minimum of ten (10) feet wide unless restricted by a driveway, sidewalk, or other obstruction. If practical, the remaining dimension of the ten feet should be continued on the other side of the obstacle. The Reserve at Spring Lakes encourages the use of curvilinear mulched beds with layered plantings arranged in loose organization and taking into account mature size, texture, leaf color, seasonal interest, flower color and timing of flower production, and architectural features of the home.

For every ten (10) feet of façade length requiring planting beds as described above or altered by the Committee, three 5 gallon shrubs, five 3 gallon plants, fourteen 1 gallon plants, and one-half 15 gallon small tree or shrub are required. Any dimension over a ten foot increment, shall be rounded up to the next ten foot increment. There is a limit of four to five varieties or species of plants appropriate for each of the four sizes of plants outlined here.

All areas of the Lot in front of the main structure not occupied by paving, planting beds, or other improvements covering the ground surface shall receive 100% coverage of Tif 419 Bermudagrass sod. This will include the roadside ditch to the edge of the street. To maintain flow elevations, the ditch may require silt removal and/or some removal of soil to compensate for the thickness of the sod.

All other areas of the Lot not occupied by structures, paving, planting beds or other improvements covering the ground surface shall be planted with Prima XD Blend Bermudagrass seed by method selected by the Lot owner.

Some areas of the Lot such as under existing mature trees are allowed to have a mulch bed where the shade provided by the tree is dense enough to limit the success of the grass establishment.

The areas of the Lot occupied by planting beds, grass, and any approved mulch beds shall receive 100% coverage of irrigation. This will assist in the survival of existing trees as well as assist in protecting the Lot from wildfire outbreaks that may occur. How to most efficiently deliver this water from an economical as well as ecological point of view should be considered.

Mulch must be a natural, composted product untinted by color additives. Hardwood bark mulch is the only acceptable material. Pine straw, stones, rocks, gravel, and any other non-biodegradable materials are not acceptable. Planting beds may be edged with metal edging, mortared-in-place natural stone or solid clay brick, or may have a shovel-cut edge. Whatever approved material or method of edging is selected must be implemented consistently throughout the Lot. Plastic edging, stone or brick loosely laid, builder brick, concrete wall units, and wood timbers are not approved for use.

Decorative landscape planters may be in front of the home, but cannot be positioned in planting beds or lawn. A maximum of three (3) containers not exceeding thirty-six (36) inches in height and constructed of precast concrete, marble, painted cast aluminum, terra cotta, or other durable materials. Wooden barrels, plastic, fiberglass, and other non-durable materials, are not acceptable for landscape planters or decorative accessories.

C. Planting Materials

The Reserve at Spring Lakes is located in the southern reaches of the East Texas Piney Woods. Therefore, the landscaping design and plant materials shall be appropriate to that ecosystem. While tropical-look landscapes are discouraged, palm trees appropriate to a pine woods setting are included as approved plant material. Palm trees from the tree category may be used to satisfy the tree requirements, but must have at least twelve (12) feet of clear trunk height. Grouping together as with pine trees should be considered.

All plants must be living material. No artificial plants or flowers are permitted at anytime or in any location visible from a public street.

The following plants listed by category are consistent with the East Texas Piney Woods ecosystem and introduced varieties. Other plants will be considered for applications providing sufficient information on that plant.

Trees

Botanical Name	Common Name
<i>Acer Rubrum drummonii</i>	Swamp Red Maple
<i>Betula nigra 'Dura Heat'</i>	River Birch Dura Heat
<i>Cercis canadensis</i>	Eastern Redbud
<i>Elaeocarpus decipiens</i>	Japanese Blueberry
<i>Ilex opaca var.</i>	American Holly Varieties
<i>Ilex vomitoria</i>	Yaupon Holly
<i>Ilex x attenuata</i>	East Palatka Holly
<i>Lagerstroemia indica</i>	Crapemyrtle
<i>Magnolia grandifolia</i>	Southern Magnolia

Myrica cerifera
Nyssa sylvatica
Pinus taeda
Prunus caroliniana
Quercus laurifolia
Quercus macrocarpa
Quercus nigra
Quercus nuttallii
Quercus shumardii
Quercus virginiana
Sabal palmetto
Sabal texana
Trachycarpus fortunei
Ulmus crassifolia
Ulmus parvifolia 'Allee'
Viburnum obovatum

Southern Wax Myrtle
 Black Gum
 Loblolly Pine
 Cherry Laurel
 Laurel Oak
 Bur Oak
 Water Oak
 Nuttall Oak
 Shumard Oak
 Southern Live Oak
 Florida Sabal Palm
 Texas Sabal Palm
 Windmill Palm
 Cedar Elm
 Allee Elm
 Walter's Viburnum

Shrubs

Botanical Name

Buddleia davidii var.
Callicarpa americana
Cephalanthus occidentalis
Cyrtomium falcatum
Loquat eirobotrya 'Coppertone'
Gardenia jasminoides
Hibiscus coccineus
Ilex cornuta 'Burfordii Nana'
Ilex vomitoria 'Nana'
Juniperus davurica 'Parsoni'
Juniperus chinensis 'Protrata'
Loropetalum chinense var. *rubrum*
Malvaviscus arboreus var. *drummondii*
Myrica pusilla
Nandina domestica spp.
Plumbago auriculata
Podocarpus macrophyllus
Raphiolepis indica
Rhapidophyllum hystrix
Rhododendron spp.
Rosa spp.
Sabal minor
Spiraea cantoniensis
Ternstroemia gymnanthera
Viburnum obovatum densa

Common Name

Butterfly Bush Varieties
 American Beautyberry
 Buttonbush
 Holly Fern
 Coppertone Loquat
 Gardenia
 Texas Star Hibiscus
 Dwarf Burford Holly
 Dwarf Yaupon Holly
 Parsons Juniper
 Prostrate Juniper
 Loropetalum varieties
 Turk's Cap
 Dwarf Wax Myrtle
 Nandina
 Blue Plumbago
 Japanese Yew
 Indian Hawthorn
 Needle Palm
 Azalea varieties
 Shrub and Landscape Roses
 Dwarf Palmetto
 Reeves Double Bridal Wreath Spirea
 Cleyera
 Dwarf Walter's Viburnum

Vines

Botanical Name	Common Name
<i>Bignonia capreolata</i>	Crossvine
<i>Bougainvillea x spectoglabra</i>	Bougainvillea
<i>Campsis radican</i>	Trumpet Vine
<i>Ficus pumila</i>	Fig Ivy
<i>Gelsemium sempervirens</i>	Carolina Jessamine
<i>Lonicera sempervirens</i>	Coral Honeysuckle
<i>Mandevilla Spp.</i>	Mandevilla
<i>Millettia reticulata</i>	Evergreen Wisteria
<i>Parthenocissus quinquefolia</i>	Virginia Creeper
<i>Parthenocissus tricuspidata</i>	Boston Ivy
<i>Rosa setigera</i>	Climbing Rose
<i>Trachelospermum jasminoides</i>	Confederate Jasmine

Ground Covers

Botanical Name	Common Name
<i>Hemerocallis Spp.</i>	Daylily varieties
<i>Juniperus conferta 'Blue Pacific'</i>	Blue Pacific Shore Juniper
<i>Liriope muscari</i>	Liriope
<i>Liriope gigantea</i>	Giant Liriope
<i>Trachelospermum asiaticum</i>	Asian Jasmine

Ornamental Grasses and Grass-like Plants

Botanical Name	Common Name
<i>Chasmanthium latifolium</i>	Inland Sea Oats
<i>Dianella tasmanica 'Variegated'</i>	Variegated Flax Lily
Dietes Bicolor	Bicolor Iris
<i>Hymenocallis occidentalis</i>	Spider Lily
<i>Iris 'Louisiana'</i>	Louisiana Iris varieties
<i>Lomandra longifolia 'Breeze'</i>	Dwarf Mat Rush
<i>Nassella tenuissima</i>	Mexican Feather Grass
<i>Melinis nerviglumis 'Savannah'</i>	Ruby Grass
<i>Miscanthus sinensis 'Adagio'</i>	Compact Maiden Grass
<i>Miscanthus sinensis 'Gracillimus'</i>	Maiden Grass
<i>Miscanthus sinensis 'Morning Light'</i>	Variegated Japanese Silver Grass
<i>Miscanthus sinensis 'Yaku Jima'</i>	Dwarf Maiden Grass
<i>Muhlenbergia capillaries</i>	Gulf Coast Muhly
<i>Muhlenbergia lindheimeri</i>	Lindheimer Muhly
<i>Pennisetum alopecuroides 'Hameln'</i>	Dwarf Fountain Grass

Pennisetum setaceum 'Rubrum'

Purple Fountain Grass

Perennials

Botanical Name

Common Name

Aquilegia spp.

