



**OAKBROOK ESTATES SECTION ONE HOMEOWNERS ASSOCIATION, INC.
Architectural Control Committee**

-- Charter and Guidelines --

Revision: January 2019

SCOPE AND RESPONSIBILITIES:

The Architectural Control Committee (ACC) or Architectural Review Committee (ARC) is appointed by the Board of Directors for Oakbrook Estates Section One Homeowners Association, Inc. (Board). The purpose of the ACC/ARC is to centralize architectural control of the neighborhood to enhance, ensure, and protect the attractiveness, beauty, and desirability of the area as a whole while at the same time allowing compatible distinctiveness of individual developments in the area. The ACC shall ensure that all applications for changes, alternations, additions, or deletions to property in the community are in compliance with both the Restrictions in use contained in the Declarations of Covenants, Conditions and Restrictions (DCCRs) for the neighborhood and these Architectural Guidelines established for the neighborhood. Oakbrook Estates Homeowners are responsible for their understanding and following of all applicable Federal, State and Local guidelines as well as Engineering Standards and Insurance requirements as related to the maintenance and improvements to their residences.

The ACC/ARC as defined by the DCCRs is a standing committee of Board appointed community volunteers described by this charter.

PROCEDURES:

The ACC/ARC will review submitted plans for exterior modifications and working in conjunction with the Management Company, make periodic review and/or inspections of the work in progress to ensure timely completion and conformity with approved plans and the DCCRs. The ACC/ARC shall meet to review applications with plans for alterations at least once every month. Plans shall be approved or rejected, subject to the governing documents and guidelines as well as general conformity with neighborhood appearance. When a set of plans is rejected by the ACC/ARC, the applicant will be informed of the reason(s), any changes that could be made to facilitate approval of the plan, and their right to appeal the ACC/ARC's decision to the Board. When an appeal is made the Board may a) uphold the rejection of the plans, b) approve the plans, or c) return the plans to the ACC/ARC with questions and/or comments for consideration.

The minimum required documents to be submitted to the ACC/ARC is dependent on the type of construction, alternation, change, modification, repair or items to be replaced. However, the following items are required to be submitted with ALL applications:

- The completed and signed Home Improvement Application; and,
- A certified plot plan of the residential Lot, which is a site plan of the residential lot showing dimension, relation to existing dwellings, property lines, building setback lines, utility easements, water and sewer easement, etc. The plot plan MUST show the location of any new construction, alteration, change, modification, repair or replacement of any item that will be placed upon the Lot.

Property owners may also be required to provide:

- Engineered drawings showing plan dimensions, elevations of finished appearance, information detailing materials of construction, connection details, foundations, etc.;
- Paint color sample (color chip)
- Shingle color samples (color chip)
- Other information as required by the ACC/ARC committee related to a specific application request

Final required documentation/information is dependent on the type of construction, alteration, change, modification, repair or replacement being requested by the property owner.

A Home Improvement Application form may be obtained by contacting the HOA Management Company at 281-480-2563 and requesting a copy of the form or by logging on to the HOA website at <http://www.oakbrookestateshoa.com> and downloading a copy of the form. When calling the HOA Management Company by phone, please be specific and make sure they understand the request is for an **Oakbrook Estates** Home Improvement Application.

Submit all completed Home Improvement Applications to the HOA Management Company via email, fax or conventional postal service. All contact information for the HOA Management Company is contained within the Home Improvement Application. The HOA Management Company will in turn forward all submitted applications to the ACC/ARC for review.

Once an application has been received by the ACC/ARC, the Committee has up to thirty (30) days to review the application and reply, in writing to the property owner. If written notification has not been received within thirty (30) days, the application shall **NOT** be considered approved. The application review process shall not be considered complete until the property owner has received written approval or rejection from the Committee.

The property owner **SHALL NOT BEGIN** any improvement, construction, alteration, change, modification, repair or replacement until the ACC/ARC informs the property owner, in writing, of their decision. The property owner understands that if any improvement, construction, alteration, change, modification, repair or replacement are made that have not been approved by the ACC/ARC, the committee has the right to require the owner remove the improvement, construction, alteration, change, modification, repair or replacement to the property and restore the property to its previous condition at the sole expense of the property owner.

It is the responsibility of the property owner to comply with all City and / or County permit requirements regarding construction, alterations, changes, modifications, repairs, replacements and final location of items erected on a residential Lot. It is NOT the responsibility of the ACC/ARC to advise property owners regarding City and / or County requirements regarding intended construction, alterations, changes, modifications, repairs or replacements. All buildings and structures erected within Oakbrook Estates, and the land use and appearance of all land within Oakbrook Estates, shall comply with ALL applicable City of Pearland Zoning and Code requirements as well as the DCCR's and all Amendments therein recorded. Texas law requires property owners / contractors to contact Texas One Call to have all utility companies locate their underground services prior to the start of construction, if required. Should a property owner / contractor fail to utilize this service any damage to a utility service and costs associated with such damage shall be the sole responsibility of the property owner.

All finished work must meet the quality workmanship standards intended by the governing DCCR's and community policies set forth by the ACC/ARC and Board of Directors for the Association. The Board of Directors and the ACC/ARC reserve the right to reject the approval given for any new construction, alteration, change, modification, repair, replacement or improvement made if the materials, workmanship or specifications submitted in the request documents are not followed.

Alterations, changes, modifications, repairs or replacements must be completed within ninety (90) days of the approval date on the ACC/ARC approval letter or a new application and required documentation must be resubmitted. Construction work must be completed within 180 days of the approval date on the ACC/ARC approval letter or a new application and required documentation must be resubmitted.

Any appeal of the ACC/ARC's decision shall be submitted in writing to the Board of Directors of the Association within thirty (30) days following the date of mailing of the ACC/ARC's decision. Likewise, the property owner may also request a face-to-face meeting with the Board of Directors of the Association to discuss any decisions rendered by the ACC/ARC. This request for face-to-face meeting with the Board of Directors must be made in writing within thirty (30) days following the date of mailing of the ACC/ARC's decision.

GUIDELINES:

The disposition of applications submitted to the ACC/ARC shall be determined in accordance with the Guidelines for the ACC/ARC that were approved by the Oakbrook Estates Board of Directors.

I. GENERAL PROVISIONS**A. PURPOSE**

Deed Restrictions and Architectural Guidelines protect neighbors and the value of their neighborhoods. All property owners and tenants are subject to the Deed Restrictions and to these Architectural Guidelines, and have agreed to comply with them. In turn, they rely on their neighbor's promises that they too will comply. Most problems can be resolved and unnecessary complications avoided by a thorough understanding of the Deed Restrictions and of these Guidelines. Compliance with the Deed Restrictions and these Guidelines by all neighbors will permit Oakbrook Estates property owners and residents to enjoy raising their families in a pleasing environment and an attractive community with sustained property values.

B. BASIS

These guidelines are intended to augment the Oakbrook Estates Deed Restrictions, officially titled "Declaration of Covenants, Conditions and Restrictions" (DCCRs), and do not replace or override them. All are based on the specific rules established by the appropriate governing documents. These guidelines may be amended by addition, deletion or alteration at any time by ACC/ARC or as the Board of Directors deems appropriate.

C. NEED FOR APPROVAL

Any addition, change or alteration which is visible from a street, common area or an adjacent property must have prior approval from the ACC/ARC. Shrubs and other live items of landscaping are generally not restricted. The ACC/ARC has the legal authority to require any homeowner to remove or alter any modification which has not received prior approval or is not built according to approved plans. An ACC/ARC application is not required for maintenance as defined in Section I.F. "Quality of Repairs".

D. APPROVAL PHILOSOPHY

The approval process is intended to minimize hardships or undue delays, while preventing additions or modifications to property that would be costly to correct if done improperly or in violation of the DCCRs or Architectural Guidelines. The ACC/ARC's goal in the review process is not to tell the owner that changes cannot be made to the property, but rather to assist in making changes in a way which conforms to the character of the neighborhood.

