



COMMUNITY IMPROVEMENT ASSOCIATION

This package is designed to help streamline, facilitate and expedite the New Home Construction Plan Submission process. ***It is the builder's responsibility to ensure that a construction project is in compliance with all Walden Community Improvement Association (WCIA) and Architectural Control Committee (ACC) policies at all times.***

We request that you visit our website www.WaldenOnLakeConroe.com and review the ***Walden on Lake Conroe Design Guidelines***, and also check with our office to receive a current list of approved inspectors.

We look forward to working with you.



COMMUNITY IMPROVEMENT ASSOCIATION

Dear Builders:

This is a reminder to those of you who may not remember the requirements of construction in Walden on Lake Conroe. Please remember that after clearing, the builder must provide a portable toilet for the workers. Prior to framing, the fencing to the street and trash containment must be in place. All debris and dirt must be kept out of the street.

The fencing may not be removed until it is time for final grading. As a courtesy I have permitted the fencing to be removed only if the job site is kept clean and tidy. Since overall this is not the case the fencing will have to remain until grading for landscaping installation is to be done.

Please remind your contractors that all vehicles must be on the same side of the street so as not to prohibit traffic and the music must be kept at an acceptable volume. No construction before 7:00 am or after 7:00 pm each day, Mon - Sat, and 11 a.m to 7 pm on Sunday.

Should you wish to get another copy of the Builders packet, feel free to drop by the office and request one. We want to work with all builders who come into Walden fairly and consistently. Should you have any questions or concerns please feel free to call me or the General Manager at 936-582-1622.

Plan Review Administrator
Walden on Lake Conroe
Community Improvement Association

**Walden on Lake Conroe
Community Improvement Association**

**Guidelines for
Submission of**

Residential Building Plans

September 1, 2004

1.1 Introduction:

On February 1, 2003, the Walden on Lake Conroe Community Improvement Association (CIA) instituted a policy requiring that all houses constructed in the subdivision after that date meet the minimum construction requirements of the *International Residential Code for One- and Two-Family Dwellings, 2000 Edition (IRC 2000)*. To assist the building inspectors in implementing code compliance, the CIA established minimum requirements for residential building plans submitted to the Architectural Control Committee (ACC) for approval.

Several builders have requested a check-off sheet to assist their designers in providing the required information on building plans. This document provides the necessary information in two parts: the text will outline and briefly describe the requirements for a complete set of residential building plans, and the check-off sheet will assist the designer/builder to ensure that the minimum requirements have been met. Designers and builders are encouraged to provide design details and specifications beyond the scope of the check-off sheet, where appropriate. Additionally, a list of commonly overlooked code requirements, provided by the building inspectors, is included to assist designers and builders in producing a complete and comprehensive set of plans.

The intent of this new procedure is to streamline and improve the approval process by providing builders with a specific and written set of requirements. The check-off sheet has been developed by Walden CIA as a tool to help to verify that all of the required elements are included in the plans. The plans will be reviewed for completeness and technical accuracy, based on the items listed on the check-off sheet. If the plans are complete and accurate, they will be forwarded to the ACC for review. Incomplete or inaccurate plans will be returned to the builder for correction, without ACC review.

1.2 Design Criteria:

Several design criteria are being used in the development of the check-off sheet. The primary basis for the design criteria is the American Institute of Building Design (AIBD) design requirements for light construction. The AIBD design requirement has been edited by Walden to eliminate extraneous data, such as electrical, gas, and water service connections. In addition to the AIBD criteria, the check-off sheet will contain requirements from the IRC 2000, such as smoke detectors, and requirements found in the Walden Deed Restrictions, such as garbage disposals.

Another reference for design criteria is *Architectural Graphic Standards for Residential Construction* (ISBN: 0-471-24109-1) and both designers and builders are encouraged to use this valuable reference when developing residential building plans

1.3 General Considerations:

The builder must submit a complete set of plans for review. Once accepted by Walden CIA, the plans will not be returned. If the plans are disapproved, the builder must resubmit one complete set of corrected plans for approval. The ACC reviews over 200 plans per year and this is necessary for accurate recordkeeping. Partial sets of plans can create confusion and will be returned to the builder without review.

The most important aspect of the building plans is that they be legible. One may think this is obvious, but the ACC occasionally receives a set of plans that cannot be read. This includes both the size (scale) of the plan and the quality of the reproduction. Minimum recommended drawing scales are included in the check-off sheet. Plans on which the print is too small to read or the reproduction is too faint will be returned without review.

The check-off sheet is broken down into different drawing types (i.e. site plan, foundation plan, elevations, etc.) based on the AIBD design requirements; however, Walden CIA realizes that different designers have different styles and techniques. The information required on the building plans is requested in the AIBD format, but will be

accepted as long as the all the requested information is cited somewhere within the plans and specifications.

The State of Texas has adopted the *International Residential Code for One-and Two-Family Dwellings, 2000 Edition*, as the state residential building code. Any tables, charts, or graphs shown on the plans, or any references to code compliance must be cited relative to the IRC 2000. Documentation that does not comply with IRC 2000 standards should be clearly crossed out using a felt tip marker.

Some builders purchase generic plans and submit a separate foundation plan stamped by a professional engineer. This is perfectly acceptable; however, all references to the generic foundation design or specifications must be crossed out with a felt tip marker. Furthermore, some builders provide generic plans that contain several design options. If a builder submits a plan with "options," the builder must cross out all design options that do not apply, using a felt tip marker. The builder must also be careful to ensure that the same design option is consistently identified on each sheet. Plans that are not clearly marked for the same design option throughout will be returned to the builder for correction.

2.1 Site Plan:

The primary purpose of the site plan is to ensure that the proposed building will fit within the building lines and utility easements of the proposed lot. Occasionally, the ACC will receive a building plan that does not fit on the specified lot. For this reason, Walden requires that *all* property lines, building lines, easements and other encumbrances be shown on the site plan. Furthermore to assist the ACC in identifying the specific lot location, the street location(s) relative to the lot should be shown and the legal description of the lot should be included on this sheet, as well as a north point to help determine the orientation of the lot. The site plan should show all proposed driveways, walkways, retaining walls and other hardscape items to ensure that they do not encroach on the adjacent property.

Finally, the ACC is requesting that the site plan show the relative elevation of the nearest sewer manhole to ensure that the foundation's proposed finished elevation is at least 12" above the sewer manhole elevation. This information is required on the slab (or form) survey, which is submitted after construction begins.

2.2 Drainage Plan:

The lots in Walden are narrow and drainage flow is often a problem, especially on patio

lots and lots with steep grades. The ACC now requires a drainage plan that shows the slope of the lot and the direction of drainage flow. The drainage plan may be included as part of the site plan or submitted as a separate sheet. The ACC realizes that this is a *proposed* drainage plan and that civil/structural requirements or tree locations may affect the final plan; however, this plan will provide a starting point to ensure that the water

sheet across the lot is not redirected onto adjacent property, per deed restriction and code

requirements. The drainage plan should show the location of the building and all proposed driveways, walkways, retaining walls and other hardscape items; the relative elevation at each corner of the property; and a typical site cross section showing the maximum slope across the lot.

The site cross section must show a minimum of three elements: a) the existing grade, b) the proposed finish grade, and c) the proposed location of the slab relative to the proposed finish grade. Furthermore, the direction of the cross section, either front-to-rear or side-to-side, should reflect the direction of greatest slope.

Lots with a change in elevation exceeding five feet (5 ft.) from property line to property line must take into consideration what, if any, additional action the builder must take to ensure proper drainage, such as French drains or retaining walls. Additionally, contour lines or spot elevations should be shown when the change in elevation exceeds 5 ft. across the lot.

PLEASE SEE END OF DOCUMENT FOR 2015 REVISED DRAINAGE PLAN POLICY

2.3 Foundation Plan:

The foundation plan and details may be on the same sheet or may be on separate sheets. The foundation plan and any foundation details must be stamped and signed by a professional engineer registered in the State of Texas. Plans that have not been stamped will be returned to the builder without further review.

The most common error found on foundation plans is that the foundation's outer dimensions do not match the floor plan's outer dimensions. This usually occurs because the floor plan and foundation plan are drawn by two different individuals. Builders are encouraged to verify the dimensions on both plans before submittal.

Another requirement for foundation plans is that the location of all plumbing fixtures be shown on the plan. If floor receptacles or other electrical components are located in the foundation, these components should also be shown on the foundation plan.

2.4 Floor Plan:

The floor plan is the heart of the design and must be fully dimensioned and labeled. The check-off sheet has a comprehensive list of items to be included, as a minimum, on the floor plan. The designer is encouraged to add any relevant information not listed on the check-off sheet.

The electrical details may also be included on the floor plan. If the electrical details are included on the floor plan, the sheet must conform to the minimum requirements for both the floor plan and the electrical plan.

2.5 Electrical, Plumbing, and Mechanical Plan:

The electrical and plumbing mechanical plan will contain information on electrical, plumbing, and ventilation, as well as heating and cooling equipment. The plumbing information should include the location of hot water heaters, hose bibs, and any other plumbing details not shown elsewhere in the plans. Ventilation for kitchen, bathrooms, and utility room, as required by code, should be shown on this plan. Also, the location of all heating and cooling equipment, return air ducts, and thermostats should be shown on this plan.

2.6 Elevations:

Elevations for all four sides of the house should be shown. The elevations should show the location of windows and exterior doors, including an indication of header heights. The elevations should show finished floor and plate heights for each floor. A generic description of materials to be used for siding, roofing, and trim should be shown on the elevation, as well as any design details, such as soldier bricks, quoins, or keystones. The elevations should also show the roof pitches. The front elevation should be detailed as completely as possible to assist the ACC in visualizing the finished product.

2.7 Cross Sections and Details:

The plan should contain a cross section through the entire house to show typical ceiling heights and details, stair details for multi-story houses, trim details, etc. The plan should also contain typical cross section details for walls and cornice work, as well as any unusual design details. For buildings with less than 2'-0" of wall on each side of the garage door, details that show the reinforced bracing required to meet code should be shown.

Two-story houses *must* include a cross section of the stairs showing rise, run, railings and head clearance. This is required because, in the past, plans have been submitted with stairs that could not be constructed as drawn on the floor plan.

2.8 Ceiling and Floor Joist Plans:

All building plans must include a ceiling joist plan. Multi-story building plans must also include floor joist plans. Joist plans should show the size, direction, spacing, and species of all joists. Additionally, all support beams not identified in the IRC 2000, such as glulams, should be specified by a professional engineer registered in the State of Texas, or by a qualified individual using an engineered wood products computer program supplied to wholesale lumber yards by an engineered wood manufacturer. All major wholesale lumber yards operating in the Conroe area have staff that is qualified to specify engineered wood support beams.

2.9 Roof and Rafter Plans:

Rafter plans should show the size, direction, spacing, and species of all roof rafters, as well as the size, location, direction, and species of all ridges, hips, and valleys. The plan should show the chimney, and any crickets or other roof framing details. The plan should also show any support members, such as knee walls or purlins.

Roof plans should indicate the pitch for each area of the roof, since the pitch may not be the same for every surface. The roof plan should also show the chimney and any crickets or other trim details. Finally the ventilation details, such as ridge vents, air hawks, and ventilation fans, should be shown on the roof plan to ensure proper ventilation of the attic space.

2.10 Written Specifications:

Designers are encouraged to include a set of written specifications to cover any details not shown on the plans, such as manufacturer's specifications for a fireplace. The FHA specification sheet is an excellent reference for the type of detail typically found in written specifications.

2.11 Landscape Plan:

The original deed restrictions require that a landscape plan be submitted to the ACC for approval before the property is landscaped and that the property be landscaped before the dwelling is occupied. The landscape plan is not required for the initial submission of residential building plans; however, the landscape plan must be submitted before the property is landscaped.

The requirements for plant size and quantities vary according to the square footage of the dwelling. Specific requirements for the landscape plan can be found in *Walden's Home Building Requirements*, available at the Walden CIA offices.

2.12 Exceptions:

These guidelines are intended to assist the designer in producing a complete set of plans that will be acceptable to the Walden ACC; however, not every circumstance can be covered in this type of document. Builders and designers are encouraged to contact David Whiteley, Building Plans Administrator, at (936) 58-1646 to discuss any questions or problems not covered in this document.

3.0 Appendix A: Plan Check-off Sheet

**Walden on Lake Conroe Community Improvement Association, Inc.
Building Plan Check-off Sheet**

SITE PLAN

YES NO N/A

			All property lines properly labeled (i.e. N 37°16'32" E ~ 120.43')
			All set Backs, building lines and easements shown and labeled
			Street address shown and properly labeled
			North point shown on plan
			Footprint of structure shown on plan with dimensions of property lines.
			All driveways, walkways, patios, steps, decks, retaining walls, etc. shown
			Patio lots only: show both 3' and 15' building lines, or on lots with 5' building line on the zero side, 3' and 12' building lines.

DRAINAGE PLAN

YES NO N/A

			Property lines with existing grade elevations at each corner.
			Footprint of structure shown on the plan
			All driveways, walkways, patios, steps, decks, retaining walls, etc. shown
			Finished floor elevation (typically, relative to the nearest sanitary sewer manhole or a minimum elevation of 207' for waterfront lots)
			Direction of drainage flow for finished grade shown.
			Swales that direct water away from adjacent property shown (If applicable)
			Cross section of the property drawn in the direction of greatest slope

FOUNDATION PLAN AND DETAILS

YES NO N/A

			Minimum scale of 1/4" = 1'-0"
			Plan is stamped and signed by a Professional Engineer registered in the State of Texas.
			Complete dimensions (verified with floor plan)
			Slab thickness, type and thickness of fill, membrane vapor barrier, and steel reinforcement (welded wire mesh or rebar).
			Show location and size of footings stem walls, piers, grade beams, etc. (including footings and piers for independent structures such as carports and decks).
			Show location and size of anchor bolts and hold or tie downs (graphically shown or noted).
			Show location of variances in elevation for floor slabs.
			Show location of all plumbing fixtures.

Note: Foundation details may be included on the foundation plan or submitted as a separate sheet. If a separate detail sheet is submitted, it must also be stamped and Signed by a Professional Engineer registered in the State of Texas.

FLOOR PLAN

YES NO N/A

			Minimum scale of 1/4" = 1'-0"
			Full dimensions, as required for layout and construction (must verify with foundation plan)
			Label all rooms and closets.
			Show all attached structures (garages, carports, porches, decks, balconies, Terraces, and steps).

			Show location, size and swing of all doors
			Show location and size of all windows
			Show location of all plumbing fixtures to scale (must verify with foundation plan).
			Kitchen sink must indicate a disposal (Deed Restrictions).
			Show layout of all cabinets, countertops, vanities, bookcases, wet bars, and Desks, and other built-in furnishings.
			Show layout of all appliances
			Show all stairs, including number of treads, and handrails.
			Show all disappearing stairways and/or hidden ladders, etc. used for access of other levels, attic access.
			Show location and type (masonry, zero-clearance, etc.) of fireplaces.
			Show general notes as required adequately describing the conditions shown

ELECTRICAL AND PLUMBING MECHANICAL PLAN

YES NO N/A

			Scale 1/4" = 1'-0"
			Show location of all electrical outlets, with GFCI outlets labeled.
			Show location of all light fixtures and switches.
			Show all TV, phone, and special purpose outlets.
			Show all room fans, vent fans and hood fans.
			Show garbage disposal, with switch (Deed Restrictions)
			Show all smoke detectors (Code requirement)
			Show location of service entrance and panels.
			Show all thermostat locations.
			Show location of heating and cooling equipment.
			Show water heating systems locations.
			Show gas and water service entrance and/or meter location, if known.

NOTE: The Electrical Plan may be included on the Floor Plan; however, All of the above elements must be shown.

