

AMEND
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CREEKS AT AUGUSTA PINES HOMEOWNERS ASSOCIATION, INC.

**REVISED REPLACEMENT SUPPLEMENTARY DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
SHADOW CREEK ESTATES**

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS THAT
COUNTY OF HARRIS §

THIS REVISED REPLACEMENT SUPPLEMENTARY DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SHADOW CREEK ESTATES HEREBY SUPERSEDES AND REPLACES, IN ITS ENTIRETY, THAT ONE CERTAIN SUPPLEMENTARY DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SHADOW CREEK ESTATES THAT WAS ORIGINALLY RECORDED UNDER HARRIS COUNTY CLERK'S FILE NO. 20070242815, AS AMENDED BY INSTRUMENT FILED UNDER HARRIS COUNTY CLERK'S FILE NO. 20070318008, AS REPLACED BY INSTRUMENT FILED UNDER HARRIS COUNTY CLERK'S FILE NO. 20070547884, AS REPLACED BY REPLACEMENT SUPPLEMENTARY DECLARATION FILED UNDER HARRIS COUNTY CLERK'S FILE NO. 20120519650.

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WHEREAS, under date of September 5, 2006, SHADOW CREEK ESTATES, LTD, ("Declarant"), as the owner of certain land created that certain subdivision known as the CREEKS AT AUGUSTA PINES, by the execution and recordation of that certain Declaration of Covenants, Conditions and Restrictions for the Creeks at Augusta Pines recorded under Clerk's File No. 20060021221 of the Real Property Records of Harris County; Texas, as amended by that one certain Supplemental Declaration of Covenants, Conditions and Restrictions (Amendment) recorded under Harris County Clerk's File No. 20110143460 (the "Declaration"); and

WHEREAS, by the terms of. said Declaration, land subject to the Declaration is placed within the jurisdiction of the Creeks of Augusta Pines Homeowners Association, Inc. (the "Association"); and

WHEREAS, by the terms of said Declaration, the Declarant may establish Rules that among other matters, will govern as design/architectural guidelines, and which may, as part of such design/architectural guidelines, establish a list of approved Builders (custom or production Builders) that may be revised from time to time as circumstances warrant and which may be different for different neighborhoods; and

WHEREAS, the Declaration further calls out that Declarant may establish different neighborhoods within the Community of the Creeks at Augusta Pines, which neighborhoods may have different marketing names and may also have different guidelines for the Builders building Residences therein, which would be set forth by the execution and recordation of a Supplemental Declaration for each such neighborhood; and

WHEREAS, Declarant has established the neighborhood of Shadow Creek Estates, being approximately 48.383 acres in Harris County, Texas; the plat for which was recorded under Film Code 610022 of the Map Records of Harris County; containing 103 lots, 2 blocks

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and 8 reserves; and

WHEREAS, this is a Revised Replacement Supplemental Declaration for Shadow Creek Estates and any and all Builders and Owners of Lots within such Shadow Creek Estates must comply with the terms hereof;

NOW, THEREFORE, pursuant to the power reserved in the Declaration, Declarant does hereby declare that the following must be complied with for any and all improvements to any Lots within Shadow Creek Estates:

ESTATE SECTION

1. Square Footage Requirements:
 - Off Course 3500 SF
 - On Course 4000 SF
2. Height of Residence:
 - Three (3) story maximum height.
3. Building Materials:
 - Exterior Walls: Brick, Stone, Stucco
 - Fireplaces: Brick, Stone, Stucco
 - Roofing: Tile, Slate, Raised Metal Seam
 - Driveways: Patterned Concrete or Brick Pavers
4. Setbacks:
 - Front: As per plat
 - Rear: 30' (Course), Rear 20' (Off Course)
 - Sides: 7 'h and 7 'h
5. Fencing:
 - Golf Course Frontage: 48" Wrought Iron rear and side back 25ft (pre-approved design). Lot fencing on Lots facing Front of Lot: 6' Wrought Iron. 6ft. Cedar, capped fence with rot board between homes – No wood fence on side lot within 20' of rear fence corner.
6. Landscaping:
 - Submit to ARC for approval. (Note: all trees within 10' of the footprint of the house and/or house and pool are to be removed; all trees outside of the 10' footprint of the house and/or house and pool must remain and be protected during construction unless such trees are dead, damaged beyond repair or an obstruction for the approved placement of the driveway or sidewalk.)
7. Exterior Lighting:
 - Per ARC
8. Mail Boxes:
 - Same, uniform-provided by Developer, paid for by Builder

