



CANE ISLAND COMMUNITY ASSOCIATION

VICE PRESIDENT'S CERTIFICATE

I, the undersigned, do hereby certify:

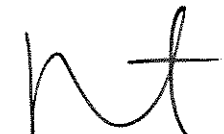
(1) I am the duly elected and acting Vice President of Cane Island Community Association, a Texas non-profit corporation (the "Association"), and,

(2) The Association is the governing entity of the Cane Island subdivision pursuant to that certain Declaration of the Covenants, Conditions and Restrictions for Cane Island dated February 2, 2015, and recorded in the Real Property Records of Harris County, Texas, under Clerk's File Number 20150056783 and in the Real Property Records of Waller County, Texas, under Clerk's File Number 1500772, as supplemented and amended from time to time.

(3) Attached hereto is a true and correct copy of the Cane Island Guidelines for Exterior Improvement to the Home or Property.

IN WITNESS WHEREOF, I have hereunto subscribed my name on this 8 day of September, 2016.

**CANE ISLAND COMMUNITY
ASSOCIATION, a Texas non-profit corporation**

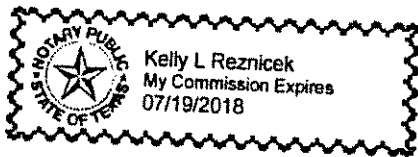
By: 
Mathew K. Lawson, Vice President

STATE OF TEXAS

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§
§

COUNTY OF HARRIS

This instrument was acknowledged before me on this 8 day of September, 2016, by Mathew K. Lawson, Vice President of Cane Island Community Association, a Texas non-profit corporation, on behalf of said corporation.



Kelly L. Reznicek
Notary Public, State of Texas

WHEN RECORDED, RETURN TO:

Mr. Mark K. Knop
Hoover Slovacek LLP
Galleria Tower II
5051 Westheimer, Suite 1200
Houston, TX 77056

CANE ISLAND

Guidelines for Exterior
Improvements to the
Home or Property



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I. OBJECTIVE

The overall objective of this document is to serve as a uniform guide for both Cane Island Homeowners and the members of the Architectural Control Committee for Cane Island Community Association (ACC) in maintaining and enhancing the thoughtfully designed community. These guidelines and standards address improvements for which homeowners will most often submit applications to the ACC. They are not intended to be all-inclusive or exclusive, as home improvement advancements occur, but rather serve as a guide to identifying improvements permissible in the community.

The specific objectives of this document are:

- A. To educate homeowners about the importance of maintaining a well-kept community in order to protect and enhance the economic and aesthetic values, and the overall desirability of the homes within the community;
- B. To increase homeowners awareness and understanding of the Declaration of Conditions, Covenants, and Restrictions (DCCR or Declaration) and applicable Resolutions of the Board of Directors;
- C. To educate the homeowner of basic aspects of the homes and Lots of the community that will aid them in developing exterior improvements and changes that are appropriate and in harmony with the immediate neighborhood and community as a whole; and finally
- D. To provide uniform guidelines to be used by the ACC in reviewing applications in light of the goals set forth in the Association Documents of the community and the actions of the Board of Directors.

II. INTRODUCTION

All homeowners and residents benefit from the planning, design and construction that have been an important part of the development of the community.

The purpose of design controls is to assure homeowners and residents the standards of design quality of the community will be maintained. This, in turn, protects property values and enhances the community's overall desirability.

This document is designed to address exterior alterations, improvements, or maintenance made by homeowners to their property (Lot and structures) as set forth in the Declaration, By-Laws of the Cane Island Community Association (CA or Association), and Resolutions of the Board of Directors.

The authority for maintaining the quality of design in the community is founded in the DCCR and Association By-laws, which are a part of the deed to every property. The covenants establish the ACC.

As a homeowner, you should have received copies of the Declaration, the Certificate of Incorporation and the Association By-Laws. As a result, these covenants and all other homeowner documents should be read and fully understood by each homeowner.

III. PROCEDURE

A Request for Home Improvement Approval Form ("Application") must be completed in its entirety and mailed to the address indicated on the form. All pertinent information such as plans, specifications, building permits, locations of the proposed improvements must be indicated on a copy of the survey, etc. and all of these items should be included with the Application. The survey, which must be prepared and signed by a registered surveyor, engineer or other qualified professional (in the ACC's reasonable judgment) must show (by way of distances described in feet and inches) the actual location of the proposed building or improvement on the Lot in relation to other buildings and improvements and to all set-back lines, building lines and utility easements on the Lot.

Application forms are available from your management company. The ACC cannot respond to verbal requests for approval – all Applications must be made in writing.

The ACC has thirty (30) days from the date of receipt of an Application in which to respond. Applications not approved in writing on or before thirty (30) days from the date of receipt by the ACC shall automatically be deemed denied. If additional information is required by the ACC, the review process will be extended accordingly. Plans for the implementation of the proposed improvement(s) should allow for the time required to complete the review process. Additionally, should your Application be submitted after the construction, the ACC is not required to provide approval, and the unapproved change may be deemed to be a violation of the Declaration. No construction should begin prior to the approval. You may be required to remove unapproved improvements.

IV. GUIDELINES

The following are guidelines adopted by the Board of Directors (herein defined) to specify their standards, requirements and thought processes used in evaluating an Application. The guidelines may be amended from time to time as the circumstances, conditions or opinions of the Board of Directors dictate. It should be noted that each Application is considered on its own merit and that the ACC may grant a variance from these guidelines and/or from certain provisions of the Declaration as provided in the Declaration by written instrument of the ACC. The ACC has the right to deny approval for a similar improvement based on the proximity of a property to a main boulevard or the visual relativity of the site to the overall development. As an example, a home located on the perimeter of the development may be permitted to have a certain styled storage building (with different height), whereas on a main entry boulevard and depending on the configuration of the Lot, this same item may not be approved. The intent being to maintain overall integrity within areas of higher visual impact.

V. DEFINITIONS

The following definitions include definitions from the Declaration and may or may not be used in this document. For additional definitions, please see the Declaration.

"Association" shall mean and refer to Cane Island Community Association, a Texas non-profit corporation, its successors or assigns.

"Board of Directors" or "Board" shall mean the elected body of the Association having its normal meaning under Texas law pertaining to non-profit corporations.

"Builder" shall mean each Owner who (a) purchases a Lot directly from Declarant; (b) is in the construction business; and (c) has a contractual obligation to build a Dwelling Unit on the Lot owned by such Owner.

"Caliper" shall mean the diameter measurement of a tree trunk taken at a distance of 6 inches above the dirt of top of root ball for a tree from the nursery.

"Common Area" shall mean all real property and improvements within the Properties, if any, owned, acquired, leased or held by easement or license by the Association, dedicated for the common use of the Owners and/or any other real property and improvements, including, but not limited to, open spaces, greenbelt areas and other facilities and areas designated on the Plat and which the Owners may hereafter be entitled to use as determined by the Declarant or the Board, in their sole discretion and which real or personal property may be designated as Common Area by the Declarant, in its sole discretion.

"Community-Wide Standard" shall mean the standard of conduct, maintenance, or other activity generally prevailing throughout the Properties, which may be more specifically determined by the Board of Directors and the ACC.

"Dwelling Unit" shall mean a residential building designed for, and limited and restricted to, occupancy by a single family on a Lot, not including an accessory building or garage. A mobile home is not a Dwelling Unit.

"Improvements" shall mean all structures and any appurtenances thereto of every type or kind, which are visible on a Lot, including, but not limited to: a Dwelling Unit, buildings, outbuildings, tennis courts, swimming pools, spas, hot tubs, patio covers, awnings, painting of any exterior surfaces of any visible structure, additions, sidewalks, walkways, sprinkler pipes, garages, carports, roads, driveways, drainage culverts, parking areas, fences, screening, walls, retaining walls, stairs, decks, fixtures, windbreaks, basketball goals, mailboxes, flagpoles, or any other type of pole, signs, exterior tanks, exterior air conditioning fixtures and equipment, water softener fixtures, exterior lighting, recreational equipment or facilities, radio, conventional or cable or television antenna or dish, microwave television antenna, and landscaping that is placed on and/or visible from any Lot.

