

The following property standards are consistent with the deed restrictions applicable to each lot in Middlebrook. The intent of these standards is to provide for uniform enforcement of the deed restrictions in order to enhance property values for all lot owners in Middlebrook.

These standards do not cover all of the deed restrictions. These standards reflect the most frequent questions concerning our deed restrictions. The 20 deed restriction sections in Article 5 of the covenants, conditions and restrictions associated with each lot in Middlebrook should be consulted for additional information.

No building or improvement of any type may be done without the prior approval of the Architectural Review Committee. Improvements include, but are not limited to, swimming pools, spas, storage buildings, garages, drives, walks, landscaping, tree removal, gazebos, exterior painting, new siding, roof replacement, new brick, fences, antennae or any other improvement that alters the appearance of the lot. All improvements must (1) be in harmony with existing structures and (2) comply with all Middlebrook Community Association deed restrictions.

Roofs and Gutters

All asphalt/composition-type shingles used must have, at minimum, a warranty period of at least 25 years and shall be comparable in color to weathered wood shingles and comparable in surface textural appearance. Triple tab asphalt shingles are not considered to have comparable surface textural appearance. Built-up type roofs utilizing crushed marble, slag or pea gravel may be used where not visible from the street. The Architectural Review Committee may approve other roof materials at their sole discretion.

Drip edges and gutters must be painted uniformly to match or coordinate with the exterior walls and trim of the structure.

Any noticeably missing, curled or severely damaged roofing material must be replaced with matching material.

Any noticeably rusting valleys, gutters, roof jacks, etc. must be restored to matching condition by replacement, repair or repainting.

Any noticeably sagging gutters must be repaired.

The above standards are covered by Sections 2, 7, and 19 of our deed restrictions. Expected compliance time from the date of an initial notification letter is stated therein.

Anyone requiring additional time for compliance should contact the Management Company. Upon written request, additional time may be granted.

Structures

All non-brick structure exterior surfaces must be kept painted/stained, and the color(s) must be harmonious with the neighborhood. Such surfaces must be kept reasonably clean.

Any noticeably peeling, splotchy, mildewed, etc. paint/stain on non-brick exterior surfaces must be restored. This rule applies to brick exterior surfaces, which have been uniformly painted.

Any noticeably splotchy or mildewed brick exterior surfaces must be restored.

Any siding material (brick, wood, vinyl, etc.) must be uniform in materials and color. Any noticeably missing or damaged sections must be repaired.

Stained or tinted windows/doors must be harmonious in color and appearance with the structure and neighborhood.

Noticeably damaged or hazed windows must be replaced.

Mailboxes and mailbox structures must be kept in good repair. Their color and style must be harmonious with the residential structure and the neighborhood.

Exterior colors must not be bright or "loud" enough to constitute an annoyance or nuisance in the neighborhood. A chart of approvable colors is available through the Management Company.

Garage doors must be kept in good repair. Their color and style must be harmonious with the residential structure and the neighborhood.

Tree forts, or other outdoor playstructures, must not be in the public view and must not be a visual annoyance to neighbors.

The above standards are covered in Sections 2 and 7 of our deed restrictions. Expected compliance time from the date of an initial notification letter is stated therein. Anyone requiring additional time for compliance should contact the Management Company. Upon written request, additional time may be granted.

Vehicles and Equipment

No boats, trailers, campers, camping rigs removed from the vehicle, boat rigging, buses, inoperative vehicles, equipment, etc. shall be parked or stored continuously or intermittently in public view in excess of 72 consecutive hours. The 72 hours begin at the hour that such item is first placed in public view, and do not restart until the item is removed from public view for at least 48 hours. Such items must be garaged or screened by an approved structure in order to be parked or stored in excess of 72 hours.

No boats, trailers, vehicles, equipment, etc. shall be parked off paved areas in public view. Storage of such items must not be an annoyance or nuisance to neighbors.

