

ADDITIONAL DEDICATORY INSTRUMENTS
for
BELLA VITA HOMEOWNERS ASSOCIATION, INC.

THE STATE OF TEXAS §

COUNTY OF MONTGOMERY §

BEFORE ME, the undersigned authority, on this day personally appeared **Trisha Taylor Farine**, who, being by me first duly sworn, states on oath the following:

"My name is **Trisha Taylor Farine**, I am over twenty-one (21) years of age, of sound mind, capable of making this affidavit, authorized to make this affidavit, and personally acquainted with the facts herein stated:

"I am the attorney/agent of BELLA VITA HOMEOWNERS ASSOCIATION, INC. Pursuant with Section 202.006 of the Texas Property Code, the following documents are copies of the original official documents from the Association's files:

Architectural Review Committee Packet

DATED this 3rd day of February, 2017.

BELLA VITA HOMEOWNERS
ASSOCIATION, INC.
Trisha Taylor Farine
Trisha Taylor Farine
Attorney/agent

SUBSCRIBED AND SWORN TO BEFORE ME by the said **Trisha Taylor Farine**, on this the 3rd day of February, 2017.

Meghan N. Grigar

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

After recording return to:

DAUGHTRY & JORDAN, P.C.
17044 El Camino Real
Houston, Texas 77058



Bella Vita Homeowners Association, Inc.

Architectural Review Committee Packet



DEVELOPMENT AND CONSTRUCTION STANDARDS AND GUIDELINES (INCLUDING ARCHITECTURAL SITE AND LANDSCAPE STANDARDS) AND DESIGN REVIEW PROCEDURES FOR ALL SINGLE FAMILY CONSTRUCTION IN BELLA VITA

Applications and Construction Guidelines For

- New Home Construction Improvement
- Boat Slip and Bulkhead Construction Improvement
- “Other” Improvement or Modification to Existing Improvements

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Bella Vita Homeowners Association, Inc.

APPLICATION FOR REVIEW BY ARCHITECTURAL REVIEW COMMITTEE ("ARC")

POLICY

The Bella Vita Homeowners Association, Inc. (HOA) Board of Directors (BoD) recognizes the need for and continued use of Committees which are essential, resident-staffed groups formed with specialized functionality and assigned duties and activities directed toward the betterment of the Bella Vita Subdivision. In that context, it follows then that all "Architectural Improvements" to properties within the Bella Vita Subdivision are to be overseen by an "Architectural Review Committee" (ARC), to be appointed by the BoD. The ARC is to perform its duties and responsibilities as delineated in the official "Declaration of Covenants, Conditions and Restrictions of Bella Vita Homeowners Association, Inc," (DCCRs), recorded under Montgomery County Clerk's No. 2007-098476, and any recorded amendments thereto.

Committee members are to be property owners who volunteer to serve on the ARC. When placed on an official BoD meeting's agenda, after recognition and discussion, the committee members are appointed to serve open-ended terms, with their names recorded in the proceedings' minutes. In order to remain functional over time, the ARC is to be composed of not less than two (2), all current holders of Bella Vita property. The conduct of ARC business is in a defined, organized fashion. All properly-submitted property-owner applications for improvement are to be promptly disposed by majority member votes that are duly recorded and reported out of the Committee. Timely written notification to the applicants, on the status of their improvement requests, is essential to a well-functioning ARC.

BELLA VITA HOMEOWNERS ASSOCIATION INC. ARCHITECTURAL CONTROL

PROCEDURE

The following are procedural steps for the application and review of requested property improvements in Bella Vita subdivision, and their eventual approval or rejection.

A. Property Owners intending to implement an architectural improvement should obtain an application package, either in hard copy from the HOA Office or downloaded from the HOA Website.

Bella Vita subdivision improvements are in one of three categories, with a tailored application package for each:

- New Home Construction Improvement (NHCI)
- Boat Slip and Bulkheading Construction Improvement (BSBHCI)
- "Other" Improvement (OI)

B. All improvements viewable from the street or lake must be requested via a complete, legible application form, properly signed, along with the documentation cited in the form as necessary for the ARC's review and approval. The ARC is not obligated to accept an application that is missing any of the listed items.

Architectural-improvement-request application forms should be submitted to the HOA Community Coordinator (or property manager) during normal business hours:

Bella Vita Homeowners Association, Inc.