E. PRECEDENTS

While the ACC/ARC will make every reasonable attempt to be fair and equitable, the ACC/ARC and the Board will not necessarily be bound by prior ACC/ARC's, or prior Boards (or the developer) decisions. The ACC/ARC reserves the right to disapprove applications for improvement that require a variance from the established Covenants if it believes that such changes are not in the best interest of the future of the Community, even if a precedent was set by prior ACC/ARCs, or prior Boards.

In spite of their best efforts, the ACC/ARC and/or the Board will from time to time make a decision that, in retrospect, is not in the best interests of the community. The ACC/ARC and the Board reserve the right to recognize such a situation and no longer permit its use as a precedent. The same right applies if the ACC/ARC and/or the Board make an inadvertent error in allowing a change or addition.

F. QUALITY OF REPAIRS

From time to time, homeowners will be required to make repairs to portions of their property that may be damaged or deteriorated. This includes such items as curbs, sidewalks, porches, fences, roofs, etc. Repairs are required to be of equal or better quality than original construction and of the same type. The quality of such work may come under the scope of the ACC/ARC's responsibilities if the repair is done in such a way as, in the ACC/ARC's opinion, to detract from the appearance of the neighborhood.

G. EMERGENCY AND DISASTER REACTION

Disasters such as fire and weather may cause significant construction and repair activity to take place. Temporary repairs of structures (those that are present for no longer than three months during reconstruction) will be acceptable under such a condition. The management company will extend a grace period for Board recognized disasters and will defer issuing DCCR violation notifications for up to three months from the event.

Approval for changes to the former structure will be made with all haste possible so as to have no adverse impact on the owner. The Board and the ACC/ARC will take whatever action is reasonable to expedite its responsibilities. The intent will be to re-establish the neighborhood to its former quality as quickly as possible.

It is recognized that an owner has the right to take temporary protective action in the event of certain weather conditions, such as hurricane warnings. No prior approval for such temporary action is required. However, all such installations must be completely removed and the property restored to its original condition within fourteen days of the passing of the emergency. This rule specifically applies to, but is not limited to, the boarding of windows and doors during a hurricane threat.

H. EASEMENT ENCROACHMENTS

It is not the responsibility of either the ACC/ARC or the Board to police encroachment into utility easement areas. If possible, the ACC/ARC will advise the owner of a possible encroachment and recommend that the owner seek approval or waiver from the appropriate utility. However, the ACC/ARC will not be liable for any expense incurred by an owner as a result of action by a utility if such encroachment occurs, even if the ACC/ARC approved the change or addition without comment.

Any non-portable structure on an easement, other than landscaping or fencing is considered permanent and thus an encroachment upon the easement. The property owner shall secure a Consent for Encroachment or a Release of Easement from ALL affected utility companies or easement grantees. If the property owner plans show an encroachment on an easement, the property owner shall obtain a Consent for Encroachment or a Release of Easement prior to submitting a Home Improvement Application to the ACC/ARC, otherwise the application will be denied.

If there is an aerial easement on the residential lot, the utility company or easement grantee(s) may permit the property owner to place a permanent structure in the easement as long as the structure is not higher than the aerial easement. The property owner shall discuss ALL possible issues with the affected utility companies or easement grantees first to insure proper compliance.

Below, find a list of easements that may appear on a residential lot survey. This list is not intended to be all inclusive, only to provide guidance to a property owner to determine and understand the type of easement or easements that may cross a residential lot.

A.E.	=	Aerial Easement
B.L.	=	Building Line
C.P.	=	CenterPoint Easement
D.E.	=	Drainage Easement
G.B.L.	=	General Building Line
E.E.	=	Electrical Easement
ESMT.	=	Easement
P.L.	=	Property Line
S.S.E.	=	Sanitary Sewer Easement
STM. S.E.	=	Storm Sewer Easement
U.E.	=	Utility Easement
W.L.E.	=	Water Line Easement
W.S.E	=	Water and Sewer Easement

I. CONSTRUCTION MATERIALS

Certain building materials are considered unacceptable for exterior use in Oakbrook Estates. Other materials may be used for specific applications only. General guidelines are as follows:

BRICK and CONCRETE SIDING	Generally acceptable. Brick should match the existing brick on the residence as closely as possible. Concrete siding (example: Hardiplank) should resemble lap siding currently used throughout our neighborhood. Sheet siding is not acceptable for siding replacement.
STONE	Generally acceptable in applications where brick could be applied. Stone should match or complement the existing brick on the residence.
ALUMINUM	Acceptable for rain gutters and window framing. All aluminum items, regardless of their application, must be painted a color compatible with the home on which it is installed.
TIN	Generally unacceptable for all applications.
FIBERGLASS	Generally unacceptable for all applications.
ROOFING MATERIAL	Must be the same as the home for any structure that has three or more enclosed sides, regardless of the purpose or use of the structure, Weatherwood, Barkwood or Driftwood color 30 year shingles. Spanish Tile Roofing is unacceptable.
PLASTIC or PALM LEAF ROOFING	Corrugated plastic or Palm Leaf roofing of any type is unacceptable for all applications.
VINYL/ SIDING	Vinyl is unacceptable for all applications. Siding must be wood, wood composite or concrete lap board siding only. Sheet siding is not acceptable for siding replacement

II. LANDSCAPING

A. GENERAL

In general, the addition or movement of shrubs and other live items of landscaping is acceptable without a formal review by the ACC/ARC. Exceptions include landscaping that is, or will act as, a non-compliant fence, items that obstruct access to a vital community service (such as a fire hydrant), items that obstruct visibility causing a hazard to vehicular or pedestrian traffic, items that create a hazardous condition, or any item that generates a complaint from a resident of the community. These guidelines apply both to items that create an unacceptable condition upon installation and items that grow to become unacceptable.

B. TREES

An ACC/ARC Application is required for the removal of a tree. An ACC/ARC Application is not required for tree maintenance (trimming) or for tree removal if the tree was uprooted by a windstorm with no possibility for rehabilitation (see also Section I.G, "Emergency and Disaster Reaction").

Removal of individual trees is discouraged unless the tree is diseased, dead, severely damaged, or poses a hazard. Because trees add value to a property and the community as a whole, a minimum of one tree is required in the front yard of all properties in the association. A tree is defined as being a minimum of 20 feet tall when mature. Trees that are not maintained at such a minimum height or that cannot reasonably be expected to attain such a height when full grown do not meet this definition.

The Association does not regulate or assume responsibility for the location of tree placement other than requiring a minimum of one tree in the front yard and no planting of trees below power lines. The Association may require the trimming or removal of any tree located such that it blocks traffic sight lines at intersections, blocks public sidewalks (minimum 9 foot clearance required per City of Pearland Ordinance), threatens to damage Association fencing, power lines, is dead, is diseased, or is severely damaged.

When a tree is removed, the stump must be completely removed to below grade level and covered with dirt.

C. PERIMETER FENCE

Perimeter fences that are a community property, owned by or maintained by the Association should not be manipulated or damaged by individual owners. In general, where the Association owns several feet of property inside a perimeter fence, residents must respect this easement. Individual homeowners whose property adjoins the perimeter common property fence must ensure that the fence is not exposed to damage by adjacent plantings or land use, as they will be held responsible for any such damage occurring on or caused by their property. Plants that attach themselves to the perimeter fence are prohibited unless planted by the association. Bushes and trees must be trimmed to prevent contact with the perimeter fence. Flower boxes, planters, composting boxes and any other raised beds must not be in contact with the perimeter fence. No structure of any kind may be attached to the perimeter fence.

