

1002

AFFIDAVIT TO AUTHENTICATE  
CLEAR CREEK FOREST SECTION 11  
ARCHITECTURAL CONTROL GUIDELINES  
REVISED 9-1-06

STATE OF TEXAS                   §  
  §  
COUNTY OF MONTGOMERY       §

BEFORE ME, the undersigned authority, on this day personally appeared William G. Gammon, Attorney and Agent-in-Fact for the Clear Creek Forest Section 11 Property Owners Association, Inc., known to me and who being by me duly sworn, upon oath, deposes and states:

"My name is William G. Gammon. I am above the age of eighteen years and am fully competent to make this Affidavit. I am the attorney and agent-in-fact for Clear Creek Forest Section 11 Property Owners Association, Inc., a Texas non-profit corporation, operating in Montgomery County, Texas. I have personal knowledge of all the facts stated herein and am fully authorized to make this Affidavit in behalf of Clear Creek Forest Section 11 Property Owners Association, Inc. (the "Association").

In my capacity as attorney and agent-in-fact for the Association, I am responsible for maintaining the Association's business records. I have reviewed the Association's business records and the statements below are within my personal knowledge true and correct.

I am the custodian of the records of the Association. Attached to this Affidavit are a number of pages of records from the Association. The attached records are kept by the Association in the regular course of business, and it was the regular course of business of Association for an employee or representative of the Association, with knowledge of the act, event, condition or opinion, to make the record or transmit information thereof to be included in such record; and the record was made at or near the time or reasonably soon thereafter. The records attached hereto are the original or exact duplicates of the original. A list of these records is as follows:

- 1) Clear Creek Forest Section 11 Architectural Control Guidelines - Revised 9-1-06
- 2) \_\_\_\_\_
- 3) \_\_\_\_\_
- 4) \_\_\_\_\_
- 5) \_\_\_\_\_
- 6) \_\_\_\_\_

**CERTIFIED COPY CERTIFICATE**  
**STATE OF TEXAS**  
**COUNTY OF MONTGOMERY**  
A true and correct copy, I hereby certify as the same appears under 2006-108383 of the Real Property records in the County Clerk's Office in Montgomery County, Texas.

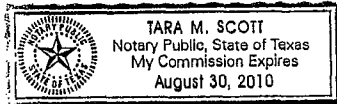


MARK TURNBULL  
COUNTY CLERK  
COUNTY OF MONTGOMERY  
By Mark Hall Deputy

FURTHER AFFIANT SAYETH NOT.

W.G.  
William G. Gammon  
Attorney and Agent-in-Fact  
Clear Creek Forest Section 11 Property Owners  
Association, Inc.

SIGNED AND SWORN TO BEFORE ME, on this 14 day of September, 2006.



Tara M. Scott  
Notary Public in and for the State of T E X A S

RETURN TO:

Clear Creek Forest Section 11 Property Owners Association, Inc..  
~~c/o William G. Gammon~~ c/o WPM  
Gammon & Associates  
1 E Greenway Plaza Suite 1005 20501 Katy Freeway  
Houston TX 77046 Suite 215  
Katy TX 77450

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Mark Turnbull Deputy

**CLEAR CREEK FOREST SECTION 11  
PROPERTY OWNERS ASSOCIATION, INC.  
ARCHITECTURAL CONTROL GUIDELINES**

**ARCHITECTURAL CONTROL GUIDELINES  
REVISED 9/1/2006**

**OVERVIEW**

The Declaration

A system of Architectural Control is created by the following Declaration of Covenants, Conditions and Restrictions created for Clear Creek Forest Subdivision Section 11:

Clear Creek Forest  
Section 11

Volume 1105, Page 794 of the Deed  
Records of Montgomery County, Texas

\*All recording information refers to the Official Public Records of Montgomery County, Texas.

All of the foregoing shall be collectively referred to as the Declaration.

Purposes and Objectives

The purpose of these Architectural Control Guidelines is to establish and preserve a harmonious and aesthetically pleasing design for Clear Creek Forest Section 11 (CCF 11) and to protect and promote the value of the properties subject to the restrictions set forth in the Declaration. These Guidelines are designed to provide a standard by which the CCF 11 Property Owners Association (CCF 11 POA) approves any improvements, or alterations to existing improvements, and a standard as to the general upkeep of properties within the subdivision. In that regard, the Guidelines attempt to further define those activities predetermined, based upon resident input and historical perspective, to be a nuisance or offensive to residents within CCF 11 and to establish a parameter of rules through which such activities will be curtailed.