Columbine Varieties

Asclepias curassavica

Butterfly Weed

Chrysanthemum leucanthemum

Ox-Eye Daisy

Coreopsis spp.

Coreopsis Varieties

Cuphea spp.

Cuphea Varieties

Dianthus gratianopolitanus 'Feuerhexe'

Firewitch Dianthus

Echinacea purpurea

Purple Coneflower

Euryops pectinatus 'Viridis'

African Daisy

Evolvulus glomeratus 'Blue Daze'

Blue Daze

Gaillardia spp.

Blanket Flower Varieties

Lantana spp.

Lantana Varieties

Melampodium leucanthum

Blackfoot Daisy

Rudbeckia hirta

Black-eyed Susan

Ruellia spp.

Mexican Petunia Varieties

Salvia gregii

Autumn Sage Varieties

Salvia leucantha

Mexican Sage Varieties

Verbena spp.

Verbena Varieties

D. Landscape Maintenance

All landscaping is required to be maintained in a healthy and attractive appearance. Owner or occupant of all Lots shall keep all weeds and grass thereon cut and shall in no event use any Lot for storage of materials or equipment except for normal residential requirements. All yard equipment or storage piles shall be kept screened by a service yard or other similar facility, so as to conceal them from view of neighboring Lots, streets or other property.

Such maintenance includes, but is not limited to the following:

1. Prompt removal of all litter, trash, refuse, and wastes,
2. Lawn mowing and edging, to include roadside ditches to the hard surface of the street.
3. Tree and shrub pruning.
4. Keeping exterior lighting and mechanical facilities in working order.
5. Keeping lawn and garden areas alive, free of weeds, and attractive.

Proper maintenance includes adequate irrigation, appropriate fertilization, insect and disease control as necessary, seasonal mulching of planting beds and replacement of diseased or dead plant materials.

Each Lot shall be maintained in a neat, clean, and orderly condition by the owner/builder.

E. Sidewalks and Patios

All materials and construction should communicate high quality and craftsmanship. Materials subject to approval by the ACC may include brick, concrete pavers, flagstone, concrete, and stamped concrete. The Committee may request samples of paving materials.

F. Fencing and Gates

The Reserve at Spring Lakes only requires Lots to be fenced which back up to a lake. Here, a tubular steel picket fence four (4) feet in height must be positioned on the back Lot line and side Lot lines, turning back to a structure and paralleling the street in front of the Lot and, if it is the home, it must remain a minimum of ten (10) feet back from the face of the home. If it is meeting a wall projecting from the home, it may align with that wall regardless of its relationship to the face of the home.

Owners of non-lake Lots may also install fencing and gates matching these guidelines and fence design above.

Homeowners may choose to bring the fence forward of the residence to the Lot side of the City of Tomball utility and drainage easement and/or the building setback line on the side street side of a corner Lot. A vehicular gate of similar design to the fence is allowed if the homeowner wishes to fully enclose the Lot. If the proposed vehicular gate is to be taller than the fence, the fence may be graduated in height at a manner illustrated in Appendix E. Ornamentation to the gate such as letters, emblems, logos, etc. is not permitted. Masonry columns are not permitted. Automatic gate operating equipment must be screened as well as possible from view and must be located on the interior of the fenced Lot. Reference Appendices F and G for approved gate designs.

When fully enclosing the Lot and there is a need to contain approved pets, adding plastic fencing to close or lessen the gap at the bottom of the fence and gate is not allowed; the addition of pickets between the typically spaced pickets is the recommended solution.

The materials of the fence shall be square steel tubing with a minimum thickness of 12 gauges. The design will meet that provided in the Appendix F of these guidelines and will utilize "through rail" picket detailing. All connections shall be welded. All posts must be set in a concrete footing. The color must be a flat black shop-applied finish. Field painting over welds and repair of scratches is acceptable.

Fence posts are to be same height as fence preferably, but not more than 6" above the top of fence. Gates posts are to be the same height as adjoining fence posts, but no more that 6" higher. At the center, the gate must be no higher than 2 feet above the adjacent gate post. Material of posts, pickets, and rails shall be same material and color.

A single four (4) foot wide maximum pedestrian gate is encouraged in rear fences adjacent to lakes to provide access to that amenity. The gate design shall match that of the fence.

Chain link fences are not allowed for any fence, except they may be used for small animal pens. The pen must be 1) not visible to all neighbors and from the street, 2) located against the house or garage, and 3) designed such that the animal cannot see any neighbor or street pedestrian. Vegetation for screening may be required as part of the approval.

V. Resource Conservation/Green Considerations

The Reserve at Spring Lakes has no requirement for implementing energy conserving and/or green products or practices, but certainly welcomes any of these while offering the following suggestions and guidance for them. While the use of any energy conserving and/or green products or practices will have little or no bearing on Committee approval of an overall home design, if incorporated into the design, the guidelines below will be used to determine compliance for the community.

A. Design and Planning for Resource Conservation in a Humid Climate

Where rooms must be located on south and west walls, it is recommended that a long wall with large areas of operable glass in combination with deep overhangs, verandas, or porches be utilized. Such a configuration facilitates ventilation while avoiding direct heat gain from the sun. Locate windows opposite each other to allow cross-ventilation.

Windows should be large enough to allow effective cross-ventilation, but east and west windows should be kept to a minimum, to avoid the impact the lower angle of the sun will have on the home;

Design open-plan living areas with high ceilings, to maximize air movement and allow heated air to rise above the lower occupied space.

In the attic, use radiant barrier materials draped over the trusses prior to installing the roof deck and maximize the ventilation of the attic space to reduce heat build-up there.

Metal roofs can be a good option because they cool rapidly at night, but they require a good reflective coating on their underside to minimize daytime heat gains.

Use light colors for walls and also for the roof.

Avoid bringing concrete surfaces close to windows so radiant heat gain is minimized. Provide a planted buffer between such surfaces and the home.

Landscape extensively near windows and doors with deciduous shade trees and shrubs to provide protection and shade from the summer sun while allowing the warmth from the winter sun reach the home.

Boundary fences and landscaping should not block airflow.

B. Resource Conserving Equipment and Materials

Install high SEER heating and cooling equipment.

Use programmable thermostats, sensors and timers to reduce the use of air conditioning.

Install Energy Star compliant appliances which conserve both electricity and water if applicable.

Utilize ceiling fans and whole house fans to keep air moving throughout the home.

When a fireplace is provided, specify one that uses outdoor air for combustion and/or one that forces heated air from the fireplace into the interior room.

Drop ducts down into conditioned spaces below the ceiling and out of the unconditioned attic to lessen energy use.

Install the highest appropriate R-value for ceilings and walls.

Install insulated exterior doors at entries on sides and rear of the home and fully weather-strip them. Use insulated garage doors on attached garages.

Caulk or otherwise prevent air intrusions of the bottom plate, the door and window frames, and rough-in holes for plumbing and wiring.

Utilize materials with minimal off-gassing characteristics such as low or no VOC paints and other finishes and materials.

Lots within The Reserve at Spring Lakes are of sufficient size to utilize rain harvesting techniques. Above ground rain harvesting equipment cannot be

located between the front building line and the street and must be 90% screened from view from the street, another Lot, or common area at the time of installation. Conveyance equipment from the collection point to the storage point must comply with the guidelines for gutters and downspouts.

Solar panels may be located on the home and other structures not connected to the home, and/or may be ground mounted. When ground mounted, the highest portion of the equipment may not be more than twelve (12) feet above the general grade of the yard. When located on the roof, panels shall not be visible from the street and shall not project above or beyond the roofline. Solar panels shall supply no more than the reasonable amount of electrical needs for the address of the property on which they are located. Reference the Modifications portion of this Guideline for additional information on solar energy devices.