ELEVATIONS

YES NO N/A

			Front elevation shown in 1/4" = 1'-0" scale
			Side and rear elevations shown in 1/8" = 1'-0" scale or larger
			Show all openings, windows, doors, etc.
			Show all exterior wall finish materials (Generic description: brick, hardi-plank, etc)
			Show all roof pitches, crickets and/or saddles, overhangs, eaves, rakes, etc. and roofing materials (for exposed roofs).
			Show all gutters and downspouts, where applicable.
			Show foundation (above finished grade), chimneys and vents, where visible
			Show finish and trim materials with adequate annotation.
			Show grade lines, finish floor lines, and ceiling heights

CROSS SECTIONS AND DETAILS

YES NO N/A

			Scale 1/4" = 1'-0"
			Show at least one complete cross section through the building.
			If applicable, show fully dimensioned cross section of masonry fireplace, including dimensions, footings, damper, flue, and hearth dimensions.
			Show all foundation conditions with adequate dimensions.
			Show all floor framing connections to foundations and walls.
			Show all ceiling and roof framing connections to walls and beams.

			Show any critical or unusual connections or combinations of materials.
			Show stair construction including (if applicable); landings, headroom, tread and riser dimensions, handrails, etc.

Note: Cabinet details are not required under the AIBD standard, but inclusion is recommended

FRAMING PLAN

YES	NO	N/A	
			Scale 1/4" = 1'-0"
			Show size, direction, spacing and species of all floor joists.
			Show size, direction, spacing and species of all ceiling joists.
			Show size, direction, spacing and species of all roof rafter or trusses. Indicate the location of any purlins, knee walls or other support members.
			Show size, direction and location of all beams, girders, and headers, including support posts; and location of hips, valleys, ridges, cants, crickets, scuppers, roof drains, etc.
			Specify all support beams. Support beams not identified in the IRC 2000 should be specified by a professional engineer registered in the State of Texas or approved engineered wood computer program (See note).

IMPORTANT NOTE: Floor construction must comply with the IRC 2000, section R501.2 and R301.1.2. These sections state the construction containing structural elements not conforming to the code shall be designed in accordance with accepted engineering practice. Joist Plans containing support beams with long spans that are not codified must either be stamped by a Professional Engineer registered in the State of Texas or be generated using a computer program provided to wholesale lumber yards by an engineered wood manufacturer.

SPECIFICATIONS

YES	NO	N/A	
			A description of exterior wall construction.
			Reference to applicable codes.
			Requirements for concrete strength indicated.
			Indicate requirements for grade and type of lumber, including laminated beams and sheathing; and finish materials for typical interior surfaces.

Note: This information may be provided as part of a separate written specification, a generic detail sheet, or as specific notations on the appropriate existing sheets.

LANDSCAPE PLANS

YES	NO	N/A	
			Landscape Plan submitted with building plans.

Landscape plans may be submitted for ACC approval at any time prior to installation of the landscape. A portion of the builder's deposit will be withheld until the landscape plan is approved and the installation is inspected for compliance. Approved landscaping **MUST** be installed prior to occupancy, per Deed Restrictions.

4.0 Appendix B: Code Requirements for Designers

Code Requirements for Designers

Introduction:

The building inspectors have identified several areas that are commonly overlooked by designers when developing a set of plans. This document identifies the code requirement and relevant section reference. Designers are encouraged to review this document, as well as the cited codes, and include any relevant design information in the building plans.

- **R303.3 Bathrooms:** This section outlines window and ventilation requirements for bathrooms and other "similar" spaces.
- **R303.4 Stairway Illumination:** This section covers locations of lighting and switches for stairways.
- **R308.4 Hazardous Locations:** This section covers the requirements for glazing in hazardous locations.
- **R310.1 Emergency Escape and Rescue Required:** This section covers the requirements for windows and doors in key locations, such as bedrooms.
- **R312.1 General Landings:** This section covers requirements for landings on stairways, at doors, and other locations.
- **R314.2 Treads and Risers:** This section covers the requirements for construction of stairs.
- **R315.2 Handrail Grip Size:** This section covers handrails.
- **R316.1-2 Guards Required:** This section covers the height of guardrails and the allowable space between openings.
- **R317.1 Smoke Detectors:** This section covers the requirements for smoke detectors.
- **R325.1 Premises Identification:** This section covers the requirements for house numbers to be clearly posted.
- **R401.3 Drainage:** This section covers drainage requirements for lots.

- **R403.1 Foundation Anchorage:** This section describes methods for anchoring the structure to the foundation.
- **R323.3 Fasteners:** This section covers requirements for nails used with pressure treated wood products.
- **R807.1 Attic Access:** This section covers the minimum access for any attic area in a house.
- **M1305.1.3 Appliances in Attics:** This section covers the mandatory passageways and access to appliances in the attic.
- **R1004.2 Hearth Extensions:** This section covers the requirements for hearths in front of fireplaces.
- **E3305.1 Working Space and Clearances:** This section covers the requirements for a clear work area around electrical equipment, such as circuit breaker panels.
- **M1501.3 Length Limitation:** This section covers the maximum length of clothes dryer exhaust ducts.
- **E3801 Receptacle Outlets :** This is a large section that addresses the requirements for electrical receptacle placement throughout the dwelling.
- **E3802 Ground-fault and Arc-fault Interrupter :** This section covers placement of receptacles protected by GFCIs, such as in garages and outdoors.
- **E3803 Lighting Outlets:** This section covers the requirements for lighting outlets throughout the dwelling, including remote spaces, such as the attic.

Walden on Lake Conroe Community Improvement Association, Inc.

ACC Plan Submission for New Home Construction

For WCIA Use Only			
ACC Control No:		Date Submitted:	
WCIA Ownership Verification:			
Outstanding Certificates of Non-Compliance Against Builder		Yes <input type="checkbox"/>	No <input type="checkbox"/>
WCIA Office hours: M - F, 8:00 AM to 12 Noon and 1:00 PM to 4:00 PM			
Lot Owner:		Builder:	
Legal Description:	Section:	Block:	Lot:
Street Address:			
Sq. Ft.:	Bdrms:	Baths:	
Request for: <input type="checkbox"/> Original Submission		<input type="checkbox"/> Resubmission	

The following items must be submitted as a single packet for ACC review. Incomplete packets will be rejected and not considered as submitted:

Two (2) Sets of Plans Consisting of the Following Items:

- (A) Owner/Builder check column for documents submitted
- (B) WCIA check column verifying documents received

(A) (B) For more detailed information refer to: "ACC Guidelines for Submission of Residential Building Plans"

		Site Plan showing all encumbrances, property lines, building lines, and easements
		Site Drainage Plan and Cross Section, showing corner elevations, gutters, and drainage improvements
		Engineered Foundation Plan
		Foundation Details
		Roof Plan
		Jolst Plan (Ceiling joists and floor joist, where appropriate)
		Rafter Plan
		Elevations (All four sides)
		Electrical Plan
		Floor Plan
		Building Cross Section and Construction Details

Other Documentation (one set):

		Copy of Soil Test Reports
		Copy of Exterior Materials Description
		Applicable Deposit

Note: Building Permit due at WCIA after ACC approval but before any work begins on the site.

Owner / Builder packet delivery to WCIA: _____ Date: _____

WCIA Officer's acknowledgement of a packet receipt: _____ Date: _____

Building Plans Administrator's acceptance of packet as complete: _____ Date: _____

Walden on Lake Conroe Community Improvement Association, Inc.

ACC Plan Submission for New Home Construction

It is the intent of the Walden CIA and its Architectural Control Committee (ACC) in particular, to streamline, facilitate and expedite the New Home Construction Plan Submission process and the subsequent review by the ACC for the plan's compliance with the WCIA Deed Restrictions for the corresponding Walden section where the home is to be built, the WCIA Home Building Requirements and Design Guidelines and the International Building Code rules adopted by the State of Texas.

To this end the WCIA has compiled this set of documents to assist the Walden property owner and the corresponding builder in submitting their home construction plans. Most of their documents have been available to Walden property owners and distributed to builders working in Walden in the past. The new addition is a revised 3-part Plan submission cover form. The WCIA's ultimate intent is to save everyone's time in the submittal and eventual ACC approval of New Home Construction Plans.

Instructions for completion of Plan Submission cover form

These instructions are intended to assist the Walden property owner in filling out the "ACC Plan Submission for New Home construction" form. This form is intended as a checklist for the owner/builder, the Walden Deed Restriction (DR) officers and the Walden Building Plans Administrator.

1. The deadline for a New Home Construction Plan Submission is Friday at noon for ACC review on the second Tuesday after that Friday deadline, provided the plan packet is deemed to be complete. Incomplete plan packets will be returned in their entirety and the process starts anew.
2. The top block of the form is reserved for WCIA use exclusively for verification against WCIA records.
3. The plan packet submitted with this cover form must be handed personally to a WCIA DR officer or the Walden Building Plans Administrator. Please notice the WCIA office hours indicated in the submittal cover form.
4. The Owner/Builder must complete the self-explanatory second block.
5. The checklist of plans to be submitted has two columns. Column "A" is for the Owner/Builder to indicate the plans included in the packet. Column "B" is for the Walden DR officer or the Walden Building Plans Administrator to indicate the plans received in the packet.
6. This cover form is in triplicate. The owner/builder signs and dates the form on delivery and upon receiving the plan packet the Walden DR officer or the Walden Building Plans Administrator signs off indicating receipt of the plan packet. The builder/owner takes the third copy of the triplicate form as receipt. This does not signify ultimate acceptance of the plan packet.
7. The Walden Building Plans Administrator reviews the plan packet for completeness, signs off and dates the form if the plan packet is deemed complete. The second copy of the submittal cover form is given to the owner/builder. Incomplete plan packets will be returned in their entirety and the process starts anew.

***Walden C. I. A.
Architectural Control
Committee***

***Home Building
Requirements***

Revised June 7, 2007

**Walden on Lake Conroe Community Improvement Association, Inc.
Architectural Control Committee
Home Building Requirements**

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**SEE END OF DOCUMENT FOR REVISED
DRAINAGE PLAN POLICY; REVIEW FEES
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**Walden on Lake Conroe Community Improvement Association, Inc.
Architectural Control Committee
Home Building Requirements**

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06-07-07

Walden C. I. A.
Architectural Control Committee

Milestones

**Walden on Lake Conroe Community Improvement Association, Inc.
Architectural Control Committee
Construction Milestones**

I. General:

The Walden on Lake Conroe Community Improvement Association, Inc. (WCIA) and the Architectural Control Committee (ACC) have established certain construction policies to ensure uniformity in construction practices and documentation. This document will assist the builders in meeting the specific construction milestones and documentation outlined in the policies; however, the builder ***must*** review the *Home Building Requirements* to ensure a complete understanding of the policies. ***It is the builder's responsibility to ensure that a construction project is in compliance with all WCIA and ACC policies at all times.***

II. Plan Submission:

- Review the plan submission policies and develop a set of construction plans and specifications that meet the policy requirements.
- Submit a complete set of plans and specifications to the ACC for review and approval. Cut-off for submissions is 12:00 pm on Friday.
- In most circumstances, the ACC will review the plan on the second Tuesday after submission.
- The builder will be notified, in writing, of the plans approval, disapproval or tabling. The builder should read the approval letter carefully as it may contain special requirements set forth by the ACC.

III. Site Preparation:

- Site preparation may not commence until the builder has received his approval letter.
- The builder must contact Henry Burton at (936) 203-1726 for a tree inspection before any tree can be removed from the site.
- After the lot is cleared, the builder must provide a portable toilet for the workers. The WCIA will immediately shut down any job site that does not have a portable toilet.
- The builder should provide a dumpster, or other trash containment system, and safety fencing.

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IV. Construction:

- After the foundation form is set, the builder must order a form survey to ensure that the foundation is located within the building lines. A copy of the survey must be submitted to the WCIA within 10 days of the survey date.
- Prior to pouring the foundation, the builder must order a foundation inspection. A copy of the inspection report should be submitted to WCIA within 10 days of the pour. (**Important note:** If piers are required, a separate inspection is required prior to pouring the piers.)
- When copies of the form survey and foundation inspection are received and approved by the WCIA and/or ACC, a portion of the builder's compliance deposit will be returned.
- The portable toilet, trash containment, and safety fences **MUST** be in place before commencement of framing. The WCIA will shut down any job site that does not have all of these items in place.
- During framing, Henry Burton will return to the site and confirm that all designated trees have been retained. If all trees have been retained, a portion of the compliance deposit will be returned.
- When the framing is complete and the Mechanical, Electrical, and Plumbing have been roughed in, the builder should call for framing and MEP inspections. A copy of the inspection reports should be submitted to WCIA within 10 days of the inspection date.
- After insulation has been installed in the walls, but before sheetrock, the builder should call for an Energy Inspection. A copy of the inspection reports should be submitted to the WCIA within 10 days of the inspection date.

IV. Prior to Occupancy:

- When the structure is substantially complete, the builder should call for a Final Inspection. A copy of the inspection report should be submitted to the WCIA within 10 days of the inspection date.
- When the site has been fine graded for landscaping, the builder should call for a Final Grade Inspection. The WCIA will require a Final Grade Certificate from the inspector.
- The builder must submit a landscape plan for approval by the ACC prior to installing the landscape. The approved landscape must be installed prior to occupancy.

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- The General Manager will issue a Certificate of Occupancy after the following conditions have been satisfied:
 1. Copies of all inspection reports submitted to the WCIA. The structure must have passed all of the required inspections.
 2. The landscape installed according to the approved plan.
 3. Site drainage established according to the Drainage Plan submitted to the ACC.
 4. All trees originally tagged by the builder have been retained.
 5. All curbs intact and all debris removed from the site, including debris deposited on adjacent lots.
 6. All special requirements outlined in the deed restrictions, such as gutters, have been met.
- When all of the above conditions have been met, the WCIA will refund the balance of the Compliance Deposit in accordance with the policies and procedures outlined in the *Home Building Requirements* (or in accord with the Builder's Compliance Deposit Agreement, if applicable).

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Walden C. I. A.
Architectural Control Committee

Policies

Walden on Lake Conroe Community Improvement Association, Inc.
Architectural Control Committee
Review Fees Policy

I. Purpose:

The Walden on Lake Conroe Community Improvement Association guides the community's development through the administration of the Architectural Control Committee and by enforcement of deed restrictions and the design guidelines. The image, quality of life and the highly desirable overall character of Walden are, in part the result of this process. Maintaining these values is important to all Walden property owners. The deed restrictions and design guidelines will become increasingly important as the community grows and matures if standards are to be maintained. The fee structure set for various phases of the review and project completion process are intended to reimburse the association for out-of-pocket review costs, but also to ensure certain standards relating to building locations, completion of landscaping, etc.

II. Policy:

A. Design Review Fee Structure: New Home Plans

A compliance deposit will be required for each new home plan submitted for review. Two complete sets of construction drawings presented in a professional manner will be required. Upon submission, the set of drawings will remain in the possession of the association. Drawings required are as follows:

1. All exterior elevations;
2. Floor plan(s);
3. Electrical plan;
4. Foundation plan;
5. Site plan;
6. Roof plan;
7. Drainage plan;
8. Typical detail sheet.

All plans are to include sufficient detail such as dimensions, scale, square footage or other appropriate information.

Revised 12/12/05
2nd Revision 7/1/06

Page Two - Architecture Control Committee Fees**B. Fees**

The compliance deposit for new home construction will be applied as follows:

\$1500.00 Non-refundable fee for architectural review.

\$1000.00 Refundable deposit with exception of inspection fee upon satisfactory completion of site clearing and all requirements contained in the Tree Preservation Policy.

\$1000.00 Refundable deposit upon review of satisfactory engineered foundation plan, soil report, forms survey with no encroachments and engineer's affidavit, *Ref: Foundation Policy*.

\$2440.00 Refundable deposit upon satisfactory site conditions throughout construction period, repair of any broken curbs and acceptable installation of approved drainage plan and landscaping plan, *Ref: Drainage Plan Policy and Landscape Specification Policy*.