D. HEDGES AND WALLS

No hedge or wall shall be erected or maintained nearer to the front Lot line than the walls of the primary residence (dwelling) existing on said Lot. All side and rear hedges or walls shall be erected and maintained within the Lot property line or building line whichever is defined on the registered Lot survey. No wall shall be erected such that it encroaches on any known easement that passes through a Lot as defined by the registered Lot survey.

A hedge, is defined as a boundary formed by closely growing bushes, shrubs or plants that enclose or divide an area of land. No hedge in excess of three (3'-0") feet in height shall be erected or maintained on any residential lot nearer to the front Lot line than the walls of the dwelling existing on such Lot. No side or rear hedge shall be more than six (6'-0") feet in height; provided however that the ACC/ARC may grant a variance in height up to a maximum of eight (8'-0") feet.

A wall is defined as a continuous horizontal and vertical structure, typically constructed of masonry brick, stone, concrete, etc. that encloses or divides an area of land. No wall of any type shall be erected on any residential lot.

III. MAINTENENCE

A. GENERAL MAINTENANCE

All improvements on a lot must be maintained in a state of good repair and shall not be allowed to deteriorate. Repairs shall include, but are not limited to, the following:

1. All painted surfaces must be clean and smooth with no bare areas or peeling paint, and all surfaces must be free of mildew or weather deterioration.
2. All rotted and damaged wood must be replaced and any damaged brickwork repaired.
3. Gutters must be kept in good repair and are not allowed to have missing pieces, large dents, sags, rust, missing or hanging parts or visible blockage.
4. Roofs must be maintained in good repair with no missing or curling shingles.
5. All glass surfaces must be whole and maintained in good repair.
6. Fences and gates must be kept in good repair. This includes, but is not limited to, rotten wood, broken boards, obvious lean of the fence structure, or peeling sealant if an approved wood preserving sealant has been applied.
7. Garage doors must be undamaged and in good repair and painted to match the trim or siding of the property.
8. Sidewalks, driveways and curbs must be clean and undamaged. Seams must be kept free of weeds.
9. Lawns must be kept mowed, edged, weed eaten and weed free; flower beds must be kept free of weeds; and shrubs and trees must be kept trimmed. Lawn and all landscape must maintain a manicured appearance.
10. There must be no storage of toys, equipment, swings, benches, statues, trash/recycle receptacles, patio furniture, clutter and/or debris in public view.
11. Perimeter fences maintained by the Association must not be exposed to damage by adjacent plantings or land use. Bushes and trees must be trimmed to prevent contact with the wall.
12. Raised beds for composting or planting, composting boxes and flower boxes must not be in contact with the perimeter wall.
13. Trash and recycle receptacles must be kept in garages or behind backyard fencing so they are concealed from view of neighboring lots, streets, parks, and public areas. The construction of a fence in the front yard to screen trash or recycle receptacles is prohibited. Please refer to City of Pearland regulations concerning trash pickup timeframes and requirements.
14. No structure of any kind may be attached to the perimeter wall.
15. House numbers must be easily readable from the street.

B. YARD MAINTENENCE

All lots shall be kept in a healthful and attractive condition, all weeds removed and grass regularly mown and edged and weed eaten. Dead plants, trees, and bushes shall be promptly removed from the property. Lawn and all landscape must maintain a manicured appearance. There must be no storage of toys, equipment, clutter and/or debris in public view.

NOTE: Covenants give the Association the right to have unkempt property maintained and to place a lien against the home for expenses.

IV. PAINTING**A. APPROVAL REQUIREMENTS**

The intent of these guidelines is for a homeowner to be able to select and apply paint colors that replicate the original homebuilder/ developer paint application. However, ACC/ARC approval is still necessary for replication. If a homeowner wants to select and apply either a different or the same color to the exterior of the home or ancillary structure, ACC/ARC approval must be sought and all paint guidelines shall apply. Paint applications must include a complete description of brick color and all other colors used on the exterior of the residence. Additionally, the application must be accompanied by paint color samples for the new paint colors proposed on the application. Paint applications will not be approved until paint color samples are provided.

B. GENERAL COLOR SELECTION

Colors selected from the original color schemes of the neighborhood are most likely to meet approval. Generally, muted earth tones are considered appropriate. It is impossible to cover all shades and paint colors to be listed in an approved color list. Homeowners considering a color change on their residence or ancillary structure should submit a color sample and number for consideration. The exterior color of all structures upon residential lots within the community must be approved, in writing, by the ACC/ARC, prior to the start of any painting or repainting activity.

White is always acceptable. Primary, bright or pastel colors will not be approved. Specifically, black, reds, yellows, oranges, purples, blues, and greens will not be approved. Within the parameters of the palette of acceptable colors specified herein, if the homeowner so desires, the ACC/ARC may approve a trim color which contrasts with the siding and brick color.

C. SPECIFIC APPLICATION OF COLORS

First, the basic coloring of the brick must be established. If the brick blends best with grays, then white or a shade of the gray color family should be selected for the siding color. If the brick blends best with brown tones, then white or a shade of the brown color family should be selected for the siding.

The prohibition against painting curbs does not exclude or regulate the use of curb painted house numbers.

D. GENERAL COLOR DEFINITION

Prior to submitting color samples for a project, examine them in outdoor sunlight and directly compare to the brick color of the home. Colors should "blend" and complement the brick color as required in Section IV.B, "General Color Selection." This is the test method used by the ACC/ARC when colors are submitted that are on the borderline of what is normally approved.

The following colors require more judgment by the ACC/ARC to determine if they are acceptable. These definitions are provided to assist the homeowner in applying these colors more successfully:

1. Cream or Off-White: These colors are considered to be a part of the brown color family and should not be applied when the brick color is predominately gray. Homeowners should compare the color sample directly to the brick in the sunlight. Creams and off-whites tend to look yellow depending on the brick color. This condition should be avoided.
2. Blue-Grays: This end of the gray color spectrum always requires close assessment. Blue and blue-grays are not permitted by the ACC Guidelines. The ACC/ARC will review color samples provided in the sunlight. A sample must appear to be substantially more gray than blue to be acceptable.
3. Dark Green (shutters only): Muted, deep/dark greens are acceptable for contrasting color on shutters, bright greens are not.

4. **Dark Red (front doors only):** The color of muted reds selected must match the brick of the home and tend to be "deep and dark" verses "bright". Bright reds, oranges, pastels, and other primary brick colors are not eligible for matching as indicated in Section IV.C.6, "Doors".
5. **The Brown Color Family:** Most shades of tans and browns are acceptable. Light browns that have a significant amount of yellow or gold in them and darker browns that contain a substantial amount of red should be avoided.

V. ROOFING

A color sample (color chip) of the requested shingle color shall be submitted with ALL Home Improvement Applications. Home Improvement applications will not be processed without this information.

A. ROOFING MATERIALS

1. ASPHALT OR COMPOSITION

Asphalt or Composition shingles are acceptable roofing materials and as such are permitted. Any other type of roofing material shall be permitted only at the sole discretion of the ACC/ARC upon written request by the property owner and only with written approval from the ACC/ARC. Shingles shall be Architectural Style Shingles (a.k.a. Dimensional or Laminate Shingles)

Asphalt or Composition shingle shall be comparable in color to wood shingles

Acceptable shingle colors:

- Barkwood
- Weathered Wood
- Driftwood

The decision of such color comparison shall rest exclusively with the ACC/ARC.

Not Permitted: 3~Tab shingles are not permitted.

