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in height, however, if a bona fide servants quarters is constructed above the garage, the total height will not exceed the main dwelling in height or number of stories. No garage or servant's quarters or other permitted structure shall be erected or built on any Lot until construction of the Residential Dwelling has commenced. All construction must be completed within 180 days after construction commences.

No garage may open to the rear of a Waterfront Lot unless otherwise approved by the Architectural Control Committee. All detached garages where permitted in this Article must be attached to the main residence with a covered walk. Garages placed on corner lots may face the side street and shall be located no closer to the side lot line than the minimum side lot building setback line as shown on the Subdivision Plat.

As used herein, the term "Residential Purposes" shall be construed to prohibit the use of said Lots for garage apartments or apartment houses; and no Lot shall be used for business or professional purposes of any kind except as outlined in Section 2 herein, nor for any commercial or manufacturing purpose. Each lot improvement thereon shall be used only as a single family residence. The rental of a dwelling for occupancy as a residence shall not be construed as a business. No building of any kind or character shall be moved onto any Lot within said Properties without written permission of the Architectural Control Committee; however, no Residential Dwelling shall be moved onto any Lot within said Properties. The use of a tent, house trailer, travel trailer, camper, mobile home, manufactured home, or motor home, either as a weekend, temporary or permanent residence is prohibited.

Section 2. Residences shall be allowed to have one room designated as a home office. The intent of this restriction is to allow for a home business that is converted to a computer/modem based technology. It is further understood that this restriction is not to be construed to permit any Lot, Residential Dwelling or other structure to be used for retail/consumer oriented business that would encourage or increase street traffic.

Section 3. Carports. Carports may be utilized and built only in addition to the required garage. The carport must be an integral part of the residential structure and constructed with the same design, color and materials as the Residential Dwelling. Only motor vehicles, as identified in Section 22 of this Article, shall be parked or stored in a carport.

Section 4. Architectural Control. No Improvement shall be erected, placed, repaired or altered on any Lot until the construction plans and specifications and a plot plan showing the location of the Improvement thereon have been approved by the Architectural Control Committee. Plans shall be reviewed with respect to harmony with the existing structures, design, color, location with respect to topography and finished grade elevation and compliance with minimum construction standards provided for herein. The Committee is authorized to grant variances if the variance is reasonable and if the structure is not inconsistent with the general scheme and harmony of the development.

Section 5. Dwelling Size. The minimum square footage of the total living area of the main Residential Dwelling, exclusive of open porches, garages, carports, and servants quarters shall be as follows:

- (a) As to Lots 1-15, inclusive, Block 1, and Lots 61-67, inclusive, Block 1, and Reserve "G", the minimum living area of the Residential Dwelling shall be 1,800 square feet.
- (b) As to Lots 20-27, inclusive, Block 1, and Lots 50-60, inclusive, Block 1, the minimum living area of the Residential Dwelling shall be 2,200 square feet.
- (c) As to all other Lots in the Subdivision, the minimum living area of the Residential Dwelling shall be 2,000 square feet.

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Section 6. Type of Construction Materials and Landscaping.

(a) Unless otherwise approved by the Committee, Residential Dwellings, garages and carports shall be of eighty (80%) percent masonry construction or its equivalent on its exterior wall area. Masonry includes stucco, brick and stone. Hardy plank siding is not considered to be masonry.

(b) All roofing material used on any building in any part of the Properties must be approved by the Committee. All roofing material must be applied in accordance with the manufacturer's specifications. No cedar shingle roofs shall be permitted in the Subdivision.

(c) Landscape plans must be approved by the Committee before work commences. All yards shall be landscaped, with the landscaping to be completed within three (3) months after the residence is occupied.

(d) All roof ventilation (other than ridge ventilators) shall be located to the rear of the roof ridge line and/or gable of any structure and shall not extend above the highest point of such structure, so as not to be visible from any street. The Committee shall have the right to approve exceptions to the foregoing in cases where energy conservation and heating/cooling efficiency require ventilators that, because of the particular roof design, cannot be hidden from view.

Roof vents, vent stacks, galvanized roof valleys and other roof items must be painted to match the roof materials. Galvanized roof valleys must be primed before being painted to insure the prevention of peeling.

Section 7. Building Location. No Residential Dwelling, garage or carport, or any part thereof shall be located on any Lot nearer to the front or rear Lot line or nearer to the side Lot line than the minimum building lines as shown on the Subdivision Plat. Eaves, steps and open porches shall not be considered as a part of the building, provided that no portion of any Residential Dwelling, garage, carport or structure shall encroach upon another Lot.

The Committee may approve deviations or grant variances of the building location requirements provided the variance or deviation does not alter the scope and intention of these Restrictions. The Owner shall make a written request to the Committee for a variance or deviation.

On Waterfront Lots, an arbor or other out-building or structure which has been approved by the Committee may be constructed beyond the rear building line. Said arbor, out-building or structure shall contain no more than five hundred (500) square feet and be no less than ninety percent (90%) open in its total wall surfaces unless otherwise approved by the Committee. All materials used in constructing any out building or other such structure shall be in harmony with the main residence.

Any Owner of one or more adjoining Lots, with the written permission of the Committee, may merge such Lots into one building site with the privilege of placing or constructing improvements on such resulting site, in which case side setback lines shall be measured from the resulting side property lines rather than the Lot lines as indicated on the Subdivision Plat and such composite building site shall thereupon be regarded as a "Lot" for the purposes of this Article III, Section 7 only.

Section 8. Slab Requirements. All building foundations shall consist of a concrete slab, unless the Committee approves a different type of foundation when circumstances, such as topography of the Lot, make it impractical to use a concrete slab on all or any portion of the foundation of the building improvements constructed on the Lot. The finished slab elevation for all structures shall be above 207 feet mean sea level, and also shall be above the 100 year flood plain as established by Commissioner's Court of Montgomery County, Texas, the Montgomery County Engineers Office, and other applicable governmental authorities. All residential foundations/slabs for all Lots in the Subdivision must be a minimum of eight inches above finished grade of the Lot at the foundation perimeter. The Committee does not determine whether the structural integrity of the slab is adequate. A structural engineer should be consulted on these matters. Sufficient soil investigation should be obtained for proper slab design. The Committee may make deviations in the above foundation requirements provided such deviations do not alter the scope and intent of the restrictions.