To preserve the architectural and aesthetic appearance of CCF 11, site work, placement of improvements, construction of improvements, or alterations that effect the exterior appearance of existing improvements shall not commence unless and until they have been submitted to and approved in writing by the CCF 11 Architectural Control Committee (ACC) as to the compliance of such work and improvements with the Declaration and these Guidelines.

CCF 11 POA has the exclusive jurisdiction over the approval of all improvements made to properties and modifications or additions made to existing improvements on properties. Properties shall mean all lots and common facilities shown on the Subdivision Plat.

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By Mark Turnbull Deputy

Application Procedure

Applications shall be obtained from CCF 11 POA or its assigned agent. A completed application shall include: Two complete sets of drawings and specifications as required by the Declaration, the current ACC fee, copies of the Septic Permit and Building Permit and the completed ACC application package. The applicant shall provide a valid, current address and phone number. Incomplete applications shall be rejected and returned. Applications shall be submitted via mail to CCF 11 POA or its assigned agent. All applications must be in writing. The ACC will not respond to Fax or verbal requests. It is the applicant's responsibility to insure that CCF 11 POA or its assigned agent has received the application. Do not assume it was received.

Approval/Disapproval/Processing Period

The ACC will respond in writing to all completed applications. Upon approval, one (1) copy of the application and a set of drawings will be marked approved and returned.

Please note that the ACC has twenty (20) calendar days from the date of receipt of a complete application within which to respond. If additional information is required by the ACC, the twenty (20) day processing period will commence upon receipt of additional information. Scheduling for the implementation of the proposed improvement(s) should allow for the time required for completion of the approval process.

In the event the ACC fails to indicate its approval or disapproval within the twenty (20) days after receipt of the required documents, the approval process and the related covenants set out in the Declaration shall be deemed to have been fully satisfied, provided that the proposed improvements are in general harmony with the scheme of the development as set forth in the Declaration and these Guidelines and do not violate any of the covenants. However, failure to respond on the part of the ACC does not imply permission to encroach on an easement or building line or violate a provision of the Declaration or the Guidelines promulgated.

If an application is not approved, the ACC will respond in writing as to why such approval was denied. If an applicant wishes to discuss the decision made by the ACC, the applicant must contact CCF 11 POA or its assigned agent to make arrangements for a meeting. The Board of Directors shall have the final authority over all actions taken by the ACC.

No ACC members can approve his/her own improvement.

**Please note that ACC approval is required PRIOR TO the installation or construction of any improvement or modification to an existing improvement. If an improvement is made without ACC approval, the CCF 11 POA has legal right to enforce its removal or modification at the property owner's expense along with the forfeiture of any applicable fees.**

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COUNTY OF MONTGOMERY  
BY Danise A. Hall Deputy



If construction has not begun within six (6) months from the date of approval, the approval is null and void and the application must be resubmitted. ACC approval is non-transferable.

All construction shall be completed within twelve (12) months of construction start date.

Easements

The ACC cannot approve any application if there is an encroachment on an easement until the homeowner resubmits revised plans to correct the encroachment. Any non-portable structure, with the exception of fences, on an easement is considered permanent and thus an encroachment.

Vacant Lots

Vacant lots shall not be used for the purpose of storage of any items at any time.

Inspection

All improvements are subject to inspection by the CCF 11 POA or its assigned agent.

Enforcement

The Deed Restrictions provide, as follows:

The sub divider, any Owner in the Subdivision, or the Property Owners' Association, if any, shall have the right to prosecute any proceeding, at law or in equity, against any person violating or attempting to violate any of these covenants or restrictions, and either prevent such person or persons, from so doing by prohibitive or mandatory injunction, and to recover damages for such violation. It is further stipulated that the invalidation of any one or more of these covenants, restrictions or conditions by any judgment or court order shall in no way affect or invalidate any of the other provisions, but all of such other provisions shall remain in full force and effect.