\$ 60.00 Non-refundable to the extent professional inspectors are paid by Walden C.I.A. to insure satisfactory compliance with Tree Inspection.

\$6000.00 Total Compliance Deposit

Builders who build simultaneously on multiple sites within Walden may inquire about filing a Multi-site Compliance Agreement in lieu of the refundable deposits.

C. Forms/Slab Survey

The Architectural Control Committee requires the submission of a forms/slab survey for its review. The obvious intent of this requirement is to ensure prior to pouring of the slab, the proposed building will be located on the lot as approved and required by the applicable restrictions and plot. The survey should be submitted to the Architectural Control Committee within ten (10) days of the slab being poured verifying that there are no encroachments or violations to building location restrictions. The actual minimum slab elevation must be noted on the survey to qualify for all deposit refund.

D. Maintaining the Construction Site

The Architectural Control Committee requires that safety fencing be installed along both side and rear lot lines on all lots under construction. The fence height should be four feet (4') with steel "T" posts every eight feet (8) to secure the fencing material. the fence must be maintained in a neat and orderly manner throughout the construction phase.

**Revised 12/12/05
2nd Revision 7/1/06**

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The site should be maintained throughout the construction to include daily pick-up of trash with no less than weekly removal of trash and construction debris. It is recommended that a commercial dumpster be placed on-site to contain all trash and that regular pick-up service be scheduled. Should the site not be maintained properly and the builder not comply with requests to clean it up, the Deed Restrictions Officer will order a contract service to clean the lot and the cost deducted from the owner's deposit.

The Architectural Control Committee requires that a portable toilet facility be provided for construction workers.

Revised 12/12/05
2nd Revision 7/1/06

**Walden on Lake Conroe Community Improvement Association, Inc.
Architectural Control Committee
Foundation Plan Policy**

I. Purpose:

The restrictions for each platted section of Walden on Lake Conroe provide that the Architectural Control Committee may require the submission of such plans, specifications, and plat plans, together with such other documents as it deems appropriate and in such form and detail as it may elect at its entire discretion. It is the intent of the Walden on Lake Conroe Architectural Control Committee to enhance and protect the value, desirability and attractiveness of improved property throughout the community by requiring certain minimum standards for foundations constructed for any new home at Walden.

II. Foundation Design Policy:

A. Each new home construction plan must be accompanied by a foundation plan when submitted for Architectural Control Committee review.

B. The foundation plan must be prepared by a State of Texas registered professional engineer and must be stamped and signed by the plan's designer.

C. The foundation plan must be based on an appropriate analysis of soil sample(s) taken from within 200 ft. No home may be constructed without at least one such test. WCIA and its ACC do not identify whether this is a sufficient or acceptable distance for construction purposes as soil conditions in and around Walden vary significantly. Home buyers and Home Builders must determine what is the proper number and spacing of soil tests for the lot and home desired. Each soil test shall be made by an approved agency using an approved method.

D. A copy of each soil test must be submitted to the Architectural Control Committee along with the engineered foundation plan.

III. Foundation Construction

A. Foundation construction shall be capable of accommodating all loads according to Sections R301 and R401 of the International Residential Code for One and Two-Family Dwellings and of transmitting the resulting loads to the supporting soil. Fill soils that support footings and foundations shall be designed, installed and tested in accord with accepted engineering practice.

B. The finished floor elevation for golf course or interior homes shall be one foot (1') above the nearest downstream sanitary man hole cover. Should for any reason the slab be built below the elevation of the nearest man hole cover, a backflow valve must be installed.

C. The finished floor elevation of any waterfront home shall be one foot (1') above the nearest downstream sanitary manhole cover or a minimum of 207' mean sea level, whichever is higher.

Revised 12/12/05
2nd Revision 7/1/06

Page Two -Foundation Plan Policy

D. The finished floor elevation must be indicated on a slab survey to be reviewed by the Architectural Control Committee. If the elevation is not indicated on the slab survey, *the slab survey deposit will not be refunded.*

E. An engineer's affidavit of foundation construction in compliance with the approved plan shall be required prior to continuance of any further construction.

IV. Topography

A. The foundation must be designed and constructed in a manner to maintain harmony with respect to existing neighboring structures and with respect to natural topography and finished grade elevation.

B. Structures which are constructed adjacent to existing homes should provide an appropriate level of fill outside the forms to coordinate with and enhance existing soil elevations. Fill outside of forms should also be graded at final grade to provide appropriate drainage.

C. If the slab is to be constructed more than one foot (1') above the nearest manhole, the slab must include an appropriately engineered grade beam and include other foundation features such as a lowered brick ledge to improve the home's appearance in relation to natural topography.

D. Any foundation will impede natural sheet flow, therefore, a well designed drainage plan must also be submitted for A.C.C. approval. See Drainage Plan Policy for related details.

V. Foundation Plan Security Deposit

A. A Foundation Plan Security Deposit shall be required as part of the New Home Construction Deposit.

B. The Foundation Plan Security Deposit shall be divided to ensure submission and compliance with the requirements for a soil test, engineered foundation design and receipt of an engineer's affidavit attesting to the final construction in accordance with the foundation design.

C. The final approval for a refund of this deposit shall be based on an inspection by an assigned inspector licensed by the State of Texas and a final review of all documents required herein.

D. The Foundation Plan Security Deposit will not be refunded where there are encroachments, no matter how slight and/or approved variances due to construction error by the builder.

Revised 12/12/05
2nd Revision 7/1/06

**Walden on Lake Conroe Community Improvement Association, Inc.
Architectural Control Committee Construction Standards
Front Elevation Repetition Policy**

I. General:

The Walden on Lake Conroe Community Improvement Association is responsible for enforcing the various design covenants, including the decisions of the Architectural Control Committee. Successful administration of the design covenants enhances and protects the value, desirability and attractiveness of all property at Walden.

Walden was planned and developed around Lake Conroe and the recreational amenities including the marina, golf course and tennis facility. The interior of the community is, for the most part, wooded.

As Walden continues to develop, it is essential that future development maintain a respect for and harmony with that which exists, both in character and in the high quality of design. This requires additions and new construction to have an agreeable relationship with, and in some instances, actual continuity of architectural style, visual size and proportions, rhythm, scale and the similar use of materials, color and design details without over duplication. This policy seeks to address and prevent over duplication in new residential construction.

II. Purpose:

It is the intent of the Board of Trustees of the Walden Community Improvement Association to set specific limitations on repetitious use of identical front elevations on similar or identical floor plans. Limited application of the same elevations will serve to maintain the look and feel of the community.

This policy recognizes the relatively large size of the community and the complexity of the restrictions which deviate in building requirements from section to section. In addition, this policy acknowledges the dense wooded environment, curvature of streets and other inherent features which make it reasonable to allow limited and controlled repeat usage of front elevation designs.

III. Definitions:

Duplicate Elevation: Elevations shall not be considered Duplicate Elevations (i.e. shall be "a different elevation") when one front elevation utilizes different architectural features and materials to distinguish it from the other in a fashion sufficient to make it no longer readily apparent that the residences are the same or approximately the same plan/footprint. A front elevation which has at least 3 out of the following 4 items shall be considered a different elevation:

- A) a different roof line;
- B) a different front entry;

Page Two - Front Elevation Repetition Policy

- C) a different architectural accent (e.g.: shutters, keystones, windows in garage doors, stucco accents, etc. Quoins are only considered an accent if they are of a different material or color);
- D) different window placement, or size or number

Different roof line: A different roof line is one that has different stylistic features (e.g.: different gable and hip configuration).

Different front entry: A different front entry is one that uses different types of columns (e.g. round white vs. square brick) or different architectural designs (e.g. square vs. arched) or other distinguishing characteristics (e.g. addition of a front porch) to change its appearance in comparison to another entry for same footprint home.

Line of Sight: If a straight line, drawn from a point created by the centerline of the street and the extension of the property line of the lot bearing the existing elevation closest to the duplicate elevation, can be drawn through any property line of any lot without passing through another property line, that lot shall be considered to be within the line of sight of the existing elevation. The controlling document will be the section plat recorded in Montgomery County, Texas.

IV. Policy:

A. A residential plan submission for construction of a residence within any of the following sections that is a Duplicate Elevation of another residence already built within that same section may NOT be built. This policy applies to the following sections:

1. The Estates of Walden;
2. Sections 2, 7, 7A, and 12A.

B. A Duplicate Elevation may not be built on any lot facing Walden Road within 1250 feet along Walden Road of another Duplicate Elevation (on either side of the road).

C. A residential plan submission for construction of a residence that is a Duplicate Elevation of another residence already built within the section may be built in the remaining sections of Walden subject to the rules set forth below:

- (1) A Duplicate Elevation cannot be built within 8 consecutive lots of an existing residence with that elevation ("consecutive lots" means in linear order beginning with the adjacent lot, and extending on both sides of the residence for 8 lots in each direction, but not turning corners) or in the instance of duplicate submissions, of the lot involving the first filed submission; AND

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- (2) A Duplicate Elevation cannot be built on any lot within a 300 foot radius of another residence (255 feet for patio home lots) or submission with that elevation (as measured from any point on the front property line of the applicant lot to any portion of the front set back line of the Duplicate Elevation); AND
- (3) A Duplicate Elevation cannot be built within line of sight or 400 linear visual feet, whichever is less; AND
- (4) Duplicate Elevations shall use different brick and paint when built on the same street or within 1250 linear visual feet, whichever is less encompassing; AND
- (5) Application of criteria C1 through C4 may cross adjacent section boundaries.

D. The contractor is strongly encouraged to vary the look of the residence and residential site when a duplicate elevation is submitted, however, this shall not be grounds for denial of a residence meeting all other aspects of this policy.

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**Walden on Lake Conroe Community Improvement Association, Inc.
Architectural Control Committee Minimum Construction Standards Policy
New Home Plan Classification With Respect to Harmony With Other Structures**

I. General:

The Deed Restrictions of the various sections of the unincorporated area commonly referred to as Walden on Lake Conroe each provide that “No building shall be erected, placed, or altered on any Lot until the construction plans and specifications and a plot plan showing the location of the structure, have been approved in writing as to harmony of exterior design and color with existing structures, as to location with respect to topography and finished ground elevation, and as to compliance with minimum construction standards”

Because each section contains different standards (including minimum square footage – which can impact the exterior design of a home; and minimum masonry requirements – which can also impact the exterior design of a home), it is important that a policy outlining the method for examination of the deed restriction’s harmony requirement be established.

II. Purpose:

- A. To provide guidelines for the Architectural Control Committee to appropriately consider new residence plans in each section of Walden on Lake Conroe.
- B. To recognize and establish a guideline for judging new residence plans in comparison to other residences in the same section in Walden and to fulfill deed restrictions regarding harmony.

III. Definition:

Harmony: A pleasing combination of at least two things. The phrase “in harmony” is synonymous with “in agreement”; “in accord”; or “in congruence” and also generally means “not in discord”; or “not clashing”.

IV. Policy:

- A. In considering the harmony requirement found in each section’s deed restrictions, the Architectural Control Committee shall review new residence plan submissions based on the following governing, control and support documents and materials.
 - 1.) Section Plat Map as recorded in Montgomery County Map Records for the section in which the new residence is proposed to be built.
 - 2.) Deed Restrictions as recorded in Montgomery County Deed Records for the section in which the new residence is proposed to be built (including square footage and masonry requirements).

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- 3.) By-Laws of Walden on Lake Conroe Community Improvement Association as amended.
 - 4.) Board Policy Manual regarding construction issues.
 - 5.) Walden's Home Building Requirements.
 - 6.) Design Review Guidelines.
 - 7.) Residential Classification Map.
 - 8.) Residential Classification Guide as prepared by Montgomery Central Appraisal District.
 - 9.) Photos and/or Construction Plans of Existing Homes in Walden for the section in which the new residential plan submission is made.
 - 10.) Proposed House Plans drawn to American Institute of Building Designers (A.I.B.D.) standards as set forth in the checklist, a copy of which is attached hereto as Exhibit "1" including (but not limited to) front elevation depictions; as well as specifications as to exterior materials and colors.
 - 11.) Subsequent site improvement plans to include landscaping, fencing, swimming pools, etc.
- B. When considering the harmony requirement found in each section's Deed Restrictions, the proposed residential plan shall be reviewed based on its exterior to include exterior elevations, exterior materials and exterior colors. Additionally, consideration can be given to continuity of architectural style, rhythm, and the similar use of materials, color and design details in comparison to other residences in the section in which the residence is proposed to be built. (Please refer to Design Guidelines, for further detail.)
- C. The Architectural Control Committee shall make a reasonable attempt to judge the merit of a new residential plan as it relates to harmony of exterior design, color, and materials with existing structures in the section in which the residence is proposed to be built. In order to be approved for construction, the exterior design, color, and materials of the proposed residence must be in harmony with the existing structures in the section in which the residence is proposed to be built. The Architectural Control Committee shall exercise its authority to disapprove any new residential plan that is not in harmony of exterior design, color and materials with other existing structures in the section in which the residence is proposed to be built.

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- D. In sections where different minimum square footage requirements are set forth in the deed restrictions, yet the deed restrictions still require consideration of harmony of the structures with one another -- assuming other factors such as exterior materials, architectural style, color and compliance with Walden's Elevation Repetition Policy are not in issue, a submitted plan for construction of a residence on a lot meeting the minimum square footage requirements opposite a residence or residences with larger minimum square footage requirements shall be deemed harmonious as follows:

FOR ALL SECTIONS:

If the plan submission is for a lot directly across from a golf course or lake lot and the submission contains a roof pitch with a ratio of at least 8:12 (33.75 degree slope), provided the highest point of the roof above ground, adjacent to the residence's foundation, does not exceed 35 feet then the submission shall be considered harmonious. The roof pitch ratio 8:12 means an eight (8) inch rise in twelve (12) inches of horizontal length in the same plane of sight. The above-referenced pitch is for automatic approval, however, the Architectural Control Committee may, in its discretion, approve a submitted plan with a lower pitched roof if it is harmonious with the area. (Examples of submissions being harmonious even though the roof pitch is below 8/12 (e.g. 6/12), would be a submission for a one story home with a 6/12 pitch where the area is predominantly one story homes or vacant lots; a submission for a two story house with a 6/12 pitch will usually be considered harmonious as it pertains to mass and scale; or where the architectural style of the residence (i.e. Italian Renaissance or Prairie) is specifically defined by a low pitched roof.)

FOR ALL REMAINING LOTS IN SECTIONS AS FOLLOWS:

Sections 2, 6A, 8A, 9, 10, 11, 12, 12A, 14 and 16:

If the interior lot plan submission contains a roof pitch with a ratio of at least 8:12 (33.75 degree slope), provided the highest point of the roof above ground, adjacent to the residence's foundation, does not exceed 35 feet then the submission shall be considered harmonious. The roof pitch ratio 8:12 means an eight (8) inch rise in twelve (12) inches of horizontal length in the same plane of sight. The above-referenced pitch is for automatic approval, however, the Architectural Control Committee may, in its discretion, approve a submitted plan with a lower pitched roof if it is harmonious with the area. (Examples of submissions being harmonious even though the roof pitch is below 8/12 (e.g. 6/12), would be a submission for a one story home with a 6/12 pitch where the area is predominantly one story homes or vacant lots; a submission for a two story house with a 6/12 pitch will usually be considered harmonious as it pertains to mass and scale; or where the architectural style of the residence (i.e. Italian Renaissance or Prairie) is specifically defined by a low pitched roof.)