1. **CRUSHED MARBLE, SLAG, OR PEA GRAVEL**
Do not match the architectural style of the community and are not permitted.
2. **CONCRETE, SLATE, OR ALUMINUM/STEEL SHAKE**
Do not match the architectural style of the community and are not permitted.
3. **SPANISH TILE (CLAY)**
Do not match the architectural style of the community and are not permitted.
4. **COPPER**
Decorative copper roofing may be used on widow's peaks, dormers, and bay windows. The ACC/ARC recommends that these roofs be allowed to age to its natural green color. However, if the homeowner desires to paint this roof type, the paint guidelines in Section IV, "Painting" must be followed.
5. **TIN OR ALUMINUM SHEET**
Corrugated tin or aluminum roofs are not permitted in any application. (See Section IV, "Painting")
6. **CEDAR**
Wood shake roofs are not permitted.

Any other type roofing material shall be permitted only at the sole discretion of the ACC/ARC upon written request.

B. INSTALLATION REQUIREMENTS

All new roofing material being installed or roofing material that is being installed as a repair or replacement of existing roofing material on a residence or other accessory structure shall be installed by a licensed contractor.

- Minimum roof slope for Asphalt or Composition type shingles is 2:12;
- Asphalt shingles shall meet the following minimum requirements of ASTM D3161 (Class F recommended). Asphalt shingle wrappers shall bear a label indicating compliance with the above ASTM standard. Asphalt shingles shall have a Class A fire rating;
- Asphalt shingles shall come with a minimum 25 year warranty from the manufacturer;
- It is recommended that all sheathing, felt paper and shingles be fastened with corrosion resistant fasteners. It is also recommended that shingles be installed with nails, as specified by Texas Windstorm in lieu of staples;

- All new roofing and re-roofing projects within the Association must meet City Building Code requirements as well as Windstorm Roofing Requirements for the State of Texas;
- Installation of roof shingles shall be per Manufacturer's recommendations;
- Roofing contractor is responsible for all flashing, vent pipe stands, etc. Vent pipe stand color shall closely match roofing material;
- Roofing overlay is not acceptable. All existing roofing material shall be removed and disposed of properly prior to the installation of any new roofing material.

In the event of a natural disaster, the requirements to obtain prior written approval for roof material type and color from the ACC/ARC shall not be waived but repairs may begin prior to receiving written approval from the ACC/ARC as long as the new roof material / roof repairs match the existing roofing material in type and color and conform to the requirements of this section. This applies to a property owner's primary residence ONLY. All accessory structures on a lot that sustain roof damage shall follow the standard ACC/ARC approval process.

VI. FENCING

Every property in the Association is required to have a well maintained fenced-in backyard. No fence shall be erected or maintained nearer to the front Lot line than the walls of the primary residence (dwelling) existing on said Lot. All side and rear fencing shall be erected on the Lot property line or building line whichever is defined on the registered Lot survey. No side or rear fencing shall be set back from the appropriate property or building line (as defined on the registered lot survey) creating undesired "alleyways" between residential Lots. As defined on the registered lot survey, no fence location shall be adjusted or relocated on a residential lot without prior written approval from the ACC/ARC. No fencing shall be erected such that it encroaches on any defined Building Line setback (as defined by the registered Lot survey) or any defined Easement Line setback (as defined by the registered Lot survey) that crosses said residential Lot except as allowed by City, County or Easement requirements. The maximum fence height is 6'-0" unless a variance is granted.

A. BREEZEWAY FENCING

For homes with detached garages, where a covered breezeway connects the house to the garage, a fence structure may be installed that meets any of the criteria below. Any of these improvements must follow a straight line from the house to the garage, must be as close as practical to the sidewalk that connects the two structures and be anchored to both the house and the garage or to two posts that are in close proximity to the house and the garage.

1. Standard Wood Fence

A standard wood fence and gate combination may be constructed of no greater than six feet (6'-0") in height unless otherwise approved by the ACC/ARC. Variances are required for fence heights over 6'-0".

2. Wooden Lattice Fence is not permitted.

3. Wrought Iron Fence is not permitted. .

B. YARD FENCING

Six-inch (standard), notched (dog-eared), six-foot western red cedar pickets that are free of large or loose knots and/or splits are required. The fence should utilize 4" X 4" vertical posts set in a minimum of two feet in concrete on minimum of seven foot centers. Fencing that crosses over culverts or drainage channels may be maintained at the same elevation as the adjacent fencing instead of following the exact contour of the ground. There should be little variation in fence height or style from one property to another. Fence ornamentation of any kind or non-standard gate designs is not permitted. 6'-0" is the maximum fence height allowed without a variance.

Fencing on the rear or side property lines of certain lots which adjoin a street right-of-way or restricted open-space reserve may have originally been installed with a design that is different from the community standards outlined above. In order to preserve the overall architectural continuity, replacement of these fence sections should be of the same design as the original fence in that area (including the fence facing). Regardless of design, ACC/ARC approval is required for all new fencing. Special situations with non-standard fencing should be noted on the ACC/ARC application. Applications

must include a plot plan that clearly defines the project. Fencing cannot be installed in any way that prevents unrestricted access of the perimeter of the neighborhood, its drainage or community owned areas.

Homeowners are encouraged to collaborate with their neighbors when planning fence projects. Homeowners whose property line includes sections of the Association maintained wall and whose property is greater than the common grade (on the outer side of the Association wall) are required to install new fencing at an elevation shorter than 6'-0", so that the cedar pickets are not visible from the public areas over the wall. In general, the Association wall is set at 6'-0" from the common grade of the Association's property. As with interfaces between new and old fencing, it is appropriate that height tapering over the span of one eight-foot section is enough to assure the continuity of the fence line and overall appearance of the Association wall to the public.

Fences should be allowed to weather with age. Only a clear coat of wood preservative or clear cedar stain may be applied to cedar fences. The uses of other non-clear stains are prohibited and need to be removed or pickets replaced. Staining with clear stain requires prior approval and must be maintained in a consistent and visually pleasing condition. Staining may not be used as cover-up for rotting fence structures.

Unacceptable fencing material shall be as follows:

- Galvanized chain-link fence (or any coated chain-link fence);
- Wrought Iron fencing;
- PVC / Vinyl / Plastic fencing;
- Composite Wood fencing that resembles real wood;
- Aluminum fencing (any color);
- Metal fencing;
- Wire fencing;
- Any other material not listed above in Acceptable Fence Material;

C. TRASH and RECYCLE ENCLOSURES

Trash and recycle receptacles must be kept in garages or behind backyard fencing so they are concealed from view of neighboring lots, streets, parks, and public areas. The construction of a fence in the front yard to screen trash or recycle receptacles is prohibited. Please refer to City of Pearland regulations concerning trash pickup timeframes and requirements.

D. FRONT YARD FENCING

Front yard fencing of any type is not permitted, as it is inconsistent with the overall design of the community.

VII. ROOM ADDITIONS

The construction of room additions or any major modifications to the structure of the residence building requires an ACC/ARC Application in addition to any engineered drawings sealed by professional engineers or other architectural drawings as may be approved for city permits. Additions must be designed to blend with the architecture of the existing structure and must be constructed of equivalent materials. All first floor additions must be bricked to match the residence.

Room additions must remain inside the easements, setbacks, and other boundaries defined on the plat of the property. A sealed property plat is normally provided to the homeowner as part of the closing on the purchase of the property. A property plat (instead of a hand sketch) **SHALL** be provided as part of the ACC/ARC Application for room additions.

Any additions to the construction of a residence with more than a total of two floors are not permitted because these additions are not consistent with the overall design of the neighborhood. All residences are required to have at least a two-car garage per the original design for the community.

VIII. SPECIFIC ITEMS

A. YARD ORNAMENTS, FIXTURES, AND FURNITURE

All lawn ornaments, installed outside of the fenced portion of the property, whether temporary or permanent, will not be permitted. It does not matter whether they are permanently installed by being cemented or otherwise fixed, into the ground or just maintained on top of the ground or on porches.

Ornaments include, but are not limited to, such items as planters, decorations, statues, bird baths, lawn ornaments and other decorative items. Furniture includes chairs, benches, lounges, tables, swings etc. Fixtures include swings, lighting fixtures not described elsewhere in this document, barbecues, cookers, smokers, etc.

