

**SIXTH SUPPLEMENTAL
 NOTICE OF DEDICATORY INSTRUMENTS
 FOR
 SADDLE CREEK FOREST PROPERTY OWNERS ASSOCIATION, INC.**

STATE OF TEXAS §
 §
 COUNTIES OF GRIMES AND WALLER §

The undersigned, being the authorized representative of Saddle Creek Forest Property Owners Association, Inc. (the "**Association**"), a property owner's association as defined in Section 202.001 of the Texas Property Code, hereby supplements the "Notice of Dedicatory Instruments for Saddle Creek Forest Property Owners Association, Inc." ("**Notice**") recorded in the Official Public Records of Real Property of Grimes County, Texas on August 14, 2015 under Clerk's File No. 00273907 and recorded in the Official Public Records of Real Property of Waller County, Texas on August 12, 2015 under Clerk's File No. 1505213, the "First Supplemental Notice of Dedicatory Instruments for Saddle Creek Forest Property Owners Association, Inc." ("**First Supplemental Notice**") recorded in the Official Public Records of Real Property of Grimes County, Texas on December 28, 2015 under Clerk's File No. 00276522 and recorded in the Official Public Records of Real Property of Waller County, Texas on December 21, 2015 under Clerk's File No. 1508470, the "Second Supplemental Notice of Dedicatory Instruments for Saddle Creek Forest Property Owners Association, Inc." ("**Second Supplemental Notice**") recorded in the Official Public Records of Real Property of Grimes County, Texas on October 27, 2016 under Clerk's File No. 00283246 and recorded in the Official Public Records of Real Property of Waller County, Texas on October 27, 2016 under Clerk's File No. 1607554, the "Third Supplemental Notice of Dedicatory Instruments for Saddle Creek Forest Property Owners Association, Inc." ("**Third Supplemental Notice**") recorded in the Official Public Records of Real Property of Grimes County, Texas on November 1, 2016 under Clerk's File No. 00290356 and recorded in the Official Public Records of Real Property of Waller County, Texas on October 19, 2017 under Clerk's File No. 1707868, the "Fourth Supplemental Notice of Dedicatory Instruments for Saddle Creek Forest Property Owners Association, Inc." ("**Fourth Supplemental Notice**") recorded in the Official Public Records of Real Property of Grimes County, Texas on June 11, 2018 under Clerk's File No. 00294761 and recorded in the Official Public Records of Real Property of Waller County, Texas on June 7, 2018 under Clerk's File No. 1804503, and the "Fifth Supplemental Notice of Dedicatory Instruments for Saddle Creek Forest Property Owners Association, Inc." ("**Fifth Supplemental Notice**") recorded in the Official Public Records of Real Property of Waller County, Texas on March 26, 2021 under Clerk's File No. 2103226, which documents were filed for record for the purpose of complying with Section 202.006 of the Texas Property Code.

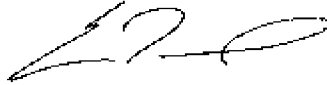
Additional Dedicatory Instrument(s). In addition to the Dedicatory Instruments identified in the Notice and the Supplemental Notices, the following document is a Dedicatory Instrument governing the Association:

- **Architectural and Site Design Guidelines for Saddle Creek Forest Property Owners Association, Inc.**

This Sixth Supplemental Notice is being recorded in the Official Public Records of Real Property of Waller County, Texas and in the Official Public Records of Real Property of Grimes County, Texas for the purpose of complying with Section 202.006 of the Texas Property Code. I

hereby certify that the information set forth in this Sixth Supplemental Notice is true and correct and the document attached to this Sixth Supplemental Notice is a true and correct copy of the original.

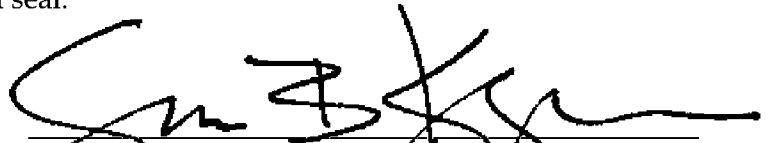
**SADDLE CREEK FOREST PROPERTY OWNERS
ASSOCIATION, INC.**

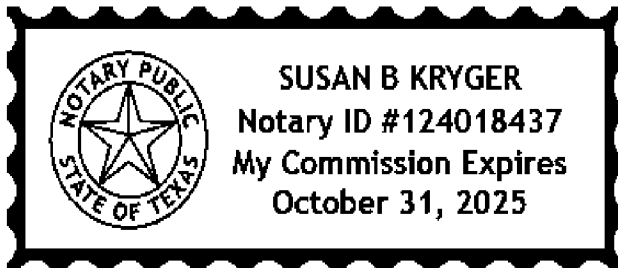
By: 
Eric B. Tonsul, authorized representative

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned notary public, on this day personally appeared Eric B. Tonsul, authorized representative of Saddle Creek Forest Property Owners Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and in the capacity therein expressed.