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Page Four - New Home Plan Classification With Respect to Harmony With Other Structures**Section 1:**

For each of the following streets in Section 1, the submitted plan with a roof pitch ratio of at least 6:12 (26.56 degree slope), provided the highest point of the roof above ground, adjacent to the residence's foundation, does not exceed 35 feet shall be considered harmonious: Thoreau, Rainforest, Fairhaven, Hawthorne, and Woodrock Ct. (The roof pitch ratio 6:12 means a six (6) inch rise in twelve (12) inches of horizontal length in the same plane of sight.) For all other streets in Section 1, Emerson, Hickory Hill, Wind Hill, Pine Hollow, Concord Ct., Whittier and Walden Road, a submitted plan must consist of a home of two or more stories or a roof pitch with a ratio of at least 8:12 (33.75 degree slope), provided the highest point of the roof above ground, adjacent to the residence's foundation, does not exceed 35 feet, in order for the submission to be considered harmonious. (The roof pitch ratio 8:12 means an eight (8) inch rise in twelve (12) inches of horizontal length in the same plane of sight.)

The above-referenced pitch requirements are for automatic approval, however, the Architectural Control Committee may, in its discretion, approve a submitted plan with a lower pitched roof if it is harmonious with the area. An example of a submission being harmonious even though the roof pitch is below the ratios dictated above would be where the architectural style of the residence (i.e. Italian Renaissance or Prairie) is specifically defined by a low pitched roof.

Section 17:

For each of the following streets in Section 17, the submitted plan with a roof pitch ratio of at least 6:12 (26.56 degree slope), provided the highest point of the roof above ground, adjacent to the residence's foundation, does not exceed 35 feet shall be considered harmonious: Hidden Valley, Vail Ct., Vail Drive, Breckenridge, and Steamboat Springs. (The roof pitch ratio 6:12 means a six (6) inch rise in twelve (12) inches of horizontal length in the same plane of sight.) For all other streets in Section 17, Copper Mountain, Aspen Circle, Sun Valley and Windswept, a submitted plan must consist of a home of two or more stories or a roof pitch with a ratio of at least 8:12 (33.75 degree slope), provided the highest point of the roof above ground, adjacent to the residence's foundation, does not exceed 35 feet, in order for the submission to be considered harmonious. (The roof pitch ratio 8:12 means an eight (8) inch rise in twelve (12) inches of horizontal length in the same plane of sight.)

The above-referenced pitch requirements are for automatic approval, however, the Architectural Control Committee may, in its discretion, approve a submitted plan with a lower pitched roof if it is harmonious with the area. An example of a submission being harmonious even though the roof pitch is below the ratios dictated above would be where the architectural style of the residence (i.e. Italian Renaissance or Prairie) is specifically defined by a low pitched roof.

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Page Five - New Home Plan Classification With Respect to Harmony With Other Structures

Sections 3, 4, 5, 6, 8, 15, 18:

If the plan submission contains a roof pitch with a ratio of at least 6:12 (33.75 degree slope) provided the highest point of the roof above ground, adjacent to the residence's foundation, does not exceed 35 feet then the submission shall be considered harmonious. (The roof pitch ratio 6:12 means a six (6) inch rise in twelve (12) inches of horizontal length in the same plane of sight.) The above-referenced pitch is for automatic approval, however, the Architectural Control Committee may, in its discretion, approve a submitted plan with a lower pitched roof if it is harmonious with the area. (An example of a submission being harmonious even though the roof pitch is below 6/12 would be a submission where the architectural style of the residence (i.e. Italian Renaissance or Prairie) is specifically defined by a low pitched roof.)

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Walden on Lake Conroe Community Improvement Association, Inc.
Architectural Control Committee
Garage Dimensions Policy

I. Purpose

The purpose of this policy is to provide a minimum construction standard for garage and/or carport dimensions on residential building plans submitted to the Architectural Control Committee (ACC). These standards shall not conflict in anyway with the deed restrictions but otherwise apply, as allowed, to amplify and clarify existing deed restrictions.

II. General

The deed restrictions for various sections of Walden on Lake Conroe specify a minimum and maximum number of garages (or carports) for single-family dwellings. Garages and carports are specifically designed to provide storage space and weather protection for passenger vehicles; however, the deed restrictions do not address the issue of minimum or maximum garage size. Garage dimensions should be based on the size of an average passenger vehicle, SUV, or light truck, taking into account the ability of the passengers to open the doors and properly enter or exit the vehicle. Consideration must also be given to the homeowner's ability to access the garage or carport from the residence and safely walk around the vehicles.

Furthermore, the *International Residential Code for One- and Two-Family Dwellings, 2003 edition* (IRC 2003), outlines wind bracing requirements for residential buildings, including the minimum wall width on each side of a garage door. These wind-bracing requirements must be considered when designing garages and carports.

III. Professional Guidance

The American Institute of Architects (AIA) has published two books that contain standards for one- and two-car garages:

- *Architectural Graphic Standards for Residential Construction* © 2003, page 29, Garages and Carports.
- *Architectural Graphic Standards, tenth edition* © 2000, page 869, Garages and Carports.

The IRC 2003 contains specific code requirements for wind bracing. These requirements are found in Section R602.

The APA – *The Engineered Wood Association* has published documents that will help builders better understand the IRC 2003 wind bracing requirements. The following documents can be found on their website www.wallbracing.org.

Page Two – Garage Dimension Policy

- *Narrow Walls That Work*, Form D420.
- *Introduction to Wall Bracing*, Form F430.

IV. Policy

A. The minimum recommended dimensions for single-car garages and carports on any residential dwelling in Walden on Lake Conroe should be an outside dimension of twelve feet (12') in width (measured at the frame excluding brick or other exterior face material) by twenty feet (20') in depth (measured at the frame inside to inside). A preferred depth of at least twenty two feet (22') is further recommended.

B. The minimum recommended dimensions for two-car garages and carports on any residential dwelling in Walden on Lake Conroe should be an outside dimension of twenty feet (20') in width (measured at the frame excluding brick or other exterior face materials) by twenty feet (20') in depth (measured at the frame inside to inside). A preferred depth of at least twenty-two feet (22') is further recommended.

C. The minimum acceptable dimensions for two-car garages and carports on any residential dwelling in Walden on Lake Conroe shall be nineteen feet (19') in width outside dimension (measured at the frame excluding brick or other exterior face materials) by twenty feet (20') in depth inside dimension (measured at the frame inside to inside).

D. The minimum dimensions for three- and four-car garages, where permitted by the deed restrictions, shall be proportional to the minimum dimensions for a two-car garage.

E. The minimum garage dimensions cited above are based on the size of an average passenger vehicle and shall apply to all dwellings regardless of lot size.

F. The ACC shall have the authority to approve garages or carports with dimensions larger than outlined above subject to space requirements for shop space, open utility rooms, storage space, or other open space connected with car parking spaces, provided the requested enlargement of the garage or carport does not negatively impact the subject residential building plan or existing adjacent dwellings.

Revised 01/16/07

Walden On Lake Conroe Community Improvement Association, Inc.
Architectural Control Committee
Minimum Masonry Requirements & Masonry Product Substitutes

I. General:

The Deed Restrictions for the various sections of Walden on Lake Conroe specify a minimum percentage requirement for masonry construction or its equivalent on exterior wall areas. Some sections allow for Architectural Control Committee discretion regarding this minimum standard.

Masonry construction is an esthetic quality. Masonry materials are generally defined as brick, stucco and stone.

New building products are periodically brought to market that are proposed by architects, builders and owners as substitutes for traditional materials. One example of this type of routinely proposed substitute is Hardi brand cement siding products.

II. Purpose:

It is the intent of the Architectural Control Committee of the Walden on Lake Conroe Community Improvement Association, Inc. to preserve the "look and feel" of Walden for the benefit of both present and future owners. One method of preserving these esthetic qualities is to enforce the minimum masonry requirements as indicated by the Deed Restrictions for each section.

III. Policy:

A. The Architectural Control Committee will not accept Hardi brand cement products or similar products by other manufacturers as a substitute for the minimum percentage requirements for masonry construction. Example: Hardi Panel (4' x 8' sheet material with a stucco-type finish) or similar cement products will not be approved as a substitute for the minimum stucco requirement.

B. There may be discretionary considerations as allowed by the restrictions in certain sections for Hardi type materials to be utilized in place of minimum masonry requirements when esthetic design standards would dictate wood or wood substitutes. (Example: The contemporary designed cedar siding homes in Section 5 or "porch" plans such as certain country style or Victorian style homes applicable to various Sections of Walden.)

C. The Architectural Control Committee may allow on a discretionary basis "manufactured stone" products of a cement base that have suitable stone-like esthetic qualities.

Revision 7/17/2001

Page Two - Minimum Masonry Requirements Policy

D. The Architectural Control Committee may allow Hardi type materials to be utilized in most applications specifying "siding". This would include fascia and soffit applications of cement-based products.

E. The seams of all panel materials approved in any application must have all joints sealed and primed prior to finish paint coats so as to eliminate the appearance of seams. A silicon based calk product for sealing joints is recommended.

Revision 7/17/2001

**Walden on Lake Conroe Community Improvement Association, Inc.
Architectural Control Committee Requirements
Requirements for New Homes**

1. All plans for new homes submitted to the Walden on Lake Conroe Architectural Control Committee will need to include the following:

Two complete sets of drawings to include:

1. "ACC Plan Submission For New Home Construction" Form
2. A site plan
3. Front, rear and side elevations
4. An engineered foundation plan with a soil report
5. Electrical plan
6. A brief description of roofing materials - type and color, brick and paint colors.
7. A detailed drainage plan, which may be included on the site/plot plan or ideally on a separate topographical drawing. Elements which should be reflected are surface or subsurface drainage improvements, and gutters if utilized.
8. A detail sheet

2. The ACC Plan Submission for New Home Construction form must be filled out by the builder, signed and submitted with each packet for construction. All plans submitted to the committee remain the property of Walden on Lake Conroe Community Improvement Association, Inc.

3. All plans submitted must be legible. 1/8 inch equal to 1 foot scale plans are acceptable so long as legible.

4. A compliance deposit is required at the time of application and will be applied in accordance with the Review Fee Policy. The compliance deposit may be increased at the discretion of the A.C.C. and/or management.

5. The Architectural Control Committee requires that a form survey be submitted within ten (10) days of the slab being poured verifying there are no encroachments or violations to the deed restrictions of referenced property. The actual slab elevation must be noted on the survey along with the engineered soil report to receive a deposit refund. If the top of the slab is below the nearest manhole cover on the sewer line serving the home, a back flow preventer should be installed in the sewer main serving the home.

6. Grading of land is to be such that the water from improvements does not drain onto adjacent property and that the building is so situated that the water drains away from the building. **Temporary drainage improvements are required during construction until final grade is established.**

Revised 12/12/05
2nd Revision 7/1/06

Page 2 - Architectural Control Committee Requirements

7. The Architectural Control Committee requires that a portable toilet facility be provided for the workers in accordance with OSHA standards. Construction debris needs to be picked up on a daily basis and removed from the site at least weekly.
8. A suitable trash container must be maintained on the building site and removed in a timely manner.
9. Safety fencing is to be installed along the side and rear property lines at the height of 4' with steel t-posts every 8' to secure the fencing. The fence must be installed and maintained in a neat and orderly manner throughout the construction process.
10. It is recommended that two or three (2 - 3) smoke detectors be installed in all homes for your protection.
11. All required governmental permits must be obtained. Please contact the building permit department of Montgomery County for the application for permits.
12. The operator for the Montgomery County Utility Districts (MUD) 8 and 9 is Hayes Utilities. Please contact them for water and sewer service at (936) 588-1166.
13. Electrical service will be provided by Entergy. (800) 340-4478
14. Some areas have natural gas service provided by CenterPoint Energy. Call (936) 756-4431 for installation.
15. A complete Design Guideline booklet is available upon request for more specific individual information.
16. The A.C.C. meets every Tuesday at 2:00 p.m. in the Administrative Offices of the Walden Office Center. Plans for review should be submitted to the Deed Restrictions office by end of day on Fridays. Should you have any questions, please contact:

Administrative Assistant	(936) 582-1622
General Manager	(936) 582-1622

Revised 12/12/05
2nd Revision 7/1/06

Walden on Lake Conroe Community Improvement Association, Inc.
Architectural Control Committee
Section Review - New Home Plans

I. Purpose:

The Architectural Control Committee is charged with the responsibility through new home plan review to enhance and maintain the value, desirability and attractiveness of the land to the benefit of each owner. This policy is created to expand the new plan review process to include the input of section review committees prior to Architectural Control Committee approval decisions.

II. General:

It is the intent of the Board of Trustees of the Walden on Lake Conroe Community Improvement Association, Inc. to conduct a thorough review of each new home plan submitted for Architectural Control Committee (ACC) review. The deed restrictions for each platted section of Walden on Lake Conroe and the Walden C.I.A.'s By-Laws speak to the authority, duties and membership of the A.C.C.

The number of platted lots, the value of waterfront lots, golfcourse lots, view lots, interior lots and density of development vary greatly from section to section. Each new structure must be designed to be in harmony with other existing structures in the subject section.

It is considered reasonable to allow resident input on a section by section basis into the A.C.C. review process prior to a final A.C.C. decision regarding a new home plan.

III. Policy:

A. This policy does not alter the existing ACC structure, review procedures or administrative agreement existing with the Estates of Walden. Section review input is not determinative. The A.C.C. has sole authority over submissions.

B. Each platted section of Walden on Lake Conroe shall be authorized to appoint a Section Architectural Control Committee to review new home plans prior to Walden A.C.C.'s weekly review.

C. Each section committee shall be comprised of two or more members who reside in the subject section.

D. The appropriate section committee shall be provided one review set of plans upon determination by WCIA staff of substantial compliance with the WCIA's plan checklist. The review set shall be returned to Walden C. I. A. upon completion of section review.

03-24-04
2nd Revision 7/1/06

Page Two - Section Review - New Home Plans

E. The appropriate section committee shall review the proposed plan in its entirety in comparison to deed restrictions, Design Review Guidelines and harmony policy.

F. The section committee shall provide a brief written statement to the Walden C. I. A.'s Architectural Control Committee of its recommendation for approval or disapproval with any appropriate supporting comment(s).

G. The Walden A.C.C. shall give the section committee's recommendation appropriate consideration in making its final review decision. However, the recommendation of the Section Review shall not relieve the duty of the A.C.C. to make the final decision over each submission.

H. An untimely response from a section committee may cause the Walden A.C.C. to complete its review process without section input. Section Review shall not extend the time of the A.C.C. review.

03-24-04
Revision 7/1/2006

**Walden on Lake Conroe Community Improvement Association, Inc.
Architectural Control Committee
Administrative Rejection of New Home Plans**

I. General:

Various controlling documents grant authority to the Walden Architectural Control Committee (ACC) to approve or reject new home plans, based on minimum standards for plan submission, minimum construction standards, non-discretionary and discretionary deed restrictions and general guidelines for developing improvements on lots. These same controlling documents do not address causes for administrative rejection of plans prior to ACC review.

II. Purpose:

The Walden on Lake Conroe Community Improvement Association Board of Trustees wishes to establish criteria for administrative rejection of new home plans which would eliminate the time consuming necessity for ACC review of certain unapprovable or unacceptable plans.

III. Definition:

“Administrative rejection” shall be defined as that authority granted to the General Manager to disapprove non-qualifying plans for causes specific to this policy without review of the plan by the Architectural Control Committee.

IV. Policy:

- A. The General Manager shall be directed and authorized by the Walden on Lake Conroe Community Improvement Association Board of Trustees to administratively reject certain new house plans for the following causes:
1. Incomplete plan as compared to Walden’s checklist.
 2. A builder’s failure to provide a Certificate of Registration issued by the Texas Residential Construction Commission (TRCC) which appropriately registers the builder and/or his company with the TRCC.
 3. A builder’s failure to provide proof of home registration with the Texas Residential Construction Commission of a home(s) previously constructed in Walden on Lake Conroe, but after January 1, 2004.
 4. Report of a mechanics lien(s) filed of record against a property which has not been released prior to closing transfer of title or which is reported filed after closing.
 5. Failure of a Builder to obtain or pass required home inspections or failure of a Builder to comply with WCIA policy as to prior submissions.