"Lot" shall mean and refer to any plot or tract of land shown on any recorded map(s) or plat(s) of the Properties, as same may be amended from time to time, which is designated as a lot therein and which is or will be improved with a Dwelling Unit in conformity with the building restrictions set forth in the Declaration.

"Neighborhood" shall mean and refer to each separately developed residential area in the Properties comprised of one (1) or more housing types, whether or not governed by an additional owners association, in which owners may have common interest other than those common to all Members, such as a common theme, entry feature, development name, and/or common areas and facilities which are not available for use by all Members.

"Owner" shall mean and refer to one (1) or more Persons who hold the record title to any Lot, but excluding in all cases any Mortgagee or other party holding an interest merely as security for the performance of an obligation.

"Plans" shall mean the final construction plans and specifications (including a related site plan) improvement of any kind to be erected, placed, constructed, maintained or altered on any Lot.

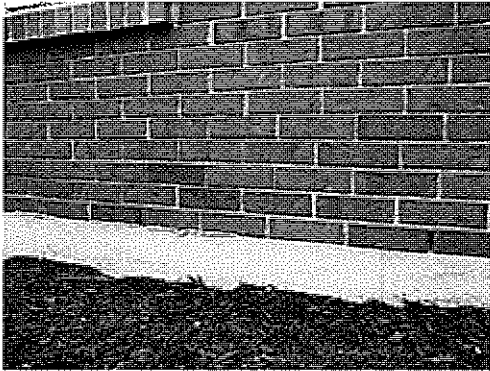
"Nuisance" shall mean an unreasonable activity or condition on one's property that substantially or unreasonably interferes with another property owner's use and enjoyment of his/her land.

VI. BASICS OF LOT GRADING, FOUNDATIONS/SLABS, PERMITS, AND EASEMENTS

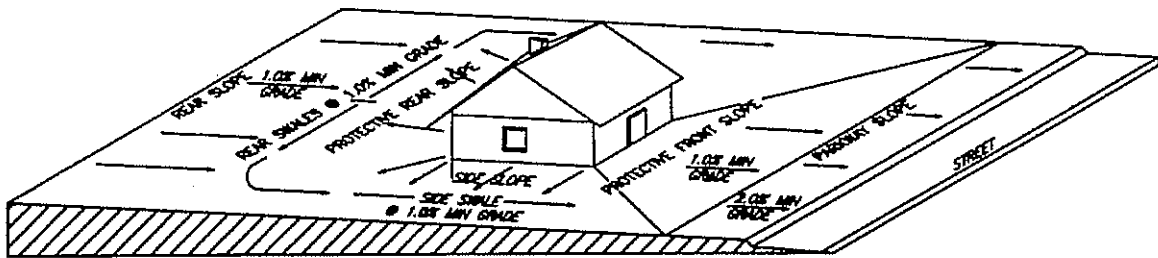
While the following is not a requirement, it is simply "best practices" which should be used when planning improvements to your home or Lot.

LOT GRADING

Sometimes the grade adjacent to the foundation of the home is too high causing the weep holes to be covered or blocked. In this case, remove the mulch and/or dirt from the brick veneer lowering the mulch finished grade and exposing the concrete foundation to maintain a vertical distance of at least 4", preferably 6" between the two. The below photos show the correct finished grade relationship to the brick weep holes on the right and incorrect relationship on the left.



The Lots are typically shaped or graded to drain to the fronting street, or fronting and side streets in the case of a corner Lot.



To disrupt these swales will have impact on the neighboring Lot therefore it is important not to disrupt these swales with any improvements to your home or Lot.

Swimming pools, for example, and other improvements installed in the backyard will obviously impact the established drainage swales located there. Deck/area drains and piping are typically utilized to capture and direct drainage to compensate for this loss of swales.

PERMITS

Many improvements, additions, and changes may require City of Katy or County review and permits. It is the homeowner's responsibility to obtain all governmental approvals and permits.

Katy authorities should be contacted prior to beginning the planning of any work in order to verify what procedures must be followed and if any permits need to be obtained. Governmental approval does not preclude the need for ACC approval and vice versa.

UTILITY EASEMENTS

Before digging in your yard, call the "Call Before you Dig" nationwide phone line at 811 to safely locate underground utility lines, such as electric, cable, telephone and gas lines. Please call at least two business days before you plan to dig. Tell the operator where you're planning to dig, what type of work you will be doing and your affected local utilities companies will be notified about your intent to dig. In a few days, they'll send a locator to mark the approximate location of your underground lines, pipes and cables, so you'll know what's below - and be able to dig safely. Remember, you are responsible for marking your private lines such as invisible pet fences, sprinkler systems, yard lights, gas grill lines, etc.

VII. IMPROVMENTS GUIDELINES

7.01 General

The ACC shall consider the following factors upon review of each application for an exterior change, addition, and/or improvement:

- A. Aesthetically Harmonious - The quality of construction and materials, colors, exterior design (elevations), size (dimensions), and/or location must be aesthetically harmonious with existing and other proposed structures within the Property.
- B. Location - The location must not violate the residential dwelling/garage set back lines, utility, or drainage easements as shown on the official recorded plat of the community or the Lot survey, nor obstruct any driver's vision at street intersections. The ACC will not approve an improvement upon or across any utility easement. However, consideration will be given if prior consent to encroach upon any utility easement is obtained in writing from the owner of the easement (i.e., utility companies) and submitted with the request.
- C. Use - Improvements which are not primarily related to the use of the property for single-family residential purposes, or which may become an annoyance or nuisance, or are detrimental to the appearance of surrounding areas and Properties as a whole, are not permitted.
- D. Proximity - Improvements must be located so that their use will not place neighboring property at increased risk of damage, inconvenience, or annoyance.
- E. No Express or Implied Warranty - The ACC may also consider the provisions of applicable statues, ordinances, and building codes. However, approval of an application shall not be construed as a warranty or a representation by the ACC that the change, addition, or improvement (as proposed or as built) complies with any or all applicable statues, ordinances, or building codes, or as a warranty or representation by the ACC of the fitness, design, or adequacy of the proposed construction.

7.02 Animal Enclosures and Shelters

- A. Dog Run – An enclosed area outside the home designed as an outdoor space for pets. Construction materials may be tubular metal or aluminum; chain link either galvanized or plastic coated in green or black. A full or partial top is allowed but must be securely fastened to the enclosure. Tops may be constructed of weather proof fabric in a single earth tone color, treated or naturally decay resistant wood, and shingles matching those on the home. Corrugated metal or fiber glass are prohibited.

The enclosure sides may be not taller than five feet (5') measured from the ground it sits on and the top at the highest point may not be taller than five feet six inches (5'-6"). The dog run must be located behind the home out of sight of from the fronting street and away from the side street if applicable. The structure is not allowed on Lots with open metal view fencing.

- B. Dog House - All dog houses exceeding 5 feet in height or a 6 square feet footprint require ACC approval. The proposed doghouse must be compatible with the applicant's house color and material, or match a natural wood fence and must be located where it will be visibly unobtrusive. When located on a Lot with open metal fencing, the structure is to be placed close to the home rather than the side or back fences.
- C. Bird House – A bird house may be installed in the back yard in a location that is not visible from the street in front of the house. A bird house may not be placed closer than five (5) feet from any property line adjacent to another Lot. A bird house may be placed up to the rear property line where there is no rear neighbor, but should be verified with CenterPoint Energy if a utility easement is present.