B. Modifications to Home and Property

I. Modifications Architectural Review Process

A. Submission Procedures

All improvements, modification, alterations or additions thereto require approval in writing from the ACC prior to construction or placement. This covers new construction (after the construction of the dwelling on the property) as well as, but not limited to, additions, fences, patios, storage buildings, play equipment, pools, walkways, driveway modifications and painting. All applications for approval to Lot or building construction, improvements, modification, alterations or additions thereto shall be submitted to the ACC in writing by fully completing the application form currently in use by the ACC, a copy of which is attached hereto as Appendix X, or such form as may hereafter be adopted by the ACC. Each application must be supported by the following information:

Drawing(s) of the existing and proposed addition/modification showing exterior views; overall dimensions (length, width, height) of the modification; and the layout and dimensions of supporting structures;

A copy of the existing Lot survey showing location of all existing structures, easements, and setbacks without the proposed modification;

A copy of the existing lot survey showing location of existing structures, easements, and setbacks with the proposed location of the modification with measurements shown from the location of the modification to all property lines and existing structures and applicable building set back lines;

A description of all materials to be used including but not limited to, brick, siding, structure foundation, roofing material, and paint.

Color samples for all colors involved should be included.

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 applicable, all building permits must be in effect at the time of construction. If construction is not commenced within six (6) months of the approved application, a new application must be submitted. All construction must be completed within six (6) months date from commencement.

The ACC reserves the right to request any additional information deemed by it to be necessary to properly evaluate the application. In the event that the ACC requests additional information and such information is not submitted by the applicant in a timely manner the application shall be denied. However, the applicant may thereafter submit a new application with the requested information to the ACC for its review.

The completed application form shall be submitted to the Association address plans and information as indicated, signed by the property owner. Any questions pertaining to these standards may be directed to the ACC or community manager.

The Committee shall review the submission for compliance with the Declaration, these guidelines, and being in harmony with the community. A letter will be issued to the applicant with the Committee's response and any comments or conditions.

B. City of Tomball Requirements

The Reserve at Spring Lakes is within the city limits of Tomball and thus homeowners may be required to obtain a permit(s) for certain improvements and modifications from them. Approval from the ACC shall be received prior to obtaining any permits however a copy of the permit may be required to be forwarded to the ACC once it is obtained.

II. Outbuildings

A. General

The term "outbuilding" includes guesthouses, pool houses, detached garages, storage sheds, workshops, sauna buildings, dog kennels, horse barns, horse sheds, boat-houses, any similar structure, and any combination of these. Not included in the definition are open-sided structures such as gazebos, patio covers, and pergolas. Porte-cocheres and carports are considered to be additions, not outbuildings.

Outbuildings may be permitted on a Lot or a composite building site provided, however, that the outbuilding is situated in the rear yard, and the plans are approved in advance by the Architectural Control Committee. "Rear yard" means the property no closer to the street than the rear corner of the dwelling, and for corner Lots, also means no closer to the side street than the side corner of the dwelling.

Lakefront Lots are not permitted to have barns, workshops, RV storage buildings, sauna buildings, and storage sheds. However, Lakefront Lots are permitted to have guest houses, pool houses, detached garages, and dog kennels.

B. Size

An outbuilding shall be a maximum of 750 square feet per acre rounded up to the nearest acre. For example, if the Lot consists of 1.57 acres the maximum is 1500 square feet for the outbuilding. The outbuilding shall have a minimum height of 8 feet and a maximum of 12 feet at the eave.

Some outbuildings have other size requirements which are provided later in this section.

C. Materials

The standard, type, quality, and color of the materials used in construction shall match or be harmonious with the standard, type, quality, and color of the materials used in construction of the main residence on the Lot. The elevations of any outbuilding that face the street(s) and are visible from the street(s) or by neighbors must have a minimum of 30% of the main residence primary material. The roof must match the main residence in pitch and materials.

Some outbuildings have specific materials requirements which are provided later in this section.

D. Guesthouses and Pool Houses

A guesthouse must match the main residence in design and materials.

E. Storage Shed

Storage sheds shall not exceed ten (10) feet in height at the roof peak and 300 square feet in size. The outbuilding must be situated in the rear yard, concealed from the view of the front street to the greatest extent possible. On corner Lots, landscape screening may be requested by the ACC.

Storage sheds shall be constructed of brick, stucco, stone, or fiber cement siding painted to match the main house. Corrugated roofing is not permitted. All site-

built sheds must be constructed on a concrete slab so as to become part of the real property. Pre-fabricated kits are also permitted for sheds. Gravel foundations are permitted under pre-fabricated sheds that are supplied with integral floors.

F. Horse Barns

Horse barns/horse sheds shall be built to support a minimum of one horse up to the number of horses permitted per the acreage of the Lot. Consideration should be given to stalls, tack room, wash area, grain and other necessities storage, proper ventilation and recommendations of the National Horse Association. Architecturally, while complying with C. of this section, the structure shall be designed with recognizable elements of a traditional American barn.

The fencing associated with horse containment shall comply with these guidelines applicable to all perimeter fences.

III. Patio Covers

A. General

A patio cover is defined as a pitched roofed structure over a paved outdoor area, either attached to another structure or free standing. The roof is a solid structure which does not allow weather to penetrate.

B. Size

An attached patio cover shall be of an architecturally appropriate size which fits seamlessly with the existing structure it is attached to.

A free-standing patio cover shall be a maximum of 500 square feet per acre rounded up to the nearest acre. For example, if the Lot consists of 1.57 acres the maximum is 1000 square feet.

C. Materials

Patio covers shall be constructed of materials which either complement the main structure or match the structure it is attached to. Any wood must be weather and insect resistant, either treated or naturally. Metal finish materials are generally not permitted.

If attached to the house, it must be integrated into existing roof line (flush with eaves), and shingles must match existing roof. Thatch or thatch-like materials are not permitted as roof shingles. The entire patio cover and posts should be trimmed out to match house. Supports must be painted wood or metal columns wrapped with a veneer matching or complementing the home.

If free-standing, the trim and supports may be either painted to match the home or stained to complement the structure, the home, and/or any other adjacent finishes used.

IV. Arbors

A. General

An arbor is an open sided, outdoor structure built free-standing or attached to a structure. It is constructed of substantially sized wood members with an open framed top whose purpose is providing filtered shade and minimal weather resistance.

B. Size

Free-standing arbors will be assessed on a case-by-case basis for footprint size appropriateness for the Lot and adjacent improvements. Attached arbors will be limited by the size and articulation of the structure they are attached to.

Free-standing arbors shall have a maximum height at the first or lowest layer of the top structure of ten (10) feet. Arbors attached to structures shall have this same layer align with the fascia of the structure or be set a minimal distance above the fascia and attached to the roof surfaces. When attached to a multi-story portion of the home, this same layer of the arbor shall align with the first floor plate height.

C. Materials

Arbors shall be constructed of wood resistant to weather and insects either by being treated such as pressure treated pine or naturally such as cedar, cypress, fir, and redwood. Treated pine must be painted or stained. Fiberglass and metal is not acceptable as a construction material.

Arbors painted in a shade that contrasts with their setting will be considered by the ACC on a case-by-case basis.

V. Room Additions

A. General

Room additions shall include additions/expansions of the home, pool/patio enclosures, sunrooms, porte-cocheres, and carports. Exterior materials and colors shall match the house as much as possible.

Building permits are the responsibility of the homeowner and must be submitted to the Committee after obtaining them. Pursuit of the permit shall occur after ACC approval of the addition or any other improvement requiring a City permit.

B. Size and Materials

Size and materials will depend on architectural style and layout of home, size of lot, and how well the room addition integrates with the existing home. Roof of addition must integrate with existing roof line so as to appear to have been part of the original home.

C. Pool/Patio Enclosures

A pool/patio enclosure is any enclosure that has exterior walls constructed of a framework and screen material. Pool/patio enclosures must not encroach on any utility or drainage easement, nor shall it encroach into the building setback lines applicable Lot. Pool/patio enclosures must not interfere with drainage or cause water to flow onto any adjacent lot.

The standard, type, quality and color of the materials used in the construction of pool/patio enclosures must be harmonious with the materials used in construction of the main residence. The roof must be shingled and/or must match the existing roof. The exterior color of the walls, doors, windowsills, beams, frames or other visible supports must match the exterior color of the residence.