Revision 7/1/2006

Page Two - Administrative Rejection of New Home Plans

- B. The General Manager shall notify the new home plan applicant in writing of the administrative rejection on behalf of the Architectural Control Committee.
- C. An administrative rejection shall be considered the same as a disapproval by the Architectural Control Committee and shall be so noted in the rejection notification letter.
- D. Administrative rejection of a new home plan shall not be a waiver of the restriction which requires the Architectural Control Committee to act on a plan within thirty (30) days of submission. However, a new home plan will not be considered as submitted to the ACC until such time as all requirements or corrections of Items A. 1 - 5 above are completed.

Revision 7/1/2006

Walden on Lake Conroe Community Improvement Association, Inc
Architectural Control Committee
Appeal Policy

I. Purpose:

The Board of Trustees of the Walden on Lake Conroe Community Improvement Association wishes to maintain conformity to established standards of the deed restrictions of each platted section of Walden, the Design Guidelines and any requirements of the Architectural Control Committee (ACC). However, periodically a property owner may disagree with a decision rendered by the ACC. There needs to be fair and equitable hearing of any resulting disagreements.

II. Policy:

A. Should a property owner disagree with a decision of the ACC, the property owner may request to appeal that decision for a secondary review by the ACC by requesting in writing to be placed in the committee's agenda to submit additional information or to clarify an issue.

B. All ACC members shall be notified by the General Manager's Administrative Assistant in advance of the scheduled appeal and provided with any additional preliminary information available.

C. The property owner shall be allowed to make a personal presentation in order to provide any compelling information required of the subject application.

D. Should the ACC's original decision be upheld, the property owner may appeal ultimately to the Board of Trustees of the Walden of Lake Conroe Community Improvement Association, Inc.

E. Prior to being presented to the Board of Trustees, the appeal shall be reviewed by the WCIA attorney for recommendations.

F. The Board may schedule a special meeting to review an appeal at its own discretion.

Revision: 9/28/2006

**Walden on Lake Conroe Community Improvement Association, Inc.
Architectural Control Committee
Inspection Policy**

I. Purpose:

To provide reasonable assurance that construction plans for new dwellings are completed in a satisfactory and workman like manner and in accordance with the design approved by the Walden on Lake Conroe Architectural Control Committee and in accordance with the International Residential Code for One and Two-Family Dwellings. (IRC)

II. General:

A. The WCIA Board of Trustees has adopted the IRC as a minimum building code for new residences at Walden effective February 1, 2003.

B. The provisions of the IRC shall apply to the construction, alteration, enlargement, replacement, repair, equipment, use, occupancy and location of one and two-family dwellings and townhomes at Walden on Lake Conroe.

C. The IRC provides the minimum building requirements that are intended to safeguard health and public welfare.

III. Policy:

A. All new construction at Walden on Lake Conroe shall be inspected by a code certified building inspector appropriately licensed by the State of Texas. A list of approved inspectors is available at the WCIA offices.

B. The following phases of new construction shall require professional inspection:

- 1.) Foundation Inspection - Inspection of the foundation shall be made after piers are set or after trenches for grade beams are excavated and any required forms are erected and any reinforcing steel is in place and prior to the placing of concrete. The foundation inspection shall include excavations for thickened slabs for the support of bearing walls, partitions, structural supports, fireplaces, or other equipment. An engineer's affidavit shall also be required. *(See also Foundation Policy.)*
- 2.) Plumbing, Mechanical, Gas and Electrical Inspection - Rough inspection of plumbing, mechanical, gas and electrical system shall be made prior to covering or concealment, before fixtures or appliances are set or installed and prior to framing inspection.
- 3.) Slab Elevations - No later than ten (10) days after completion of the foundation for the lowest floor and prior to commencement of vertical framing construction, the ACC shall require the submission of a forms survey prepared by a Texas registered engineer or land surveyor indicating the elevation of the slab (lower floor).

Revision 7/1/2006

Page Two - Inspection Policy

- 4.) Frame and Masonry Inspection - Inspection of framing and masonry construction shall be made after the roof, masonry, all framing, firestopping, draftstopping and bracing are in place and after the plumbing, mechanical and electrical rough-in inspections are approved. This inspection may be combined with B.2 above.
- 5.) Other Inspections - The ACC shall be authorized to require whatever other inspections it deems necessary to ensure compliance with the IRC, deed restrictions, Design Guidelines or other ACC policies. (e.g., firewall inspection for commonwall dwellings and insulation inspection.)
- 6.) Final Inspection - The final inspection shall be made after construction is completed and prior to occupancy. Final grade shall be evaluated for purposes of a grade certificate.

C. A Certificate of Occupancy shall be issued after all inspections, fees and other requirements (such as landscaping requirements, *ref: Landscape Specifications*) have been deemed completed by a Walden Deed Restrictions Officer. The issuance of a certificate of occupancy shall not be construed as an approval, acceptance or waiver of any requirement of the IRC, deed restrictions or ACC policy.

IV. Security Deposit:

- A. The various requirements for phased inspections as outlined in this policy shall be bonded by a security deposit sufficient to pay for a licensed inspector to perform the required inspection.
- B. Work stoppage shall be demanded by an authorized inspector or deed restrictions officer and shall be further supported by a temporary restraining order in an appropriate court at law if necessary should any unauthorized work commence in avoidance of an inspection or prior to acceptable completion of the last appropriate inspection.
- C. The entire remaining balance of a construction deposit shall be subject to forfeiture should action in item IV. B above be required.

Revision 7/1/2006

Walden on Lake Conroe Community Improvement Association, Inc.
Architectural Control Committee
International Residential Building Code as Construction Standards Policy

I. Purpose:

The restrictions for each platted section of Walden on Lake Conroe provide that the Architectural Control Committee may require the submission of such plans and specifications, together with other documents as it deems appropriate and in such form and detail as it may elect at its entire discretion. It is the intent of the Walden on Lake Conroe Architectural Control Committee to enhance and protect the value, desirability and attractiveness of improved property throughout the community by requiring certain minimum standards for residential construction for any new home or townhome at Walden on Lake Conroe.

II. General:

The Architectural Control Committee recognizes the need for a comprehensive building code addressing the design and construction of one and two-family dwellings and townhouses at Walden. The 2000 edition of the *International Residential Code* (IRC) was designed to meet the needs for model code regulations that safeguard the public health and safety while considering dwelling affordability. The prescriptive provisions of the IRC provide a comprehensive code, which as a stand-alone document, establishes minimum standards for one and two-family dwellings and townhouses. Additionally, the IRC was designed to be compatible with other generally accepted code documents published by the Building Officials and Code Administrators International (BOCA), the Southern Building Code Congress International (SBCCI), and other recognized agencies.

“The basic principles of the IRC are intended to establish provisions that adequately protect public health, safety and welfare; provisions that do not unnecessarily increase construction costs; provisions that do not prevent the use of new building materials, products or construction methods; and provisions that do not give preferential treatment to particular types or classes of materials, products or methods of construction.” (2000 IRC preface, p. III.)

III. Policy:

A. Each new home plan and subsequent construction project approved by the Walden on Lake Conroe Architectural Control Committee (ACC) shall be required to comply with the applicable specifications of the *International Residential Code for One and Two-Family Dwellings*, 2000 edition and its approved revisions and supporting documents. (See: *International Energy Conservation Code Policy*)

B. Each new home plan submitted to the ACC shall be accompanied by a compliance deposit sufficient to ensure compliance with the code provisions, both in design standards and construction completion. (See: *Review Fee and Compliance Deposit Policy*)

Revision: 7-25-06

Page Two - Residential Building Codes As Construction Standards

C. Upon approval of a new home plan, the builder shall assign an approved professional inspector to perform compliance inspections. The approved list of inspectors is available at the Walden C.I.A. office. (See the *Inspection Policy* for details.)

D. The ACC shall not accept a plan for review for an additional new home from a builder who is substantially in noncompliance with IRC standards, other deed restrictions requirements, or the home building requirements on a project under construction.

Revision 7/25/2006

**Walden on Lake Conroe Community Improvement Association, Inc.
Architectural Control Committee
International Energy Conservation Code Policy**

I. Purpose:

It is the intent of the restrictions of each section of Walden on Lake Conroe to protect and enhance the value, desirability and attractiveness of the properties by imposing certain standards. It is within the authority of the Architectural Control Committee (ACC) to require the submission of plans and specifications for new home projects in such form and detail to accomplish the standards which it may adopt.

II. General:

The ACC recognizes the need, as do certain code officials, for a comprehensive energy code that addresses energy efficiency in building design and construction. The International Code Council, Inc. has established model code regulations which were adopted by the State of Texas to be effective in 2000. These codes "establish standards for the design and construction of energy efficient mechanical, lighting and power systems through requirements emphasizing performance. The code is designed to . . . optimize the utilization of fossil fuel and nondepletable resources. . ." (See: *International Energy Conservation Code, 2000, Preface, p.III*)

III. Policy:

A. Each new home plan and subsequent construction project approved by the Walden on Lake Conroe Architectural Control Committee shall be required to comply with the applicable specifications of the *International Energy Conservation Code*, 2000 edition and its approved revisions. There are other related documents. (See: *International Residential Building Code as Construction Standards Policy*.)

B. Each new home plan submitted to the ACC shall require a compliance deposit sufficient to ensure compliance with the code provisions, both in design and throughout completion of construction. (See the *Review Fee and Compliance Deposit Policy*)

C. Upon approval of a new house plan, the builder shall assign a professional inspector to perform compliance inspections during construction. (See the *Inspection Policy* for details).

Revision: 7/25/2006

Walden on Lake Conroe Community Improvement Association, Inc.
Architectural Control Committee
Tree Preservation Policy

I. Purpose:

To provide guidelines for the reasonable preservation of specimen native trees on lots, to prevent the indiscriminate clear-cutting of lots and to encourage sensitivity towards the woodlands environment in an effort to maintain the naturally wooded image of the Walden subdivision.

II. General:

- A. Walden was planned and developed around Lake Conroe and recreational amenities of the marina, golf course and tennis facilities. The community, for the most part, is considered heavily wooded. These are the essential elements that create the image and character of Walden, and they must not only be protected, but also enhanced. As Walden continues to develop, it is essential that future development maintain a respect for and compatibility with that which exists, both in character and in the quality of the natural environment.
- B. The Board of Trustees of the association has designated the Architectural Control (ACC) as its representative to review every application for developmental improvement of Walden property.
- C. The Board of Trustees is authorized to enforce compliance with the standards set forth in the deed restrictions, the *Design Guidelines*, this policy statement, and the decisions of the ACC through any appropriate legal and equitable proceedings on behalf of and in the name of the association.

III. Policy:

- A. Clearing of any lot may not commence until a new home plan has been approved by the ACC. The WCIA may consider brush clearing as part of a preliminary site plan review prior to submission of final construction drawings; however, the builder must notify the WCIA tree inspection representative prior to brush clearing on any lot.
- B. Existing trees, which have a six-inch (6") or greater caliper trunk, measured one foot (1') above natural grade shall be preserved and protected to the greatest reasonable extent possible. The lot owner and the ACC will consider the relatively small size of the lot when compared to the proposed home construction and finished improvements.

Revision: 1/08/2006

Page Two – Tree Preservation Policy

- C. Unless otherwise approved by the ACC in writing, no trees as described above shall be cut or removed except to provide adequate and reasonable room for construction of improvements. Those trees, which are of smaller size than described above, dead, unsightly or unhealthy trees or those, which present a hazard to the structural integrity of the slab may be removed without limitation.
- D. When designing the required landscape plan, the lot owner shall consider appropriate replacement species for trees removed for construction. See the *Landscape Specification Policy* for details.
- E. The Provisions of this policy shall be bound by a compliance deposit to be administered according to the *Review Fee and Compliance Deposit Policy*. The *Tree Preservation Policy* shall be administered in the following manner:
1. After the ACC approves the plan, the property owner or his' designee, and the WCIA tree inspection representative will tag the tree(s), which must NOT be cut down. To ensure that only trees on the approved site are tagged and/or removed, the lot must be surveyed and staked by a registered surveyor and the building permit issued by Montgomery County must be posted (as required by law) prior to tagging any trees.
 2. Upon completion of the site work, the WCIA will be notified in order to count the remaining trees and confirm that debris has been removed. Violation of the *Tree Preservation Policy* will result in forfeiture of the deposit, which may be used for replanting of trees and for cleanup.
 3. If additional trees must be removed during the construction period, the builder must notify the WCIA *before* removing the trees. A final tree count will be performed before the *Certificate of Occupancy* is issued and the builder will forfeit an amount equal to the refundable deposit cited in the *Review Fee and Compliance Deposit Policy*, if additional trees are removed without permission.
 4. If a builder is found to be in violation of paragraph 1 above by cutting unauthorized trees, subsequent deposits will be increased to three thousand dollars (\$3,000) per property. The remaining provisions of paragraph 1 will apply.
 5. Any subsequent violations may result in additional sanctions to include administrative rejection of any subsequent new home plans. Please see the *Administrative Rejection of New Home Plans Policy* for details.

Revision: 1/08/2006

Walden on Lake Conroe Community Improvement Association, Inc.
Architectural Control Committee
Drainage Plan Policy

I. Purpose:

The restrictions for each platted section of Walden on Lake Conroe specifically state that natural drainage of lots shall not be impaired. However, any construction on a lot such as a foundation for a new home will impede natural sheet flow to some extent. Therefore, it is incumbent upon each new home builder and/or owner to provide for appropriate drainage improvements during construction and as part of final grade and landscaping installation to insure that drainage is revised in relation to the improvements to be constructed.

II. Policy:

A. A drainage plan must be submitted as part of the construction drawings to be reviewed by the Architectural Control Committee for each new home site.

B. Surface drainage shall be diverted to the most appropriate storm sewer conveyance or other approved point of collection so as to not create a hazard, pooling, hindrance or annoyance of any kind. Lots shall be graded so as to drain surface water away from foundation walls as required by Section R401.3 of the International Residential Code for One and Two-Family Dwellings, (IRC).

C. Foundation drainage shall also comply with the requirements of Section R405 of the IRC.

D. The drainage plan should appropriately direct or redirect natural sheet flow away from the new home's foundation to the street(s) abutting any interior or golf course lot or to the lake or street abutting a waterfront lot. Under no circumstances shall sheet flow be redirected onto any adjacent lot.

E. Final grade improvements such as gentle swells or improved slope may be employed to direct any surface flow to the street or lake.

F. Subsurface improvements such as french drains, perforated or non-perforated drain pipes are encouraged where appropriate for draining gutters and downspouts, landscaped areas, berms which slope away from slab perimeter, etc.

G. Drainage plans must include information regarding gutter installation and consideration for flow from resulting use of downspouts.

H. Driveways and other paving must be sloped to adequately drain to the abutting street.

Revision: 1/21/2006

Page Two - Drainage Plan Policy

III. Drainage Plan Security Deposit

- A. A security deposit shall be required to ensure the completion of final drainage improvements.
- B. The refund criteria will give consideration for appropriate installation of all required drainage improvements to include final grade, gutters, down spouts, sub-surface drainage systems, landscape drainage, slope, etc.

Revision: 1/21/2006

**Walden on Lake Conroe Community Improvement Association, Inc.
Architectural Control Committee
Wall and Fence Policy**

I. Purpose:

The Board of Trustees of the Walden on Lake Conroe Community Improvement Association wishes to maintain the established standards of the Deed Restrictions (as applicable to each platted section of Walden), Policies, Design Guidelines, and any other legally recorded requirements of the Architectural Control Committee (ACC). The Deed Restrictions Article III item addressing Fencing (Walls, Fences, Hedges, Piers, and Bulkheads) is specific to each section and will be enforced as it applies to that Section of Walden. In all cases, if there is a conflict with Texas State Statutes or building codes, statute or code will take precedent over the Deed Restriction. Article IV, Section 4: Minimum Construction Standards states that "[t]he [ACC] may from time to time promulgate an outline of minimum acceptable construction standards." These Standards shall not conflict in any ways with the Deed Restriction but otherwise apply, as allowed, to amplify and clarify existing deed restrictions.