SUBSCRIBED AND SWORN TO BEFORE ME on this the 28th day of February, 2022, to certify which witness my hand and official seal.


Notary Public in and for the State of Texas



ARCHITECTURAL AND SITE DESIGN GUIDELINES
for
SADDLE CREEK FOREST PROPERTY OWNERS ASSOCIATION, INC.

STATE OF TEXAS §
 §
COUNTY OF GRIMES AND WALLER §

I, AIMEE MORGAN, Secretary of Saddle Creek Forest Property Owners Association, Inc. (the “**Association**”), do hereby certify that in the open session of a properly noticed meeting of the Board of Directors (the “**Board**”) of the Association, duly called and held on the 15th day of February, 2022, with at least a quorum of the Board members being present and remaining throughout, and being duly authorized to transact business, the following Architectural and Site Design Guidelines were duly approved by at least a majority vote of the members of the Board present at the meeting.

RECITALS

1. The property encumbered by these Architectural and Site Design Guidelines is that property restricted by the Declaration of Covenants, Conditions and Restrictions for Saddle Creek Forest, recorded in the Official Public Records of Real Property of Grimes County, Texas, under Document No. 00201846, and in the Official Public Records of Real Property of Waller County, Texas, under Document No. 505966, as same has been or may be amended and/or supplemented from time to time (“**Declaration**”), and any other property which has been or may be subsequently annexed thereto and made subject to the authority of the Association.

2. Article 10, Section 10.2 of the Declaration grants the Board the power to adopt rules, regulations and/or guidelines regarding the installation of improvements on a Lot.

3. The Board desires to update and amend the Architectural and Site Design Guidelines for the properties under the jurisdiction of the Association.

4. These Architectural and Site Design Guidelines (attached hereto as **Exhibit “A”**) replace and supersede any previously recorded or implemented policy that addresses the subjects contained herein, if any, adopted by the Association.

5. All capitalized terms shall have the same meanings as that ascribed to them in the Declaration.

I hereby certify that I am the duly elected, qualified and acting Secretary of the Association and that the foregoing Architectural and Site Design Guidelines was approved by not less than a majority vote of the Board as set forth above and now appears in the books and records of the Association, to be effective upon recording in the Official Public Records of Waller County and Grimes County, Texas.

TO CERTIFY which witness my hand this the 25 day of February, 2022.

**Saddle Creek Forest Property
Owners Association, Inc.**


By: 

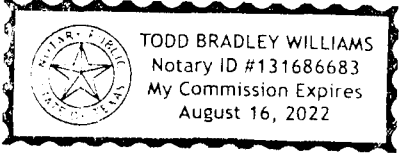
Printed: AMEE MORLAN

Its: Secretary

THE STATE OF TEXAS §
 §
COUNTY OF Montgomery §

BEFORE ME, the undersigned notary public, on this 25 day of February, 2022, personally appeared Amee Morlan, Secretary of Saddle Creek Forest Property Owners Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purpose and in the capacity therein expressed.


Notary Public in and for the State of Texas



SADDLE CREEK FOREST

Architectural and Site Design Guidelines

Revision 006

02152022

SADDLE CREEK FOREST

Architectural and Site Design Guidelines

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Architectural and Site Design Guidelines

1.0 Introduction

1.1 Objective of the Guidelines

This document is intended to establish the guidelines for developing properties in the residential community known as Saddle Creek Forest in Waller and Grimes Counties, Texas. The standards of design expressed in this document describe the "vision" of the community through procedures that are clearly outlined and informative and consistent with the requirements in the Saddle Creek Forest Governing Documents.

Our intent is to expedite your process of building an exceptionally high-quality residence. We may review and revise these Guidelines, as necessary to reflect changing conditions.

1.2 Relationship to Legal Documents

These guidelines are intended to be complimentary to the Governing Documents of Saddle Creek Forest. A listing showing the other documents and the established Order of Precedence is provided as an attachment to this document.

1.3 Community Master Plan

Saddle Creek Forest is a planned gated community that includes approximately 1048 acres located on Riley Road in Waller and Grimes Counties. The community includes three ponds, parks, playgrounds, picnic areas, day stables with riding arena and walking / riding trail.

Throughout the development of Saddle Creek Forest, it is the intent of the Saddle Creek Forest Property Owners Association to protect the natural features of the property. Consequently, these Design Guidelines will reflect that concern in their approach toward the design, review and construction of residences within Saddle Creek Forest.

2.0 Organization & Responsibilities of the Architectural Review Board

2.1 Mission and Functions

The Saddle Creek Forest Architectural Review Board (ARB) has been established by the Saddle Creek Forest Property Owners Association (Association) to assure an attractive, compatible, and aesthetically pleasing community. **REF#1-9.2, REF#10-5.2**

The ARB works with the Governing Documents to determine the approvability of projects submitted to them. The final decision of the ARB may be based on purely aesthetic considerations. It is important to note that these opinions are subjective and may vary as committee members change over time.