New-Home or Major Improvement Construction Application

No Mobilization shall commence on any Lot prior to Plans and Specifications being submitted to and Approved by the ARC

Legal Description: Block: _____ Lot: _____

Home Owner: _____ General Contractor: _____

Address: _____ Address: _____

Email: _____ Email: _____

Phone _____ Office Phone: _____

Mobile _____ Mobile: _____

Proposed Improvements:

Proposed Start Date: _____

Required Completion Date: _____ (New Homes are to be completed 16 Months After Proposed Start Date) Includes Home and Landscaping

The Undersigned (“Home Owner(s)”) hereby request Bella Vita Architectural Review Committee (“ARC”) approval to construct the improvements described above in accordance with the Plans and Specifications submitted with this application. Home Owner(s) represent and agree as follows:

- Homeowner(s) has received, carefully read, fully understand and agree to fully comply with the requirements set forth in the DCCRs and Specifications and the Construction Rules and Guidelines.
- Homeowner(s) understands and agrees that if the Committee approves this application, the plans, and specifications and the agreements, representations, plans and specifications made or

Bella Vita Homeowners Association, Inc.

submitted by the Homeowner(s) are not complied with, the Committee will revoke and rescind its approval of the application, the plans, and specifications, or any part thereof, and may order cease and desist of construction until a new application, plans and specifications are submitted by the Homeowner(s) and approved by the Committee.

- Each Application made to the Committee must be accompanied by a COMPLETE set of the following documents:

Signed Application for Review by ARC.

Two (2) Sets of Plans and Specifications for **ALL** proposed construction. The following is a list of the minimum required for your plans to be considered by the ARC for approval:

1. **Site Plans** showing the location and dimensions of the proposed improvement
2. **Elevation Drawings** of **ALL** exterior sides of the structure.
3. A complete set of **House Plans** designed and stamped by a licensed architect, to include the following:
 - a) Floor plan
 - b) Framing plan
 - c) Electrical plan
 - d) Plumbing plan
 - e) Drainage plan
4. **Landscape Plan** submitted prior to move-in.
5. Color samples of exterior, rock or stone sample and tile roofing material sample
6. **Foundation Plan** designed and stamped by a professional engineer.
7. Swimming pool site plan to include dimensions, set-backs and relation to other improvements
8. Bulkhead improvements stamped by a professional engineer
9. List of contractors as provided by gate access form
10. Initialed acknowledgment of Construction Guidelines
11. **\$250.00 ARC Application Fee (non-refundable)**
12. **\$2,500.00 Construction Damage Deposit (unused portion to be refunded upon completion of construction and inspection)**
13. **\$2,500.00 Initial Construction Assessment (non-refundable)**

Bella Vita Homeowners Association, Inc.

NOTE: APPLICATIONS, PLANS, OR SPECIFICATIONS WITH ANY MISSING DATA, PAYMENTS OR OTHER ITEMS LISTED ABOVE OR AS LISTED OR REQUIRED UNDER THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR BELLA VITA WILL BE CONSIDERED INCOMPLETE AND WILL NOT BE CONSIDERED FOR APPROVAL. HOMEOWNERS WILL BE SENT ONE (1) NOTICE OF INCOMPLETE APPLICATIONS. ANY FAILURE OF THE ARCHITECTURAL REVIEW COMMITTEE TO ACT ON INCOMPLETE APPLICATIONS, PLANS, OR SPECIFICATIONS SHALL NOT CONSTITUTE APPROVAL. ANY FAILURE OF THE ARCHITECTURAL REVIEW COMMITTEE TO ACT ON ANY APPLICATIONS, PLANS, OR SPECIFICATIONS INCONSISTENT WITH OR IN VIOLATION OF THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR BELLA VITA SHALL NOT CONSTITUTE APPROVAL.

SPECIAL NOTICES:

The fifteen (15) day review period allowed to the ARC does not commence until a completed application and all required documents defined herein are received.

By submitting this application for improvement, Homeowner(s) grants full access to the Bella Vita Board of Directors or any representative of the Bella Vita Board of Directors to the site of the improvement project for the sole purposes of ensuring that the improvement project is executed under the submitted Plans and Specifications as well as within the rules and regulations defined in the Declaration of Covenants, Conditions and Restrictions for Bella Vita and the Construction Regulations and Specification.