1. Items on Front Porches

No yard ornaments, fixtures or furniture will be permitted on the front porch whether temporary or permanent.

2. Items in Enclosed Yards

The intent of the committee is to permit the greatest possible flexibility for use of improvements in enclosed yards. It is recognized that such approved improvements as pools and children's play areas require some items that would not fall under the approval criteria. Such items include pool furniture, children's play equipment, tables and chairs, etc. This type of item is seldom installed or kept on a permanent basis. In general, items of six feet or less in height, of a temporary (48 hours) or mobile nature and kept within the confines of the fenced yard area will not require written approval. It will not matter whether the item(s) is visible from the street or an adjoining property. Such items may be composed of any material and be of any color.

3. Front Yard Items

Those items kept permanently, or for prolonged periods, outside of the fenced area of the property will receive the greatest attention, the greatest visibility and will require written approval. For purposes of consistency, the term "prolonged periods" will be consistent with the "semi-permanently parked" rule for parked or abandoned cars (e.g. 48 hours -- see Section VIII.J.2, "Semi-Permanently Parked").

All of the following paragraphs, unless otherwise specified, refer to items outside the fenced area and those on porches but not those within the fenced areas.

a. Material Composition

The same general guidelines apply to these items as apply to other structures. Certain materials are generally unacceptable. Such materials include plastic, fiberglass, unpainted aluminum or steel, etc. Acceptable materials are wood (either unpainted or painted to blend into the natural background), brick, stone or cement/concrete. Exceptions can be made at the discretion of the ACC/ARC or the Board.

b. Appearance

In order for an improvement or change to qualify for acceptance it must blend with the composition and tone of the surrounding area. The ACC/ARC and the Board will exercise their best judgment to determine this compatibility.

c. Specific Acceptable Items

The following items are generally acceptable for being maintained in the unfenced portion of Oakbrook properties:

- 1) Holiday decorations (see Section VIII.C. "Holiday Decorations" below).
- 2) School Spirit Signs (allowed during the specific sport season)

d. Specific Unacceptable Items

The following items will not be considered acceptable for unfenced areas:

- 1) Any item that can be considered playground equipment or children's toys, such as swings, slides, see-saws, etc.
- 2) Brightly painted items, the color of which makes them sufficiently conspicuous so as not to be compatible with the surrounding properties.
- 3) Any item greater than eight feet tall.
- 4) All lighting fixtures.
- 5) "Park" benches and gliders, or swings made of any combination of natural wood, wrought iron, brick, stone or concrete.
- 6) Planters made of any combination of natural wood, wrought iron, brick, stone, clay, pottery or concrete
- 7) Ornaments, such as statues, sculptures, bird baths, fountains, etc.

4. Items in Driveway

With the exception of commercially available, temporary storage containers such as P.O.D.S., Pack Rat or any other commercially available storage container that will be housed and maintained at an offsite location outside the residential community, the ACC/ARC will not approve any other type of temporary structure.

Under no circumstances shall any temporary structure be maintained or used as living space on any lot. Only one (1) temporary structure per Lot shall be approved. Temporary storage containers such as P.O.D.S., Pack Rat or any other commercially available storage container, if approved by the ACC/ARC, shall be located in the driveway of the property owner to whom the temporary storage container is assigned. Under no circumstance shall a temporary storage container be placed on HOA Common Area such as residential streets, etc.

No temporary storage container such as P.O.D.S., Pack Rat or any other commercially available storage container shall reside at a property owner's residence for a duration longer than seven (7) calendar days without prior approval from the ACC/ARC. No utilities of any type may be connected to a temporary structure; this includes the use of portable generators.

Prior approval, in writing from the ACC/ARC is required for temporary structures.

B. EXTERIOR LIGHTING

In general, the addition of exterior lighting is both acceptable and desirable. This includes ground level lighting and lighting mounted on a house or approved structure. Such lighting fixtures must be compatible with the general tone and design of the neighborhood. High intensity lighting is inappropriate for residential neighborhoods. Stand alone light fixtures are not permitted. Flood and area lighting shall be positioned or shielded so as to not affect neighboring properties. An exception to this may be made when owners of neighboring properties deem the lighting to be beneficial to their property and agree in writing to its installation. Generally, only white or yellow lighting shall be approved.

C. HOLIDAY DECORATIONS

Holiday decorations are both permitted and encouraged and will not require approval by the ACC/ARC. However, such decorations may be installed no sooner than 30 days prior to the holiday and must be removed within fifteen days after the holiday for which they are intended. Furthermore, the ACC/ARC does reserve the right to require the removal of decorations that either generates complaints or are deemed offensive. This right will be used sparingly.

D. BASKETBALL GOALS AND HOOPS

Any planned permanent or portable basketball goal which will be placed in view of the street or side yards must be reviewed and approved by the ACC/ARC to assure compliance with these guidelines prior to location on the property.

Basketball goals shall be mounted on a metal pole, not affixed to any house or structure. Goals shall be commercially manufactured and made of fiberglass or similar weather-resistant material. Goals must be maintained in good condition, painted when necessary, and nets must be replaced when frayed or missing. Posts, backboards, bases, weights, nets and hoops will be of an appearance, size, shape and color that are not offensive to the decor and landscaping of the neighborhood. Bright fluorescent colors are not acceptable. Basketball goals are not permitted in street areas.

1. Permanently Mounted Goals

Permanently mounted goals are permitted only at the midpoint of the driveway (outside edge) and must be at least three feet from interior lot lines.

2. Portable Goals

Portable goals may be located at any residence. When not in use, portable goals must be located within six feet of the house or garage and at least three feet from interior lot lines.

E. BACK YARD STRUCTURES

Up to three backyard structures, including no more than two each of any of the following, will be permitted: Shade structures, tool sheds and out buildings, and play structures and play equipment. Such structures require prior ACC/ARC approval. Back yard structures will not be permitted to encroach on any easements.

1. Shade Structures

Shade structures may be constructed only of wood, trellis or shingles. No fiberglass or sheet metal roofing material will be permitted. If shingles are the preferred choice of roofing material they will be of the same color, texture and weight as the shingles utilized on the residence. Weatherwood, Barkwood or Driftwood color shingles will be required. If a shade structure has a roof and is attached to the home, wood surfaces (beams, fascia and columns) must be painted the same as the residence. If a shade structure is free-standing or if it is attached to the home without a shingled roof, the wood surfaces may be left natural, stained, or painted.

a. Free Standing Structures

Free-standing structures such as sun shelters, cabanas, gazebos and arbors may not exceed 100 square feet in area coverage and may not exceed ten feet in height limitation measured from ground-level.

b. Attached Structures

A patio cover or shade cover which is a) firmly and substantially affixed to the main existing residence and b) is adjacent to and abutting the main residential dwelling, may be considered a part of the existing structure. As such, it may exceed the height of ten feet (for single story homes) and the area coverage of 120 square feet. Any cover NOT abutting and firmly and substantially affixed to the main residential dwelling is considered to be free-standing.

2. Tool Sheds and Out Buildings

A shed, storage building or outbuilding shall be used exclusively for storage. Under no circumstances shall buildings of this type be used as living space. No items may be stored outside of or attached to the outside of any shed, storage building or outbuilding. Only one (1) shed, storage building or outbuilding per Lot shall be approved.

Tool Sheds and Outbuilding Requirements:

- Buildings shall be located in the rear yard of a residential Lot such that it is not visible from public and private view to the maximum extent possible. No shed, storage building or outbuilding shall be allowed on a non-fenced Lot.