The Association reserves the right to revise the structure of the architectural review process, revise and update the design guidelines as well as the performance and quality standards to respond to future changes. **REF#1-9.3**

2.2 Membership

The ARB is comprised of 3 to 5 members appointed by the Association. One of these ARB members may, but need not, be an experienced professional home designer/builder/inspector

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Architectural and Site Design Guidelines

or professional architect. The Association shall appoint a member of the Board of Directors to act as the principal contact (Board Liaison) to the ARB, pursuant to the restrictions of Texas Property Code 209. The right to appoint members to the ARB shall be retained by the Association Board of Directors. The ARB will appoint one member to act as the principal contact (ARB Liaison) with the Board of Directors. **REF#1-9.2, REF#10-5.2**

2.3 Scope of Responsibility

The ARB has the following responsibilities: **REF#1-9.2 & 9.3**

- A. Evaluating each of the plans submitted by an owner for adherence to the design guidelines and compatibility of the design with the adjoining sites and common spaces.
- B. Recommending approval of all new construction.
- C. Monitoring the design and construction process in order to ensure conformance with the Governing Documents.
- D. Enforcing the Design Guidelines through special assessment or self-help as described in the Governing Documents.
- E. Interpreting the Governing Documents and Design Guidelines at the request of the owners.
- F. Recommending approval of all modifications to existing structures, including but not limited to walls, fences, material replacements, renovations, additions and landscaping.

Final approval of all site preparation, construction, remodeling or exterior improvements is retained by the Association. That authority is hereby delegated to the ARB, provided absolute alignment to the governing documents exists. ANY VARIANCE FROM THE GOVERNING DOCUMENTS OF SADDLE CREEK FOREST CANNOT BE GRANTED BY THE ARB. VARIANCE ON THE DESIGN GUIDELINES REQUIRES APPROVAL BY A VOTE OF A MAJORITY OF THE BOARD OF DIRECTORS OF THE ASSOCIATION AT A REGULARLY SCHEDULED OPEN MEETING.

2.4 Enforcement Powers

Any structure or improvement that is placed on any home site without ARB approval is considered to be in violation of these guidelines and the Covenants. The ARB has the power to issue a stop work order and request that the non-conforming structure be brought into compliance at the owner's expense. Should the owner fail to comply with the requests of the ARB, the ARB will act in accordance with Article 9.9 of the Covenants to bring the non-conforming item into compliance. The details of the enforcement process are defined in the Governing Documents Enforcement and Fine Policy, **REF#1-9.9**

Any amendments to the Architectural Design Guidelines shall be prospective only and shall not apply to require modifications to or removal of structures previously approved once the

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approved construction or modification has commenced. **REF#1-9.3(a) & 9.5**

The ARB retains the right to inspect properties at various times during the construction process. The ARB is charged with the responsibility of providing the Association with a final inspection report indicating that the property has been developed according to approved drawings, that the property is complete and that the property is ready for occupancy. **REF#1-11.5 & 11.6**

2.5 Limitation of Liability

Approval by the ARB does not constitute a representation of warranty as to the quality, fitness, or suitability of the design or materials specified in the plans. Owners should work with their architect and or contractor to determine whether the design and materials are appropriate for the intended use. In addition, approval by the ARB does not assure approval by any governmental agencies that require permits for construction. Owners are responsible for obtaining or ensuring that their architect or contractor obtains all required permits before commencement of construction. The Saddle Creek Forest POA, its board members, any committee, or member of any of the foregoing shall not be held liable for any injury, damages, or loss arising out of the manner or quality of approved construction on or modifications to any home site. In all matters, the ARB and their members shall be defended and indemnified by the Saddle Creek Forest POA as provided in Article 4.6 of the Covenants. **REF#1-9.8 & 4.6**

3.0 The Design Review Process

3.1 Permit Applications

Permit application forms are available on request from the ARB, to be completed by the Property Owner and/or Builder. The Property Owner will be responsible for the application, all work performed under the approved permit, and will be the primary contact for all matters relating to these Guideline requirements and activities associated with the Property. Instructions for completion and method of submittal are included on the Permit forms. There are different categories of Permits depending on the activity and/or structure, and a list of Category Definitions and the corresponding schedule of Fees are provided from the ARB along with the Permit Forms. Each Permit includes a Drainage Impact Form and an Acknowledgement Form to be completed and signed by the Owner. The required deposits and fees are defined for each different Permit category and are listed in the Fee schedule. **FORMS-Permits & Fees**

All renovations, additions, or improvements to existing structures shall be approved by the ARB. The Owner shall submit plans showing the nature of the work to be performed with all of the appropriate fees, if any.