Complaints

Property owners are encouraged to help maintain the beauty of CCF 11. To this end, all property owners have an obligation to conform to the Declaration and Architectural Control Guidelines and to ensure non-complying improvements get corrected. If you should have a complaint regarding a violation, please notify CCF 11 POA or its assigned agent. All complaints will be handled in a professional manner and shall remain confidential.

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COUNTY CLERK  
COUNTY OF MONTGOMERY

By Mark Turnbull Deputy

**GUIDELINES**

The primary use of all lots within the subdivision is for the sole purpose of building primary residences. Each occupied lot shall include a primary residence and a minimum of a two-car garage or a two-car carport with the minimum square footage as defined in the Deed Restrictions. All site work, construction, improvements or modifications shall conform to all Federal, State and Local Codes and regulations and shall be done in a workman like manner.

The primary residence shall be constructed prior to the construction of any other buildings, including garages, carports, sheds or any type of outbuilding.

No more than two (2) primary residences having the same exterior design shall be approved for construction anywhere within the subdivision and only then if the two structures are at least fifteen (15) lots apart. Modifications such as those listed in Exhibit "A" will not be deemed sufficient for two structures to be classified as having different exterior designs. ACC Applications containing the same exterior elevations or views as two residences already constructed or approved for construction in the subdivision will be denied based on their being architecturally unsuitable.

Exhibit "A" (relates only to new construction and major changes to existing homes)

1. Changing from one type or texture of siding to another.
2. Changing paint or exterior colors
3. Adding, removing, changing the size of, or relocating, doors, windows, roof dormers, chimneys or similar amenities.
4. Increasing or decreasing the overall square footage of the structure.
5. Changing the location of the garage or carport on the plot plan.
6. Swapping sides of exterior elevations.
7. Changes to roof color or pitch.
8. Changes in size or shape of porches.

1. **SITE WORK**

- a. Culverts: Before any site work can commence, a culvert of sufficient size shall be installed as to allow access to the lot. Montgomery County Precinct 2 will set culverts free of charge (does not include supplying the culverts). It is highly recommended to utilize this service. If the property owner elects not to utilize the county services, it is the property owner's responsibility to insure that the culverts are set correctly to insure proper drainage. If drainage becomes restricted, due to improperly installed or damaged culverts, it is the property owner's responsibility to correct the problem and insure correct drainage is restored.

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COUNTY OF MONTGOMERY  
By Mark Turnbull Deputy

- b. Drainage: Under no circumstances shall a property owner be allowed to divert drainage water from one property to another. Existing drainage shall be maintained.
- c. Contractor/homeowner will be responsible for all damages that occur from the trucks and tractors which ruin the ditches and/or driveways during construction.

2. General Construction Conditions

- a. Nuisances: It is the property owner's responsibility to insure that their contractors conduct themselves in an orderly manner so as not to be a nuisance to other property owners. Examples of nuisances are: speeding and reckless driving, loud music, bringing pets to the job site and letting them run loose in the neighborhood, profane language, etc.

Work that creates excessive or loud noises shall not begin before sunrise and shall end at sunset. This shall include material deliveries. **No construction shall be done before 9:00 a.m. on Sundays and holidays.**

- b. Portable Restrooms: Prior to commencement of construction of a residence, an approved portable restroom facility shall be provided on approved lot.
- c. Trash: All construction trash including, but not limited to food and beverage packages, shall be contained in a dumpster on the approved lot and removed at least weekly. Trash shall not be allowed to blow onto the road right of way or surrounding properties. **There must be as many dumpsters needed for construction and other debris (construction sites are not limited to just one (1) dumpster).**

Concrete trucks shall be washed out and the excess concrete dumped on property owner's lot only. They shall not be washed out or the excess dumped on road easements, ditches or any other lot or property within the subdivision.

3. Buildings

- a. General Information

A "building" is defined as the main residence or guest residence situated on a lot, and includes any bona fide additions such as a garage or carport. It does not include any structure not attached such as a storage shed, gazebo or playhouse/fort.

Mobile homes, modular homes, manufactured homes or similar structures are not allowed. At no time shall a garage, barn or similar structure be used as a

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MARK TURNBULL  
 COUNTY CLERK  
 COUNTY OF MONTGOMERY  
 BY [Signature] Deputy

residence either permanently or temporarily.