II. Policy:

Prior to installing a fence, the following items must be submitted to the Architectural Control Committee (ACC) for review and approval:

- A site plan showing the property lines, location of all buildings and structures, and the proposed location of the fence.
- A drawing, photograph, brochure, or written description of the fence. The descriptive information should include, as a minimum, fence height, materials, and general design description.
- Fence color and finish information.

A. Protective Screening:

1. The ACC must approve or disapprove in writing all walls and fence plans submittals. No walls or fences shall be constructed unless the plan for said wall or fence has been approved in writing by the ACC.
2. All walls and fences must conform to the **IRC 2003** or the most recent code mandated by the State of Texas for municipalities.
3. No walls or fencing shall be erected or maintained nearer to the front of any lot than allowed by the Deed Restrictions for the specific section where the lot is located.
4. On corner lots, no fence is permitted nearer to the side street property line than the platted building line.

Revision: 8/24/2006

5. All walls and fences, used as protective screening on any lot, shall be no less than 6 feet and no more than 8 feet. The wall or fence shall be constructed of ornamental iron, wood, or masonry. The ACC may approve materials that have the finished appearance of ornamental iron, wood, or masonry. The ACC, at its discretion, may request that an actual sample of the fence or wall material be submitted for review.
6. If a fence has, as part of its design, a finished side and a structural side (i.e. typical wood fence), the finished side must be viewed from the exterior of the fenced area and the structural side must be viewed from the interior of the fenced area.

B. Swimming Pool and Water Feature enclosures:

1. "Water features" are defined as any man-made structure containing water, such as a pool, pond or waterfall that is deep enough to present a drowning hazard.
2. The Architectural Control Committee (ACC) must approve all walls and fences used as pool and or water feature enclosure in writing.
3. All walls and fences used as pool and/or water feature enclosures must conform to the **IRC 2003** or most recent edition of the code mandated by the state for municipalities.
4. The **Health and Safety Code, Chapter 757: Pool Yard Enclosures** is recommended by the ACC to be used as a guideline for design of enclosures around pools and water features.
5. A pool or water feature enclosures shall be at least four feet, but not more than 6 feet tall, and must be constructed of ornamental iron, wood, or masonry. The ACC may approve materials that have the finished appearance of ornamental iron, wood, or masonry. The ACC, at its discretion, may request that an actual sample of the fence or wall material be submitted for review.
6. The ACC may approve the installation of chain link fences to enclose swimming pools located anywhere on a lot provided the fence is not visible from the street, waterfront or golf course. A chain link fence shall not be visible to any adjoining property.

C. Waterfront and Golf Course Lots:

1. The rear yards of Waterfront lots in Sections 2 through 6 may be fenced. The fence height is recommended by the ACC to be no more than 4 feet tall and of an open design as not to block views of adjoining properties.
2. The rear yards of Waterfront lots in Section 7 shall not have any view of the lake obstructed by any structure therefore any fence must be of an open design as viewed from the home interior or deck.

Revision: 8/24/2006

3. The rear yards of Waterfront or Golf Course lots in Sections 9 through 17 may not be fenced closer to the rear property line than the back of the house unless such fence is used to enclose a small patio that is integral part of the house structure, or the fence is used to enclose a pool/water feature. The fence shall be an "open" design as not to block any view. ACC approval is required before any fence or other structure is built in the rear yards of any lot in these Sections.
4. Fences installed in the rear yards of Waterfront or Golf Course lots in Sections 9 through 17 shall be 4 feet tall, black, and constructed of ornamental iron; except the ACC may approve other materials that have the finished appearance of ornamental iron.
5. The rear yards of Waterfront lots in the Estates of Walden (Section 19) may be fenced. Fences must be 5 feet tall and of ornamental iron of a design that conforms to the ACC's pre-determined plan for such improvements. ACC approval is required.

D. Colors or Finishes:

No walls or fences shall be erected on any lot in Sections 9 through 19 (Estates) until the ACC has approved, in writing, the colors and finishes to be used in construction. The colors and finishes used for the wall or fence should compliment the colors and finishes of the residential structure. Finishes that enhance the natural beauty of materials should be used whenever possible. All ornamental iron shall be black unless otherwise approved by the ACC.

E. Compliance Requirements:

1. Upon recording of this document, these shall be the wall and fence policies of Walden on Lake Conroe. All future walls and fences constructed shall comply with this policy.
2. All existing fences on significant repair or replacement must be approved by the ACC and be in compliance with this policy.
3. All existing fences found not in compliance with this policy will have the property owner given notice. Any significant repair/replacement of the fence or change in ownership of the property will require the wall or fence to be brought into compliance with this policy.

Revision: 8/24/2006

Walden on Lake Conroe Community Improvement Association, Inc.
Architectural Control Committee
Landscape Specification Policy

I. Purpose:

To provide reasonable guidelines for initial landscaping installation at new homes and to provide minimum standards and specifications to encourage upgrading to existing properties.

II. General:

A. The deed restrictions for each section of the Walden on Lake Conroe subdivision require that a front yard landscaping plan be submitted for approval by the Architectural Control Committee and installed prior to occupancy. However, the restrictions do not specify minimum standards for bedding areas or materials, the minimum standards for size, quantity or spacing of shrubbery, the minimum standards for replacement of specimen quality native trees removed during site preparation, landscape drainage, sprinkler systems, etc.

B. It is the intent of the Walden on Lake Conroe Community Improvement Association to provide basic minimum landscaping specifications as essential elements to create and maintain the image and character of Walden and to enhance the quality of its natural environment.

C. The Board of Trustees of the Walden C. I. A. has designated the Architectural Control Committee (ACC) as its representative to review every application for improvement to Walden properties.

D. The Board of Trustees is authorized by the deed restrictions to enforce compliance with standards set forth in the covenants, Design Guidelines, board policies and the decisions of the ACC through any appropriate legal and equitable proceedings on behalf of and in the name of the association.

III. Policy:

A. Removal of trees from any lot is not authorized until a new home plan has been approved by the ACC. Initial clearing should take into consideration the maximum preservation of quality native trees. Appropriate and approved clearing shall be bonded by a security deposit of \$1,000 or more. (*Ref: Tree Preservation Policy*).

B. Appropriate temporary drainage during construction and final grade shall be considered to provide the maximum efficiency for site drainage to an approved collection point and further conveyance into the storm drainage system.

Revision: 7/01/2006

Page Two - Landscape Specifications

C. Approved bedding areas shall be prepared with an appropriate mulching or soil enhancing material to enrich the native soil. Nursery shrubbery plants should not be planted directly into native soil without tilling and enrichment. Bedding areas should be sufficiently raised to provide adequate drainage away from home foundations and into approved collection and conveyance systems.

D. Owners and builders are encouraged to limit selection of shrubbery from the plants listed as Appendix A in quantity, plant size and scale relative to the subject home.

E. Placement of shrubbery shall be no less than the minimum quantity and center points than the standards provided at Appendix B by plant specie and size.

F. Owners are encouraged to install at least double or triple depth plans to improve projects in scale. Plantings in landscape areas are expected to create attractive depth of view through layered plantings in two to three layers from front to back of bed areas. In most cases, single row plantings are insufficient in scale and will not be approved unless otherwise approved in writing by the ACC.

G. Owners are encouraged to provide additional bedding spaces for annuals to further enhance the minimum required evergreen areas and to further personalize their own garden areas.

H. Owners are strongly encouraged to install adequate automatic irrigation systems. In accordance with Texas State Law, all automatic irrigation systems not installed by individual homeowners, must be installed by a Texas Licensed Irrigator or a Texas Licensed Plumber. All irrigation systems, potable or lake drawn, must have a proper backflow prevention device. Irrigation systems should also have a rainfall sensing device which deactivates the system during rainfall.

IV. Specifications:

A. Owners and builders are referred to Appendix A for a Recommended Plant List and Appendix B, Recommended Installation Specifications.

B. Native plants should be used wherever possible to promote longer term survival and continuity with the natural landscape. Native plants include the following:

1. Trees - Various Oaks, Sweet Gum, Crepe Myrtle, Birch, Pines, Willows, Magnolia, Dogwood, Red Bud and Bradford Pears.
2. Shrubs - Various Hollies, Yaupon, Wax Myrtle.
3. Ground Cover - Honeysuckle, Asiatic Jasmine, Carolina Jasmine and Confederate Jasmine.

Revision: 7/01/2006

Page Three - Landscape Specifications

C. Landscape plans are required by the deed restrictions to be approved and installed prior to occupancy. Landscape plans are to include a site plan depicting property lines, easements, setbacks, slab footprint, driveway, decks, patios, pool, terraces, paving and other hardscapes and drainage systems. Areas to be sodded should be noted as should bedding areas. The plan should indicate location and identification of proposed plants in accordance with Appendix A and Appendix B. The plan should indicate location, type, quantities and sizes of proposed plants. Shrubbery areas should be properly prepared by tilling with soil enhancing material and top dressed with an attractive mulch.

D. If the plan preserves natural vegetation, these areas should be clearly indicated as well.

E. The ACC reserves the right to require additional plants after approved landscape plans are installed if deemed necessary during final site inspection and prior to the release of the Walden Occupancy Permit.

F. Sod, approved grass seeding or approved groundcover shall be installed in front and side yard areas of the lot not developed with structure, flatwork, native areas or landscape zones; however on corner lots, front, side, and back yards must be sodded.

G. Appropriate plantings shall be installed so as to visually screen air conditioning, pool equipment and other obtrusive utility installations from front or side views.

V. Security Deposit:

A. The minimum requirement of this policy shall be bonded by a security deposit. Ref: ACC Review Fee Policy.

B. The landscaping deposit shall not be refunded until the front yard landscaping is completed as approved on interior lots by the ACC and front and rear yard landscaping is completed as approved by the ACC on golf course and lakefront lots. The side yard abutting the street of any corner lot shall also be appropriately landscaped to include sodding to the rear lot line.

Revision 7/1/2006

Appendix A

SHRUBS

<u>Botanical Name</u>	<u>Common Name</u>
Ilex vomitoria.....	Yaupon Holly
Myrica cerifera.....	Southern Wax Myrtle
Callicarpa americana.....	American Beautyberry
Rhus copallina.....	Flameleaf Sumac
Hibiscus militaris.....	Rose-Mallow
Rhododendron oblongifolium.....	Texas Azalea
Hibiscus coccineus.....	Texas Star Hibiscus

GROUNDCOVER

<u>Botanical Name</u>	<u>Common Name</u>
Lonicera sempervirens.....	Coral Honeysuckle
L. japonica purpurea.....	Purpleleaf Honeysuckle
Trachelospermum asiaticum.....	Asian Jasmine
Ophiopogon jaburan.....	Giant Liriope
Liriope Muscari.....	Liriope
Vinca Major.....	Vinca
Cynodon dactylon.....	Common Bermuda Grass
C. dactylon "Tifgreen".....	Hybrid Bermuda Grass
Eragrostis curvula.....	Weeping Lovegrass
Wildflowers.....	

COLOR

<u>Botanical Name</u>	<u>Common Name</u>
Verbena spp.	Verbena
Gelsemium sempervirens.....	Carolina Jessamine
Lantana spp.	Lantana

Appendix A (Continued)

TREES

<u>Botanical Name</u>	<u>Common Name</u>
Pinus Taeda.....	Loblolly Pine
Pinus palustris	Longleaf Pine
Pinus echinata	Shortleaf Pine
Pinus elliotii	Slash Pine
Quercus virginiana.....	Southern Live Oak
Magnolia grandiflora	Southern Magnolia
Fagus grandifolia	American Beech
Taxodium distichum	Bald Cypress
Carya cordiformis	Bitternut Hickory
Nyssa sylvatica.....	Black Gum
Ulmus crassifolia	Cedar Elm
Quercus macrocarpa.....	Bur Oak
Quercus prinus	Nuttall Oak
Quercus shumardii	Shumard Red Oak
Quercus texana.....	Texas Red Oak
Quercus nigra	Water Oak
Quercus alba.....	White Oak
Carya ovata	Shagbark Hickory
Acer barbatum.....	Southern Sugar Maple
Acer rubrum Drummondii	Red Maple
Liquidambar styraciflua	Sweet Gum
Ilex opaca	American Holly
Prunus caroliniana.....	Cherry-Laurel
Myrica cerifera.....	Southern Wax Myrtle
Pistachia texana.....	Texas Pistachio
Ilex vomtoma	Yaupon Holly
Rhus copallina.....	Flameleaf sumac
Cornus florida	Flowering Dogwood
Koelreuteria bipinnata.....	Golden Rain Tree
Lagerstroemia x	Hybrid Crape myrtle
Crataegus Marshallii	Parsley Hawthorn
Red bud	Cercus canadensis

Italics = Specialty Shrub

* = Blooming Plant

Appendix A (Continued)

Other Suggested Landscape Plants:

Shade Trees

Ash, Green
 Bald Cypress
 Bay, Swamp
 Elm, Cedar
 Elm, Chinese
 Elm, Lacebark
Magnolia Southern
 Maple, Drummond Red
 Maple, Silver
 Mulberry, Fruitless
 Oak, Live
 Oak, Pin
 Oak, Red
 Oak, Water
Pecan
 Pine, Loblolly
 Pine, Slash
 River Birch
 Sweet Gum
 Sycamore
 Willow Standard
 Willow, Weeping

Accent Trees

Chinese Pistache
 Crape Myrtle*
*Dogwood, White**
*Golden Rain Tree**
 Holly, Greenleaf
 Holly, Savannah
Japanese Blueberry
Loquat, Japanese
*Mimosa**
Mulberry, Weeping
 Pear, Aristocrat*
 Pear, Bradford
 Pine, Japanese
 Purple Leaf Plum*
 Red Bud*
 Tulip Magnolia*
 Vitex*
 Wax Myrtle

Accent Trees (Cont'd)

Yaupon, Standard
Yaupon, Weeping

Tall Shrubs

Althea - Rose of Sharon*
 Azalea, Indica Var.*
 Bamboo, Buddha's Belly
 Bamboo, Golden
 Banana, Common
*Camellia, Japonica**
 Eleagnus (Silverberry)
 Gardenia, August Beauty*
Japanese Blueberry
Japanese Yew
 Juniper, Hollywood
 Juniper, Skyrocket
 Leyland Cypress
 Ligustrum, Wax
 Nandina, Heavenly
 Bamboo
 Oleander, Standard*
 Pineapple Guava
 Pittosporum, Green
 Pittosporum, Var.
 Pyracantha*
 Red Tip Photinia
 Sweet Olive
 Viburnum, Japanese
 Viburnum, Suspensum
 Viburnum, Sweet
 Wax Myrtle
 Xylosma

Medium Shrubs

Abelia*
 Azalea, Glendale Var.*
 Banana Shrub - Michelia*
 Banana, Rojo
*Camellia, Sasanqua**
 Cleyera Japonica
*Gardenia, Veitchii**
 Gold Dust Aucuba

Medium Shrubs (Cont'd)

Holly, Dwarf Burford
 Indian Hawthorn, Pinkie*
 Indian Hawthorn, Snow*
 Juniper, Pfitzer
 Juniper, Sea Green
Loquat,
Bronze/Coppertone*
 Lorepetulum*
Mohonia, Chinese
 Mohonia, Leatherleaf
 Nandina, Compacta
 Oleander, Dwarf*
 Privet, Variegated
 Spirea, Bridal Wreath*
*Texas Sage, Silverado**
 Virginia Sweet Spire*

Small/Dwarf Shrubs

Azalea, Gumbo Var.*
 Barberry, Crimson
 Boxwood, Japanese
*Dwarf Gardenia**
 Dwarf Yaupon
 Holly, Dwarf Chinese
 Nandina, Nana Dwarf
 Pittosporum, Dwarf
 Lirope, Giant
 Lirope, Green
Pampas, Pink
 Pampas, White
 Purple Fountain Grass
 Maiden Grass
 Umbrella Grass