An Owner may remodel, paint, or redecorate the interior of structures on his Lot without approval. The regular maintenance of landscaping, including replacement of trees, shrubs, flowers, etc. may be performed without approval. However, modifications to the interior of porches, screened porches, patios, and similar portions of a Lot visible from outside the structures on the Lot shall be subject to approval. **REF#1-9.1**

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3.2 Review of Plans

The ARB will review the property owners' design submissions. The ARB review process shall not exceed 30 days from electronic receipt and confirmation that all required documents have been submitted and received. The ARB is responsible for reviewing the architectural and site requirements in accordance with the Governing Documents. The ARB's experienced professional or Architect will review submittals prior to distribution to other members of the ARB in order to determine the approvability of submittals. **REF#1-9.3(b)**

Once all ARB members have had the opportunity to review and comment on the submittals, the ARB majority will make the final decision. Submission requirements are outlined in **Section 5.0** of these guidelines. **REF#1-9.3**

In the event that submittals are found to be incomplete or not in compliance with the Governing Documents, the owner shall be notified, the submittals shall be made compliant and complete, and the review process cycle shall begin again.

3.3 Conditions of Approval / Rejection of Plans

Approval by the ARB shall in no way relieve the owner of responsibility and liability for the adherence to any applicable ordinances, codes or the Governing Documents. Plans submitted for review or any portion thereof may be disapproved upon any grounds, which are consistent with the purpose and objectives of the ARB, including purely aesthetic considerations. **REF#1-9.3(b)**

3.4 Architectural and Contractor Requirements

All plans for the construction of dwellings and other buildings or significant structures within Saddle Creek Forest shall be designed and drawn by an architect who is registered and licensed or an experienced professional home designer. Foundation Plans shall be approved and stamped by an engineer who is registered and licensed in the State of Texas. Septic System plans shall be approved and stamped by a Sanitary Engineer who is registered and licensed in the State of Texas. **REF#1-9.1**

3.5 Final Review after Rejection Notice

During final review, the designer submits a final set of construction drawings for the project. These drawings should address all the conditions imposed by the ARB and restrictions. The ARB reserves the right to make design comments on any plan during this review.

3.6 Additional Meetings with the ARB

If an application for approval is denied or conditions are unacceptable, the applicant may request an additional meeting to discuss the plans with the ARB or an ARB representative. If an applicant is not satisfied with the decision of the ARB after the additional meeting, the applicant may request an appeal through the Saddle Creek Forest Property Owners Association Board of Directors. The process of appeal is defined within the 209 Hearing Policy. **REF#22**

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3.7 Variances

From time to time, the Design Guidelines or existing site conditions may impose an undue hardship that may inhibit construction on a particular home site. In such case, the applicant may submit a written request for a variance to the ARB. Only the Association through its Board of Directors has the authority to grant variances to the Governing Documents. No variances are allowed unless the applicant has received a written notice of approval from the ARB. Any variance granted is unique and does not set any precedent for future decisions of the Association or the ARB. **REF#1-9.6 & 9.7**

3.8 "Clean Site" Bond

The "Clean Site" bond/deposit amount has been established and published by the ARB. The purpose of the deposit is to assure compliance to workplace clean site standards. The Owner of the property may be charged the costs associated with correction of work not deemed to be in compliance with established "Clean Site" standards at the discretion of the ARB or Saddle Creek Forest POA Board of Directors. Charges will be deducted from the deposit, and the balance of the deposit will be refunded to the Property owner upon completion of home construction and receipt of the construction deposit application. **REF#1-9.2**

3.9 Design Review Fees

Design review fees can be established and published by the Saddle Creek Forest Property Owners Association. The intent of these fees is to cover all expenses related to the processing of applications for construction. The Association reserves the right to change or waive these fees from time to time without prior notice. The "Clean Site" bond (if imposed) must be included with the submission. Submissions received without the "Clean Site" bond will be considered incomplete and will be returned to the Owner. The Association reserves the right to change the amount at any time without notice. **REF#1-9.2 & FORMS-Fees**

3.10 Final Approval

The final approval letter is issued to the Property owner by the ARB after approval of the submitted plans for construction.

4.0 The Construction Process

4.1 Clearing Only

For a Clearing Only Permit, a culvert is not required for access to the property. Pictures of the roadside ditch areas of the property are required to be submitted prior to any work starting. See **Section 6.1** for recommendations regarding removal of trees and shrubs from the property during clearing. The ARB encourages retaining perimeter trees and brush for privacy screens.

During lot clearing, a temporary culvert may be installed by the Property Owner to allow for access to the site for heavy equipment without damaging or blocking drainage in the ditch. No crushed concrete is allowed for temporary access. After completion of clearing, the

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temporary culvert shall be removed and the ditch shall be brought back to its original condition before the Clearing Only Permit deposit will be refunded. See **Section 8.0** for information regarding permanent culverts. See **Appendix A** for culvert sizing.