No more than one (1) bird house may be installed on a Lot. The maximum size of an individual bird house is two (2) feet wide by two (2) feet deep and two (2) feet high. The maximum height for a bird house is six (6) feet from the ground to the top of the bird house. The materials and colors of each bird house must be harmonious with the home and other improvement on the Unit.

Bird Feeder requirements should be interpreted to generally follow these same guidelines.

Bird Houses and Feeders on posts must be maintained in an upright, plumb position with all elements kept well maintained.

7.03 Antennas, Satellite Dishes, and Masts

- A. No exterior antennas, aerials, satellite dishes, or other apparatus for the reception of television, radio, satellite or other signals of any kind shall be placed, allowed, or maintained upon any Lot, which are visible from any street, Common Area or another Lot, unless it is impossible to receive an acceptable quality signal from any other location or unreasonably increases the cost of installation. In that event, the receiving device may be placed in the least visible location where reception of an acceptable quality signal is possible. The ACC may require painting or screening of the receiving device, which painting or screening does not substantially interfere with an acceptable quality signal.

Cane Island C.A.I. Guidelines for Exterior Improvements to Home and Property

- B. In no event are the following devices permitted: (i) satellite dishes, which are larger than one (1) meter in diameter; (ii) broadcast antenna masts, which exceed the height of the center ridge of the roofline; or (iii) MMDS antenna masts, which exceed the height of twelve feet (12') above the center ridge of the roofline.
- C. No exterior antennas, aerials, satellite dishes, or other apparatus shall be permitted, placed, allowed or maintained upon any Lot, which transmit television, radio, satellite or other signals of any kind.
- D. This section is intended to be in compliance with the Telecommunications Act of 1996 (the "Act"), as the Act may be amended from time to time; this section shall be interpreted to be as restrictive as possible, while not violating the Act. The Board of Directors may promulgate Architectural Guidelines, which further define, restrict or elaborate on the placement and screening of receiving devices and masts, provided such Architectural Guidelines are in compliance with the Telecommunications Act.

7.04 Door Replacement

The style, material, color, quality and details must match or be complementary to the existing doors on the home and adjacent homes. Doors and doorframes must be clad or painted with a color consistent with other doors, windows and house colors. Wood doors must be protected with stain or paint to prevent an uneven weathered appearance.

7.05 Exterior Lighting

- A. Changes to Existing Lighting - Outside decorative lighting may be replaced with a new fixture providing that the color and style is harmonious with the home and the wattage of the new fixture does not exceed 150 watts. In no event shall the lighting be directed to shine in a manner which disturbs a neighbor.
- B. Security Lighting - All security lighting shall be mounted under the eaves of the home as much as possible. No pole mounted security lights or lights mounted upon fences will be permitted. No security light fixture shall be allowed above the eaves of the house or garage or more than ten (10) feet from the ground.

All wiring must be installed within the structure of the home or otherwise invisible from the exterior of the house. High Pressure Sodium, Mercury Vapor, and Quartz lighting sources are not permitted.

- C. Landscape Lighting - Exterior lighting accentuating landscape and architectural features of the home shall be permitted as long as the lighting is located within flower beds, shrubs, and/or trees. All landscape lighting must be white in color. The illumination pattern must not be directed onto neighboring Lots or streets and all wiring concealed. The finish of the fixtures and poles or posts must be maintained in a presentable condition, and the light fixture must be kept in an upright, plumb position. Lighting outlining paving or planting beds is not allowed.

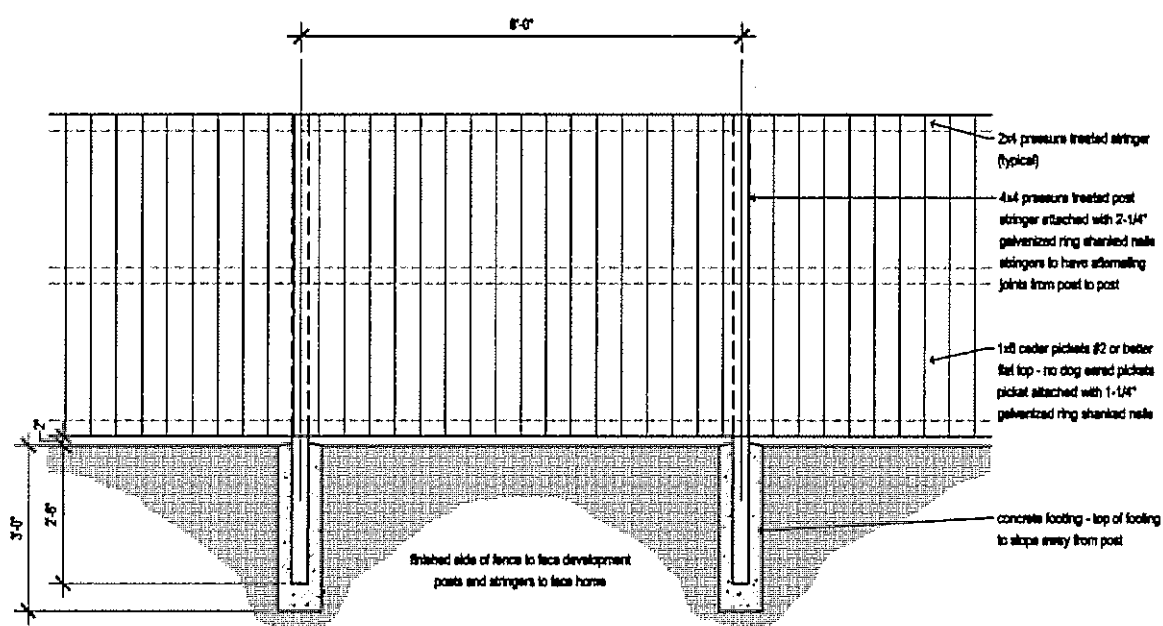
7.06 Fences and Gates

- A. Requirements

Cane Island C.A.I. Guidelines for Exterior Improvements to Home and Property

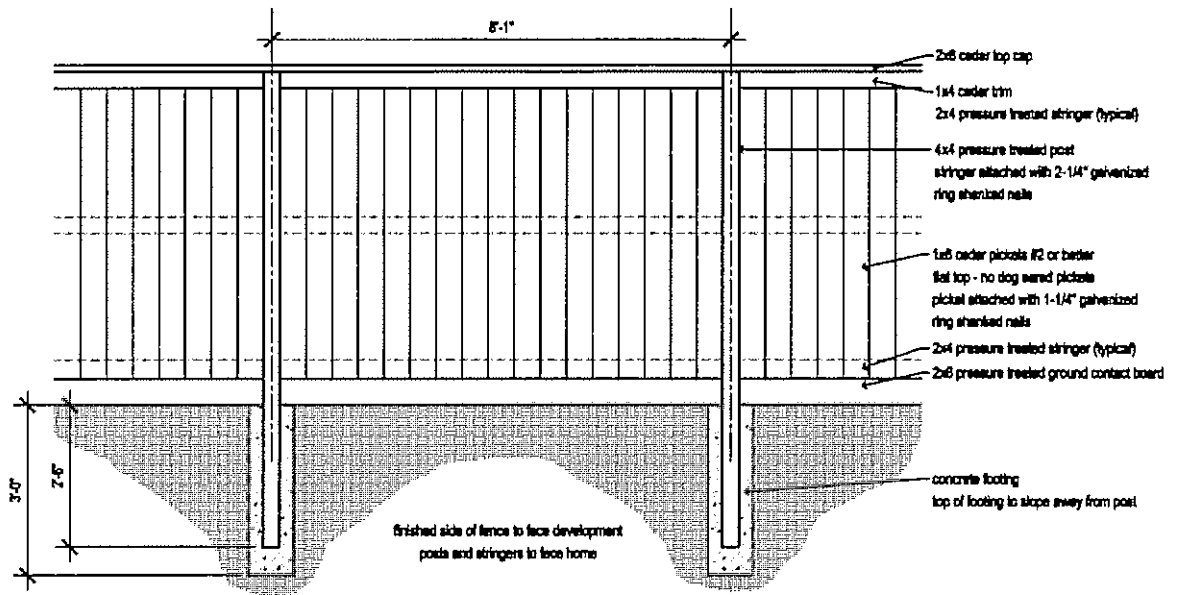
1. Except for perimeter walls and perimeter fencing erected by the Declarant or the Association as more fully set forth in the Declaration, homeowners are required to maintain the fence on their Lot.
2. Wood fences and their corresponding gates, if any, shall be no greater than 7 feet in height nor less than 6 feet in height, including any rot board, unless installed height by the Builder is different.
3. Wood fence pickets shall be cedar while posts, stringers, and rot boards shall be pressure treated pine.
4. No split rail fences or decorative fencing is permitted. No structure may be attached to a fence unless otherwise provided by these Guidelines or ACC approval.