No vehicles or equipment shall be allowed to impede the public right-of-way (e.g., sidewalks).

The enforcement procedures shall not restart if a violation is cured but then repeated within a six-month time frame.

The above standards are covered by Sections 7, 8, and 13 of our deed restrictions. Expected compliance time from the date of an initial notification letter is stated therein. Anyone requiring additional time for compliance should contact the Management Company. Upon written request, additional time may be granted.

Yard & Lot Maintenance

Yards, flowerbeds and paved areas must be maintained in a neat and attractive appearance at all times. Yard maintenance includes regular mowing, trimming, edging, pruning, weeding, and the removal of trash, debris and tree stumps.

There must be no litter or growth where the street meets the curb.

An intentional "natural" look must be carefully maintained and weeded regularly. Such a look is discouraged and may be deemed an annoyance by the neighborhood.

Cracks/joints in sidewalk, driveway and curb sections must be kept free of plant growth.

Yard equipment, bicycles, toys, etc. must not be left in the public right-of-ways (e.g., sidewalks) or in public view.

Exterior decorations must be removed within four weeks following a holiday.

No signs or advertising of any type are allowed without Architectural Review Committee approval with the exception of:

- One "For Sale" or "For Rent" sign not to exceed 24 inches by 34 inches.
- Four political signs per lot not to exceed 24 inches by 34 inches not to be erected more than 45 days prior to the election and to be removed within 7 days following the election date.

A variance shall be granted for the placement of a sign in public view indication the installation of a home security system.

- a) An Architectural Review Application seeking a variance for installation of a sign is made by the lot owner.
- b) The sign is no larger than 12" x 12" in size.
- c) The top of the sign is placed no higher than three (3) feet above grade.
- d) The sign is placed within five (5) feet of the door, gate, or other entry to the lot owners building or fenced yard, and is placed upon the lot owner's property.
- e) No more than two such signs shall be permitted per home site. Signs not in public view are exempt from the deed restriction. Actual installation of a home security system is not a requirement to obtain such variances.

Tree limbs and shrubs must not impede the sidewalk or street traffic. For tree limbs, a clearance height of at least 8 feet over the sidewalk and street must be maintained (This is covered by a City of Houston ordinance).

Plants and hedges must not exceed three inches in height or be located nearer to the front lot line than the front building set back line.

The above standards are covered by Sections 7, 15, and 16 of our deed restrictions. Expected compliance time from the date of an initial notification letter is stated therein. Anyone requiring additional time for compliance should contact the Management Company. Upon written request, additional time may be granted.

Fences

All fences must meet the location requirements of Section 11 of our deed restrictions. Fences six (6) feet six (6) inches in height must not exceed from grade.

Fences must be harmonious with their neighborhood in design, color, and appearance. Their structural integrity must be maintained, and they must be kept in good repair at all times.

Fences must be kept free of mildew.

Wood and ornamental iron are approved fence materials. Chain link is strictly prohibited. Fence material and color must be in harmony with the neighborhood and alternate materials must be approved by the Architectural Review Committee.

The above standards are covered by Sections 2, 7, and 11 of our deed restrictions. Expected compliance time from the date of an initial notification letter is stated therein. Anyone requiring additional time for compliance should contact the Management Company. Upon written request, additional time may be granted.

Paved Areas

All paved areas must be kept in good repair. This includes sidewalks, driveways and curbs.

The above standards are covered by Sections 7 and 14 of our deed restrictions. Expected compliance time from the date of an initial notification letter is stated therein. Anyone requiring additional time for compliance should contact the Management Company. Upon written request, additional time may be granted.

Antennae

Antennae are restricted to those capable of receiving normal television signals. They must not be constructed, erected, or placed in any manner visible from the fronting street.

Satellite Dishes

Antennae designed to receive direct satellite television signals of one meter or less in diameter should be mounted out of public view if possible. If they must be mounted in public view in order to receive an "acceptable quality signal," the mounting and the dish should be attached below the ridgeline of the house or garage. The dish and mounting are to be screened from public view if possible.