If a New Home Construction Permit is filed for the site within 3 months (90 days) of the approval of the Clearing Only Permit, then the permits will be combined and converted into a New Home Construction With Site Clearing Permit. The Site Inspection Fee (Compliance Fee) and the Clean Site/Damage Deposit (Architectural Deposit) fees from the Clearing Only Permit will be applied to the combined permit fee requirements. **FORMS-Permits & Fees**

4.2 Construction Time Limit

The exterior of all dwellings and other structures must be completed within one (1) year after the construction of same has commenced, except where such completion is impossible or would result in great hardship to the owner or builder due to strikes, fires, national emergency, or natural calamities as deemed by the ARB. If an extension is needed, the Property owner may submit an extension request, including projected completion date, in writing to the ARB. Failure to complete the project within the deadline will result in a special assessment, self-help measures, or other enforcement rights as set forth in the Covenants. If construction has not commenced within one (1) year after the date of the final approval, it shall be deemed to have expired unless applicant, prior to such expiration date, has requested and received an extension in writing from the ARB. **REF#1-9.3(b)**

4.3 Builder's Sign

Builder signs shall be installed at the start of the New Home Construction. The sign shall remain properly installed throughout construction. All signs must be approved by the ARB. All signs must be placed no closer than 10 feet from the front property line and 25 feet from either property sideline. The sign must be professionally painted and lettered, cannot be any higher than 48 inches from the ground to the top of the sign and shall be no larger than 36 inches by 36 inches. The sign must include the builder's name, phone number and the property address.

Subcontractor signs are not allowed on the property. Temporary signs indicating the property address are required during construction. Signs and markings prohibiting trespass are permitted as per Texas state law. Any additional signage or displays found on a jobsite may be removed at any time without warning. **REF#1-9.4(b)(i)**

4.4 Portable Toilet

One portable toilet is required for each new home construction site requiring more than seven (7) days of construction. No construction may be started without a portable toilet. Placement of the portable toilet is not allowed on the road right of way or Association easement/ditch. Portable toilet must be located behind the builder's sign. **Workmen are never permitted to use restroom facilities at any Saddle Creek Forest amenity.**

4.5 Construction Site Access

A construction entrance must be installed prior to the start of any work on the lot; the minimum size of culvert required for the construction entrances is 18". Culverts used for temporary construction entrances may be plastic (HDPE) or reinforced concrete pipe or RCP,

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but only reinforced concrete pipe may be used as permanent culvert materials. (See **Appendix A** for culvert sizing.) Culverts will be kept clear during construction. The construction entrance will be maintained until a permanent entrance has been constructed then returned to pre-construction condition. The entrance must be built to eliminate the tracking of mud onto paved roads. Property owners are responsible for keeping mud, dirt, etc. off the roadway. Any mud, dirt or other construction debris tracked onto roads must be cleaned immediately. Property owners will be responsible for any damage to roads, road shoulders and ditches. All repairs to damaged areas must occur during the course of construction. No dumping or burning of debris is allowed in the roads, road shoulders or ditches. Contractors, subcontractors and suppliers shall observe all posted speed limits and other signage throughout the Saddle Creek Forest development.

No construction is to be performed on Sundays or on the following Holidays: Easter, Fourth of July, Thanksgiving, Christmas and New Year's Day. Workers must start no earlier than 6:30 am and leave the job site by 7:00 pm each day. An exception to the work hours may be approved by the ARB with advance request for pouring of the concrete foundation only; the Owner shall provide advance notice to neighbors of the exception.

4.6 Erosion

As defined in the Texas Commission on Environmental Quality (TCEQ) regulations, "*storm water associated with construction activity*" includes storm water runoff from a construction activity where soil disturbing activities (including clearing, grading, excavating) result in the disturbance of one (1) or more acres of total land area, or are part of a larger common plan Storm Water Pollution Prevention Plan (SWPPP) that is tailored to that construction site. Additionally, the control measures must be inspected every 14 days and after every rainfall event greater than 0.5 inches. After construction is complete, the permit must stay in effect until the site is stabilized or until 70% of the native background vegetative cover has been established. At that point, the permit should be terminated. If the Lot owner hires a building contractor, that contractor should apply for the TCEQ permit, prepare the SWPPP, supervise the implementation of the SWPPP, perform the inspections and terminate the permit when the site is stabilized. However, if the Lot owner performs the general contracting duties himself, the Lot owner will be the "operator" and would be responsible for these requirements.

The Property owner is solely responsible for controlling erosion of the property onto adjacent properties, drainage easements or structures. No construction shall begin in absence of a SWPPP. Should periodic inspections discover failure to act in exercising this requirement, work will be ordered stopped and the Association may authorize remediation and correction of deficiencies. Costs of all deficiencies will be deducted from the Clean Site deposit.

For additional information concerning TCEQ permitting requirements, you can access their web site at <https://tceq.texas.gov>.