B. Fences facing the street shall be constructed with wood pickets on the outside of the fence so that no posts or rails are visible from street view.



C. Interior fences/posts shared between residential Lots shall be constructed such that the wooden picket sections face inward and then outward, in an alternating manner. The fence sections will be determined by the fence post locations, as originally constructed. Each homeowner is responsible for their inward-facing pickets; however, it is recommended that residential owners work together to maintain, and/or rebuild their shared fences and posts to appropriate specifications.

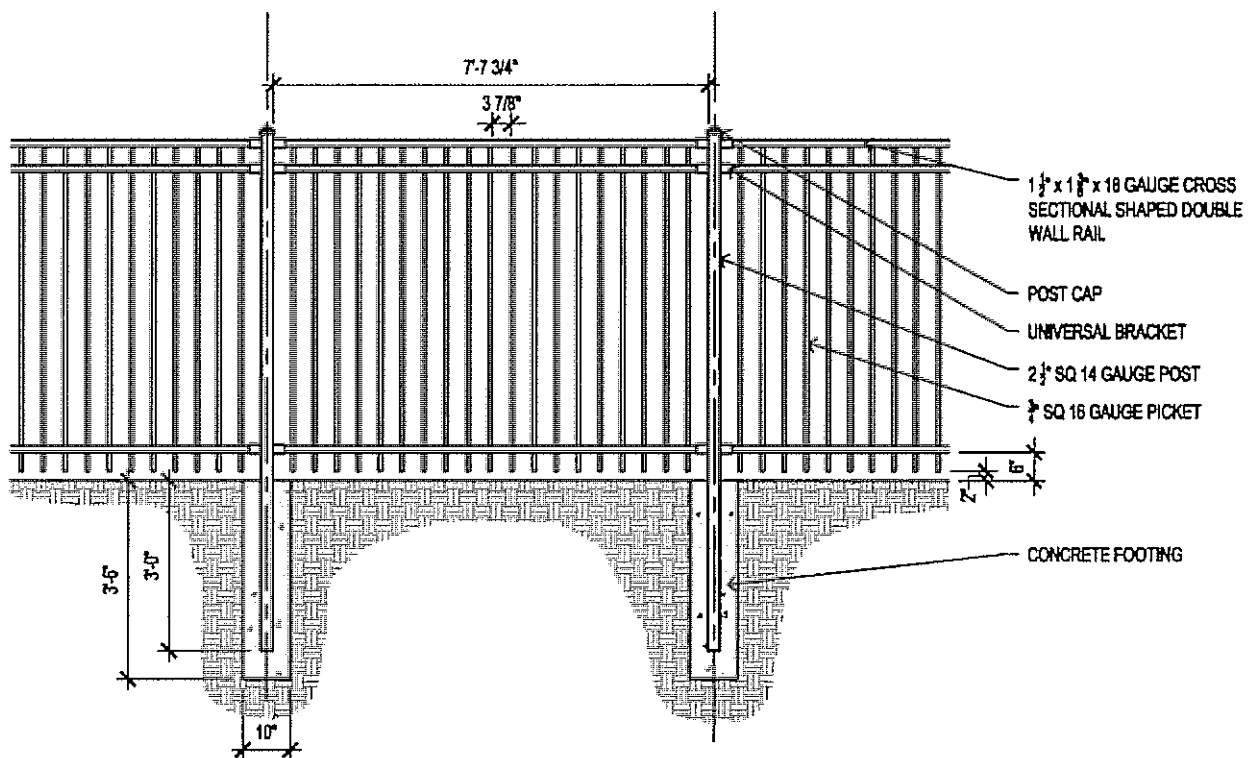
Cane Island C.A.I. Guidelines for Exterior Improvements to Home and Property



- D. The maintenance and/or repair of residential fences is defined as replacing single pickets, rails, posts, or bars that are broken, warped, bent, mildewed, sagging, or which have otherwise deteriorated, and it is the homeowner's responsibility to promptly do so. The homeowner must replace the deteriorated part(s) with items identical to those originally installed, with the exception of installation of a rot board as defined below. The replacement of single pickets (or no more than a single section) does not require an ACC request and/or approval if the above conditions are met.
- E. All gates shall be constructed with design and materials consistent with the fence. On corner Lots, gates shall not directly face the side street, except where a detached garage faces such street.
- F. Color - Wood fences must be stained same color as originally stained during construction.
- G. Rot boards will be considered for ACC approval if they meet the following specifications:
1. Only two-by-six (2x6) inch rot boards will be considered.
 2. The rot board must have the fence pickets positioned/sitting on top of it, rather than being attached to the side of the fence pickets.
 3. If rot boards are added at the bottom of a residential fence, the overall height of the residential fence must be no more than 7 or less than 6 feet in height.
- H. No decorative items, including but not limited to, flags, hose reels, flower boxes, metal work, pool equipment, etc., may be attached to a fence or gate that is visible from street or common area view.

Cane Island C.A.I. Guidelines for Exterior Improvements to Home and Property

- I. Side yard fences that face the street shall be set back at least ten feet (10') from the front façade. On corner Lots, fences shall be set back at least five (5) feet from the side street right-of-way line in order to provide landscaping between the required sidewalk and fence.
- J. Fence extension requests extending forward of the adjacent Lot's fence shall be submitted with a letter of consent from affected neighbor. If both neighbors do not concur as to a proposed fence extension, the ACC will examine the effect the fence extension will have on both properties. If one party will suffer detrimentally from the extension the ACC will deny the application. Only fence extensions which will be installed picket side out shall be considered by the ACC.
- K. View Fences at the side or rear Lot lines adjacent to greenbelts, lakes and other amenity areas shall be constructed with tubular steel in accordance with the view fencing detail below so to allow visibility through the fence. Such fences shall be five feet (5') tall. Pedestrian gates are permitted within the fence adjacent to the greenbelt or lake as well as the fronting street. Homeowners are not permitted to switch from View Fence to Wood Fence.



- L. A black plastic mesh with 3/4" to 1" opening size may also be utilized for small pets. The mesh may not extend more than eighteen inches (18" above the bottom of the pickets and must be tightly attached to the pickets in a manner to not allow sagging of the material.
- M. Driveway gates must be constructed of tubular metal and set back at least three feet (3') from the adjacent corner of the home or be aligned with and architectural element of the home. Post must be of tubular steel as well unless

masonry columns matching the materials of the home are utilized. Ornamentation should be kept minimum. Either scroll work with the bars or a larger ornamentation no larger than twenty-four inches (24") in each direction may be included, but not both. The color shall be black unless another architectural feature such as lighting provides another color option.

- N. If the architecture of the home affords an opportunity to enclose the front entry with decorative tubular metalwork, this will be considered. The same requirements for the driveway gate applies here, but scaled down to the entry size.

7.07 Garage Conversions

Garages cannot be converted to any other use than for the storing of automobiles and general storage. For living space additions to the garage please see Room Additions. Patio Covers and Pergolas may be added to the garage in the backyard. Garage doors must remain closed.