Suggested locations:

1. Post mounted no higher than eight (8) feet in the backyard of the home. Post cannot be mounted on easements.
2. Mounted on the rear eave of the home, but must be below the ridgeline of the home.
3. Mounted on the interior side fascia of the garage not above the ridgeline of the garage.

Satellite antennae greater than one meter in diameter are not permitted.

The above standards are covered by Sections 7, 13 and 18 of our deed restrictions. Expected compliance time from the date of an initial notification letter is stated therein. Anyone requiring additional time for compliance should contact the Management Company. Upon written request, additional time may be granted.

Home Based Business

Dwellings shall be used for single family purposes only.

An occupation, not involving the conduct of a business, customarily carried on in a single-family dwelling as an incidental but not the principle use thereof by a member of the occupant's family residing on the premise, without the help of any assistant or employee; without structural alterations in the dwelling or any of its rooms; without the installation of any machinery or equipment other than that customary to normal household operations; without the use of any sign, display or advertisement of the occupation or the telephone number of the same, the person conducting the same or of the occupant; and which occupation does not cause the generation of any traffic in the street nor involve the storage or display of any property other than household goods used on the premise; and which occupation does not include a beauty school, parlor or shop, a doctor's or dentist's office for the treatment of patients, a barbershop, carpenter's shop, electrician's shop, shoe shop, plumber's shop, radio shop, tinner's shop, auto repairing, auto painting, furniture repairing, sign painting or real estate office, but not limited to those so enumerated; and which occupation does not involve the conduct of a school, day care center; and which occupation does not include the keeping, stabling, pasturing, boarding or caring for any horses, cattle, dogs, cats or other animals belonging to persons other than the occupants of the main dwelling.

Miscellaneous

Trash containers and/or other debris must be kept out of public view on non-trash pickup days. Trash containers and/or other debris must be stored in a structure or hidden from public view by some form of approved screening.

The above standards are covered by Sections 7, 13 and 15 of our deed restrictions. Expected compliance time from the date of an initial notification letter is stated therein. Anyone requiring additional time for compliance should contact the Management Company. Upon written request, additional time may be granted.