In addition to the requirements of the Deed Restrictions and Architectural Review Committee, the City requires a building permit for all residential and commercial buildings constructed in the City of Montgomery. Also, the San Jacinto River Authority requires permits, in addition to those required by the City and the Committee for all construction of bulkheads, docks, piers, etc. on lake front lots.

Homeowner(s) is fully responsible for coordination with any and all utility companies.

If this application is disapproved by the ARC, a written explanation of the reasons for denial will be provided, and the applicant may appeal to the HOA Board of Directors. All decisions of the HOA Board of Directors are final.

I HAVE READ AND FULLY UNDERSTAND THIS DOCUMENT AND AGREE TO ABIDE BY ALL SPECIFICATIONS ABOVE

Executed this _____ day of _____, _____.

Homeowner(s):

Print Name: _____ Signature: _____

Print Name: _____ Signature: _____

Bella Vita Homeowners Association, Inc.

PLEASE DO NOT WRITE BELOW THIS LINE:

This Application and the Plans and Specifications Submitted with have been:

Approved

Denied

Conditionally Approved based on:

By:

Print Name: _____ Signature: _____

Title: _____ Date: _____

Bella Vita Homeowners Association, Inc.

Boat Slip / Bulkhead Construction Improvement

No Mobilization shall commence on any Lot prior to Plans and Specifications being submitted to and Approved by the ARC

DATE: _____

LEGAL DESCRIPTION: - SECTION: _____ BLOCK: _____ LOT: _____

ADDRESS: _____

TYPE OF IMPROVEMENT: BULKHEAD BOATSLIP

PROPERTY:

OWNER: _____ CONTRACTOR NAME: _____

ADDRESS: _____ ADDRESS: _____

PHONE: _____ PHONE: _____

FAX: _____ FAX: _____

PROPOSED COMMENCEMENT DATE: _____

REQUIRED COMPLETION DATE: _____

The undersigned Homeowner(s) ("Applicant(s)") hereby request the Bella Vita Architectural Review Committee ("ARC") approval to construct the improvements described above in accordance with the Plans and Specifications submitted with this Application. Applicants represent and agree as follows:

- a) Each application made to the Committee shall be accompanied by:
 - i) Site plan of the lot showing the location and dimensions of all structures and appurtenances.
 - ii) Please note: Boat slip cover may not exceed eight feet (8') in height above pier. This must be noted on site plan and sketch.
 - iii) \$250.00 ARC application fee (non-refundable).
- b) Applicants have read and understand the Deed Restrictions applicable to the above described property and the applicable Construction Regulations and Specifications and state that the improvements will be made in compliance with such Deed Restrictions and Construction Regulations and Specifications.
- c) Applicants understand and agree that if the Committee approves this application and the agreements or representations made by the Applicants are not complied with, the Committee will revoke and rescind its approval of this Application.

Bella Vita Homeowners Association, Inc.

Bella Vita Adjacent Property Access Agreement Form

Date: _____

Project: _____ at the residence of: _____

Owner: _____ Legal: _____

Address: _____ Phone: _____

Neighboring property owned by: _____

Address: _____ Phone: _____

**Permission is requested to be allowed sufficient access
for construction and storage of construction materials.**

By signing this agreement, I hereby grant permission to:

Company/Contractor: _____

To use my property for temporary access to _____. I am also aware that the Owner, for whom the construction is being done, will assume all responsibility for damages, if any, during the normal course of construction.

Neighbor's Signature: _____

I do hereby agree to assume all responsibility for any damages that may occur during the normal course of construction of the _____ to both my own and my neighbor's property.

Owner's Signature: _____

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CONSTRUCTION REGULATIONS, SPECIFICATIONS AND OTHER GUIDELINES

A. ARCHITECTURAL REVIEW COMMITTEE APPROVAL

Prior Architectural Review Committee (ARC) approval in writing is required for:

- the construction of a new residence;
- additions to an existing residence;
- and/or proposed improvements or other alterations to the exterior of the property.

Prior to submitting plans for new construction, proposed alterations, additions, improvements and/or remodeling, the Homeowner is to secure a copy of these Construction Regulations, Specifications and other Guidelines, and a copy of the Declaration of Covenants, Conditions and Restrictions for Bella Vita. The designer, builder and Homeowner must review this information and sign the Construction Application verifying that they have read these documents and agree to execute the project within the regulations and specifications defined therein.