The highest point of the pool/patio enclosures shall never exceed the first floor plate height. The patio enclosure roof shall provide an attractive slope with a minimum 4/12 roof pitch away from the house, at an angle that does not exceed that of the roof of the residence. Flat roof pool/patio enclosures are not permitted. No pool/patio enclosures shall protrude beyond the sides of the residence.

D. Sunrooms

A sunroom is defined as a patio enclosure constructed with glass walls and/or glass roofing.

Sunrooms must not encroach on any utility or drainage easement, nor shall it encroach into the building setback lines applicable to the Lot. Sunrooms must not interfere with drainage or cause water to flow onto any adjacent lot.

Supporting structural members must be of a color 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 is permitted.

No sunroom shall have exposed air conditioning or heating duct work visible from the exterior. Window coverings are not required; however, only interior covering will be permitted.

E. Porte-cocheres and Carports

Porte-cocheres are allowed but must be of the same style, architecture, and type of materials as the main structure to which it is appurtenant.

Detached carports of any kind and attached metal carports are prohibited.

VI. Exterior Painting

Reference these guidelines under New Home Construction, Section IV, Paragraph I.

VII. Swimming Pools, Spas, and Splash Pads

A. General

Swimming pools, spas, and splash pads may be constructed only within the building setback lines, must not encroach into easements, and must allow adequate room for landscaping, drainage, and fencing. Further, pools and spas shall be within the limits of the width of the home.

Pool water and/or backwash must drain internally and not drain onto adjacent properties, including reserves and detention ponds. All aspects of swimming pool construction including the handling of backwash must comply with all current State and local codes concerning swimming pools, spas, and plumbing.

If any type of waterfall is to be incorporated into the design of a pool, spa, or pond, the dimensions and materials used must be fully specified. The height of a waterfall shall not exceed six (6) feet when measured from the pool deck. Other pool amenities such as slides and umbrellas may be taller, but must be screened from view.

Spas may be in-ground or self-contained above ground models. Above ground spas shall be located at the back of dwelling so that they are completely screened from public view.

Splash pads designed to reuse the water shall utilize a secondary sanitation system manufactured specifically for use with splash pads and swimming pools.

Above ground pools are strictly prohibited.

B. Screening

Pool surface, deck, pool amenities, and all mechanical and electrical equipment must be fully screened from public view, including public streets, common areas and reserves, with a combination of trees, hedges, walls, or fences. The ACC may require additional landscape plantings along the perimeter of the property for proper screening

C. Fencing

Pools and spas must be completely enclosed by a perimeter fence meeting the current codes of the State of Texas. The fence may not be taller than six (6) feet. It may provide privacy or be an open fence. If it is the later, no openings, holes, or gaps larger than four (4) inches measured in any direction are allowed. Gates opening directly into the pool area must be equipped with self-closing and self-latching devices designed to keep, and capable of keeping such gates securely closed at all times. Said latching devices shall be attached to the upper quarter of such gate.

VII. Play Structures

A. General

Play structures shall be considered temporary structures secured to the ground and include but not be limited to multi-level climbing apparatus, swings, slides, trampolines, play houses, and tree houses.

Placement of a play structure must be in the rear yard so that it is screened from public view to the maximum extent possible by permanent structures and /or landscaping. If located on a corner Lot, the play structure must be placed on the interior side of the Lot. The placement of the play structure must not encroach into a building setback line or easement.

B. Size

The play structure footprint may not exceed 160 square feet in size and shall not exceed sixteen (16) feet in height. For play structures that include a climbing apparatus and a swing and/or slide attachment, only the climbing apparatus is included in this calculation. The safety fall surface area is exclusive of this calculation as well.

C. Material

Play structures shall be constructed of materials resistant to decay, such as treated pine, redwood, cedar, cypress, fiber cement board, or masonry products

matching the home. If the structure is wood, it may be left natural, stained, or painted to match the trim or color scheme of the house.

Shingled roofs shall match the shape, slope and materials of the house or garage roofs. If not, cedar shingles would also be considered. Fabric roofs, awnings or covers shall be made of canvas specifically manufactured and treated for outdoor use in muted colors.

Play structures sitting on the ground such as play houses shall sit on a free draining, compacted gravel foundation. Tree houses shall be primarily supported by post structures and minimally rely on the tree for support.

IX. Sports Apparatus

A. General

Sports apparatuses includes but are not limited to basketball goals, sport courts, soccer goals, batting cages, golf nets, and skateboard ramps.

All sports apparatus must be maintained in such a fashion that they do not detract from the community, including, but not limited to: replacement or repair of torn or missing nets, bent or broken supports or appendages, worn, broken or discolored elements, and rusted, discolored or leaning poles.

B. Basketball Goals

Basketball goals may be installed along driveways only and may not be attached to the house by any means. Goals must be located a minimum of ten (10) feet back from the face of home. Back yard goals associated with a sports court shall be placed out of public view to the fullest extent possible. For corner Lots, goals in the back yard shall be placed on the interior side of the Lot.

Backboards shall be installed with commercially made, standard sized backboards that are constructed of heavy gauge fiberglass, Plexiglas, graphite-blend or aluminum. Backboards shall be white, gray or clear. Fluorescent colors or highly graphic backboards will not be permitted.

Poles must be metal of a sufficient gauge to prevent bending. Poles shall be painted black or a color to blend in with the background when viewed from the street. Portable goals must be kept upright at all time except in the case of a high wind event.

Nets shall be white; white and black; white and red; or tri-color (red, white and blue). Fluorescent colors and chain nets are strictly prohibited.

C. Sports Courts

Sports courts may be constructed of concrete or concrete with a commercially applied coating or tiles. Sport courts must not disrupt the drainage pattern(s) of the Lot or redirect drainage onto another Lot, association property, or any other property.

D. Soccer Goals, Golf Nets, and Skateboard Ramps

These sports apparatus shall be temporary installations. They must be located in the back yard and shall be placed out of public view to the fullest extent possible. The Association may request landscape screening be added to the property to assist in this. These apparatuses shall be removed when not in use for an extended period.

E. Batting Cages

Batting cages must be located in the back yard and shall be placed out of public view to the fullest extent possible. The Association may request landscape screening be added to the property to assist in this. Any canvas windbreak, shade, or screen materials must be dark green in color. Chain link fabric is acceptable as a caging material.

F. Tennis Courts

Tennis courts shall be enclosed with black vinyl-clad, chain-link fencing, and all posts, support rails, gates and associated hardware shall be black vinyl-clad or painted to match. Tennis court fence height shall not exceed twelve (12) feet on end enclosures, and four (4) feet on side fencing. Tennis court lighting is prohibited.

G. Putting Greens

Putting greens may be surfaced with natural or artificial grass and may include chipping surfaces and/or sand greens. Flags in cups may not exceed thirty-six (36) inches in height. The surfaces, sand traps, and flags shall be screened from view from adjacent streets and Lots.

H. Firearms

The Reserve at Spring Lakes is within the city limits of Tomball, Texas and the use of firearms shall be regulated by the City of Tomball and the State of Texas.

X. Signage

A. General

If the types of signs and the method of display comply with the following restrictions, it is not necessary to make an application to the ACC. However, if there is any deviation from these guidelines, it will be considered a deed restriction violation.

B. For Sale or Rent Signs

Only one sign advertising a Lot or home for sale or rent is permitted (including houses on corner lots). The sign must not exceed six (6) square feet in area; it must be professionally manufactured exclusively for the purpose of advertising the sale of real property.

For sale or rent signs can only be displayed in the front yards of houses, not in the right of way between the sidewalk and the street.

Signs cannot be posted on the home, garage doors, walls or fences.

C. Home Security Signs

The home security sign must be a professionally constructed sign of weather resistant materials. The color of the sign may be the security provider's colors.

The maximum size of the sign shall not exceed twelve (12) inches in the greatest dimension. The sign and stake shall not exceed fifteen (15) inches above ground when installed.

One (1) security sign will be allowed for a front entrance. For houses with driveway gates, one (1) security sign will be allowed in a landscaped area adjacent to the gate.

Security signs shall be placed not more than five (5) feet from the front of the home. Security signs cannot be posted on the residential unit, garage doors, walls or fences. Decals professionally prepared and provided by the security company may be placed on windows. The maximum size of window decals shall not exceed six (6) inches in their greatest dimension and decals shall not exceed four (4) in quantity when in public view.

"No Soliciting" signs are not allowed on Lots or homes, but is located at the community entry by the Association.