4.7 Drainage

Natural established drainage patterns shall not be impaired. Streams may not be dammed, impounded, diverted or used for any other purpose without the prior written consent of the Board of Directors. No Owner or resident may obstruct or rechannel the drainage flows after

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location and installation of drainage swales, storm sewers or storm drains. No streams which run across any Lot may be dammed, or the water therefrom impounded, diverted or used for any purpose without the prior written consent of the Board of Directors. **REF#1-10.9**

No person shall alter the grading of any Lot without prior approval as per the Covenants. No person may fill in or pipe any roadside or lot-line swale, except as necessary to provide a minimum driveway crossing, nor may any person pipe, fill in or alter any lot line swale used to meet Waller or Grimes County regulations. **REF#1-10.10**

Typically, the entry and exit flow patterns of a Lot must be maintained. The ARB will review any exceptions to verify that adjacent lots are not detrimentally impacted. All lots have drainage easements around the entire perimeter of the property. No structures are allowed on easements along roads and only limited improvements are allowed on other easements. A topographic survey with existing topographic references shown, and indicating current and proposed impacts, is required to be submitted to the ARB prior to construction. **FORMS-Permits**

If Significant or Major Impact on the drainage into or out of a property is anticipated, a Drainage Plan must be provided to the ARB that describes in writing how drainage will be redirected, identifies any natural creek or water flow patterns already established on the lot, the impact of any change affecting neighboring properties including written permission from a neighbor if their property is to be accessed, and a detailed drainage drawing showing elevations, contours, swales, etc.

Using text or hand-drawn pictures, describe any changes in the natural flow of rainwater that would result from the intended property improvement. Possible causes of such changes include, but are not limited to, blockage, redirection, concentration, etc. For example, if a cedar fence is planned to rest on the ground and would block natural flow, describe how this condition is being resolved.

4.8 Site Maintenance

Only usable construction materials may be stored on a construction site. Dumpsters must be installed on site prior to foundation form removal and remain until such time as trash and construction debris can be removed daily.

Discarded construction materials, refuse and debris must be contained within a trash dumpster or removed daily from the site, and must never be visible from a street. Any property where construction debris is visible from the street will be ordered to stop work and remove debris. If trash is not removed on a regular basis, Saddle Creek Forest ARB will remove the trash and all costs will be deducted from the Clean Site Deposit.

Storage or placement of materials within any right of way or easement is not permitted at any time. No fires are allowed on construction sites. No petroleum-based products or other potentially hazardous or toxic substances may be disposed of on any lot or any drainage ditch, stream, or lake.

4.9 Right to Enter and Inspect Property for Compliance

The right of entry and inspection is specifically reserved by the ARB, its agents, and representatives to visit all or any portion of the Owner's property for verifying compliance with the requirements of the ARB during the entire construction period. A representative of

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the ARB will make monthly inspections during the entire construction period, unless conditions warrant otherwise. The Owner will be notified in writing with a copy as appropriate to the builder of any items and exceptions noted in the inspection report and all such items and exceptions must be completed or resolved by the next inspection.

REF#1-9.9

4.10 Conduct of Workers

No alcohol or drugs are permitted on site. Animals are prohibited. Firearms are prohibited. No harassing or loud behaviors are permitted. Workers shall not be allowed to travel the property unnecessarily or use the amenities. Additional violations may result in the contractor being denied access to the property. **FORMS-Violation Fines**

4.11 Revisions and Changes During Construction

No changes to approved construction documents may be made during construction without prior, written approval of the ARB. All required documentation must be submitted along with the revision request. Failure to obtain written approval for any revision during construction may result in a stoppage of work; any costs incurred by the ARB will be deducted from the construction deposit.

4.12 Alterations, Remodeling, Improvements, Repainting of Approved Structures

Any exterior change to an existing structure requires approval from the ARB before commencing with work. All exterior changes or renovations shall be submitted to the ARB for approval as outlined in Article 9 of the Covenants. All construction shall be subject to the construction regulations set forth in Section 4.0 of these guidelines. **REF#1-9.3(b), 9.4(a)**

5.0 Specific Submission Requirements

5.1 Plan Submission Requirements for Design Review

The following submission requirements must be met prior to obtaining final approval for construction: **REF#1-9.3(b)**

Note: Landscaping plans may be submitted separately but must be submitted at least thirty (30) days prior to home completion, as per Section 9.1 of these guidelines.

- A. EXISTING CONDITIONS -minimum scale 1" = 20'-0". Must include the following information:
 - I. Owner's Name
 - II. Designer's Name
 - III. North Arrow and Scale
 - IV. Property Lines with Dimensions and Bearings
 - V. Setback Lines
 - VI. Easement Lines

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- VII. Adjacent Street Names
 - VIII. Outline of Exterior Walls, Decks and Driveways on Adjacent Lots
- B. SITE PLAN -minimum scale 1" = 20'-0". Must include the following information:
(May be added to the existing conditions map.)
- I. Proposed Location of Home
 - II. Dimension from Corner of Foundation to Adjacent Property Line
 - III. Proposed Driveway, including dimensions
 - IV. Proposed Culvert Size
 - V. Proposed Fences and Gates, including dimensions
 - VI. Proposed Retaining Walls, including dimensions
 - VII. Proposed Pool or Spa Location, including associated equipment
 - VIII. Proposed Accessory Structures (out building, trellis, etc.)
 - IX. Finish Floor Elevation (FFE) of First Floor and Garage
 - X. Proposed Two-Foot Contour Lines
 - XI. Location of Underground or Above Ground Propane Storage Tank
 - XII. Proposed Location of Water Well and associated equipment
 - XIII. Proposed Location of Fixed Electrical Generator, including type and dimensions of support pad
 - XIV. Proposed Location of Rainwater Harvesting System, including dimensions
- C. ARCHITECTURAL PLANS – minimum scale 1/4" = 1'-0"
- FLOOR PLANS
- I. Interior Rooms Dimensioned and Named
 - II. All Window and Door Openings Shown
 - III. Roof Overhang with a Dashed Line
 - IV. Total Square Footage
 - V. Heated Square Footage of Structure – Refer to Supplemental Declaration of Covenants, Conditions and Restrictions for Saddle Creek Forest Article 3, Section 3.1 paragraphs (a) and (b)
- BUILDING ELEVATIONS
- I. Front, Rear and Two Side Elevations
 - II. All Elevations Labeled so they correspond with Site Plan