Italics = Specialty Shrub
 * = Blooming Plant

Appendix A (Continued)

Other Suggested Landscape Plants:

Palms

Canary Island Date
 Chinese Fan Palm
 Mediterranean Fan Palm
 Mexican Fan Palm
 Pindo Palm
 Queen Palm
 Sago Palm
 Texas Sabal Palm
 Windmill Palm

Annuals/Perennials

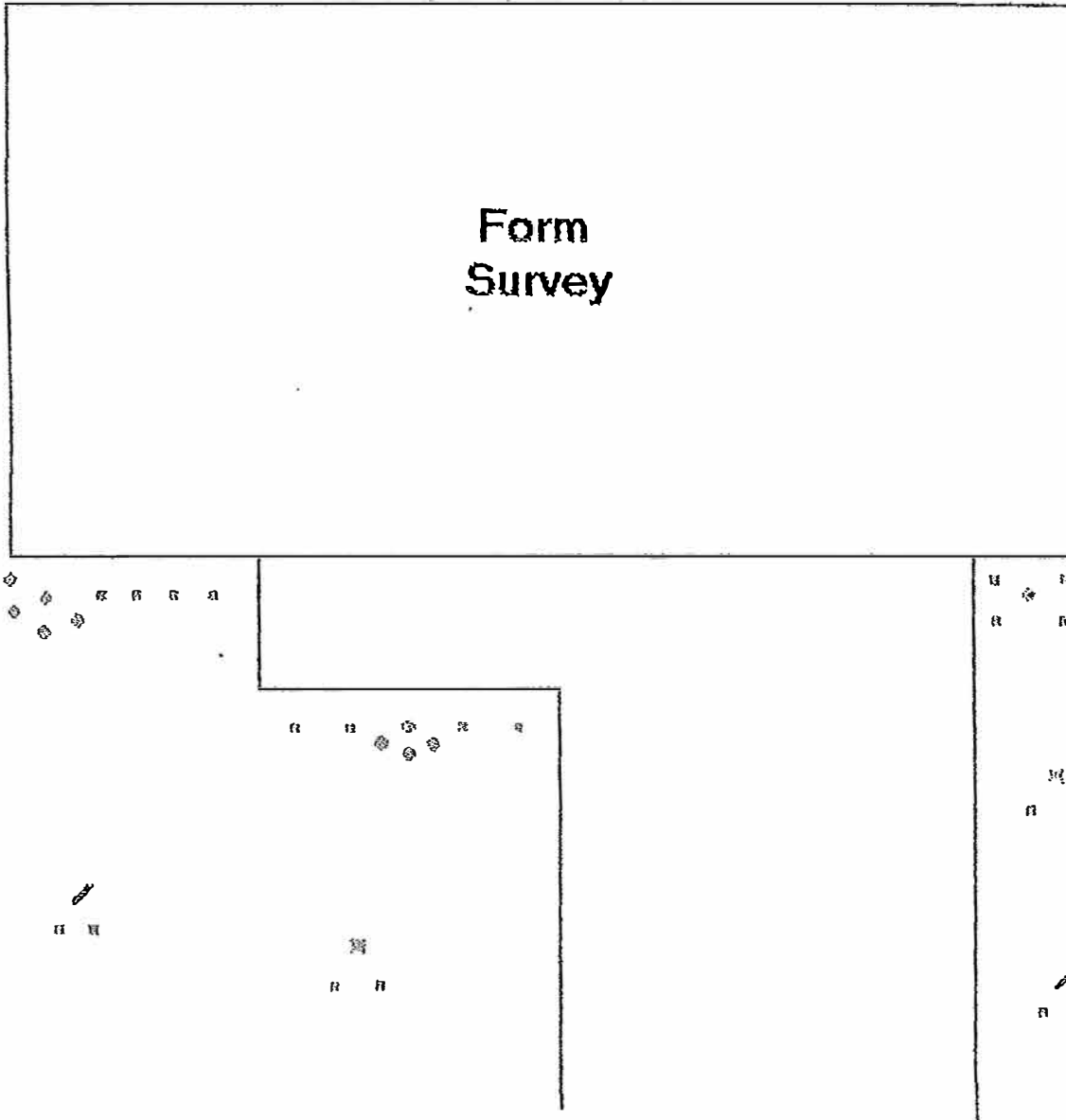
Tropical

Allamanda*
 Bird of Paradise*
 Bougainvillea*
 Ginger, Dwarf*
 Ginger, Standard*
 Ginger, Variagated*
 Heliconia*
 Hibiscus*
 Ixora*
 Philodendron, Split Leaf
 Costas*

Vines & Groundcovers

Ajuga*
 Angel Wing Jasmine*
 Asian Jasmine, Green
 Asian Jasmine, Tri-color
 Asparagus Fern
 Blue Sky Vine*
 Carolina Jessamine*
 Coral Vine*
 Honeysuckle, Cape*
 Honeysuckle, Halls*
 Honeysuckle, Pink Lemonade*
 Honeysuckle, Purple*
 Ivy, English
 Ivy, Fig
 Japanese Ardesia, Green
 Japanese Ardesia, Var.
 Juniper, Green Mound
 Liriope, Giant*
 Liriope, Green*
 Liriope, Var. Aztec Grass*
 Mandivilla*
 Mondo (Monkey) Grass, Dwf.
 Mondo (Monkey) Grass, Std.
 Nandina, Harbor Dwarf
 Star Jasmine*

Minimum Landscape Material Listing



- ◇ = 3 - 15 Gallon Accent Plants
- = 2 - Ornamental Trees -15 Gallon
- = 20 - 3/5 Gallon Shrubs
- = 7 - 1 Gallon Shrubs/Perennials/Ornamental Grasses
- ▧ = 2 - 30 Gallon Shade Trees

Walden On Lake Conroe Community Improvement Association, Inc.
Architectural Control Committee
Model Home Policy

I. Purpose:

The restrictions for each section in Walden On Lake Conroe establish a uniform plan for development, improvement and sale of each lot to insure the preservation of this uniform plan not only for present but also for future lot owners. The purpose of these restrictions are to enhance and protect the value, desirability, and attractiveness of each and every lot in Walden. The association has established a uniform policy for the construction and use of Model Homes on improved lots in Walden in conformity with the respective restrictions and with the intent of protecting the uniform plan of development as well as the attractiveness and desirability of every lot.

II. Policy

- A. No structure of any type shall be placed on the subject property without the prior written approval granted by this Model Home Policy.
- B. "Model Home" shall mean any residential structure built by a Builder/Owner to demonstrate the design, type and quality of home product available by builder's construction company in Walden on Lake Conroe.
- C. "Builder/Owner" as defined in the restrictions for each section of Walden on Lake Conroe shall be any person who acquires a lot or lots for the purpose of engaging in the business of construction and sales of single-family residential dwellings for the purpose of resale.
- D. The Builder/Owner may not engage in any other business or businesses from the temporary office allowed by this policy. This includes the resale of vacant lots and homes previously occupied as a residence. Neither the temporary office nor any other portion of the model home shall be utilized for construction storage. It is the intent of this policy to limit temporary office usage to that activity of new home sales by the Builder/Owner.
- E. "Temporary Office" shall be defined as space taken from within the air-conditioned/heated interior floor plan to be utilized as an administrative/sales office of the Builder/Owner. "Temporary" is further defined as lasting only for a short time or limited to twelve (12) month duration. Extensions of this initial time period may be approved in writing in six-month periods at the option and sole discretion of the Association.
- F. The Builder/Owner must limit use of the temporary office to that activity which relates directly and solely to the sale of homes constructed or to be constructed by the Builder/Owner in the Walden on Lake Conroe community.
- G. The garage of the model home may not be enclosed to create temporary office space. "Enclosed" shall mean the partitioning of the minimum standard garage space that is required by the restrictions of each section of Walden on Lake Conroe. The temporary office may be located in the garage space so long as it is not altered from the original functional garage plan as approved by the Architectural Control Committee.

Page Two - Model Home Policy

H. The Builder/Owner must also execute and abide by the Sign Policy Agreement of the Walden on Lake Conroe Community Improvement Association.

I. No other attention getting device of any kind may be utilized.

J. The model home must be fully landscaped in both the front and back of the lot as approved by the Architectural Control Committee.

K. The Builder/Owner must allow a sufficient portion of the driveway to be utilized for personal or client parking so as not to obstruct normal traffic in the street abutting the subject lot.

L. The model home may not be occupied as a residential dwelling during the term of this agreement.

M. The home sales activities conducted from the subject model home shall not become an annoyance to the neighborhood. A noxious, offensive or annoying activity shall be judged as such in the sole discretion of the Architectural Control Committee.

Revision: 1/22/2000

Walden on Lake Conroe Community Improvement Association, Inc.
Architectural Control Committee
Construction of Home on Combined Patio Lots

I. General:

There are several platted sections within Walden on Lake Conroe that include Patio Home lots. These sections are Sections 3, 5, 9, 10 and 16. "Patio Home lot or lots" shall mean and refer to the lots specifically restricted to use for patio homes only. Each Patio Home section's deed restrictions designate which lots are to have Patio Homes constructed on them versus Town homes or Residential Homes.

II. Purpose:

The deed restrictions for the various Patio Home sections specifically designates the building location requirements on single lots. However, the deed restrictions do not specifically address the issue of building location on combined lot configurations. This policy shall serve to clarify the requirements for building location on multiple or combined Patio Home lots.

III. Policy:

- A. Multiple contiguous Patio Home lots may be combined into one building parcel.
- B. A home may be located on combined Patio lots other than the "zero" side as designated in the applicable restrictions.
- C. The home may be centered on the combined Patio Lots, but must be set back from left and right side property lines by no less than five (5) feet.
- D. The minimum square footage of a home placed on combined lots shall be not less than seventy-five percent (75%) of the minimum combined footage required for each separate lot.
- E. Homes may not be constructed across utility easements in any configuration, unless a release of easement is obtained from each applicable utility service entity.

**Walden on Lake Conroe Community Improvement Association, Inc.
Architectural Control Committee
Commercial Development Policy**

I. Purpose:

The Walden Architectural Control Committee and the Walden C. I. A. Board of Trustees wish to provide general guidelines for the development of commercial tracts abutting Walden Road in Section 18. It is intended that these properties be developed architecturally in a pleasing manner and be occupied by businesses that would maintain, if not enhance, the image of the residential community.

II. Policy:

A. All new development designs shall be prepared as complete construction drawings and submitted to the Walden Architectural Control Committee for review.

B. All new construction is subject to Walden's Commercial Building Requirements including International Commercial Building Codes and Landscape Standards.

C. Business signage shall be reviewed and approved by the Walden Architectural Control Committee prior to construction and installation.

D. Walden C. I. A. Board of Trustees reserves the exclusive right to disapprove the operation of any business in Walden on Lake Conroe. Businesses which will be disapproved include, but are not limited to teen halls, billiard parlors, auto repair shops, second hand shops, open air or ice house type alcoholic beverage facilities and sexually oriented businesses.

E. Any business must operate in a manner to be in complete harmony with the residential community.

Revision: 1/24/2004

Walden on Lake Conroe Community Improvement Association, Inc.
Architectural Control Committee
Variance Policy

I. Purpose:

The Board of Trustees of the Walden on Lake Conroe Community Improvement Association wishes to maintain conformity to established standards of the Deed Restrictions (of each platted section of Walden), Policies, Design Guidelines and any other legally recorded requirements of the Architectural Control Committee (ACC). Periodically a property owner may disagree with a decision rendered by the ACC. The ACC may only make approvals based on the compliances with the established Standards. In the event there is disapproval, the property owner may resubmit the request after adjustments to be in compliance with the standard. The existing appeals policy (Architectural Control Committee Appeal Policy) allows the property owner to resubmit and provide any additional preliminary information available, make a personal presentation and provide any compelling information required to demonstrate compliance with the established standards. Following the appeal, if there remains disagreement, the property owner may request a Variance from the Board of Trustees if there are extraordinary situations or conditions that cause exceptional or undue hardship upon the owner of the property. **Note: A variance cannot be granted for the requirements of the Deed Restrictions except when federal, state, or local laws prevail. The variance must be in keeping with the intent of the original restrictions, which were to maintain the beauty and value of property in Walden on Lake Conroe.**

II. Policy:

- A. Should the ACC's original decision be upheld, the property owner may appeal ultimately to the Board of Trustees of the Walden on Lake Conroe Community Improvement Association, Inc.
- B. The property owner may request a variance from the Board of Trustees after the ACC's second disapproval. The grant of a variance in no way is considered an approval and non-compliance will still exist. Any significant repair or replacement of the item or change in ownership of the property shall require a new request to the ACC to determine if any change has occurred to alleviate the extraordinary situation or condition.
- C. It is the responsibility of applicant who is seeking the variance to provide "proof" that enforcement of the established standard will result in a legal hardship. A variance cannot be granted as a convenience to the property owner.
- D. The legal hardship must come from the established standards of Walden on Lake Conroe. A self-imposed hardship cannot serve as justification for a variance; i.e., the problem was self-created by the action or negligence of the applicant.

Revised 01-23-07

Page Two – Variance Policy

E. The legal hardship or difficulty stated as the reason why a variance is necessary must be peculiar to the particular property in question and different from that of other properties. The applicant for a variance must clearly show the Board that the request is due to the very unusual qualities of his property.

F. The expenditure of money does not constitute a legal hardship. When a hardship is created by the applicant's own acts, he is not entitled to relief via a variance.

G. Non-compliance by others in the area, nonconformity of structures on other properties or other variances given in the area does not automatically entitle an applicant to approval of his variance request. What constitutes a legal hardship and substantial justice is a matter to be determined by the Board from the facts and circumstances of each individual appeal.

H. In granting variances, the Board may impose special conditions to ensure that the public's welfare will not be damaged.

I. An applicant shall provide agreements in writing from all adjoining or effected property owners and others deemed necessary by the Board relative to the variance request either agreeing or disagreeing with the request. A variance will not be granted simply because there is no objection to it or because those who do not object outnumber those who do.

J. A variance grant request involves legal process; therefore a non-refundable filing fee shall be required at time of submittal of the Variance Application.

K. The Variance Application will be completed with no omissions. (See exhibit A for the Variance Application format.)

Revised 01-23-07

Walden C. I. A.
Architectural Control Committee

Guidelines

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**Walden on Lake Conroe Community Improvement Association, Inc.
Architectural Control Committee
Design Guidelines**

Available as a Separate Document

“Design Guidelines”

Walden on Lake Conroe Community Improvement Association, Inc.
Architectural Control Committee
Construction Site Guidelines

I. Purpose:

The Walden on Lake Conroe Community Improvement Association (WCIA) guides the community's development through the Architectural Control Committee (ACC) and certain Board approved policies. The ACC renders its decisions based on the restrictions for each individual section and on the *Design Guidelines*. It is the intent of this statement to provide recommended guidelines for construction entities that build or provide related services to any owner at Walden.

The guidelines might normally be considered "common courtesies" that generally create a "good neighbor" relationship. It is not the intent of these guidelines to usurp anyone's right to work or impose unenforceable rules, which inhibit the work process. However, good relations between workers at a new construction site and existing neighboring homeowners is good for the community and should be good for the contractor's business as well.

II. Construction Site Infrastructure Guidelines:

A. **Portable Toilets:** The ACC requires that a portable toilet facility be provided for the workers in accordance with OSHA standards.

B. **Safety Fencing:** Safety fencing shall be installed along the rear and both side property lines on all lots under construction. The fence shall be four (4) feet high, with steel T-posts every eight (8) feet to secure the fencing. The fencing must be installed and maintained in a neat and orderly manner throughout the construction phase.

C. **Silt Fencing:** Silt fencing shall be installed along the lowest property line to prevent silt or topsoil from running off the construction site and onto adjacent property or into the street during rain storms. The fencing must be installed and maintained in a neat and orderly manner throughout the construction phase.