- Maximum height of any shed, storage building or outbuilding shall not exceed 10 feet overall or extend more than 4 feet above the fence line, whichever is less. A minimum setback of 5 feet is required for all structures exceeding the fence height. The maximum square foot for any shed, storage building or outbuilding shall be 120 square feet, i.e. 10' x 12'.
- Acceptable minimum requirements for building foundations are a 4" thick, reinforced concrete slab-on-grade or an integrated floor system of suitable building materials (i.e. pressure treated lumber). The area around the foundation must be backfilled, no exposed space beneath the building shall be permitted, and a suitable barrier must be installed to prevent burrowing animals from making a habitat under the building. No dirt or gravel floors shall be permitted.
- Acceptable materials of construction for sheds, storage buildings and outbuildings shall be wood, hardiplank, plastic or vinyl. Metal, rubber or fiberglass construction is not acceptable.
- Roofs shall be sloped to drain water and shall be finished with asphalt or composition type shingles that match the property owner's primary residence. See "ROOFING MATERIAL SECTION" for additional information.
- All buildings must have a door that latches. Locks are recommended and doors should be kept closed and latched when not in use.
- Windows, if present shall match as closely as possible to those on the primary residence in both style and color.
- Paint colors for all sheds, storage buildings and outbuildings shall match the color of the primary residence.

All sheds, storage buildings and outbuildings that are not prefabricated, purchased and erected by a third-party vendor, where onsite construction by the property owner is desired, construction shall meet all applicable City and/or County building code requirements. The ACC/ARC reserves the right to have any onsite construction inspected by the City for compliance at the sole expense of the property owner. Any utilities servicing the shed, storage building or outbuilding shall be underground. No aboveground utilities of any type shall be permitted.

3. Play Structures/Play Equipment

Play structures and equipment are limited to ten feet in height and 400 square feet in area and must be located within the fenced area of the yard and to the rear of the main residential structure. Any shading or roofing of these structures must conform to the exterior materials of the main residence or be made of natural or prefabricated green wood shakes. Permanently affixed canvas or plastic covers are not allowed.

F. DOORS, WINDOWS AND TREATMENTS

1. Glass Block Windows

Glass block windows are allowed on the main residential dwelling but they must be located on the sides or rear of the house.

2. Security/Storm Shutters

Security and Storm shutters are generally not allowed on the exterior of the house. An exception to this is shutters that can be fully withdrawn into an inconspicuous receptacle when not in use. Such a receptacle shall be required to be painted so as to blend with the coloring of the home and the design of the community.

3. Awnings

Awnings are not in keeping with the design of the community and are not allowed.

4. Storm Doors

Security and/or storm doors will be allowed on the exterior of a home provided that they meet one of the following options:

- Storm doors of a solid clear glass within a simple metal frame of a color that blends well with the home.
- Security/storm door combination of a solid glass pane with a simple non-obtrusive wrought iron structure.

The design and color are subject to review and approval by the ACC/ARC and shall be in keeping with the original door and home design. Excessive ornamental work is considered distracting and not in keeping with the general architectural signature of the community and are not allowed.

5. Solar Screens

Solar screens are permitted provided that they are of a color that blends well with the home and all windows per side must be covered.

6. Garage Doors

Residential four-row metal garage doors are required. Garage doors must be painted the same color as the siding on the home and must be of a construction/style that matches the simple square panel design used throughout the subdivision.

7. Window Treatments

Internal window coverings of almost any type commercially available for the purpose of covering a window are generally acceptable. Unacceptable window coverings include newspaper, aluminum foil, tape, and other materials which would commonly be considered to be temporary, unusual, or not commercially available for the purpose of being used as a window treatment. Visible window treatment colors should not conflict with exterior color scheme

G. ANTENNAS, SATELLITE DISHES and SOLAR PANELS

1. Local TV Antennas

These antennas shall preferentially be located within the attic. If an external antenna is required to obtain an acceptable signal, the preferred location is behind the roof ridge so as not to be seen from fronting streets.

2. Small TV/Satellite Dishes

Dish antenna of one meter or less may be installed without prior approval of the ACC/ARC. These dishes shall preferentially be located so as not to be seen from fronting streets and, if possible, be located in the rear of the residence and below the fence line. No more than 2 per residence.

3. Large TV/Satellite Dishes

Dish antennas with diameters over one meter require ACC/ARC approval prior to installation. These dishes must be installed in the rear of the residence and below the fence line, and must be located so as not to be visible from perimeter streets, common areas or adjacent lots. All non-working dishes must be removed.

4. Other Antennas

Antennas, other than those described above, are not permitted if they are visible from any street, common area or adjacent property.

5. Solar Panels

Require ACC/ARC and/or Board approval. Residents who desire to reduce energy costs by the use of solar panels must place panel or array of panels behind the main resident structure below the fence line so as not to be seen from fronting streets, adjacent lots or areas (or possibly on the back side of roof below the ridge line and also coinciding with the slope of the original roof line, so long as such location does not reduce estimated annual energy production more than 10% over alternative roof locations, as determined by a publically available modeling tool provided by the National Renewable Energy Laboratory [www.nrel.gov] or equivalent entity). If solar panels are mounted to the roof; they may not extend higher than or beyond the roof line and all framing, support brackets or visible piping or wires must be silver, bronze or black tone as commonly available in the marketplace.

H. WOODPILES

Stacked/stored firewood must be stored behind the fence and not visible from any street.

I. ANIMAL CONTROL

No animals, livestock or poultry may be raised, bred or kept on any lot for any length of time, except for common household pets such as dogs or cats (not to exceed five total) and for professional petting zoo services utilized for birthday parties (not to exceed two hours duration). No animals may be kept that are obnoxious to other residents in the vicinity or allowed to roam the subdivision. Animals must be controlled by the owner on a leash when not in an owner's back yard or home. Consult City of Pearland rules concerning pet ownership for further requirements

Owners are expected to clean up after their animals when utilizing the parks and sidewalks within the Association.

J. STORAGE OF VEHICLES/BOATS**1. Open Storage Prohibited**

Commercial vehicles, boats, trailers, campers, recreational vehicles, motorcycles, buses or other such equipment, or inoperable vehicles of any kind, may not be stored or parked in any location where they are visible from any adjacent street or property. Inoperable vehicles include those that are disabled as well as those not currently licensed, inspected or registered.

2. Garage Storage

Boats, trailers, campers, recreational vehicles or other such equipment may be stored in a garage. Every home in the community must have a minimum of a two-car garage.

3. Visitor Vehicles

Allowance of temporary parking of recreational vehicles, trailer homes of visiting friends/relatives, or construction machinery or equipment may be granted by the Management Company. The duration shall not exceed 7 days, and no residence may be permitted for more than two weeks out of every six months.

All parked vehicles or visitor vehicles must be in operating condition, have current license plates and inspection stickers and be in daily use as motor vehicles on the streets and highways of the State of Texas to be exempt from the requirement of having to be completely concealed from public view in a garage or other enclosure previously approved by the ACC/ARC.

Prohibited Items:

- Parking or storing personal vehicles or objects on Common Area owned by the Association
- Parking on a yard
- Parking in a manner that obstructs or blocks public sidewalks
- Repairing or performing routing automotive maintenance on a motor vehicle, other motorized equipment or machinery on a Lot where such vehicle, equipment or machinery is not concealed inside a garage or other enclosure previously approved by the ACC/ARC
- The operation of any motorized vehicle on community sidewalks
- The operation of any motorized vehicle by any person(s) who is underage and not licensed by the State of Texas to operate such vehicle
- The operation of any motorized vehicle on Common Area property owned by the Association that will cause damage to or "rutting" of that property.

K. BIRD HOUSES

Certain types of bird houses are generally maintained on tall poles of otherwise unacceptable height. This item may be considered acceptable if the total height of the birdhouse structure does not exceed eight feet above the ground. Such an item must be within the fenced area of the yard and not in a utility easement. It may be attached to a perimeter fence if the owner of the effected neighboring property agrees in writing. Only one item per property is allowed.