**There is not to be more than two (2) houses that are similar in design built in CCF 11.**

A "detached garage" shall refer to a garage which is a freestanding building and which does not share a common wall with the residence. It may be connected to the residence by a covered walkway and may be architecturally treated so as to appear to be a part of the residence building rather than a separate structure. Only one single family residential dwelling, not to exceed two and a half stories in height, a garage or carport and one bona fide guest quarters shall be constructed on a lot. The garage and any approved outbuildings or guest quarters shall not exceed the main dwelling in height.

Lot coverage: Maximum building site coverage (exclusive of patios, decks, terraces, swimming pools, driveways and sidewalks) is not to exceed twenty-five percent (25%) of lot square footage.

Location of Buildings: No part of a building shall be located on any lot nearer to the front property line than the minimum building set back lines shown on the plat. No part of a building shall be located on a lot nearer than ten feet (10') to the side property line. Eaves or overhangs are considered part of the building.

- b. Exterior Materials: The exterior shall be constructed of brick, stone, masonry siding, vinyl, wood or other materials approved by the ACC. Materials not allowed shall include but not be limited to, sheet metal, untextured plywood, untextured press board (OSB), untextured particle board, fiberglass or similar materials.
- c. Foundations: All foundations shall be poured in place concrete slab type or pier and beam construction.  
  
Pier and beam type construction shall have the opening between the structure and the natural grade skirted using material similar to the material used in the primary structure.
- d. Roofs: All roofs shall have a pitch of 5/12 or greater. Roofs shall not be constructed of cedar shake, standard corrugated sheet metal, fiberglass or similar materials.

**4. Garage Conversions/Carport Conversions**

Garage conversions and carport conversions are considered a room addition and ACC

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approval is required. Conversions must meet the conditions as outlined in Section 7, Room Additions.

5. **Outbuildings, Sheds, Barns and Stables**

An "outbuilding" is defined as any structure, which is not attached to the primary residence. This definition does not include bona fide additions to the primary residence, or garages, but does include storage sheds, barns and stables. Properties of one (1) acre or less shall be limited to two (2) outbuildings of any type. Each additional acre or fraction thereof is allowed one (1) additional outbuilding. The colors shall match or blend with the predominant exterior colors of the primary residence.

Storage sheds shall have a peaked roof and never exceed the height of the main residence and in no case shall exceed twenty feet (20'). The structure shall be kept a minimum of ten feet (10') off any property line and shall be located to the rear of the primary residence. If a manufactured, metal shed is to be used, the metal shed should not be larger than ten feet x ten feet (10' x 10') and same should be placed at least fifteen feet (15') behind the main residence.

6. **Patios, Patio Covers, Decks, Porches, and Walkways**

Patios, decks, porches and walkways shall not be used as a storage area (i.e. furniture not designed for outdoor use, appliances, lawn equipment, etc.)

Patios shall be located on the side or to the rear of the residence and require ACC approval prior to construction.

Patio covers and the supports shall be constructed of materials which compliment the exterior of the primary residence. Unfinished metals are not permitted. All metal must be painted. The supports shall be brick, painted or treated wood or metal columns.

Prefab covers made of aluminum may be approved providing they are of a color that substantially matches the house or trim color.

If a patio cover is attached to the primary residence, it must be integrated into existing roofline (flush with eaves). If it is to be shingled, shingles must match the roof of the primary residence.

Patio covers may not encroach into any utility easement or building set back line. Patio covers shall not be closer than ten feet (10') if the cover is not an integral part of the primary residence's roof.

The maximum height at the peak of the roof on patio covers shall not exceed the primary

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COUNTY CLERK  
COUNTY OF MONTGOMERY

*Debra Hill* Deputy

residence or not to exceed ten feet (10') if the cover is not an integral part of the primary residence's roof.

Freestanding decks shall be located to the side or rear of the primary residence and shall be constructed of material which compliments the primary residence. Certain structures using wood framing may be allowed to go unpainted provided treated or insect resistant wood is used.

Freestanding decks shall not be closer than ten (10') from the property line and shall be no higher than eighteen inches (18") above the natural grade.

Porches shall be constructed of materials that compliment the primary residence.

Walkways shall be constructed of masonry material, asphalt, stone or wood that compliments the primary residence.

7. **Room Additions**

All room additions shall have ACC approval. Detailed plans must be submitted with the ACC package.

Exterior materials shall match or compliment the existing structure. Exterior colors shall match the existing structure.