D. Political Signs

Political signs are permitted only on private property for all local, state, or federal election purposes. Signs may be posted not more than sixty (60) days prior to the election and must be removed within five (5) days following election. Only one sign per candidate and/or issue may be displayed on each property.

Maximum sign area cannot exceed six (6) square feet. No sign can be mounted on any exterior part of the home, garage doors, fence, or walls. When installed, the bottom of the sign cannot exceed a maximum of fifteen inches (15") above ground when installed.

E. High School and Booster Club Signs

Since The Reserve at Spring Lakes is an acreage community with homes set well back from the street and the community does not wish to clutter the streetscape with signage, no school or booster signs are permitted.

F. Contractor Signs

Permanent or temporary contractor signs are strictly prohibited. It will be the homeowner's responsibility to ensure that contractors do not display any signs on the property.

G. Garage Sale Signs

Since garage sales are not permitted in the community, garage sale signs are not allowed.

XI. Satellite Dishes and Antennas

A. Satellite Dishes

Satellite dishes are allowed and are covered extensively in the Declarations. No application is required if the proposed dish-type device complies with the requirement set forth in the Declarations.

B. Antennas

Antennas are allowed and are covered extensively in the Declarations. No application is required if the proposed antenna complies with the requirement set forth in the Declarations.

XII. Solar Energy Devices

A. General

Solar energy devices shall be located on structures located on the Lot or may be ground mounted within the back one-half (1/2) of the Lot and must not be visible from the fronting street or, in the case of a corner Lot, adjoining street and must serve only improvements on the particular Lot on which it is located. If these locations do produce the desired amount of energy, the Solar Energy Device may be placed in the least visible location where an acceptable level of annual energy production is still possible.

The Solar Energy Device and any related mast, frame, brackets, support structure, piping and wiring must be silver, bronze or black in color commonly available from manufacturers and no advertising shall be permitted upon the Solar Energy Device or any related mast, frame, brackets, support structure, piping and wiring, other than the standard labeling included by the manufacturer.

B. Roof Mounted Devices

The Solar Energy Device and any related mast, frame, brackets, support structure, piping and wiring shall not extend above or beyond the roofline of the home or other structure upon which it is located.

The slope of the Solar Energy Device and any brackets must conform to the slope of the roof and must have all top and side edges parallel to the roofline.

C. Ground Mounted Devices

The Solar Energy Device and any related mast, frame, brackets, support structure, piping and wiring may not extend more than twelve (12) feet above the general grade of the yard.

XIII. Flags and Flag Poles

A. General

The flag and flagpole must be maintained in good condition at all times. If the flag is allowed to become faded, frayed or torn, it must be removed and replaced. If the flagpole becomes scratched, dented, leaning, or structurally unsafe, or if the paint is chipped or faded, it must be replaced, repaired or removed.

No advertising shall be permitted upon the flag or flagpole, other than the standard labeling which may be included by the manufacturer.

Attaching flagpoles to fences or trees is not permitted.

No more than one (1) flagpole of any type may be installed on a Lot. No more than one (1) flag per Lot may be displayed at any one (1) time. The one (1) displayed flag may be (i) the flag of the United States of America displayed in accordance with 4 U.S.C. Sections 5-10; (ii) the flag of the State of Texas displayed in accordance with Chapter 3100, Texas Government Code; or (iii) an official or replica flag of any branch of the United States armed forces.

If the United States or Texas flag is to be flown after dusk, it must be properly illuminated with an in ground or ground mounted light (maximum of two (2) fixtures) with a total of no more than 150 watts. The light must shine directly up at the flag and can not cause any type of light spillage onto adjoining properties.

Flagpoles must be constructed of metal with a finish appropriate to the materials used in the construction of the flagpole and of a color in harmony with the home and community.

Flagpoles may only be installed on the fronts of homes in front yards within the established building lines. Ground mounted flagpoles may not be placed more than ten (10) feet from the foundation of the home. Any flagpole must be installed in a manner that does not cause a view obstruction for neighbors.

Flagpole top ornamentation may only be a sphere constructed of the same material and finish as the pole, and being no greater in diameter than twice the diameter of the pole at the point of connection with the ornamentation.

B. Structure Mounted

Pole mounting fixtures may be placed on the house or garage on a permanent or temporary basis; however, poles may only be mounted when a flag is actually displayed. The flag may not exceed three (3) feet in height by five (5) feet in width.

C. Ground Mounted

Permanent in-ground flagpoles are defined as those which are installed in a concrete footing or utilize a direct-bury method, and are not meant to be removed unless the flagpole is replaced. The top of any footing or direct-bury method shall not be more than two (2) inches above adjacent grade. Permanent flagpoles shall have a flag displayed daily.

Temporary in-ground flagpoles are generally defined as those poles that are installed in a sleeve buried in the ground and are designed to allow the easy removal and reinsertion of the pole. Temporary flagpoles are for use when a flag is only going to be displayed on specific holidays or less frequently than every day. The flagpole must be removed on those days that a flag is not being displayed.

The height of ground mounted permanent flagpoles may not be taller than twenty (20) feet when measured from the adjacent ground surface. The size of the flag must be appropriate for the height of the flagpole, but, in any event, may not exceed four (4) feet in height by six (6) feet in width.

Temporary ground mounted flagpoles shall generally be shorter and of less diameter than permanent ground mounted flagpoles. The flags will also be smaller than those flown from permanent ground mounted flagpoles, but not greater than three (3) feet in height by five (5) feet in width.

XIV. Landscape Improvements

A. General

Landscape improvement include but are not limited to the addition of planting beds and plantings, edging and low walls, walkways and patio paving, decks, ponds and water gardens, fountains, statues, sculpture, gardens, bird and bat houses, and outdoor entertaining areas.

B. Planting Beds, Plantings, Edging, and Low Walls

Section A. IV. A. – D. of these Guidelines address minimum landscape requirements which must be adhered to at all times. The addition of planting beds, plantings, edging, and low walls beyond these requirements is optional. Additions of and changes to existing planting beds, plantings, edging, and/or low walls must comply with the requirements of this section as well.

C. Walkway and Patio Paving and Extensions

Section A. IV. E. addresses craftsmanship and materials acceptable within the community. Stained or painted concrete not patterned or stamped is strictly prohibited.

D. Decks

Ground level decks may not exceed twelve (12) inches in height above natural grade and may not encroach on any easement nor extend beyond the building lines.

All above ground structures shall be constructed of wood, composite wood, or masonry; metal or vinyl is strictly prohibited. If wood is used it must be weather and insect resistant such as cedar, redwood, cypress, or treated pine. It may be painted to match the house colors, stained a natural wood color, treated with a substantially clear wood preservative, or left raw to weather naturally. If masonry is used either bricks, natural stone, simulated stone, or stucco that matches the house is allowed. In all cases, the design and materials must complement the house design.

All decks shall be maintained in such a fashion as to not detract from the community.

E. Ponds and Water Gardens

Ponds and water gardens shall be located in the rear or side yard and must be as screened from public view as is reasonable. If a waterfall is desired, it shall not exceed thirty-six (36) inches in height when measured from the ground.

Draining, filling, and overflow considerations for the pond or water garden must be addressed when application for approval is made. The pond must not significantly alter the drainage pattern on the Lot or alter or add to the drainage patterns of an adjacent Lot or community reserve.

If aeration of the water via a water spray or display is proposed, the height of the spray shall not be greater than one-third (1/3) the shortest dimension of the water surface in the general area of the aerator.

The pond or water garden shall be maintained to provide clear, odor-free water quality and healthy appearance of any plants in or surrounding the water feature. The pond or water garden shall not be a source of nuisance insects such as mosquitoes.

F. Fountains, Statues, and Sculptures

These items will be considered on a case-by-case basis, if they are not overwhelming in relationship to the house and landscaping, and only if they complement the house design.

Fountains, statues, and sculptures are not to detract from the neighborhood. Homeowners are responsible for the proper maintenance of appearance and operation.

Any lighting associated with these items shall be directed at the object only and shall not illuminate any portion of an adjacent Lot. Light levels shall be bright enough to attract attention to the object, but not so bright as to produce glare.

In most cases, statues and sculptures are more appropriate when located in the rear yard, behind a fence.

Fountains, either basin, disappearing, or pottery types, are only allowed if they are located within the footprint of the home such as an alcove or courtyard, and may require additional landscape screening.