The construction application review time is sixty (60) days from the date of the submission of a complete application with complete plans, and complete specifications. **APPLICATIONS, PLANS, AND SPECIFICATIONS WITH ANY MISSING DATA, FEES OR DEPOSITS AS LISTED IN THE APPLICATION OR AS LISTED OR REQUIRED UNDER THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR BELLA VITA WILL BE CONSIDERED INCOMPLETE WITHOUT NOTICE TO THE HOMEOWNER. INCOMPLETE APPLICATIONS, PLANS AND SPECIFICATIONS WILL NOT BE CONSIDERED FOR APPROVAL. ANY FAILURE OF THE ARCHITECTURAL REVIEW COMMITTEE TO ACT ON INCOMPLETE APPLICATIONS, PLANS, OR SPECIFICATIONS SHALL NOT CONSTITUTE APPROVAL. ANY FAILURE OF THE ARCHITECTURAL REVIEW COMMITTEE TO ACT ON ANY APPLICATIONS, PLANS, OR SPECIFICATIONS INCONSISTENT WITH OR IN VIOLATION OF THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS OR THESE GUIDELINES SHALL NOT CONSTITUTE APPROVAL.**

Bella Vita Homeowners Association, Inc.

CONSTRUCTION RULES AND GUIDELINES

Violation of Construction Regulations and Specifications

Violation of this document or the Declaration of Covenants, Conditions and Restrictions for Bella Vita may result in legal action for enforcement and/or damages. Typical violations are as follows:

- Construction trash and debris not cleaned up (must have port-A-can and Dumpster on site before construction starts)
- Excessive dirt in the street
- Use of dirt for access over the road curbs
- No protective construction fencing (after slab completion) and erosion control/silt fencing
- Over-grown grass
- Accessing or using adjacent or other lots without acquiring written authorization from the adjacent owner
- Failure to complete Home construction within the 16 Month allowed construction duration.

Clearing and Tree Removal

No brush cutting and/or tree removal work may be performed on any lot until the following conditions are met:

1. Homeowner has shown the location of the lot boundary lines and easement lines.
2. Homeowner has shown the location of the proposed residence, garage (if detached), Porte Cochere (if applicable) and drive by or other improvement means of “string lines” or other approved means on the property.
3. Homeowner has marked the trees to be removed.
4. Homeowner has written approval to proceed with improvement project from the ARC.

No trees shall be cut or removed except to provide room for construction of improvements or to remove dead, diseased or unsightly trees.

It is the ARC’s position that Homeowners who violate this restrictive covenant will be held accountable for any damage they cause to the Subdivision. Following an inspection of this activity by a representative of the ARC and a determination by such representative of whether the residence and improvements, including access of garage and porte cochere are in harmony with the existing structures, the ARC will advise the Home Owner if construction can commence. The Homeowner shall be held accountable for all damage to trees not scheduled for removal during the tree removal work. Tree protection shall be maintained during tree removal and construction as directed by the ARC.

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Foundations

All foundations must be designed by a licensed Professional Engineering Licensed in the State of Texas. The Engineer's license must be current with the Texas Board of Professional Engineers. The finished slab elevation for all structures shall be above 207 feet mean sea level, and also shall be above the 100 year flood plain as established by Commissioner's Court of Montgomery County, Texas, the Montgomery County Engineers Office, and other applicable governmental authorities. All residential foundations/slabs for all Lots in the Properties must be a minimum of twelve (12) inches above finished grade of the Lot at the foundation perimeter.

Codes and Standards

All improvement projects must comply with the current codes and standards defined in the Southern Standard Building Code, International Residential Code, the National Electrical Code and any specific codes defined by Montgomery County, San Jacinto River Authority or the State of Texas.

Site Clearing and Maintenance

All building sites shall be kept clean and materials stored in an orderly manner. BURNING of any items is strictly prohibited on any lot in Bella Vita on Lake Conroe.

The storage or placement of any construction materials on adjacent lots is strictly prohibited unless adjacent lot is owned by the person performing the improvements or a letter is submitted to ARC from adjacent lot owner allowing construction access and storage to the person performing the improvements.

During site clearing and construction, access to each lot shall be limited to the proposed location of the driveway. THE PLACEMENT OF DIRT TO BRIDGE OVER CURBS IS STRICTLY PROHIBITED. Only timber is allowed for this purpose and must be removed between periods when access to the lot by construction equipment is not required. The streets must be kept free of excess dirt and construction debris.