ARTICLE VII

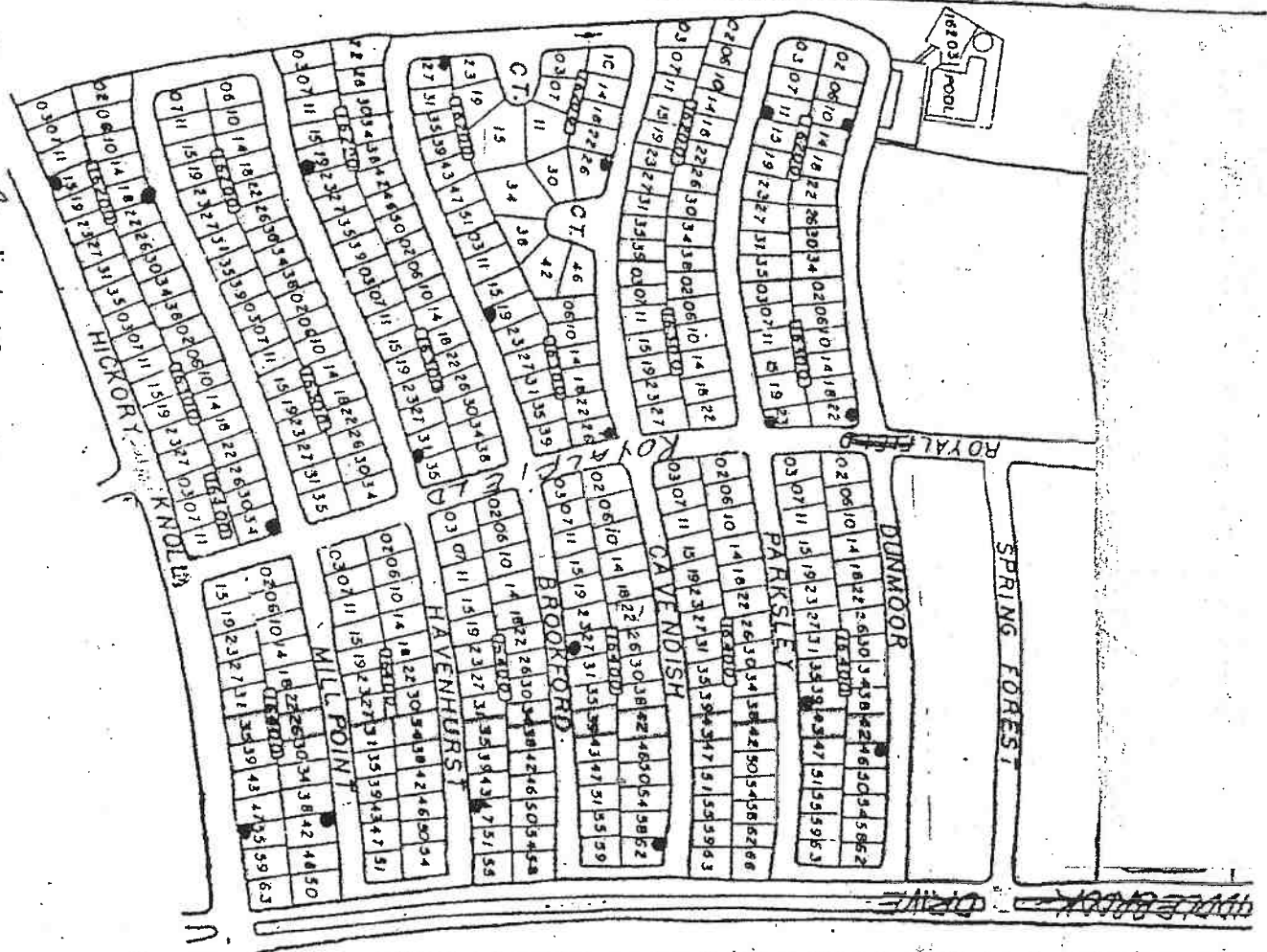
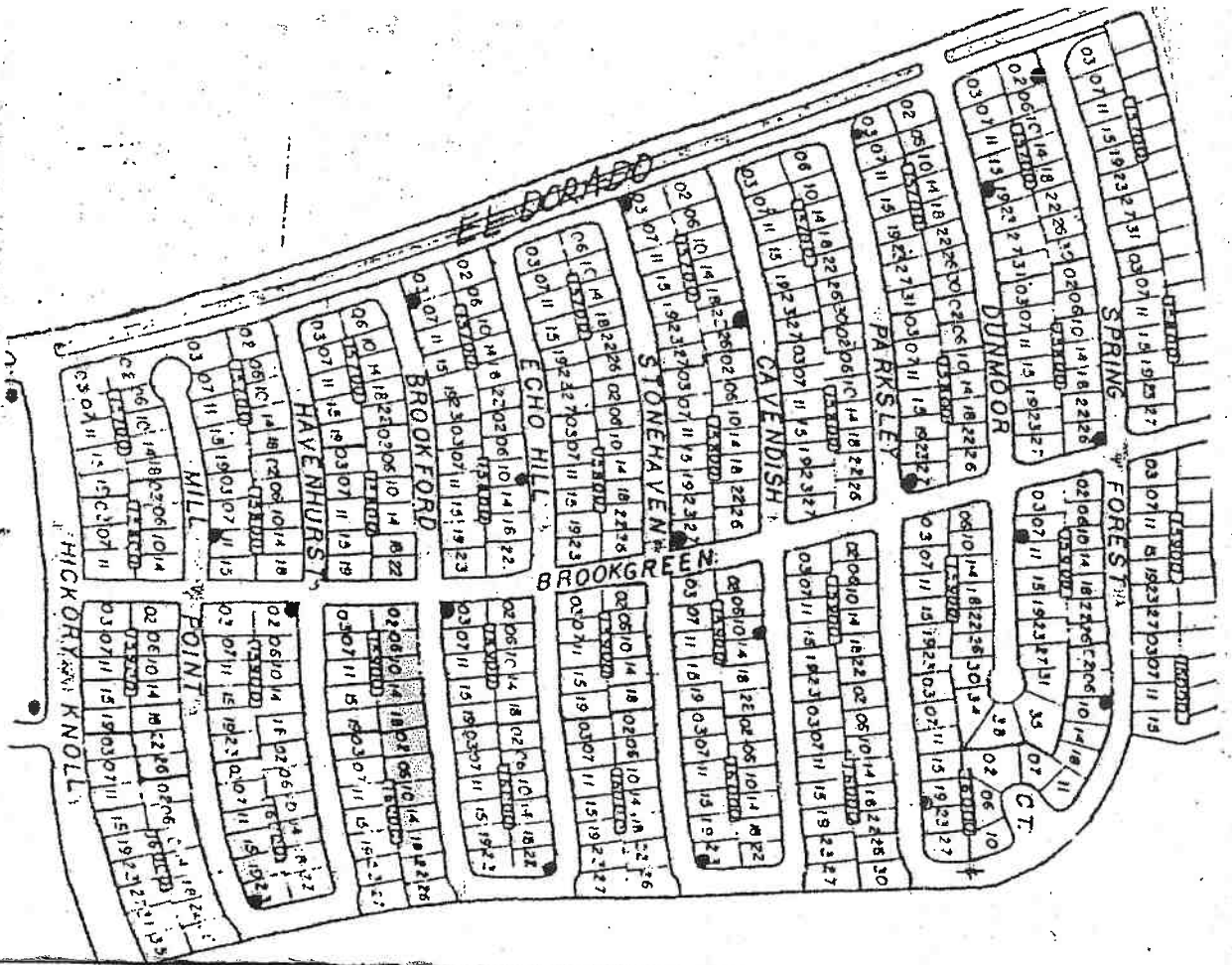
POWERS AND DUTIES OF THE BOARD OF DIRECTORS