7.08 Landscape and Irrigation

Any modification to exterior landscaping including, but not limited to; trees, sod, landscape rocks, yard accessories, shrubbery, or overall design change require prior ACC approval. Required maintenance such as pruning, mulching, and planting annual flowers does not require ACC approval. No artificial plants or turf are allowed to be installed.

- A. Front Yard Landscape Requirements - As a minimum, the front yard shall contain two 4 inch caliper shade trees and one 2 inch caliper ornamental tree. Lots in a Section of generally 50 to 59 foot wide Lots shall contain as a minimum two 15 gallon plants, fifteen 5 gallon plants, and twenty-five 1 gallon plants. Lots in a Section of generally 60 to 69 foot wide Lots shall contain as a minimum three 15 gallon plants, fifteen 5 gallon plants, and thirty 1 gallon plants. Lots in a Section of generally 70 to 99 foot wide Lots shall contain as a minimum four 15 gallon plants, twenty-five 5 gallon plants, and forty 1 gallon plants. Lots in a Section of generally 100 foot wide and wider Lots shall contain as a minimum five 15 gallon plants, forty 5 gallon plants, and fifty 1 gallon plants. Artificial flowers are not permitted. Landscape borders must match home and be harmonious with community.
- B. Corner Lot Additional Landscape Requirements - In addition to the front yard requirements above, minimum landscaping is required to be maintained on the street side of corner Lots of all sizes. Two 4 inch caliper shade trees, one 2 inch caliper ornamental tree, three 15 gallon plants, fifteen 5 gallon plants, and thirty 1 gallon plants are the minimum requirements.
- C. Rear Yard Landscape Requirements - As a minimum, all interior Lots of all sizes are required to contain one 4 inch caliper shade tree. Lots with views to greenbelts and/or lakes shall have as a minimum two 4 inch caliper shade trees, four 15 gallon shrubs, twenty-five 5 gallon shrubs, and forty 1 gallon shrubs.

Any shrubs, ornamental grasses, perennials, and vines located adjacent to the view fence must be of a variety with a mature height that is not greater than that of the view fence.

- D. Tree Removal - Trees may not be removed without prior ACC approval, except to remove dead or diseased trees. When tree removal is required for the construction of an improvement, it must be disclosed in the application for that particular improvement. When trees are removed for any reason, the homeowner must also remove or grind the remaining stump and fill in any resulting hole. A removed tree 4 inches in caliper or less must be replaced 1 caliper inch for 1 caliper inch for the one that was removed if it is a required tree per these guidelines. For removed trees greater than 4 inches in caliper the replacement tree must be a minimum of 4 inches in caliper.
- E. Landscape Irrigation System - Compliance with Texas Commission on Environmental Quality (TECQ) Rules Chapter 344 Landscape Irrigation which among other items of concern requires the system be designed by a registered irrigation designer and the spray patterns of the heads not being directed onto neighboring Lots, streets, or other pavements. The installation and operation must insure that the system does not cause the surface water drainage on your Lot to drain onto an adjoining Lot in an amount more than the drainage amount prior to the improvement or alteration, or collect near the foundation of the Dwelling.
- F. Plant List - Cane Island is located in the south central region of the vast Katy Prairie. Therefore, the landscaping design and plant materials shall be appropriate to this ecosystem. While tropical-look landscapes are generally discouraged, palm trees appropriate to the prairie setting are included as approved plant material. Palm trees may be used to enhance the rear yard only. Grouping varied heights together as with pine trees should be considered.

All plants must be living material. No artificial plants including turf are permitted at any time or in any location.

The following plants listed by category are consistent with the Katy Prairie ecosystem and introduced varieties. Other plants will be considered for applications providing information on that plant and reasoning why the ACC should allow its use.

Shade Trees

Botanical Name

Common Name

Acer Rubrum drummonii

Swamp Red Maple

Betula nigra 'Dura Heat'

River Birch Dura Heat

Magnolia grandifolia

Southern Magnolia

Pinus taeda

Loblolly Pine

Prunus caroliniana

Cherry-Laurel

Quercus laurifolia

Laural Oak

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<i>Quercus macrocarpa</i>	Bur Oak
<i>Quercus nigra</i>	Water Oak
<i>Quercus nuttallii</i>	Nuttall Oak
<i>Quercus shumardii</i>	Shumard Oak
<i>Quercus virginiana</i>	Southern Live Oak
<i>Sabal palmetto</i>	Florida Sabal
<i>Sabal texana</i>	Texas Sabal Palm
<i>Ulmus crassifolia</i>	Cedar Elm
<i>Ulmus parvifolia</i> 'Allee'	Allee Elm

Ornamental Trees

<u>Botanical Name</u>	<u>Common Name</u>
<i>Cercis canadensis</i>	Eastern Redbud
<i>Elaeocarpus decipiens</i>	Japanese Blueberry
<i>Ilex opaca</i> var.	American Holly Varieties
<i>Ilex vomitoria</i>	Yaupon Holly
<i>Ilex x attenuata</i>	East Palatka Holly
<i>Lagerstroemia indica</i>	Crape Myrtle
<i>Myrica cerifera</i>	Southern Wax Myrtle
<i>Trachycarpus fortunei</i>	Windmill Palm
<i>Viburnum obovatum</i>	Walter's Viburnum

Shrubs and Ornamental Grasses

<u>Botanical Name</u>	<u>Common Name</u>
<i>Buddleia davidii</i> var.	Butterfly Bush Varieties
<i>Loquat eirobotrya</i> 'Coppertone'	Coppertone Loquat
<i>Gardenia jasminoides</i>	Gardenia
<i>Hibiscus coccineus</i>	Texas Star Hibiscus
<i>Ilex cornuta</i> 'Burfordii Nana'	Dwarf Burford Holly
<i>Ilex vomitoria</i> 'Nana'	Dwarf Yaupon Holly
<i>Juniperus davurica</i> 'Parsoni'	Parsons Juniper
<i>Juniperus chinensis</i> 'Protrata'	Prostrate Juniper
<i>Loropetalum chinense</i> var. <i>rubrum</i>	Loropetalum varieties
<i>Myrica pusilla</i>	Dwarf Wax Myrtle

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<i>Nandina domestica</i> spp.	Nandina
<i>Plumbago auriculata</i>	Blue Plumbago
<i>Raphiolepis indica</i>	Indian Hawthorn
<i>Rhapidophyllum hystrix</i>	Needle Palm
<i>Rhododendron</i> spp.	Azalea varieties
<i>Rosa</i> spp.	Shrub and Landscape Roses
<i>Sabal minor</i>	Dwarf Palmetto
<i>Spiraea cantoniensis</i>	Reeves Double Bridal Wreath Spirea
<i>Viburnum obovatum</i> densa	Dwarf Walter's Viburnum
<i>Chasmanthium latifolium</i>	Inland Sea Oats
<i>Dianella tasmanica</i> 'Variegated'	Variegated Flax Lily
<i>Dietes Bicolor</i>	Bicolor Iris
<i>Iris</i> 'Louisiana'	Louisiana Iris varieties
<i>Lomandra longifolia</i> 'Breeze'	Dwarf Mat Rush
<i>Nassella tenuissima</i>	Mexican Feather Grass
<i>Melinis nerviglumis</i> 'Savannah'	Ruby Grass
<i>Miscanthus sinensis</i> 'Adagio'	Compact Maiden Grass
<i>Miscanthus sinsensis</i> 'Gracillimus'	Maiden Grass
<i>Miscanthus sinensis</i> 'Morning Light'	Variegated Japanese Silver Grass
<i>Muhlenbergia lindheimeri</i>	Lindheimer Muhly
<i>Pennisetum alopecuroides</i> 'Hameln'	Dwarf Fountain Grass
<i>Pennisetum setaceum</i> 'Rubrum'	Purple Fountain Grass