D. **Trash Containment:** A suitable trash container must be maintained on the construction site throughout the construction phase. The containment system may be either a metal dumpster or a 6 ft. x 6 ft. fenced area. Dumpsters must be emptied when full and must not be allowed to overflow onto the construction site. Fenced containment areas must be emptied WEEKLY, preferably on Fridays, to present a clean worksite for weekend visitors.

III. Construction Site Operation and Maintenance Guidelines:

A. **Lot Clearing and Dirt Work:** General contractors should ensure that trucks leaving a work site are covered in accordance with the law and the work site, street in front of the lot, and adjacent lots are left clean and unaffected by the clearing and fill process.

Revision: 1/22/2006

Page Two – Construction Site Guidelines

B. **Construction Equipment:** Use of any necessary equipment for construction purposes is expected. However, the use of machinery and power tools should be limited to 7:00 a.m. – 7:00 p.m. Storage of heavier equipment is not allowed on any lot except during actual use periods.

C. **Construction Noise:** The WCIA acknowledges every contractor's general "right to work;" however, earlier than normal working hours create adverse community relationships. It is requested that construction not begin before 7:00 a.m. nor continue after 7:00 p.m. Should circumstances dictate that work be done outside these parameters, such as pouring a slab earlier in the morning, the general contractor should attempt to give reasonable notice to nearby neighbors.

D. **Site Clean-up:** Each construction site must have a suitable trash container at all times. Each site must be maintained in a reasonably clean and adequately safe condition at all times. Construction sites must be cleaned of all loose debris on a daily basis. It is equally important that food trash and loose papers, which can blow onto adjacent properties, be cleaned on a daily basis. Construction debris and trash should be placed in the trash containment and the containment system should be emptied according to the requirements of Section II-D above. Under no circumstances should any organic materials, trash, or construction debris be dumped or stored on an adjacent property.

E. **Personal Vehicle Parking:** Every effort should be made to avoid negative impact on neighbors when workers park personal vehicles at or near any work site. All vehicles should be parked along the same side of the street to prevent bottlenecks. Furthermore, driveways, mail boxes, trash pick-up areas, etc. should not be blocked. Vehicles shall not be parked on the right-of-way.

F. **Deliveries and Deliveries Vehicles:** Delivery of construction materials should be restricted to 7:00 a.m.-7:00 p.m. Every effort should be made to avoid negative impact on adjacent lots, rights of way or easements. Any damage such as ruts, spills, broken curbs, etc. should be appropriately handled by the delivery company, but if not, by the general contractor.

G. **Pets at Construction Site:** It is preferred that pets not be brought to a work site. However, pets in the company of a construction worker must be controlled as required by Montgomery County Animal Control Ordinance. The WCIA employs a state licensed animal control officer charged with the duty of enforcing the ordinance and deed restrictions regarding pets.

H. **Music or Noxious Activity:** Any music played at work should not impact neighbors. No noxious activity of any kind should emanate from a work site that adversely affects neighboring home owners or the community in general.

Page Three – Construction Site Guidelines

I. **Maintenance of Adjacent Lots:** Contractors shall not use adjacent lots or easements for storage of construction materials or construction debris. If the adjacent lot or easement is disturbed by the contractor, the site shall be returned to its original condition, including removal of any construction debris, smooth grading of any disturbed soil, and replacement of disturbed ground cover with a suitable material to prevent site erosion (i.e. sod or hydro-mulching).

IV. Compliance Deposit:

Subcontractors and their employees should be made aware that their actions can result in sanctions against the builder, including forfeiture of a portion of the compliance deposit. See the *Review Fees and Compliance Deposit Policy* for additional details.

V. Flip Plans:

The Walden on Lake Conroe Architectural Control Committee will accept house plans that are marked “flip”, under the following conditions:

- A. The Site plan must be drawn exactly as the home will be built (it may not be drawn “flipped”).
- B. The foundation plan must be drawn exactly as the home will be built (it may not be drawn as “flipped”).
- C. Other plans submitted to the ACC may be flip plans.

Revision:1/22/2006

DEDICATORY DOCUMENTS

OF

WALDEN ON LAKE CONROE COMMUNITY IMPROVEMENT ASSOCIATION, INC.

BEFORE ME, the undersigned authority, on this day personally appeared the below named person, who, being by me first duly sworn, states the following:

My name is Susan Rash. I am over 21 years of age and of sound mind. I am capable of making, and am authorized to make this affidavit. I am personally acquainted with the facts herein stated. I am the agent and General Manager of Walden on Lake Conroe Community Improvement Association, Inc. Pursuant to the Texas Property Code, Section 202.006, the following document is the original, or a true and correct copy of the original, of the governing instruments of the Association:

Walden on Lake Conroe Board Policy – Revision to the Exterior Home Maintenance Policy

Walden on Lake Conroe Board Policy – Slab Height Requirements Policy

Walden on Lake Conroe Board Policy – Revision to the Pet Policy

Walden on Lake Conroe Board Policy – Revision to the ACC Review Fee Policy

Walden on Lake Conroe Board Policy – Drainage Plan Policy – New Home Construction

WITNESS MY HAND, to this document this 4th day December, 2015.

Walden on Lake Conroe Community Improvement Association, Inc., a Texas non-profit corporation

BY: Susan Rash
Agent and General Manager

Print Name: SUSAN RASH

THE STATE OF TEXAS
COUNTY OF MONTGOMERY

THIS affidavit was acknowledged before me on the 4th day of December, 2015 by Susan Rash, who stated that she is the Agent and General Manager for Walden on Lake Conroe Community Improvement Association, Inc.



Cynthia Keasling
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

AFTER RECORDING, RETURN TO:
Susan Rash, General Manager
Walden on Lake Conroe
Community Improvement Association, Inc.
13301 Walden Rd.
Montgomery, TX
Phone: (936) 582-1622

Walden on Lake Conroe Community Improvement Association, Inc.
Architectural Control Committee
Drainage Plan Policy – New Home Construction

I. Purpose:

The restrictions for each platted section of Walden on Lake Conroe specifically state that natural drainage of lots shall not be impaired. Drainage shall be the sole responsibility of the owner and governmental bodies, not the WCIA or the ACC. However, any construction on a lot such as a foundation for a new home will impede natural sheet flow to some extent. Therefore, it is incumbent upon each new owner and/or new home builder to provide for appropriate drainage improvements during construction and as part of final grade and landscaping installation to ensure that drainage is handled correctly in relation to the improvements to be constructed.

II. Policy:

- A. A drainage plan must be submitted as part of the construction drawings to be reviewed by the Architectural Control Committee for each new home site. This drainage plan must meet the requirements of Walden's dedicatory instruments including its Deed Restrictions and Board policies. This drainage plan must be prepared by an inspector using a zip-level which measures the grades of surfaces, and which will determine if the drainage is done correctly. Walden's dedicatory instruments, including Deed Restrictions and Board policies require all water that is displaced from the new home must be drained from the lot to the street or to the lake, or to a drainage easement, but never onto another lot. This plan must be inspected by an inspector, who is licensed as a Texas Real Estate Commission ("TREC") Professional Inspector, using the zip-level process.
- B. Surface drainage shall be diverted to the most appropriate storm sewer conveyance or other approved point of collection so as to not create a hazard, pooling, hindrance or nuisance of any kind. Lots shall be graded so as to drain surface water away from foundation walls as required by Section R401.3 of the International Residential Code for One and Two-Family Dwellings (IRC).
- C. Foundation drainage shall also comply with the requirements of Section R405 of the IRC.
- D. Final grade improvements such as gentle swells or improved slope may be employed to direct any surface flow to the street or lake.
- E. Subsurface improvements such as French drains, or perforated or non-perforated drain pipes are encouraged where appropriate for draining gutters

and downspouts, landscaped areas, and berms which slope away from slab perimeters.

- F. Drainage plans must include information regarding gutter installation and consideration for flow from resulting use of downspouts.
- G. Driveways and other paving must be sloped to adequately drain to the abutting street.

III. Drainage Plan Security Deposit

- A. A security deposit shall be required to ensure compliance with this Policy, and shall only be refunded after the final inspection by the TREC Professional Inspector who shall submit evidence that the final drainage plan meets the requirements of this Policy.

This Policy is effective upon recordation in the Public Records of Montgomery County and supplements the Deed Restrictions and Design Guidelines. Except as affected by this Policy, all other provisions contained in the Deed Restrictions, the Design Guidelines or any other dedicatory instruments of the WCLA shall remain in full force and effect.

Walden on Lake Conroe Community Improvement Association, Inc.
Architectural Control Committee
Review Fee Policy

I. Purpose:

The Walden on Lake Conroe Community Improvement Association guides the community's development through the administration of the Architectural Control Committee and by enforcement of deed restrictions, Board policies and the design guidelines. The image, quality of life and the highly desirable overall character of Walden are, in part, the result of this process. Maintaining these values is important to all Walden property owners. The deed restrictions, Board policies and design guidelines will become increasingly important as the community grows and matures, if standards are to be maintained. The fee structure set for various phases of the review and project completion process are intended to reimburse the association for out-of-pocket review costs, but also to ensure certain standards relating to building locations, completion of landscaping, etc.

II. Policy:

A. Design Review Fee Structure: New Home Plans

A compliance deposit will be required for each new home plan submitted for review. One complete set of construction drawings presented in a professional manner will be required. Upon submission, the set of drawings will remain in the possession of the association. Drawings required are as follows:

1. All exterior elevations;
2. Property survey;
3. Floor plan(s);
4. Electrical plan;
5. Foundation plan;
6. Site plan;
7. Roof plan;
8. Drainage plan;
9. Typical detail sheet.

All plans are to include sufficient detail such as dimensions, scale, square footage or other appropriate information.

B. Fees

The compliance deposit for new home construction will be applied as follows:

\$1500.00 Non-refundable fee for architectural review.

\$1000.00 Refundable deposit, with exception of the inspection fee, upon satisfactory completion of site clearing and all requirements contained in the Tree Preservation Policy.

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inspections and deposits may be modified by guidelines issued by the ACC. There shall be no ACC review fee in this instance.

D. Forms/Slab Survey

The Architectural Control Committee requires the submission of a forms/slab survey for its review. The obvious intent of this requirement is to ensure prior to pouring of the slab, the proposed building will be located on the lot as approved and required by the applicable restrictions and plot requirements. The survey should be submitted to the Architectural Control Committee within ten (10) days of the slab being poured verifying that there are no encroachments or violations to building location restrictions. The actual minimum slab elevation must be noted on the survey to qualify for all deposit refund.

E. Maintaining the Construction Site

The Architectural Control Committee requires that safety fencing be installed along both side and rear lot lines on all lots under construction. The fence height should be four feet (4') with either steel "T" posts every eight feet (8) or wooden stakes every four feet (4) to secure the fencing material. The fence must be maintained in a neat and orderly manner throughout the construction phase. Silt fencing shall be installed on the side of any construction project where the property slopes to the street or an existing home until the drainage plan has been put into effect.

The site should be maintained throughout the construction to include daily pick-up of trash with no less than weekly removal of trash and construction debris. It is recommended that a commercial dumpster be placed on-site to contain all trash and that regular pick-up service be scheduled. Should the site not be maintained properly and the builder not comply with requests to clean it up, the Deed Restriction Officer will order a contract service to clean the lot and the cost deducted from the owner's deposit.

The Architectural Control Committee requires that a portable toilet facility be provided for construction workers.

This Policy is effective upon recordation in the Public Records of Montgomery County, and supersedes any Policy for Architectural Control Committee Fees which may have previously been in effect. Except as affected by this Policy, all other provisions contained in the Deed Restrictions or any other dedicatory instruments of the WCIA shall remain in full force and effect.

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\$1000.00 Refundable deposit upon review of satisfactory engineered foundation plan, soil report, forms survey with no encroachments and engineer's affidavit, *Ref: Foundation Policy*.

\$1440.00 Refundable deposit upon satisfactory site conditions throughout construction period, repair of any broken curbs and acceptable installation of approved drainage plan and landscaping plan, *Ref: Drainage Plan Policy and Landscape Specification Policy*. *The Refundable deposit will be forfeited should the home be occupied prior to the Occupancy Certificate being issued to the builder/owner.*

\$1000.00 Refundable deposit upon satisfactory submission of a drainage plan prepared by a civil engineer, and receipt of final inspection showing completion of and compliance with the submitted plan.

\$ 60.00 Non-refundable to the extent professional inspectors are paid by Walden C.I.A. to insure satisfactory compliance with Tree Inspections.

\$6000.00 Total Compliance Deposit

Builders who have not constructed new homes in Walden would have to submit a "Letter of Credit" from a bank or other financial institution payable to Walden on Lake Conroe Community Improvement Association (WCIA) in an amount that will allow the WCIA to complete the project if it is abandoned by the builder. Once the builder has constructed enough homes to show good faith of completion, the "Letter of Credit" will no longer be necessary.

Builders who build simultaneously on multiple sites within Walden may inquire about filing a Multi-site Compliance Agreement in lieu of the refundable deposits. Any builder who has a Multi-site Compliance Agreement and does not obtain a Certificate of Occupancy prior to the home being occupied will lose \$2,440 of any deposit per incident. The General Manager, in their complete discretion, has the ability to reinstate the \$2,440 loss in unusual circumstances.

C. Remodeling and Reconstruction Plans

A combined review fee and security deposit will be required for each remodeling or reconstruction project.

If the project is 750 square feet or more, all of the requirements under paragraph A, New Home Plans, will need to be met, including drawings, processes, inspections and fees. If the project is less than 750 square feet, but requires an engineered foundation, the requirements under paragraph A, including drawings, processes, inspections and deposits may be modified by guidelines issued by the ACC. The ACC review fee in this instance shall be \$750. If the project does not require an engineered foundation and is less than 750 square feet, the requirements under paragraph A, including drawings, processes,

Walden on Lake Conroe Community Improvement Association, Inc.
Architectural Control Committee
Slab Height Requirements Policy

I. Purpose:

The restrictions for each platted section of Walden on Lake Conroe specifically state that natural drainage of lots shall not be impaired. Recently the San Jacinto River Authority recommended that new lots are improved to the level of 207 ft. above sea level, and while this change is not required, some builders in Walden are building up the pad under the house above that of the neighboring homes, creating a need for a retaining wall or other changes to accommodate the increased drainage from the now heightened pad.

II. Policy:

- A. Builders must provide the elevations of any existing homes directly behind or to each side of the house they are proposing to build. The drainage plans for the new home should indicate the pad height of the new home, and provide for appropriate drainage plans, considering the pad height of any neighboring homes, in order to refrain from increasing the drainage on the neighboring home.
- B. Builders must provide a definitive reason for a “to be constructed” slab height to be (1) more than one foot higher or lower than those adjacent to it or (2) if there is more than a two foot difference in the heights of existing slabs on either side of it, that the new slab be at a median level between them, or 207 foot elevation whichever is the higher.
- C. If the new slab is more than 6 inches above the existing slabs of the neighboring homes, the builder is to provide a detailed water flow plan, to include French drains, guttering of eaves, retaining walls, and subsurface drainage as appropriate.
- D. Once the pad is complete, and prior to forming, the builder must have the pad checked for 95% compaction and submit a copy of the test results to the WCIA. If these test results are not received by the WCIA, **the foundation deposit will not be refunded** until the results are submitted which show at least 95% compaction.

This Policy is effective upon recordation in the Public Records of Montgomery County and supplements the Deed Restrictions and Design Guidelines. Except as affected by this Policy, all other provisions contained in the Deed Restrictions, the Design Guidelines or any other dedicatory instruments of the WCIA shall remain in full force and effect.

FILED FOR RECORD

12/28/2015 3:00PM



COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF MONTGOMERY

I hereby certify this instrument was filed in file number sequence on the date and at the time stamped herein by me and was duly RECORDED in the Official Public Records of Montgomery County, Texas.

12/28/2015



County Clerk
Montgomery County, Texas