L. FLAG POLES

Flag pole installation requires prior ACC/ARC approval. Owners may have a total of 1 freestanding flagpole per lot; or 2 dwelling mounted flagpoles per lot. Owners are prohibited from locating a flag or flagpole on property owned or maintained by the Association.

The flag of the United States of America, the flag of the State of Texas, or an official or replica flag of any branch of the United States armed forces are permitted to be displayed on flagpoles without an ACC/ARC application. The flag of the United States of America shall be displayed in accordance with federal law (4 U.S.C. 5-10). The flag of the State of Texas shall be displayed in accordance with Chapter 3100, Government Code for the State of Texas. The size of the flag shall be appropriate for the length of the flagpole.

All flags shall be attached to a freestanding flagpole or dwelling mounted flagpole in order to be displayed. A flag staff may be mounted on the house, garage, or other improvement structure so long as the length of the staff does not exceed five feet and the top-most part of the staff does not extend to a point higher than the highest point of the specific structure (house, garage, etc.) on which it is mounted. Yard flags four (4) square feet or less in surface area are not subject to this policy. Other acceptable flag displays include High School, College, Professional athletic, or Short Term Holiday Flags as long as the flag meets the aforementioned size requirements, the flagpole meets the following freestanding or dwelling mounted criteria, and the flag is displayed on the day of the event only then promptly removed.

If evening display of a flag is desired, the flag shall be lit from the top or base of the flagpole (maximum of two (2) light bulbs) with a total wattage not to exceed 150 watts. The light must shine directly at the flag and cannot cause any type of spillover onto adjoining properties. All exterior lighting shall be approved in writing by the ACC/ARC prior to installation and illumination.

Freestanding flagpoles shall;

- be located within defined Building Line setbacks for a Lot;
- be located such that it does not encroach on any Easement Line setbacks for a Lot;
- not exceed 20'-0" in overall height (including the pole ornamentation) as measured from nominal ground level;
- be mounted (secured) to an appropriate footing;
- not make noise under any circumstance (Flagpole halyards shall be securely fastened at all times);

Dwelling mounted flagpoles shall;

- be located either in the front or rear of the primary residence or detached garage;
- not exceed five feet (5'-0") in length;
- be removed from view when no flag is displayed;

All flagpoles shall be constructed of permanent, long-lasting materials, with a finish appropriate to the materials used in the construction of the flagpole and shall be harmonious with the dwelling (primary residence or garage). Additionally, all flagpoles, whether freestanding or dwelling mounted shall be installed per the manufacturer's guidelines. All flags and flagpoles shall be properly maintained at all times, including replacement of faded, frayed or torn flags and replacement of flagpoles that are scratched, bent, rusted, faded, leaning or damaged in any way.

M. WEATHER VANES

Weather vanes are not allowed.

N. SIGNS

No sign shall be placed upon any Common Area of the Association unless the sign is related to Homeowner Association business.

The following types of signs are generally acceptable and do not require approval from the ACC/ARC or the Board as long as they comply with the requirements below.

1. Contractor Advertising Signage

- A contractor performing a service at a Lot or Residence may display a temporary sign on the Property to advertise that business
- Sign size shall be limited to a maximum of 8 square feet
- Sign shall not exceed 3'-6" in height at any point above nominal grade (includes mounting height)
- Sign shall be ground mounted and shall not be attached to a residential structure including but not limited to a primary residence or fencing
- Only one (1) contractor's sign may be displayed at a time
- Sign shall be set back a minimum of 7'-0" from the edge of roadway curb nearest the primary residence
- Sign may not be displayed more than 10 days prior to the start of work by a contractor and may not be displayed longer than 20 days after the completion of work by a contractor

2. For Sale Signage

- Sign size shall be limited to a maximum of 9 square feet as defined in the covenants, conditions and restrictions contained in the recorded Declarations

- Sign shall not exceed 8'-0" in height at any point above nominal grade (includes mounting height)
- Sign shall be ground mounted and shall not be attached to a residential structure including but not limited to a primary residence or fencing
- Only one (1) "For Sale" sign may be displayed on a Lot at any given time
- Sign shall be set back a minimum of 7'-0" from the edge of roadway curb nearest the primary residence
- No directional signs may be placed within the community other than to highlight an "Open House" event, and only on the day of the event. All directional signage must be promptly removed on the same day after the "Open House" event is complete
- Sign may be displayed until the Lot or Residence is sold or removed from the market. Once the Lot or Residence is sold, the "For Sale" sign may not be displayed longer than 10 days after the close of sale

3. For Rent Signage

- Sign size shall be limited to a maximum of 8 square feet
- Sign shall not exceed 4'-0" in height at any point above nominal grade (includes mounting height)
- Sign shall be ground mounted and shall not be attached to a residential structure including but not limited to a primary residence or fencing
- Only one (1) "For Rent" sign may be displayed on a Lot at any given time
- Sign shall be set back a minimum of 7'-0" from the edge of roadway curb nearest the primary residence
- No directional signs may be placed within the community other than to highlight an "Open House" event, and only on the day of the event. All directional signage must be promptly removed on the same day after the "Open House" event is complete
- Sign may be displayed until the Lot or Residence has been rented or removed from the market. Once the Lot or Residence has been rented, the "For Rent" sign shall be removed within ten (10) calendar days

4. Political Signage

- Political signs may be displayed on a property owner's lot only in accordance with the provisions of Texas Property Code, Section 202.009
- Sign size shall be limited to a maximum of 24 square feet (i.e. 4' tall x 6' wide)
- Sign shall not exceed 5'-0" in height at any point above nominal grade (includes mounting height)
- Sign shall be ground mounted and shall not be attached to a residential structure including but not limited to a primary residence or fencing
- Sign display permitted on each Lot shall be limited to only one sign for each candidate or ballot item that is contested in a pending election
- Sign shall be set back a minimum of 7'-0" from the edge of roadway curb nearest the primary residence
- Political signs may be displayed on or after the 90th day before the date of the election to which the sign relates but must be removed before the 10th day after the election date

5. Security Signage/ Beware of Dog Signage

- Two (2) Security / Beware of Dog signs per Lot shall be allowed
- Sign size shall be limited to a maximum of 1 square foot (i.e. typically 12" x 12")
- Signs shall be placed so as not to be located more than 5'-0" forward of the primary residence
- Security signage shall be ground mounted or securely attached to residential fencing. Signs shall not be attached to the structure of the primary residence
- Beware of Dog signage shall be ground mounted or securely attached to residential fencing. Signs shall not be attached to the structure of the primary residence

6. Garage or Yard Sale Signage

- Garage / Yard sale signs must be obtained from the City of Pearland
- Homemade Garage / Yard sale signs are not permitted
- Sign size, color, appearance and wording shall be as mandated by the City of Pearland
- No directional signage to individual garage / yards sales will be allowed to be placed throughout the community

7. Utility Easement/ Pipeline Marker Signage

- As required and regulated for each pipeline company by City, County, State and / or Federal law

8. School Spirit Signs

- Signs that relate to one or more children residing in the dwelling unit and the school they attend shall be permitted so long as the sign is not more than six square feet.
- There shall be no more than one sign for each child under the age of eighteen residing in the dwelling unit.

9. Holiday Related Signs

- Signs may be installed no sooner than 30 days prior to the holiday and must be removed within fifteen days after the holiday for which they are intended.
- ACC/ARC does reserve the right to require the removal of decorations that either generates complaints or are deemed offensive. This right will be used sparingly.

10. Prohibited Signage

- Prohibited signage shall NOT be approved by the Board or the ACC/ARC
- Any sign that displays profanity, or is profane, vulgar or demeaning in nature or displays questionable "graphics," "symbols" or "caricatures"
- Any sign advertising / promoting a profession or in-home business at the specified residence
- Any sign that violates City, County, State or Federal law
- Any sign deemed a nuisance by the Board
- Billboard displays within the community shall NOT be approved under any circumstance.