Perennials

Botanical Name

Aquilegia spp.
Asclepias curassavica
Chrysanthemum leucanthemum
Coreopsis spp.
Cuphea spp.
Dianthus gratianopolitanus 'Feuerhexe'
Echinacea purpurea
Euryops pectinatus 'Viridis'
Evolvulus glomeratus 'Blue Daze'

Common Name

Columbine Varieties
 Butterfly Weed
 Ox-Eye Daisy
 Coreopsis Varieties
 Cuphea Varieties
 Firewitch Dianthus
 Purple Coneflower
 African Daisy
 Blue Daze

<i>Gaillardia spp.</i>	Blanket Flower Varieties
<i>Lantana spp.</i>	Lantana Varieties
<i>Melampodium leucanthum</i>	Blackfoot Daisy
<i>Rudbeckia hirta</i>	Black-eyed Susan
<i>Ruellia spp.</i>	Mexican Petunia Varieties
<i>Salvia gregii</i>	Autumn Sage Varieties
<i>Salvia leucantha</i>	Mexican Sage Varieties
<i>Verbena spp.</i>	Verbena Varieties

Ground Covers

<u>Botanical Name</u>	<u>Common Name</u>
<i>Agapanthus africanus vars.</i>	Lily of the Nile
<i>Hemerocallis Spp.</i>	Daylily varieties
<i>Juniperus conferta 'Blue Pacific'</i>	Blue Pacific Shore Juniper
<i>Liriope muscari</i>	Liriope
<i>Liriope gigantea</i>	Giant Liriope
<i>Trachelospermum asiaticum</i>	Asian Jasmine

Vines

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

7.09 Swimming Pools, Swim Spas, and Hot Tubs

- A. Definitions – A Swimming Pool shall be in-ground only and when referenced shall not include the surrounding deck. Above ground pools or seasonal pools

are not allowed. A Swim Spa shall be in-ground or above-ground and references a pool considered a “never-ending”, “resistance swimming”, or “aquatic trainer”. Hot Tubs shall be above-ground units providing a smaller swimming experience than the two previous facilities; and may be in-ground when included as part of a swimming pool.

- B. The installation of any of the above in-ground swimming experiences must meet all requirements of the International Residential Code Chapter 42 and Appendix G; the State of Texas; Waller County; and the city of Katy (a permit is required) with regards to residential swimming pools. The construction must also be in compliance with the National Electrical Code.
- C. No swimming pool, swim spa, or hot tub shall be constructed in a manner or located to impede drainage on a Lot or to cause surface drainage to flow onto an adjacent Lot.
- D. Access to the construction site must be from the Lot itself unless written permission from adjacent property owner(s) whose land will be crossed as access is provided.
- E. During construction, the swimming pool, swim spa, or hot tub area shall be enclosed with a temporary fence or barrier, unless a fence already exists. If a portion of an existing fence is removed during construction, a temporary fence or barrier must be erected to fully enclose the area in which construction is taking place.
- F. No construction materials shall be kept or stored in the street, on the driveway, or behind the residential Lot. Excavated material shall either be used on site or immediately removed from the premises and shall not be disposed of within the community.
- G. No swimming pools may be enclosed with screens without ACC approval.
- H. Safety fences are permitted around the immediate perimeter of the swimming pool but must not be visible from street view.
- I. Swimming pools, spas, and hot tubs must be maintained at all times and not be allowed to become a nuisance or health hazard.
- J. Pool pumps, heaters and other equipment; and pool features such as waterfalls must not be visible from fronting street. Any pool features on Lake Lots must have finish materials on all visible sides.
- K. All pool accessories such as slides, volleyball nets, basketball hoops, etc. must be kept in good condition. Removable pool accessories shall be stored away when out of season or not in use.

7.10 Play Structures

For purposes hereof, a children's play structure shall mean any type of children's swing sets, play sets, play house, fort, climbing structures, slides, or raised play sets. Play structures are not permitted on Lots with view fencing.

- A. A children's play structure (including a raised platform and slide that is part of a swing set) must not have an overall height greater than twelve (12) feet six (6) inches. If the play structure has a platform, the platform can be no higher than six (6) feet off the ground.
- B. If a shingled roof is used, it must conform to the provisions for roofing materials set forth in the Declaration and these Guidelines. If the structure has a fabric canopy, it must be of a single muted color such as tan or green. No rainbow colors will be permitted.
- C. Children's play structures are allowed in the backyard only. Play structures must be positioned in the rear of the residential Lot not visible from the street, and in such a way to ensure that it can be used in a safe manner and be respectful of surrounding neighbors. No children's play structure shall be located nearer to the side Lot line than 10 feet. No play structure secured with concrete foundation(s) shall be approved for construction on utility easements, or may impede the drainage on the Lot or cause water to flow onto an adjacent Lot.

7.11 Basketball Goals

- A. The basketball goal backboard, net and post must be maintained in excellent condition at all times.
- B. If the backboard is mounted onto the roof by use of a small, triangular mounting structure, the mounting structure must be painted to match the shingle color.
- C. Rims must be no more than ten feet (10') in height.
- D. Backboard must be regulation size and white in color or transparent.
- E. Must be mounted on garage or placed on the side of driveway, recognizing a minimum setback to correspond with the building line.
- F. Portable basketball goals are allowed but must not be visible at all from the street when not in use.
- G. If any complaints are received within six (6) months after installation, the basketball goal will be subject to immediate removal at the request of the ACC.

7.12 Patio Covers

Patio Covers may be either an extension of the home's roof; a structure attached to the home; or a free standing structure; and may be a solid roofed structure or an open topped structure.

- A. For a solid roofed structure, the type, quality, and color of the materials used in the construction of a patio cover must be aesthetically harmonious with the type, quality, and color of the materials used in the construction of the residential dwelling. Roofing materials shall either match that of the home or be one of the approved materials referenced in the Declaration. No corrugated or flat metal, fiberglass, or Plexiglas materials are permitted.

- B. If siding is used on patio covers, it must be of the same type, quality, and color as the siding on the residential dwelling adjacent to the structure.
- C. Masonry (brick, stone, stucco) used in the construction of a solid roofed patio cover must match that of the home or must compliment the opposing material used on the home.
- D. Louvered or lattice style patio cover roofs must be constructed of wood. Pressure treated wood must be stained or painted provided the color shall be in harmony with or match that of the home. Wood naturally rot resistant such as cedar or redwood may be left as is or may be stained.
- E. The location of a patio cover must not encroach on any utility or drainage easement, nor shall it violate the building set back lines applicable to the residential dwelling on any Lot. Patio covers must not interfere with drainage or cause water to flow onto any adjoining or adjacent Lot.
- F. All patio covers must be adequately supported and constructed of sturdy materials so that the patio cover has no visible sagging or warping. This also applies to any louvers or lattice attached to the sides of the structure.
- G. Patio covers which are attached to the home shall have structure aligning with the eaves and other architectural features of the existing home and must be painted to match home.

7.13 Patio Enclosures

A patio enclosure is any patio cover which has exterior walls and/or screens (other than sun rooms as defined elsewhere in these Guidelines).

- A. All structural components of patio enclosures, including roofing materials, shall be subject to the Guidelines set forth herein for patio covers. This section describes additional requirements for walls, screens, and frames used to enclose a covered patio or deck.
- B. The standard, type, quality, and color of the materials used in the construction of a patio enclosure must be aesthetically harmonious with the materials used in the construction of the residential dwelling. No visible part of the enclosure may be made of metal other than screens, frames, and storm doors. Patio enclosure screens must be the same color as existing window screens on the residential dwelling and must have adequate cross-member support to avoid sagging. The exterior color of doors, sills, beams, frames, or other visible supports must match the exterior colors of the residential dwelling.