Room additions shall not encroach into any utility easement. Additions shall comply with all provisions of this document.

Size and shape of room additions shall compliment the architectural style of the residence. Plans for any room additions shall be submitted with floor plans of the existing residence. The roof of an addition must integrate with the existing roofline so as to appear to have been part of the original house.

Building permits as required by the county must be submitted with the application. In some instances, the ACC may grant approval with the provision that a copy of the permit must be received by the ACC within thirty (30) days of the approval letter and prior to construction beginning.

8. **Exterior Painting and Maintenance**

Exterior paints and stains for each residence shall be selected to complement or harmonize with the colors of the other materials with which they are used.

If a homeowner intends to repaint with the original color scheme, no approval is required. Color changes must be approved by the ACC.

Colors (and materials) shall be in harmony with the natural, forested environment of

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COUNTY OF MONTGOMERY  
By David Hall Deputy

"Clear Creek Forest". Muted earth tones compatible with the hues of the landscape are therefore most appropriate. Extremely bold colors are prohibited.

Exterior doors shall be maintained. They may be stained a natural wood color or painted. Paint colors may be approved on a case by case basis.

Exteriors shall be kept clear of excessive mold and mildew. Rotting or damaged exterior materials shall be repaired.

The frames of storm windows and storm doors shall be of a color compatible with the exterior house colors.

9. **Swimming Pools and Spas**

All swimming pools and spas require ACC approval prior to construction.

No pool or spa of any type shall encroach into any utility easement. Pools and spas shall meet all building line and easement restrictions on the recorded plat.

All private pools and spas shall comply with all state and county regulations.

All pools and spas shall be located to the rear of the primary residence.

10. **Fencing Standards**

XI. Introduction

I. Applicability

This standard is applicable to fencing on all Single Family Detached (SFD) residential property within Clear Creek Forest Section 11 properties. Consideration will be given to alternative fence designs, pending detailed supportive information.

II. Basic Principles.

Perhaps more than any other single improvement, fencing has the potential of fragmenting the integrity of the natural woodland setting. In many cases, landscaping by itself can accomplish the need. Preferably, the street side of all solid fences will be landscaped.

II. General Criteria

When selecting fence type, height, location, materials, color and finish, the following should be taken into consideration. PRIVACY fencing is

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*Mark Turnbull*  
Deputy

employed in close proximity to the home to screen-in personal areas and/or to screen-out big use areas from view. SECURITY fencing controls access to an area. IDENTITY fencing establishes property boundaries. Alternatives to the high, solid property line fence will be preferable in most cases.

A. Types

Fences have been grouped into three (3) types, based upon their degree of openness as follows:

1. Transparent fencing, not less than seventy-five percent (75%) open, while providing lot definition and access control, offers the advantages of open views and natural ventilation.
2. Semi-Transparent fencing, less than seventy-five percent (75%) open, while providing access control, still offers partial views and natural ventilation.
3. Solid fencing, zero percent (0%) open should be used in moderation and preferably in close proximity to the home in areas requiring visual control.

B. Height

Fence height should not be greater than is necessary for its intended use. Fence heights are limited to a minimum of three feet and six inches (3'6") and a maximum of six feet (6') (as measured from the ground). "Privacy Structures" and "Courtyard Enclosures" will not be restricted to the six feet (6') maximum height limitation if, in terms of designs, materials and colors, they are an architectural extension of the dwelling and if they subscribe to all front, side and rear yard building setbacks. For additional information, consult sections II c and II d of this standard.

C. Location

The placement of fencing on residential property is subject to various restrictions relative to its specific location. The following basic rule must be strictly adhered to:

1. All fencing (in its entirety) must occur on the lot. No fence shall encroach into any public street, right-of-way (ROW) or restricted open space reserve (ROSR).
2. All fencing shall be set back on the INSIDE of your property line

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By [Signature] Deputy

which adjoins a street ROW.

3. Solid fencing must be set back a minimum distance of ten feet (10') from the front facade of dwelling.
4. The front yard is defined as that area between the street ROW and the ten feet (10') front facade setback. Only transparent or semi-transparent type fencing of a height of three feet and six inches (3'6") is permitted in a front yard. No wire or similar type galvanized is allowed attached to the back of rail fencing.
5. For an interior lot, the rear yard is defined as that area between the rear property line and ten feet (10') front facade setback. For a corner lot, the rear yard extends to the platted building line of the side street. All three (3) fence types (transparent, semi-transparent, and solid) are permitted in the rear yard.