G. Gardens

Landscape gardens shall consist of a group of plants and other landscape materials organized for display and enjoyment. Landscape gardens shall be located in the back and side yards. Planting beds shall not disrupt the drainage pattern of the Lot or redirect drainage onto adjacent Lots or community property. All plants shall be maintained in a healthy, thriving condition. Any walking surfaces and/or walls shall be maintained in a clean, orderly, well kept condition.

Vegetable gardens shall be located in the back yard and shall not be greater than one quarter (1/4) the area of the back yard. Vegetable gardens should not have excessive weeds, and plants should be removed at the end of each growing season. Tall plants, such as corn and sunflowers, and plants grown on supports such as peas, shall be completely screened from view from adjoining properties and public right of ways.

H. Bird Houses and Feeders and Bat Houses

The quantity of a combination of houses and/or feeders shall not exceed seven (7) per Lot and must be placed toward the middle of the back yard. All houses and feeders shall also be located with respect to building lines and easements.

Houses and feeders must be mounted on a two (2) inch diameter metal pipe painted black. Maximum allowable size shall be two feet height by two feet wide by two feet deep unless information is provided with the application for approval indicating that the targeted species has greater requirements.

The maximum allowable pole mounting height shall twelve (12) feet unless information is provided with the application for approval indicating that the targeted species requires the house or feeder be mounted higher. Houses and feeders may not be installed on or hung from trees.

Each homeowner erecting either feeders or houses shall be responsible for the maintenance of the devices including repairs, painting and "righting" of support posts.

I. Outdoor Entertaining Areas

Outdoor entertaining areas may include but not be limited to fireplaces, fire pits, outdoor kitchens, and roof structures.

Exterior fireplaces with chimneys shall be constructed of masonry and clad in natural or simulated masonry or brick. Chimneys shall extend a minimum of four (4) feet above the roof line of any structure it is incorporated in to. All chimneys constructed to conduct air and smoke from improvements that burn wood, alternate wood products, coal, charcoal or combustible materials other than natural gas or propane, shall have IRBC approved spark arrestors.

Fire pits shall be constructed of masonry and be surrounded by a hard surface for a width equal to 3 times the height of the masonry.

Outdoor kitchens may contain but are not limited to counters, grills, refrigerators, faucets, sinks, drawers, and electronic entertainment equipment. Materials shall match or complement those of the home. Waste lines from sinks and any other equipment requiring waste lines must be connected to the home's sanitary sewer system.

Roof structures are addressed in Section B. III and IV. Thatch and thatch-like materials are not allowed as shingles.

XV. Holiday Decorations

- A. Holiday decorations may be displayed for four (4) weeks prior to the date of the holiday and three (3) weeks after. Installation of unnoticeable aspects of the display such as small lighting may be installed in preparation for the display up to four (4) weeks prior to the display period.

XVI. Fencing and Fence Extensions

- A. Perimeter fencing and gates are addressed in Section A. IV. F. Any additions or extensions of the perimeter fence must conform to the guidelines found there.
- B. Privacy and/or screening fencing for such improvements as swimming pools, pool equipment, generators, compost piles, garbage cans, and any other improvement that the resident or Association wishes to be kept from public view is allowed. However, privacy and/or screening fencing are not allowed to be a part or extension of the perimeter fence.
- C. Materials and design details for the fencing must compliment the structure nearest to it. Acceptable materials are masonry, wood, composite wood, metal, exterior grade fabric, and PVC. Design details including height and location will be evaluated on a case by case basis.

XVII. Improvements Not Allowed

A. General

The following improvements are not allowed, but the solution they provide can be achieved by well thought out initial design and orientation. The Association encourages extensive exploration and fore thought when developing site and architectural plans for your Lot.

- B. Storm Windows and Doors
- C. Solar Screens
- D. Power Generating Wind Turbines
- E. Outdoor Carpeting
- F. Burglar Bars
- G. Window Unit Air Conditioners
- H. Awnings and Exterior Window Shades

XVIII. Appendices

Appendix A

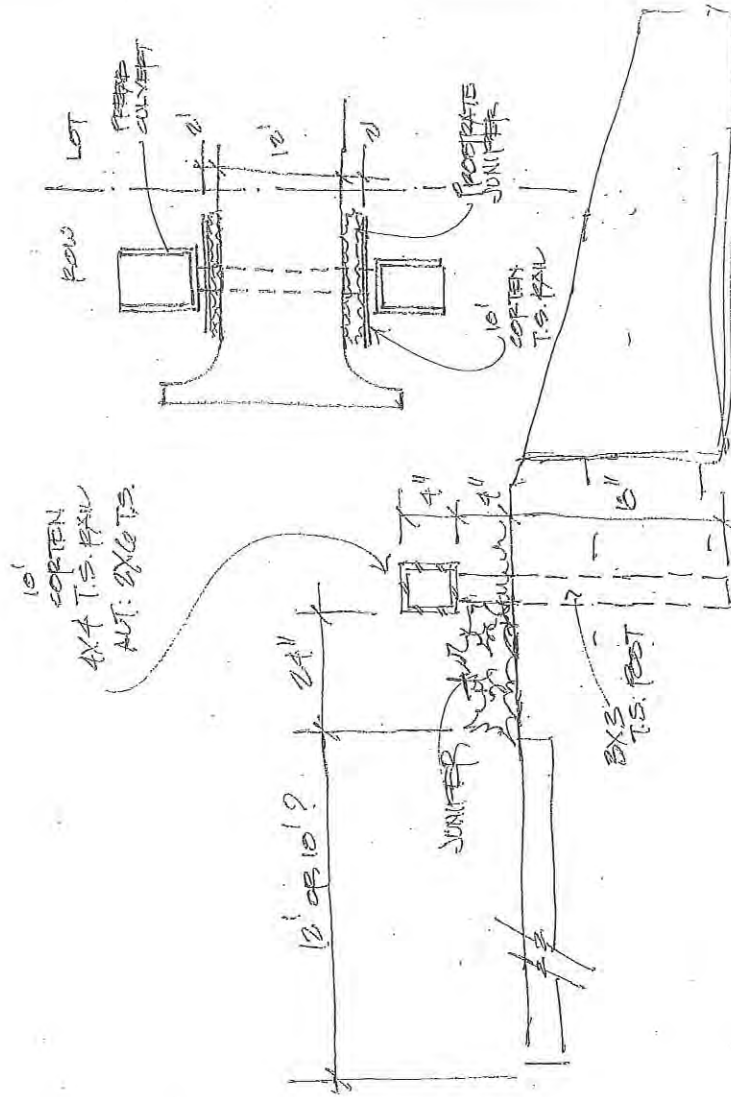
Building Department Submittal Checklist For Residential Building Plan Review

- I. **Building Permit Application:** Complete entire application, including: Valuation of Project, contact information including phone number and Applicant's signature.
- II. A **Plan Review Fee** will be collected at the time the Building Permit Application is submitted and the balance of the Building Permit Fee will be collected when plans are approved and the permit is processed and picked up by the Contractor.
- III. **Planning and Zoning Approval:** City Planner (281) 290-1491. Approved plans and survey from the City Planner should be included in the Building Application Submittal.
- IV. Submit (2) two complete sets of **Building Plans** and include the following:
- a. Floor Plans
 - c. Elevations
 - d. Plumbing, Mechanical and Electrical Plan and Details
 - e. Structural Plans: Include Foundation Plan with Details, Framing and Shear Wall Bracing locations with Details (Nailing Pattern, and Hold-downs)
 - f. Site Plan: with dimensions showing all buildings on the property, the driveway location, property boundaries, building setback lines, and all existing easements.
- V. Submit an **Asbestos Survey** for all demolition and remodel projects. Licensed Asbestos Surveyor or an Architect can do this.
- VI. Submit an **Energy Analysis Report** for Building Envelope, Lighting Loads and Mechanical Loads. Your Engineer can do this for you or you may use **ResCheck 2003 IECC** which is free download software at U.S. Department of Energy website.
- VII. Provide the following information for **new utility connections**:
1. Sewer Tap (Number of taps and their Sizes)
 2. Water Tap (Number of taps and their Sizes)
 3. Gas Tap (A List of Gas Fixtures including BTU Loads)
- VIII. Contractor must provide **Liability Insurance** with a minimum bodily injury limit of \$100,000, \$300,000 per occurrence and a property damage limit of \$400,000 or a property damage limit equal to or exceeding the amount of the contract amount, whichever is greater. The City of Tomball must be listed as the "Certificate Holder" on the policy.