Garbage Containment

Construction debris containers must be provided for the retention of all construction materials including CONTRACTOR REFRESHMENT OR FOOD CONTAINERS. ALL construction debris MUST be contained in such containers otherwise fines will be assessed.

Garbage containers, at a minimum, must be on site prior to striping of foundation forming materials.

Port-A-Cans

Port-A-Can facilities must be available at all job sites prior to the start of site clearing. These facilities must be maintained at all times in a clean and sanitary condition during the site clearing and construction of the improvements. Failure to comply with this requirement will constitute cause for the ARC and HOA to file a Certificate of Non-compliance due to un-sanitary conditions.

Bella Vita Homeowners Association, Inc.

Job Site Access

The permitted working times are from 7.30 AM to 7:00 PM Monday through Saturday. No construction activity may be conducted on Sundays. ALL WORKERS MUST BE CLEAR OF JOBSITE BY 7:00 PM EVERY WORK DAY. Please ensure that your builder is aware of these requirements.

All vehicles are to observe a twenty (20) mile per hour maximum speed limit.

Concrete Washout

Concrete trucks are to wash the residual from their trucks onto the lot where the concrete is installed. It is the Homeowner’s responsibility to ensure that all concrete washout materials are removed prior to completion of construction.

Signage

One (1) sign is allowed on construction site or improved lot no larger than six (6) square feet in size.

One (1) General Contractor sign is allowed at the construction site while the improvements are under construction. Prior to installation of the sign, the Contractor must get approval from the ARC for the size, appearance and installation of the sign.

Absolutely no signs are allowed on un-improved lots.

At such time that the home is offered or listed by real estate company or other “For Sale”, the Contractor sign must be removed from the premises prior to installation of “For Sale” or real estate company signage.

No signs are to be posted to trees. All signs are to be double posts or as otherwise directed by the ARC.

Immediately after Home Owner takes possession of property, Contractor and Realtor’s signage must be removed.

No subcontractor sign is allowed advertising work done at the location. This includes but is not limited to the following: landscaping, pool builders, roofers, deck builders, etc.

By the authority of the Declaration of Covenants, Conditions and Restrictions for Bella Vita, the Architectural Review Committee has the right to remove any and all un-authorized signs.

Construction Fencing Policy

Protective fencing 6’ high or higher on the sides and front of the construction site must be installed to screen the property. Silt fencing must be installed on the side of the lot toward the lake and/or bulkhead. An allowance is made for site access in the future location of the driveway. This access is to be no more than fifteen feet (15’) in width. These protective fences must be in place immediately after construction of foundation.

Bella Vita Homeowners Association, Inc.

Display of Flags

“Flag” shall be referred to as defined in Texas Property Code Section 202.011 (a), and may be displayed subject to the following guidelines:

1. The flag of the United States shall be displayed in accordance with 4 U.S.C. Sections 5-10
2. The flag of the State of Texas shall be displayed in accordance with Chapter 3100, Government Code
3. A flagpole attached to a dwelling or a freestanding flagpole shall be constructed of permanent, long-lasting material, with a finish appropriate to the materials used in the construction of the flagpole and harmonious with the dwelling.
4. The display of a flag, or the location and construction of the supporting flagpole shall comply with applicable zoning ordinances, easements, and setbacks of record.
5. The display of a flag, or the location and construction of the supporting flagpole shall be closer to the front building line than the front lot line; and shall be no closer than five (5) feet of the side building line.
6. A displayed flag and the flagpole on which it is flown shall be maintained in good condition and any deteriorated flag or deteriorated or structurally unsafe flagpole shall be repaired, replaced, or removed.
7. Only one flagpole shall be constructed and maintained per lot that is not more than 20 feet in height.
8. The size of the flag shall be no larger than three feet by five feet (3'X5').
9. The size, location and intensity of any lights used to illuminate a displayed flag shall not be disruptive to neighbors as determined by the Association.
10. No owner shall display a flag or flagpole on property that is owned or maintained by the Association or owned in common by the members of the Association.

Rainwater Recovery Systems

Rainwater Recovery Systems may be installed with advance written approval of the ARC subject to these guidelines. All such Systems must be installed on land owned by the property owner. No portion of the Systems may encroach on adjacent properties or common areas.