D. Materials

1. General - When selecting the materials for the fence, the following should be taken into consideration. Depending upon proximity to the dwelling, it may be preferable for the fence, in terms of Appearance, to be an architectural extension of the dwelling. The fence should have sufficient Strength to assure that it remains plumb and true to its original alignment. The fence should be sufficiently Durable so as to be resistant to decay and deterioration due to insects and the elements.
2. Acceptable Materials Along Side(s) Fronting Street(s)
  - a. Wood (redwood, cedar, treated wood, painted hardwood).
  - b. Iron
  - c. Brick Masonry
  - d. Vinyl
  - e. Combinations of all the above
3. Acceptable Side & Rear Lot Fence Material
  - a. Chain Link
  - b. Wire, Wire mesh or Wire-Bound Wood Picket
  - c. Bobwire
  - d. Vinyl

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BY [Signature] Deputy

- E. Color and Finish
    - 1. Hard wood must be painted
    - 2. Iron fencing must be properly prepared, primed and painted (black)
    - 3. Brick masonry fence construction must match that of the dwelling
- III. Additional Criteria

A. Easements

Fence construction within any easement is at the risk of the owner. No fence shall be installed in such a manner as to obstruct lot drainage.

B. Swimming Pools

All swimming pools must be secured with fence enclosures. Fence designs should be such to inhibit access over or through the fence. The clear distance between vertical members shall not exceed five and one half inches (5-1/2"). Gates must be self-closing and self-latching. Spas and hot tubs must likewise be secured with a fenced enclosure or suitable safety cover.

C. Face Orientation

Any fence which by design is perceived to have a front face and a back face, must be installed with the front face to the outside of the lot. In no case shall the back face of any fence or portion thereof be exposed to public view.

D. Construction/Maintenance

Care should be taken to assure that the construction and maintenance process does not impose itself on neighboring properties. All fencing on all lots shall be kept in good order and repair.

IV. Construction Specifications

A. Lumber and Hardware

All fence picket lumber shall be graded #1 or "Standard and Better". Pickets preferably will be of redwood, cedar or hard wood, pine posts and

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BY Mark Turnbull Deputy

rails must be treated. Chemical preservatives preferably will be factory pressure impregnated utilizing either Chromate Copper Arsenate (CCA) or Pentachlorophenol (Penta). All hard-ware (latches, hinges, nails) should have a protective finish. Hot-dipped, galvanized nails or an approved equal (such as aluminum alloy nails) must be used on all wooden fences.

B. Posts and Nails

Setting posts is the most critical stage in fence building, since fences which run straight and true depend upon properly spaced eight feet (8') o. c., recommended plumb and accurately aligned posts. Posts must also be solidly embedded to prevent their leaning with the weight of the fence or pull of a gate. Buried ends of all posts must be treated with a preservative and must be set to a minimum depth of twenty-four inches (24"). Preferably, posts will be set in concrete. Also acceptable is the use of a concrete collar, compacted gravel or compacted earth. Six foot (6') high wood fences preferably will have three horizontal rails, at least two (2) of which should be oriented vertically.

V. For Animals Only

A. Transparent and Semi-Transparent fencing is allowed on lots used for animals only.

B. For interior lots and corner lots, fencing must be of wood along street side and within the fifty feet (50') or seventy-five feet (75') building lines.

C. No wire or chain-link fence is allowed between building lines and street ROW.

11. Landscaping

General - Landscaping (defined as living plants, trees, shrubs, flowers etc. and utilization of non-living material mulch, etc.) is generally not subject to ACC review and approval.

**Contractor/Homeowner is to have landscaped the front lawn within one hundred and eighty (180) days after the completion of the construction of the residence is done.**

Circumstances wherein landscaping is intended to accomplish a structural objective such as a visual barrier, or is visually objectionable (not in harmony with the surrounding neighborhood) or is specifically referenced in the Declaration shall be subject to ACC review and approval.

Vegetable gardens shall be kept to the rear of the primary residence.