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9. Architectural Review Committee ("ARC"):
Alan Kent, Larry Williams, Allison Kent
10. Walks, Pools, Patios, Pool Decks:
Tile, Slate, Cool Deck, Patterned Concrete, Pea Gravel
11. Approved Builders:
Brickland Custom Homes, Cannon Custom Homes, Flair Builders,
Emerald Custom Homes, Matt Powers Custom Homes

VILLAS SECTION

1. Square Footage Requirements:
Off Course 2400 SF
On Course 2400 SF
2. Height of Residence:
Three (3) story maximum height.
3. Building Materials:
Exterior Walls: Brick, Stone, Stucco
Fireplaces: Brick, Stone, Stucco
Roofing: Barrel Tile of an approved color
Driveways: Plaza Stone by Pavestone in one of the following
 colors: Antique Red, Antique Buff Stone, Austin
 Gold, Old Town.
7. Setbacks:
Front: As per plat
Rear: 10' but pool can go all the way to the fence
Sides: Zero on one side and 6'
8. Fencing:
Golf Course Frontage: 48" Wrought Iron rear and side back 25ft (pre-approved design). Lot fencing on Lots facing Front of Lot: 6' Wrought Iron. 6ft. Cedar, capped fence with rot board between homes – No wood fence on side lot within 20' of rear fence corner.
9. Landscaping:
Submit to ARC for approval. (Note: all trees within 10' of the footprint of the house and/or house and pool are to be removed; all trees outside of the 10' footprint of the house and/or house and pool must remain and be protected during construction unless such trees are dead, damaged beyond repair or an obstruction for the approved placement of the driveway or sidewalk.)
12. Exterior Lighting:
Per ARC

13. Mail Boxes:

Same, uniform-provided by Developer, paid for by Builder

14. Architectural Review Committee ("ARC"):

Alan Kent, Larry Williams, Allison Kent

15. Walks, Pools, Patios, Pool Decks:

Tile, Slate, Cool Deck, Patterned Concrete, Pea Gravel

16. Approved Builders:

Brickland Custom Homes (lots 11 and 47 only) & Flair Builders (all other lots)

The Requirements set forth herein do not replace or amend the architectural approval process set forth in the Declaration; any improvement constructed or modified must obtain the architectural approval as set forth therein.

Nothing herein contained is intended or shall be construed to amend the Declaration other than to specify terms and provisions of the Declaration which are applicable to specific lots and land within Shadow Creek Estates.

This Replacement Supplementary Declaration may be amended from time to time in the same fashion and manner as the Declaration.

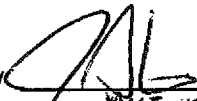
IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has hereunto set its hand and seal this 5th day of JUNE, 2013.

Declarant:

SHADOW CREEK ESTATES, LTD, a Texas limited partnership,

2OR

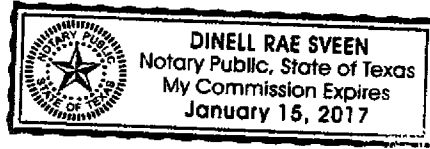
By: Shadow Creek Estates GP, LLC
general partner

By: 
Name: ALAN KENT
Title: GP

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STATE OF TEXAS

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COUNTY OF HARRIS

This instrument was acknowledged before me on this 5th day of June, 2013 by James Alan Kent, _____ of _____, which is the general partner of Shadow Creek Estates, Ltd, a Texas limited partnership.

Notary Public, State of Texas

ER 070-92-0439

20150278841
Pages 6
06/26/2015 11:14 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
STAN STANART
COUNTY CLERK
Fees \$32.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.
THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



Stan Stanart

COUNTY CLERK
HARRIS COUNTY, TEXAS

ER 070-92-0440