Other than gutters and downspouts conventionally attached to a dwelling or appurtenant structure, all components of the Systems, such as tanks, barrels, filters, pumps, motors, pressure tanks, pipes and hoses, must be substantially screened from public view from any street or common area. Screening shall be accomplished by burying the tanks or barrels. Overflow lines from the Systems must not be directed onto or adversely affect adjacent properties or common areas. Inlets, ports, vents and other openings must be sealed or protected with mesh to prevent children, animals and debris from entering the barrels, tanks or other storage devices. Open top storage containers are not allowed.

Bella Vita Homeowners Association, Inc.

Solar Energy Devices

These guidelines apply to solar energy devices (“Devices”) as defined in Section 171.107(a) of the Texas Tax Code. A solar energy device means a system or series of mechanisms designed primarily to provide heating or cooling or to produce electrical or mechanical power by collecting and transferring solar-generated energy. The term includes a mechanical or chemical device that has the ability to store solar-generated energy for use in heating or cooling or in the production of power. Such Devices may only be installed with advance written approval of the ARC subject to these guidelines. Any such Device must be installed on land or structures owned by the property owner. No portion of the Devices may encroach on adjacent properties or common areas.

Such Devices must not be visible from any location within the Subdivision.

LANDSCAPING GUIDELINES

Landscaping

No tree, shrubbery or plant may be placed in the ground on any lot until the following conditions are met:

1. Homeowner has shown the location of the lot boundary lines and easement lines.
2. Homeowner has marked the location of the proposed landscaping sites on the property.
3. Homeowner has written approval to proceed with improvement project from the ARC.

Xeriscaping

Drought-resistant landscaping or water-conserving natural turf will be allowed if the following conditions are met:

1. A detailed plan for the design installation, including but not limited to, the name or type of plants and/or materials to be used and the planned location of the installation is submitted
2. Proposed landscaping plan must remain in harmony with the overall appearance and aesthetics of the subdivision, while still promoting water conservation
3. Synthetic or artificial turf is prohibited

Following an inspection of this activity by a representative of the ARC and a determination by such representative of whether the landscaping plans are in harmony with the existing structures, the ARC will advise the Homeowner if landscaping can commence. The Homeowner shall be held accountable for all damage caused by landscaping contractor.

Bella Vita Homeowners Association, Inc.

Contractor and Subcontractor Signs

No subcontractor sign is allowed advertising work done at the location. This includes but is not limited to the following: landscaping, pool builders, deck builders, etc.

Absolutely no signs are allowed on un-improved lots.

By the authority of the Declaration of Covenants, Conditions and Restrictions for Bella Vita, the Architectural Review Committee has the right to remove any and all un-authorized signs.

Declaration of Covenants, Conditions and Restrictions for Bella Vita

It is the Homeowner's responsibility to ensure that the improvements made to the property comply with all Covenants, Conditions and Restrictions (DCCRs), these Construction Regulations and Specifications and any amendments thereto. Any failure of the Homeowner or their agents, employees or contractors to comply with the DCCRs, these Landscaping Regulations and Specifications and any amendments thereto may result in the filing of a Certificate of Non-compliance in the Real Property Records of Montgomery County, and/or appropriate legal action.

Construction Damage Deposit

The \$2,500.00 Construction Damage Deposit submitted with the application shall be held by the Association until such time as construction is complete as determined by the ARC and/or the Board of Directors. Should any property damage, cleanup costs or other costs be incurred by the Association in order to bring the construction site into compliance with these guidelines, such costs are to be deducted from the Construction Damage Deposit without prior notice to the property owner. Once construction is deemed completed, an itemized statement will be provided to the property owner listing deductions from the deposit and including a refund for the remaining amount, if any.

Bella Vita Homeowners Association, Inc.

EROSION CONTROL REQUIREMENTS

FOR RESIDENTIAL BULKHEADING AND BOAT SLIP CONSTRUCTION

All property owners will be responsible to maintain all erosion caused by construction. Property owners are responsible for removing or leveling all excess dirt left on the property after construction is completed. Property owners will be required to maintain proper Erosion Control Management. This includes either properly installed sod or properly installed erosion control blankets with silt fencing and grass seed. The property owner shall also repair any damage to asphalt and ditch crossing used to access property. Failure by the property owner to perform the work described above within 15 business days of the date of the HOA's approval letter will be considered non-compliance. The HOA will not be held liable for any damages caused by construction activity.

By signing below I have read and agreed to the conditions described above.

Contractor Company Name (printed)

Property Owner Name (printed)

Contractor Name (printed)

Property Owner Signature

Date

Bella Vita Homeowners Association, Inc.