Revised 9/1/06

**CERTIFIED COPY CERTIFICATE**  
STATE OF TEXAS  
COUNTY OF MONTGOMERY  
A true and correct copy, I hereby certify as the same  
appears under 2010-0333 of the  
Real Property records in the County Clerk's Office in  
Montgomery County, Texas.



MARK TURNBULL  
COUNTY CLERK  
COUNTY OF MONTGOMERY  
BY Debra Reed Deputy

12. **Swing Sets, Playhouses, Forts, Clubhouses, Basketball Goals, Trampolines and Similar Recreational Structures**

General - All swing sets, playhouses, clubhouses, forts and trampolines or other similar structures are preferred to be located to the rear of the property and must be properly maintained at all times.

Basketball goals and adjacent play areas shall be located behind the property line.

No such structures (playhouses, forts, clubhouses or other similar structures) shall exceed the height of the primary residence and in no case shall ever exceed fourteen feet (14') in height.

Such structures shall not exceed one hundred and fifty (150) square feet in floor space.

13. **Clotheslines/Animal Running Cables**

Clotheslines shall be directly behind the primary residence and shall be no longer than thirty-five feet (35').

Running cables shall be directly behind the primary residence.

14. **Driveways**

All driveways or modifications to existing driveways shall have ACC approval prior to construction.

Each property shall have a defined driveway with a minimum eight foot (8') surface width and a minimum ten foot (10') cleared easement and a maximum twenty foot (20') surface width within the road right of ways.

The driveway surface shall not be dirt or mud but must have a covering consisting of concrete, asphalt, rock, crushed concrete or other approved common road materials.

All vehicles not stored in garages or carports must be parked on the driveway at all times. Road right of ways may not be used as parking areas.

Driveways shall be maintained at all times.

15. **Mailboxes and Address Signs**

Standard mailboxes do not require ACC approval. All non-standard mailboxes or non-

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Montgomery County, Texas.



MARK TURNBULL  
COUNTY CLERK  
COUNTY OF MONTGOMERY

BY [Signature] Deputy



standard mailbox structures shall require ACC approval prior to construction. Mailboxes that have been damaged must be replaced and/or repaired within thirty (30) days of being notified.

All address signs shall have ACC approval prior to construction.

16. Awnings and Window Coverings

Awnings require ACC approval prior to installation

Exterior shades are not permitted.

No aluminum foil or similar reflective material shall be installed on the interior of exterior of any window.

Any type of window film installed on any window shall be maintained at all times.

17. Signs, Advertisements and Billboards

During initial construction of the primary residence, each contractor is limited to one (1) sign, which may only be erected on the concerned lot. The primary builder sign shall not exceed twelve (12) square feet and all other signs shall not exceed five (5) square feet.

At no time shall the top of any sign exceed six feet (6') in height above the natural grade. All signs shall be removed within ten (10) days upon completion of the primary residence.

Realtor signs are only permitted on concerned lot.

Only one sign advertising a property for sale or rent shall be erected. These signs shall not exceed five (5) square feet and the top shall not exceed six feet (6') in height above the natural grade. All signs must be removed within one (1) week of the property closing date.

All lost pet, birthday party, or similar signs shall be removed throughout the subdivision after two (2) weeks.

Garage Sale signs shall be removed throughout the subdivision within one (1) day after the sale. See Section 18, Garage Sales.

Signs giving notice of home security systems are permitted if placed at or near the front entrance and are no larger than one hundred and forty-four (144) square inches. Window stickers giving notice of a home security system are permitted.

No more than three (3) political signs may be erected by a property owner and shall not exceed five (5) square feet each nor shall the top exceed four feet (4') in height above the natural grade. Such signs shall not be erected more than thirty (30) days in advance of the election and shall be removed within three (3) days after the election.

Revised 9/1/06

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COUNTY OF MONTGOMERY  
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MARK TURNBULL  
COUNTY CLERK  
COUNTY OF MONTGOMERY  
BY Whitney Hill Deputy

All other signs are not permitted.

18. Garage Sales

Garage sales shall be permitted no more than once every three (3) months and not more than three (3) days in length. See Section 17, Signs.

19. Storage of Building Materials

Building materials shall not be stored on a lot prior to construction. Building materials shall include culverts, brick, stone, lumber, siding, shingles, sand, rock, etc.

No materials shall be placed on the road right of way in front of the property line.