7.14 Sunrooms

A sunroom is any room with glass-enclosed walls and/or a glass ceiling. The ACC may reject any application to construct a sunroom on a residential Lot on the basis of its overall design and conformity with existing structures regardless of whether or not the proposed sunroom complies with the technical specifications set forth below.

- A. A sunroom may be added to the rear of the residential dwelling only. Applications for sunrooms on cul-de-sac Lots and corner Lots where the rear of

the house faces a street or other community property will be considered on a case-by-case basis.

- B. Supporting structural members must be of a color and shade similar to and harmonious with the exterior color of the residential dwelling. No metallic or direct reflecting style shading/tinting of the glass will be permitted. Applicants may be required to submit actual samples of the glass with the proposed shading/tinting material applied for approval.
- C. The floor of the sunroom must be of reinforced concrete slab.
- D. The roof of a sunroom must have a minimum pitch of one (1) inch per twelve (12) inches of projection. The sunroom may not project more than twenty (20) feet measured from the rear facing plane of the residential dwelling. The sunroom may not project beyond either side-facing plane of the residential dwelling. A sunroom may not encroach on any existing setbacks or easements.
- E. Sunrooms are only permitted as ground structures. The maximum height of the roof, measured from the concrete floor, may not exceed either twelve (12) feet or the height of the eaves of the wall that the sunroom projects from, whichever is lower.

7.15 Storm Doors

The color of the trim on all storm doors must match or closely match the door color or color of the trim of the home. On the front and side of the home, the glass door must be a full view door with no obstruction visible. No visible screens will be allowed on the front or side storm door, but may be permitted on the back with prior approval from the ACC.

7.16 Raised Decks, Trellises and Arbors

Definitions – A Raised Deck shall be a surface raised above the surrounding grade constructed of wood and wood-like products. A Trellis is a gridded structure placed near or against a fence usually for the purpose of supporting vining plants or certain types of shrubs. An Arbor is a free standing structure creating a covered area most often for an entry or seating area.

- A. No Raised Deck shall impede the established drainage pattern of the Lot or cause water to flow on an adjacent Lot in a greater quantity or intensity than existed prior to the improvement.
- B. Raised decks shall be located in the backyard, be not closer to the side Lot line than ten feet (10'), and no closer to the back fence than fourteen feet (14').
- C. No Raised Deck shall be constructed more than eighteen inches (18") above the adjacent ground.
- D. Second story decks will receive ACC approval on a case by case basis.
- E. Raised Decks structural members shall be pressure treated pine; and finished surfaces being pressure treated pine, naturally rot resistant woods, or composite wood products.

- F. Trellises may be constructed of wood, composite wood, and metal. No PVC or other plastic products are allowed.
- G. Trellises may not extend above the fence and may not be attached to a fence Owned and/or maintained by the Association.
- H. Arbors may be constructed of wood, composite wood, or metal. No PVC or other plastic products are allowed.
- I. Arbors may have a maximum height of nine feet (9') above adjacent ground.

7.17 Painting

No exterior surface of any residential dwelling, garage, or other structure or improvement on any residential Lot shall be painted without prior approval of the ACC. Color samples or paint chips of the proposed exterior color(s) labelled as to what it is being applied to must be attached to each application submitted.

- A. The proposed colors must be basic earth tone colors, meaning shades of beige, brown, white, or green which are pleasing in appearance and blend in with the colors of the exterior brick and roofing materials, as well as other residential dwellings within the Property.
- B. The principal color of the residential dwelling and garage situated on a residential Lot, must be an earth tone.
- C. When rain gutters are painted, their color must match the color of the trim of the home. If gutters are installed or replaced, their color must match the color of the trim on the home.
- D. Shutters, side lights for doors, window trim, and the exterior surfaces of doors may be painted an acceptable earth tone color, including trim colors, which may be a contrasting color and aesthetically harmonious with the residential dwelling.
- E. Exterior doors may be stained a natural wood tone, or may be painted to match the other accents, trim, or main house color, or may be a third accent color contrasting the other two primary colors of the home.
- F. All painted or stained surfaces must be maintained in good condition and re-painted or re-stained as required. No approval is needed for touching up existing paint, if a color change is not occurring.
- G. Brick or stone exteriors must not be painted or stained.

7.18 Roof Replacement and Appurtenances

This section shall address allowed shingles and roof penetrations such as ventilation, sky lights, light tubes, etc.

- A. Primary roofing material allowed are composition shingles, asphalt shingles, concrete tile, clay tile, and natural or simulated slate. Actual wood shingle and

wood shake shingle roof surfaces are not allowed. Man-made materials simulating these are allowed.

- B. Allowed accent roof materials include pre-finished standing seam metal and copper roofing. No corrugated materials are allowed. There must be only one primary roofing material and no more than one secondary roof material.
- C. Shingles may also be designed to primarily be wind and hail resistant; provide heating and cooling efficiencies greater than those provided by customary composite shingles; or provide solar generation capabilities per the State of Texas.
- D. Composition or asphalt shingles shall have a lifetime warranty and be of "architectural" grade meaning providing coloration to provide a three dimensional appearance.
- E. No skylights, light tubes, solar or electric roof ventilators, or similar types of additions shall be permitted on the front of the roof ridge line and/or gable of a residential dwelling. All roof ventilators shall be located to the rear of the ridge line and/or gable of any residential dwelling and shall not extend above the highest point of such residential dwelling.
- F. The ACC shall have the right to approve exceptions to the foregoing in cases where energy conservation and heating/cooling efficiency require ventilators that, because of a particular roof design, cannot be hidden from public view.
- G. The color of roofing appurtenances must be aesthetically harmonious with the color of the roofing materials.

7.19 Storage Sheds

All storage sheds must be constructed out of wood, painted to match home and have a shingle roof to match home. No metal storage buildings or metal roofs will be allowed. Storage sheds must not be visible over the height of the fence. Storage sheds are not allowed on Lake Lots.

7.20 Decorations

- A. On front lawns of Lots and on any portion of a Lot visible from any street, there shall be no decorative appurtenances or freestanding structures placed, such as sculptures, birdbaths, birdhouses, fountains, swings or other decorative embellishments.
- B. Benches and burglar bars will be reviewed on an individual basis.
- C. House numbers may be placed on the house or curb, but not on any type of freestanding structure in the front yard.
- D. Christmas decorations, including lighting, may not be placed on the house or in the front yard prior to one (1) week before Thanksgiving Day, and must be removed no later than January 31. All other seasonal decoration shall be limited to a maximum thirty (30) day period.

7.21 Wind Turbines

The wind turbines preferably should either be a color which will blend with the shingle color instead of unfinished aluminum, or be painted to match the shingle color and positioned on the rear slope of the roof structure so as not to be visible from the fronting street. Ridge vents should be of a color which will blend with the shingle color.

7.22 Outdoor Carpeting

- A. Can only be installed on porch area - no walkways, etc.
- B. Earth tone colors are acceptable.
- C. Visibility from the street will be considered.

7.23 Burglar Bars

- A. Acceptable provided they are in harmony with the house.
- B. Must be painted to match exterior trim.

7.24 Driveway Extensions/Sidewalks

- A. Reviewed on an individual basis.
- B. Driveway extensions can extend no nearer to side property line than three feet (3') or five feet (5') in certain instances.
- C. All sidewalks in the side yard must be no greater than 48" wide.

7.25 Electronic Devices

No electronic devices shall be permitted to cause any distortion or interference whatsoever with respect to any other electronic device in the Neighborhood.

7.26 Miscellaneous

The construction of an **OUTDOOR KITCHEN** is subject to all materials, finishes, and colors complementing the main dwelling and appliances must be models manufactured specifically for outdoor use. Outdoor counters must be constructed of materials able to withstand outdoor elements and all sides of the counter structure must be of a finished look. Plumbing any sinks or appliances requiring overflow or waste disposal to the sanitary sewer system of the Lot must conform to all applicable plumbing codes. All supply and waste line piping must be underground and/or contained within a structure. Any electricity run must be in compliance with the National Electrical Code with cable runs made underground, within structure, and/or in conduits. Any gas lines being run must be done by a licensed plumber and be per current codes.