Development and Construction Standards and Guidelines

The following standards and guidelines shall apply to all construction, excavating, tree removal, landscaping or any other change to the grounds of a single-family home site (lot) within the Bella Vita community.

A. Start of Construction. No lot clearing, equipment or Construction preparation will be permitted until all required governmental permits are obtained and formal written approval of the ARC has been granted.

B. Site Requirements. All sites must have a Dumpster, Port-A-Can, construction fencing and erosion/silt fencing during the building process. Temporary construction fencing must be installed at side and rear property lines prior to the commencement of construction. An open area is permitted to allow for deliveries to the site.

C. Construction Hours. Construction working hours shall be from 7:30 am to 7:00 pm, Monday through Saturday, except on certain holidays. No Construction work on Sunday. Additional hours may be provided upon approval of the ARC.

D. Site Clean-Up. All construction sites must be maintained in a neat and orderly fashion. Grass must be trimmed and not overgrown. Trash from construction work will be contained in a trash dumpster or suitable method that will assure constant containment and stockpiling of the trash until removal from the site. The Builder is responsible for trash that blows off the site and shall retrieve such trash immediately. There will be no stockpiling or dumping on adjacent lots or on streets. Trash not removed will be removed by the HOA and deducted from the Construction Damage Deposit. Contractors will use only the utilities provided on the immediate site on which they are working.

E. Builder's Signage. During construction, one standard sign approved by the HOA shall be allowed within the front set-back of the lot to help sub-contractors and others locate the particular lot within the development. This sign must be removed upon issuance of the Certificate of Occupancy unless the home was built for sale. The builder sign must be removed if a Sale/Available sign is posted. NO SIGN PERMITTED ON AN UN-IMPROVED LOT.

F. Construction Damage. Any damage to property including streets and curbs, Gates, drainage inlets, street lights, street markers, mailboxes, walls, etc., may, at the HOA election, be repaired and the costs for same deducted from the Construction Damage Deposit. If costs are incurred which exceed the amount of the Construction Damage Deposit, those costs will be charged to the property owner.

G. Construction Spillages. Operators of vehicles are requested to see that they do not spill any damaging material while within the Bella Vita community. If spillage of a load occurs, operators are responsible for cleaning up. Clean-ups done by the HOA will be deducted from the Construction Damage Deposit and/or billed to the property owner. Please report any spills as soon as possible.

H. Telephone/Cable TV Lines. If any telephone, cable television, electrical, water, etc. lines are cut, it is the property owner's responsibility to report the accident to the HOA immediately.

Bella Vita Homeowners Association, Inc.

I. Construction Site Appearance. All personnel working in the Bella Vita community are to keep all areas in which they work free of discarded materials such as lunch bags and odd materials. Objects should not be thrown out of cars and trucks. NO parking of vehicles, or use in any way of adjacent properties without written approval from the HOA and the owner of the property in question.

J. Loud Noise Levels. Loud noise including radios are not allowed within the Bella Vita community. This is distracting and discomforting to property owners. Normal radio levels are acceptable. Do not mount speakers on vehicles or outside of homes under construction

Bella Vita Homeowners Association, Inc.

Construction Damage Deposit

Once an application has been approved by the ARC and prior to the commencement of work, Homeowners must submit a construction deposit to the HOA. In the event that repairs for damages or clean up services are required as a direct result of the construction on an owner's lot, the ARC and/or the Board of Directors of Bella Vita Homeowners Association, Inc. may, but are not required to, deduct costs for such repairs or clean up from the construction deposit described herein.

Construction Damage Deposit: \$2,500.00

Once the approved construction has been completed (including trash and debris removal) and the ARC has certified such completion, any unused funds remaining will be refunded to the property owner within thirty (30) days of such certification. If any of the construction deposit was is used for repairs or damages, the HOA and/or ARC will provide the property owner with copies of receipts for same, and those costs will be deducted from the construction deposit. If the cost of repairs for damages and/or clean up exceeds the amount of the construction deposit, the property owner will be responsible for reimbursement to the HOA.

FILED FOR RECORD
02/08/2017 12:17PM

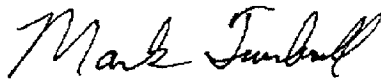


COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,
COUNTY OF MONTGOMERY

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

02/08/2017



County Clerk
Montgomery County, Texas