All approved signage shall be ground mounted unless otherwise specified by this policy or as approved by the ACC/ARC. No signage shall be mounted or supported anywhere from a primary residence, wood fencing, traffic signs or community entrance monuments unless otherwise specified by this policy or as approved by the ACC/ARC. .

Any signage not specifically addressed above requires prior approval and must not be offensive or controversial in nature. All signage time limits are confined to 7 day duration unless otherwise specified.

O. SWIMMING POOLS

Backyard pools require ACC/ARC approval. As with all property improvements, the homeowner is solely responsible for easements, property encroachments, spoils disposal, and drainage issues. The location of pool mechanical equipment should consider noise impact on neighboring properties and therefore must be located within the fenced area of the back yard so as not to be visible from street. At a minimum, application drawings should show property and easement lines along with an outline of the new pool, pool equipment location, and planned construction access points identified. The application should specify soil disposal and re-grading plans.

P. WINDMILLS

Windmills, whether for pumping water or generating electricity, are not permitted.

Q. STANDBY ELECTRIC GENERATOR

Prior approval, in writing from the ACC/ARC is required to add, alter, change, modify, repair or replace a standby electric generator on a Lot.

Generators shall be used for emergency standby power only when electric power from the main electrical panel is unavailable due to a power outage or natural disaster. Generators shall not be used to supply a majority of power to a residence in lieu of power supplied by the main electrical panel except as prescribed by Texas Property code. Only one (1) standby electric generator per Lot shall be approved.

Standby Electric Generators shall be located in the rear yard of a residential Lot such that it is not visible from public and private view to the maximum extent possible. If it is necessary to place a Generator in public view because there are no other viable locations, such Generator must be screened from public view. Any such screening must be approved by the ACC/ARC.

Acceptable fuel sources for standby electric generators:

- Natural Gas,
- Liquefied petroleum gas,
- Diesel fuel,
- Biodiesel fuel, or

- Hydrogen

Requirements for Standby Electric Generators

- All Standby Electric Generators shall be mounted / supported from a minimum 4" thick, reinforced concrete slab. All standby electric generators shall be anchored to the concrete slab.
- All electrical, plumbing and fuel line connections shall be installed by licensed contractors.
- All electrical, plumbing and fuel line connections to be installed shall be in accordance with applicable City, County, State and Federal health, safety, electrical and building code requirements.
- All Standby Electric Generator electrical lines and fuel lines shall be maintained in good working condition.
- All Standby Electric Generators shall be maintained in compliance with the Manufacturer's recommendations as well as applicable City, County, State and Federal health, safety, electrical and building code requirements.
- Any Standby Electric Generator that has been allowed to deteriorate, has not been properly maintained or repaired and has become unsafe shall be immediately replaced with applicable new components or removed from the residential Lot completely. This includes all electrical and fuel lines to the Standby Electric Generator.
- Periodic testing of the Standby Electric Generator shall comply with Manufacturer's recommendations. The Standby Electric Generator shall be programmed so that the test mode of the Standby Electric Generator only occurs during the day between the hours of 10:00 AM and 4:00 PM.

The only time the Generator shall be allowed to function in operational mode is when the electrical utility power is out due to a power outage, natural disaster or as prescribed by Texas Property code.

R. PROHIBITED ACTIVITIES AND/OR ITEMS

The below activities are prohibited on any residential Lot within the Association.

Prohibited Activities:

- The performance of work on automobiles or other vehicles in driveways or streets abutting Lots;
- The use or discharge of firearms, firecrackers or other fireworks within the Property (Community);
- The storage of flammable liquids in excess of five (5) gallons;
- Other activities which may be offensive by reason of odor, fumes, dust, smoke, noise, vibration or pollution, or which are hazardous by reason of excessive danger, fire or explosion.

The below items shall not be placed or located on any residential Lot within the Association.

Prohibited Items:

- Exterior loud speaker;
- Exterior horn;
- Exterior whistle, bell or other sound device(s);

Exceptions to the above activities and item are:

- Sound devices specifically related to security alarm systems and used exclusively for security purposes may be placed on a residential Lot;
- Normal sales activities required to sell homes in the Subdivision and the lighting effects utilized to display the model home.

At any regular meeting of the Board of Directors for Oakbrook Estates Section One Homeowners Association, the Board may take action to rule on a case-by-case basis as to whether certain noxious or offensive activity shall be determined to be or become a nuisance or annoyance to the Community. Any dispute generated between two (2) property owners shall be deemed by the Association as a private property matter and shall be the sole responsibility of the respective parties involved to remedy.

S. OTHER DEED RESTRICTION PROVISIONS

These guidelines are not intended to supplant or to expand upon all provisions of the deed restrictions, officially titled "Declaration of Covenants, Conditions and Restrictions" (DCCRs). Owners should ensure they are familiar with both the deed restrictions and with these Guidelines to ensure continued worry-free enjoyment of the community by all concerned.

T. VIOLATION AND FINING POLICY

Each property owner is responsible for complying with the Governing Documents and for ensuring that any family member, resident, occupant, visitor, guest, agent, licensee or tenant of the owner also comply with the Governing Documents. Additionally, property Owners are required to give their tenants, if any, copies of the Governing Documents and of amendments and new rules as they are adopted. In the case of violations by any family member, resident, occupant, visitor, guest, agent, licensee or tenant of the owner, will notify the Property Owner. Any fines levied for non-compliance or reimbursement assessments will be imposed against the Property Owner.

IX. EXCEPTIONS

Exceptions to these guidelines and/or the Deed Restrictions will be made in exceptional and unusual cases to accommodate Federal, State and Local laws. An example would be to permit a structure that does not conform to be built for the special needs of a handicapped resident.

In all such cases, the owner will be granted the variance on a temporary basis for only that period during which the exceptional or unusual case exists. In addition, the Association will file a document in the deed records of Brazoria County that recognizes that there is a deed restriction violation on the property that has been granted a temporary variance. The document will make it clear that when the exceptional or unusual case no longer exists, the temporary variance will no longer be in effect.

Exceptions will not be made for reasons of economic convenience or hardship, to accommodate recreation activities or for reasons of individual taste, appearance or beautification.

Approved and adopted by the Board on this 11th day of October 2019.

Edmund D. Hersh

Ed Hersh
President
Oakbrook Estates Section One Homeowners Assoc., Inc.

STATE OF TEXAS §
 §
COUNTY OF BRAZORIA §

Before me, the undersigned authority, on this day personally appeared Ed Hersh, President of Oakbrook Estates Section One Homeowners Association, Inc., a Texas corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he/she had executed the same as the act of said corporation for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 11th day of October, 2019.

Jackie Suarez
Notary Public, State of Texas

[Notarial Seal]

Jackie Suarez
Printed Name

My commission expires: 2023



RECORD OR CHANGE

REV	DATE	DESCRIPTION	PREPARED BY	REVIEWED BY	APPROVED BY
0	4 / 2019	<input checked="" type="checkbox"/> MAJOR Change <input type="checkbox"/> Minor Change Initial Publication	Melissa Turner CMSI Association Manager	Mark Wellman Secretary, Board of Directors	Board of Directors at August 21, 2019 Meeting

FILED and RECORDED

Instrument Number: 2019050912

Filing and Recording Date: 10/14/2019 11:28:31 AM Pages: 24 Recording Fee: \$114.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Brazoria County, Texas.



A handwritten signature in black ink, appearing to read "Joyce Hudman".

Joyce Hudman, County Clerk
Brazoria 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.

DO NOT DESTROY - Warning, this document is part of the Official Public Record.

cclerk-tammy