Separate permits are required for electrical, plumbing, heating, ventilation or air conditioning. This permit becomes null and void if work or construction authorized is not commenced within 6 months, or if construction or work is abandoned for a period of 6 months at any time after work is commenced. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law relating to construction, nor does it give authorization or approval to encroach on any easement or property or violate any deed restrictions. The City of Tomball shall never be liable for any damage or loss by reason of the issuance hereof. Each holder and other persons acting under authority of this permit are personally responsible for compliance with all the above provisions and assume the entire risks incidental to the work being permitted.

Appendix B

Culvert Headwall Design and Details



APPENDIX C

CITY OF TOMBALL
STANDARD SPECIFICATION

TREE AND PLANT PROTECTION

Section 01562

TREE AND PLANT PROTECTION

PART 1 GENERAL

1.01 SECTION INCLUDES

- A. Tree and plant protection and maintenance.
 - 1. Relocating and replanting existing trees.
 - 2. Employ qualified Arborist acceptable to City Engineer to move and relocate trees. Arborist must be normally engaged in field and have minimum of 5 years experience.

1.02 UNIT PRICES

- A. No separate payment will be made for other tree and plant protection specified herein.

1.03 SUBMITTALS

- A. Conform to requirements of Section 01330 - Submittal Procedures.
- B. Submit name and experience of qualified Arborist to City Engineer.

1.04 PROJECT CONDITIONS

- A. Preserve and protect existing trees and plants to remain from foliage, branch, trunk, or root damage that could result from construction operations.
- B. Prevent following types of damage:
 - i. Compaction of root zone by foot, vehicular traffic, or material storage.
 - ii. Trunk damage from equipment operations, material storage, or from nailing or bolting.
 - iii. Trunk and branch damage caused by ropes or guy wires.
- 4. Root poisoning from spilled solvents, gasoline, paint, and other noxious materials.
- 5. Branch damage due to improper pruning or trimming.
- 6. Damage from lack of water due to:
 - a. Cutting or altering natural water migration patterns near root zones

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- b. Failure to provide adequate watering
- 7. Damage from alteration of soil pH factor caused by depositing lime, concrete, plaster, or other base materials near roots
- 8. Cutting of roots larger than 1-1/2 inches in diameter

1.05 DAMAGE ASSESSMENT

- 1. When trees other than those designated for removal are destroyed or badly damaged as result of construction operations, remove and replace with same size, species, and variety up to and including 8 inches in trunk diameter. Tree larger than 8 inches in diameter shall be replaced with 8-inch diameter tree of same species and variety and total contract amount shall be reduced by amount determined from following International Shade Tree Conference formula: $0.7854 \times D^2 \times \38.00 where D is diameter in inches of tree or shrub trunk measured 12 inches above grade.

PART 2 PRODUCTS

2.01 MATERIALS

- A. Asphalt Paint: Emulsified asphalt or other adhesive, elastic, antiseptic coating formulated for horticultural use on cut or injured plant tissue, free from kerosene and coal creosote
- B. Burlap: Suitable for use as tree wrapping.
- C. Fertilizer: Liquid containing 20 percent nitrogen, 10 percent phosphorus, and 5 percent potash.
- D. Necessary tree replacements shall be as approved by City Engineer.

PART 3 EXECUTION

3.01 PROTECTION AND MAINTENANCE OF EXISTING TREES AND SHRUBS

- A. Except for trees shown on Drawings or determined by City Engineer to be removed and relocated, trees within Project area are to remain in place, protected from damage and maintained by Contractor.
- B. For trees or shrubs to remain, perform following:
 - 1. Trim trees and shrubs to remain only under supervision of professional tree surgeon or horticulturist.

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2. Prune trees according to International Society of Arbor culture specifications.
3. Trees and shrubs requiring pruning for construction should also be pruned for balance as well as to maintain proper form and branching habit.
4. Cut limbs at branch collar. No stubs should remain on trees. Branch cuts should not gouge outer layer of tree structure or trunk.
5. Prior to construction, prune all trees to remain of new or recent growth to maintain basic branching form of trees. Base extent of pruning upon proximity of pavement to trunk and size of tree block outs and requirements of construction adjacent to tree.
6. Limit pruning to young branches as much as possible. Take care to maintain older branches that provide basic form of tree. All pruning shall be done in presence of and direction of City Engineer.
7. Paint cuts over 3/4" in diameter with tree paint, covering exposed, living tissue.
8. Use extreme care to prevent excessive damage to root systems.
9. Roots in construction areas shall be cut smoothly with a trencher before excavation begins. Do not allow ripping of roots with a backhoe or other equipment.
10. Temporarily cover exposed roots with wet burlap to prevent roots from drying out.
11. Cover exposed roots with soil as soon as possible.
12. Prevent damage or compaction of root zone (area below drip line) by construction activities.
13. Do not allow scarring of trunks or limbs by equipment or other means.
14. Do not store construction materials, vehicles, or excavated material under drip line of trees.
15. Do not pour liquid materials under drip line.
16. Water and fertilize remaining trees and shrubs to maintain their health during construction period.
17. Supplemental watering of landscaping during construction should be done once every 7 days in cold months and once every 4 days in hotter months.
18. This watering shall consist of saturating soils at least 6 to 8 inches beneath surface.
19. Water areas currently being served by private sprinkler systems while systems are

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temporarily taken out of service to maintain health of existing landscapes.

20. Contractor's option with City Engineer's permission, shrubs to remain may be temporarily transplanted and returned to original positions under supervision of professional horticulturist.

3.02 PROTECTION

A. Protection of Trees or Shrubs in Open Area:

1. Install steel drive-in fence posts in protective circle, approximately 8 feet on center, not closer than 4 feet to trunk of trees or stems of shrubs.
2. Drive steel drive-in fence posts into ground for 3 feet minimum, leaving 5 feet minimum above ground.
3. Mount fluorescent orange construction fence on fence posts.
4. For trees or shrubs in paved areas, mount concrete-filled steel pipe 2-1/2 inches in diameter minimum in rubber auto tires filled with concrete (movable posts).

B. Timber Wrap Protection for Trees in Close Proximity of Moving or Mechanical Equipment and Construction Work: When work is required within construction fence protecting trees, provide timber wrap protection for trees in close proximity of moving or mechanical equipment and work.

1. Wrap trunk with layer of burlap.
2. Install 2 by 4's or 2 by 5's (5-foot to 6-foot lengths) vertically, spaced 3 inches to 5 inches apart around circumference of tree trunk.
3. Tie in place with 12 to 9 gauge steel wire.

3.03 MAINTENANCE OF NEWLY PLANTED TREES AND REPLANTED TREES

- A. Show proof of capacity to water during dry periods.
- B. Guarantee trees planted for this Project shall remain alive and healthy at least until end of one-year warranty period and additional one-year period required by Surface Restoration Bond.
- C. Within four weeks notice from City Engineer, replace dead trees or trees that in opinion of City Engineer, have become unhealthy, unsightly or have lost their natural shape as result of additional growth, improper pruning, maintenance or weather conditions.

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- D. When tree must be replaced, guarantee period begins on date of tree replacement, subject to City Engineers inspection, for no less than one year.
- E. Straighten leaning trees and bear entire cost.
- F. Dispose of trees rejected by City Engineer and bear entire cost.