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- III. Exterior Finish shown, including Paint Color, Color Number, and Samples
- IV. All Decks and Terraces shown

LANDSCAPE PLANS – minimum scale 1" = 20'-0"

- I. Owner's Name
- II. Designer's Name, Address, Phone and Fax Numbers
- III. North Arrow and Scale
- IV. Property Lines with Dimensions and Bearings
- V. Location of all Structures (including Decks, Trellises, Fences, etc)
- VI. Location of Pavement and Utilities
- VII. Location of All Lawn Areas and Shrub Bed Lines
- VIII. Location of All Proposed Plant Material
- IX. Plant List with Quantities, Botanical Name, Common Name and Size
- X. Location and Specifications of All Exterior Lighting Fixtures
- XI. Location and Specifications of all Pole Mounted Lighting
- XII. Total Area of Lawn in Square Feet
- XIII. Total Area of Lawn as percentage of Property

6.0 Architectural Guidelines

6.1 General Standards

Homes must be designed for conformity with the Governing Documents. All structures must be sited within the setbacks. Plans submitted for review, or any portion thereof, may be disapproved upon any grounds, which are consistent with the purpose and objectives of the ARB, including purely aesthetic considerations. **REF#1-9.3(b)**

Property Owners are encouraged to leave as many trees as safely possible, and to also leave an uncleared perimeter (trees and underbrush undisturbed) to provide a visual screen around the back and sides of the property to help maintain the aesthetics of the community. Consideration should also be given to wildfire safety as per U.S. and Texas Forest Service recommendations.

6.2 Modular Construction

No modular home or manufactured home shall be placed, erected, constructed or permitted within the development. "Modular home and manufactured home" shall include any prefabricated or pre-built dwelling which consists of one or more transportable sections or components and shall also be deemed to include manufactured building, manufactured home, modular building, modular home, barndominium, modular construction, and prefabricated construction as defined by the Texas State Building Code. Prefabricated accessory structures such as sheds and gazebos, must be reviewed and approved in strict

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accordance the Governing Documents. **REF#1-9.4(b)(iii)**

6.3 Utility Lines

Overhead utility lines, including lines for cable television, are not permitted except for temporary lines as required during construction. **REF#1-9.4(v)**

6.4 Dwelling Size / Minimum Standards

All dwellings must have no less than twenty-two hundred (2,200) square feet of living area, excluding porches and garages. One and one-half (1½) and two (2) story houses must have no less than fourteen hundred (1,400) square feet of living area, excluding porches and garages, on the ground floor. **REF#1-9.4(vi)**

Per the Saddle Creek Forest plats, there is a fifteen (15) foot building line along all side and back lot lines of the properties unless otherwise shown on the recorded plat. There is a fifty (50) foot building line across the front of all property as shown on the recorded plat. **REF#26, REF#27, REF#28, REF#29, and REF#30**

There are two (2) walking/riding easements within Saddle Creek Forest. There is a fifteen-foot (15') walking/riding easement in front of all lots, commencing at the property line and continuing outward 15' from said property line outwards toward the road, which may include the current drainage ditch. The rear fifteen feet (15') of all lots in Saddle Creek Forest that back up to the community outside perimeter boundary is also established as a walking/riding easement. Fences may not be built in these easements. **REF#21**

Improvements on all Lots must be built on a concrete slab or on a pier foundation, constructed with concrete and rebar.

All shingle roofs must have a minimum of thirty (30) year life. Specialized shingles designed primarily (1) to be wind resistant, (2) provide heating and cooling efficiencies greater than those provided by customary shingles, (3) provide solar generation capabilities, may be installed subject to the following restrictions: **REF#14**

- a. The color and appearance of the shingles must be submitted to the ARB for approval
- b. The shingles must be of equal or superior quality and durability to standard roofing shingles otherwise authorized for use
- c. The shingles must match the aesthetics of properties adjacent to the Owner's property, as determined by the ARB.

Construction of all dwellings and other improvements commenced on any Lot shall be completed as to exterior finish and appearance within one (1) year from the date of commencement.