After the construction of the primary residence, small quantities of building materials may be stored at the rear of the residence in a neat and orderly manner. Large quantities shall not be stored on the property at any time.

Perishable trash should be stored in a concealed container. Trash cans should be retrieved from the curb on the day of trash pick-up.

20. Temporary Structures

No structure of a temporary character (sales structure, trailer, travel trailer, tent, shack, or other outbuildings) shall be placed on any lot at any time to be used as a residence or any type of office either temporarily or permanently.

No trailer, camper, recreational vehicles, or similar vehicles shall at any time be connected to utilities.

21. Recreational Equipment Storage

Each property owner is allowed to have one (1) trailer, boat, recreational vehicle, or similar piece of equipment parked to the side of and behind the front building line of the primary residence or garage. None of these types of items are permitted to be stored in the yard in front of the residence or garage. If an individual residence has more than one of these items stored on the property, the remaining items must be stored in an enclosure or towards the rear of the property behind the residence or garage. Road right of ways shall not be used as a storage area for recreational equipment. No recreational vehicles are to be parked on the road at any time. Tractor trailers, Semi trucks, and rigs are not considered recreational vehicles and shall not be allowed in the Subdivision. These items cause intense wear and tear to the roadways of the Subdivision.

Revised 9/1/06

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**STATE OF TEXAS**  
**COUNTY OF MONTGOMERY**  
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MARK TURNBULL  
COUNTY CLERK  
COUNTY OF MONTGOMERY  
By Donna Hill Deputy

22. **Propane Tanks and Water Well Tank**

Propane tanks shall be located behind the front building line of the primary residence. On a corner lot, propane tanks shall be located behind the primary residence and within all plotted building lines.

A water well tank must be at least one-hundred fifty feet (150') from a property owner's septic system. To comply with this requirement, if a water well must be placed in front of the residence, it should be concealed by erecting a wooden fence structure with landscaping around the structure. The fence structure must be approved by the ACC.

23. **Supplementary Utility Production Equipment**

This section shall pertain to utility production equipment. This includes but is not limited to: water wells, solar power units, windmills, or any electrical power producing equipment. All such equipment shall be located behind the primary residence and shall not exceed the height of the primary residence. All such equipment shall require ACC approval prior to installation.

24. **Wood Burning**

Burning of wood and other debris may be done as long as there is no burn ban in place. The fire may not be left unattended.

25. **Property Maintenance**

Lawns should be routinely maintained and trimmed. Grass should be trimmed around fences, telephone poles, driveways, etc. Following the removal of dead trees, homeowners are responsible for cleaning up the debris and having the tree stump removed.

26. **Unightly Items**

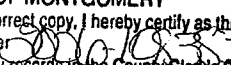
Tires, wood piles, non-running cars, unused boats, trailers, bails of hay, tractors, ATV's, lawnmowers, etc should be stored out of public view and in an approved and enclosed structure.

27. **Holiday Decorations/Fourth of July**

All decorations and lights relating to a specific holiday shall be removed from the resident's home, fence or yard within fifteen (15) days after the holiday.


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COUNTY OF MONTGOMERY**

A true and correct copy, I hereby certify as the same appears under  of the Real Property records in the County Clerk's Office in Montgomery County, Texas.



**MARK TURNBULL  
COUNTY CLERK  
COUNTY OF MONTGOMERY**

BY  Deputy

Fireworks may not be set off after midnight (12:00 a.m.). A homeowner is required to pick up all debris resulting from setting off a fireworks display.

FILED FOR RECORD  
06 SEP 15 AM 10:45

*Mark Turnbull*  
COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF MONTGOMERY  
I hereby certify this instrument was filed in  
File Number Sequence on the date and at the time  
stamped herein by me and was duly RECORDED in  
the Official Public Records of Real Property at  
Montgomery County, Texas.

SEP 15 2006



*Mark Turnbull*  
County Clerk  
Montgomery County, Texas

Revised 9/1/06

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STATE OF TEXAS  
COUNTY OF MONTGOMERY  
A true and correct copy, I hereby certify as the same  
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Real Property records in the County Clerk's Office in  
Montgomery County, Texas.



MARK TURNBULL  
COUNTY CLERK  
COUNTY OF MONTGOMERY  
By *Mark Turnbull* Deputy