END OF SECTION

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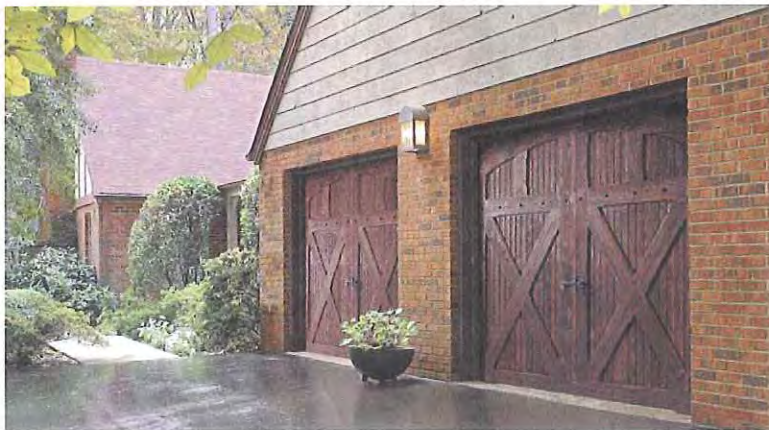
Appendix D

Garage Doors



Appendix D

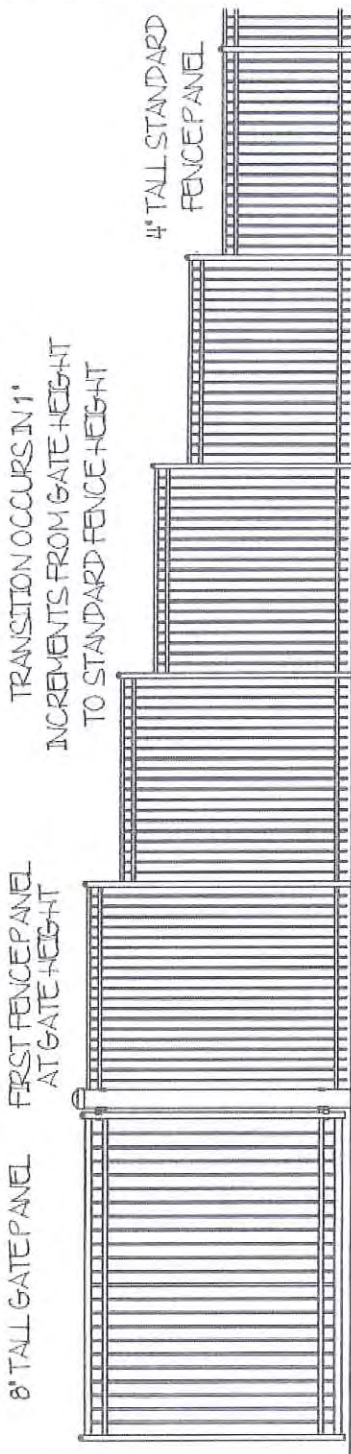
Garage Doors Continued



THE RESERVE AT SPRING LAKES

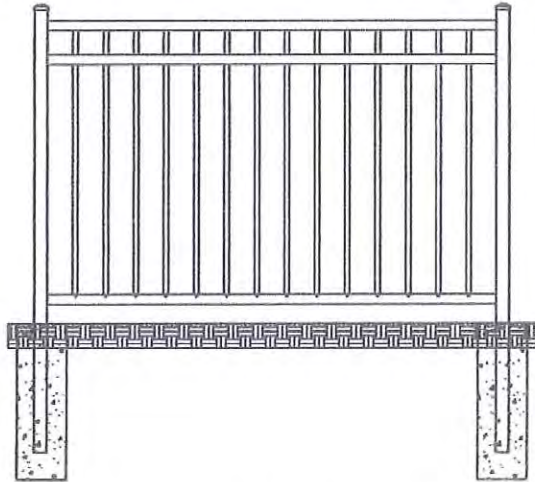
Appendix E

Perimeter Fence to Vehicular Gate Transition

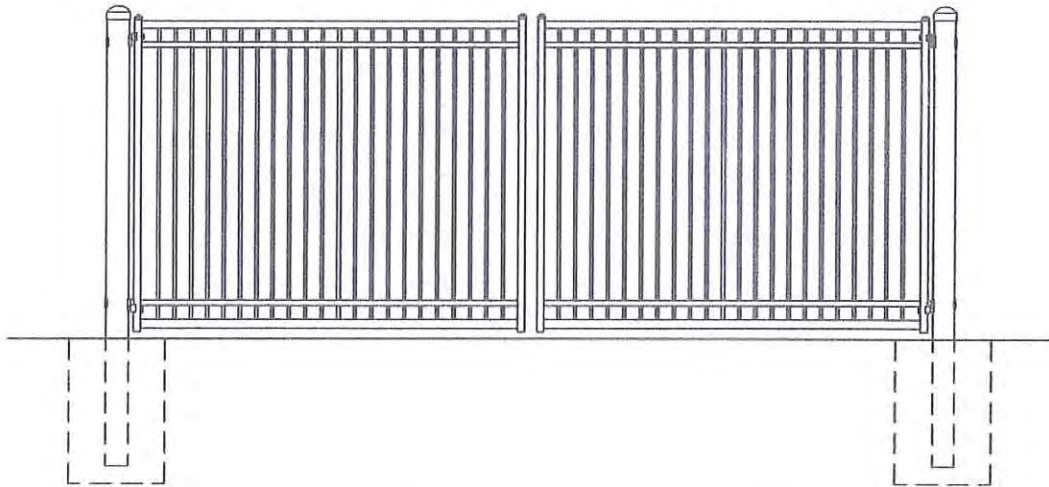


Appendix F

Perimeter Fence and Vehicular Gate Design Illustrations



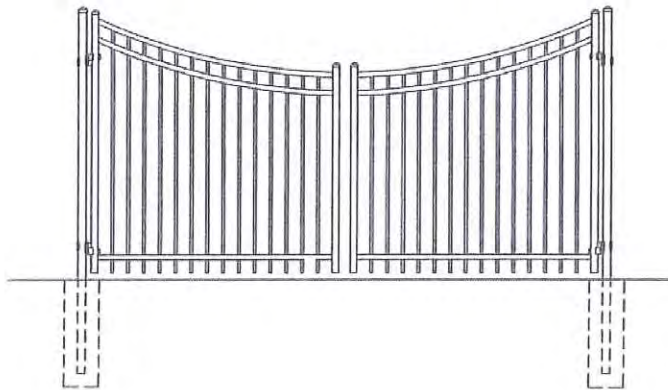
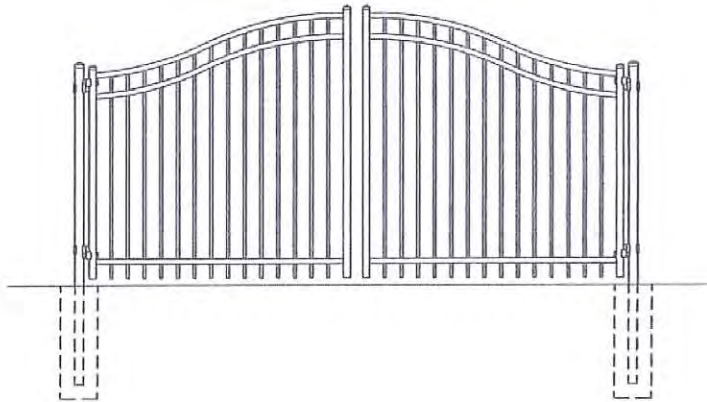
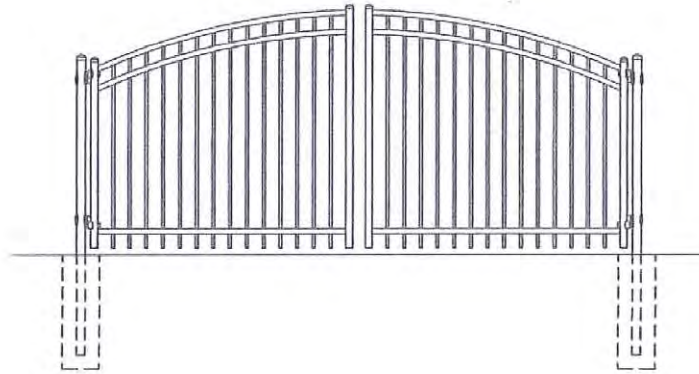
Four (4) Foot Tall Perimeter Fence



Six (6) to Eight (8) Foot Tall Vehicular Gate

Appendix G

Alternate Vehicular Gate Design Illustrations



EXECUTED on the date of the acknowledgement set forth herein below, to be effective as set forth above.

The Reserve at Spring Lakes Homeowners Association Inc., a Texas non-profit corporation.

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By: *Robert M. Allen*
Robert M. Allen, President

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on *October 15*, 2012, by Robert M. Allen, President of The Reserve at Spring Lakes Homeowners Association, Inc., a Texas non-profit corporation on behalf of said corporation.



Sue N. Hodges
NOTARY PUBLIC – STATE OF TEXAS

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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

OCT 19 2012



Stan Stansit
COUNTY CLERK
HARRIS COUNTY, TEXAS