The construction of an **OUTDOOR FIREPLACE** is subject to including a spark arrestor within the chimney and a screen at the firebox opening; burning only seasoned

firewood, natural gas, or other clean burning fuels; and not using the fireplace for waste disposal of any kind. Any gas lines being run must be done by a licensed plumber. The chimney and fireplace shall meet the requirements pertinent to outdoor conditions of Chapter 10 of the current International Residential Code and all applicable amendments.

The construction of a **PATIO EXTENSION** is subject to the materials being in harmony with the materials of the patio it is extending from or of the dwelling. The construction must insure that such improvements do not cause the surface water drainage on your Lot to drain onto an adjoining Lot in an amount or intensity more than that prior to the improvement or modification, or collect near the foundation of the Dwelling.

The installation of a **STORM DOOR** on your front door and another on the back is subject to the front door having full view safety glass and trim color is to match the home or existing door it is protecting. The back storm door may be constructed to provide ventilation. The hardware must complement the home and the storm door must be a full view door.

A **ROOF REPLACEMENT** with GAF HD Charcoal 30 year Warranty shingles is subject to all roof elements protruding above the shingles matching the color of the shingles, the site staying well maintained and no trash/debris left behind after construction. Be advised, no contractor signs are allowed to be placed on your property.

The construction of a **WALKWAY** is subject to the materials being in harmony with the materials of the paving it is extending from or of the dwelling. The construction must insure that such improvements do not cause the surface water drainage on your Lot to drain onto an adjoining Lot in an amount more than the drainage amount prior to the improvement or alteration, or collect near the foundation of the Dwelling.

The installation of **SOLAR POWERED VENTILATORS** on your home is subject to the body of the unit being a matching color to the roofing material. The solar assemblage color may remain as it comes from the manufacturer.

The installation of **SOLAR SCREENS** is subject to the solar screen hardware being in harmony with the architectural character of the window including grids dividing the window into lights. Screen material shall be made of high-quality, weather-resistant, non-reflective materials standard to the industry and attached in such a way as to avoid sagging. For each side of the house that has any solar screens applied, all windows that are prominent in size and location on that side of the house and that are similarly framed are required to be covered.

The construction of an open **FIRE PIT** is subject to it being constructed of noncombustible materials; being located at least ten (10) feet from combustible vertical and ground plane materials, and fifteen (15) feet from combustible overhead materials including overhanging tree branches and overhead roof or shade structures; burning only seasoned firewood, natural gas, or other clean burning fuels, and not using the fire pit for waste disposal of any kind. Any gas lines run to the fire pit for use as fuel shall be installed by a licensed plumber. Sensible precautions are to be taken concerning amount of material being burned, height of flame, and fire extinguishing equipment being at the ready.

The installation of a **REPLACEMENT FRONT DOOR** with decorative metal work is subject to the materials, design, and colors being in harmony with the home and the

overall street appearance of the community. The metal color must match the color of other exterior metal decoration such as light fixtures, driveway gates, etc.

The installation of **LANDSCAPE LIGHTING** is subject to the illumination pattern not being directed onto neighboring Lots or streets and all wiring concealed. The finish of the fixtures and poles or posts must be maintained in a presentable condition, and the light fixture must be kept in an upright, plumb position.

The installation of **GUTTERS AND DOWNSPOUTS** is subject to the gutters and downspouts being constructed of aluminum or galvanized steel with one, two, or three horizontal reinforcement ribs unless otherwise approved by the ACC. Gutters must be the same color as the trim (or siding, or fascia color if a third accent color is used). Downspouts must be the same color as the gutters (siding, trim, or fascia color). In areas where downspouts pass in front of brick or stone, the color shall remain that of the gutters. Homeowner is responsible to provide drainage flow from the downspouts which shall not adversely impact the adjacent properties.

The installation of a **WATER SOFTENER** is subject to the unit being installed professionally with a gravel or concrete base area for ease of maintenance, the unit being kept plumb, and all connections to the home being neat, clean, and well done. The improvement must be located out of view from the fronting and/or adjacent street.

The installation of a **SECURITY CAMERA SYSTEM** is subject to considering the neighbors' right to privacy and quiet use and enjoyment of their property; and subject to the camera(s) and any conduit being placed in the least intrusive or visible location, the finish color being in harmony with the colors of the home; only being focused on your property as much as possible; and never directed at windows of adjacent structures.

The installation of a **TRELLIS** to support plants is subject to you being responsible for the removal and/or replacement of it.

The installation of **FRENCH DRAIN(S)** is subject to covering all trenches with sod matching the grass variety in your yard or the matching material it is passing through. Any work associated with breaking through the existing curb should not compromise the structural integrity of the curb and its intended function.

The installation of an **AUTOMATED MOSQUITO SYSTEM** is subject to analyzing the installation with regard for possible consequences on neighboring properties with regard to activities or conditions such as food production, health conditions of neighbors, and risks to non-targeted or endangered species.

The installation of an **ARBOR** is subject to any woods used being either ones with naturally occurring preservatives such as cedar, fir, redwood, etc. or woods treated with preservatives. Treated woods must be painted to match the trim of the home or may be stained a contrasting color. Prefab or custom structures made of aluminum are allowed providing all metal is painted either to match exterior paint colors of the home or to contrast them in an earth tone color. Materials used for the roof may be required to have the visible edges framed so no unfinished edges of the material are visible. Arbors may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment. Arbors must be situated on the Lot to provide drainage solely into the owner's Lot. If a proposed arbor location is less than five feet (5') away from a side Lot line, the ACC will require that it be guttered with downspouts if it is to be a solid cover.

The installation of a **PATIO COVER** is subject to any woods used being either ones with naturally occurring preservatives such as cedar, fir, redwood, etc. or woods treated with preservatives. Treated woods must be painted to match the trim of the home or may be stained a contrasting color. Prefab or custom structures made of aluminum are allowed providing all metal is painted either to match exterior paint colors of the home or to contrast them in an earth tone color. Materials used for the roof may be required to have the visible edges framed so no unfinished edges of the material are visible. Patio covers may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment. Patio covers must be situated on the Lot to provide drainage solely into the owner's Lot. If a proposed patio cover location is less than five feet (5') away from a side Lot line, the ACC will require that it be guttered with downspouts if it is to be a solid cover.

The addition of a **SCREENED ENCLOSURE** is subject to the enclosure being harmony in relation to the massing and style of the residence. May not encroach into the side and/or rear building setback lines, and should be located in the rear yard so it is screened from public view to the maximum extent possible. Enclosure structure may be made of powder-coated aluminum in white, off white, gray or bronze to complement the house color. Screens must be a patio fiberglass screen in silver/grey, dark brown or charcoal. Window screen material is not acceptable as it is not designed for this use.

TREE AND STUMP REMOVAL operations shall take all precautions to limit falling and flying debris by using the safest and most efficient arboricultural procedures. All precautions shall be made to prevent damage to any public, Association, or homeowner property. A walk around should be conducted before hand to determine any preexisting conditions, problems or concerns. Note the locations of overhead power lines, utilities, homeowner obstructions, etc. and avoid or take necessary precautions to work around. Stumps are to be removed completely or to a depth of 18", whichever is reached first. All surface roots and mounded turf shall be ground down to a grade flush with adjacent grade for a 10' radius around the stump. Trunks, limbs, branches, twigs, and debris shall be cleaned up and removed at the end of the operation.

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I hereby certify that this instrument was FILED on the date and time stamped hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS of Waller County,



Debbie Hollan

Debbie Hollan, County Clerk
Waller County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

Daisy Metcalf, Deputy

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