Section 1. Powers. The Board of Directors shall have power to:

- (a) adopt and publish rules and regulations governing the use of the Common Area and facilities, and the personal conduct of the members and their guests thereon, and to establish penalties for the infraction thereof;
- (b) suspend the voting rights and right to use of the recreational facilities of a member during any period in which such member shall be in default in the payment of any assessment levied by the Association. Such rights may also be suspended after notice and hearing, for a period not to exceed 60 days for infraction of published rules and regulations;
- (c) exercise for the Association all powers, duties and authority vested in or delegated to this Association and not reserved to the membership by other provisions of these By-Laws, the Articles of Incorporation, or the Declaration;
- (d) declare the office of a member of the Board of Directors to be vacant in the event such member shall be absent from three (3) consecutive regular meetings of the Board of Directors; and
- (e) employ a manager, an independent contractor, or such other employees as they deem necessary, and to prescribe their duties.

Section 2. Duties. It shall be the duty of the Board of Directors to:

- (a) cause to be kept a complete record of all acts and corporate affairs and to present a statement thereof to the members at the annual meeting of the members, or at any special meeting when such statement is requested in writing by one-fourth (1/4) of the members who are entitled to vote;
- (b) supervise all officers, agents and employees of this Association, and see that their duties are properly performed;
- (c) as more fully provided in the Declaration, to:
 - (1) fix the amount of the annual assessment against each Lot at least thirty (30) days in advance of each annual assessment period;



Mill Point

11/17/05