Refer to Supplemental Declaration of Covenants, Conditions and Restrictions for Saddle Creek Forest, for Sections 1, 2, 3, 4, and 6. **REF#4, #5, #6, #7 and #8-3.1(a) & (b)**

6.5 Exterior Color Guidelines

All exterior colors of any structures must be natural or earth tones and must complement the surrounding landscape. The ARB may, in its sole discretion, approve other color schemes so long as such colors complement the subdivision. **REF#1-9.3(b)**

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6.6 Address Signage

9-1-1 addressing in unincorporated areas provides emergency responders with the location of residences, businesses, and other structures. In the event of an emergency, it is vital that the address is posted at the entrance to the property and clearly visible from the road.

The owner or occupant of the dwelling has responsibility to post the assigned 9-1-1 address numbers. If you have more than one residence (i.e., main dwelling and guest house) using a single entry you will need to post both addresses at the road entrance AND on each residence so there is no confusion for emergency responders.

Address numbers should be clearly visible from the road at the entrance to your property. The ideal spot for numbers to be seen clearly from both directions is facing the road on a mailbox or permanent post or marker at the entrance of the property. The numbers should ***not*** be posted on a gate; chances are they will not be seen from both directions when the gate is open. You should also place address numbers on the mailbox for the postal carrier. Note that if you locate your mailbox on a street different from the preassigned address for the property, for example, on a corner lot, e911 will reassign the address for the property to the street with the mailbox. A mailbox shall not be installed on an unimproved property. Further details are available from the county e911 coordinators.

7.0 Site Requirements: Accessory and Decorative Structures

7.1 Outbuildings

Each home site is limited in the number of outbuildings as defined in the Governing Documents.

Lots consisting of one and one half (1½) acres or less shall have no more than two (2) buildings, with the dwelling being considered one building. A detached garage, barn, workshop, etc., shall each be considered as a separate building for purposes of this paragraph. No guesthouse shall be built on Lots consisting of one and one half (1½) acres or less. A Lot consisting of more than one and one half (1½) acres may have a maximum of three (3) buildings, including the dwelling, located on it. Said Lots may have a guesthouse so long as such guesthouse: (i) contains a minimum of five hundred (500), and no more than one thousand (1,000), square feet of enclosed space, and (ii) is built during or after completion of construction of the main dwelling. An outbuilding which contains a kitchen and bathroom will be considered to be a guesthouse.

Outbuildings, or detached accessory structures may be a detached guesthouse, garage, playhouse, workshop, shed, doghouse, barn, gazebo or other structure greater than one hundred fifty (150) square feet. Detached garages, workshops and barns must be erected, altered or placed on the property, either during or after construction of the dwelling and shall be no larger than fifty percent (50%) of the main dwelling (excluding all attached guest houses), based on square footage of living area. Workshops, barns and detached garages may be the same height as the dwelling, but no taller.

All dwellings must have a garage, whether detached or attached, and such garage must hold

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a minimum of two (2) cars and a maximum of four (4) cars, must have finished interiors (sheet rocked, taped/floated and painted). Detached garages must be at least thirty (30) feet behind the front wall of the main dwelling. No carports shall be allowed. Porticos may be allowed by the Architectural Review Board or appropriate architectural control reviewing body on a case-by-case basis. **REF#4, #5, #6, #7 and #8-3.1(a) & (b)**

The location and appearance of outbuildings shall be submitted and approved by the ARB prior to construction. Outbuildings should be architecturally compatible and complementary in earth tone colors with the home and must be reviewed and approved in strict accordance the Governing Documents. **REF#1-9.4(b)(iv)**

Attached Garage Definition – For building count purposes only, the required garage as per the DCCRs can be considered as attached provided it has a common roof and concrete flat work attached to the main dwelling and is separated from the main dwelling by no more than fifty (50) feet. The requirements for separate building as per the DCCRs will still apply to this structure. This definition is only applied for the purpose of establishing the building count on the property. **REF#25-III (F)(c)(1).**

7.2 Arbors and Trellises

Arbors and Trellises (sometimes called Pergolas) are permitted. Location, elevations and finishes must be submitted to the ARB for approval prior to beginning construction.

7.3 Fences and Walls

Walls, fences and gates, if any, must be approved prior to commencement of construction by the ARB or appropriate reviewing body. No fence shall be constructed to cause blockage of drainage easements. No fence shall be more than six feet (6') high except those surrounding tennis/sports courts whose proposed height shall be submitted to and subject to approval by ARB on a case-by-case basis. All walls, fences and gates shall be constructed according to the following standards: **REF#1-9.4(b)(vii)**

All walls and fences facing an interior road must be constructed of either

- I. Rock of the same type as the dwelling on the lot
- II. Masonry of the same type as the dwelling on the lot
- III. Iron
- IV. A combination of iron, rock and/or masonry, which rock and masonry shall match the dwelling on the lot
- V. Minimum of three (3) rail white vinyl fence
- VI. Minimum of three (3) rail stained or painted wood fence (paint color to be approved by ARB)
- VII. Split natural wood rail
- VIII. Vinyl picket

Sideline privacy fences may not extend beyond the front of the home.

Pipe fencing may be permitted on any rear or side property line not facing an interior road and shall consist of two and three-eighths inch pipe with ten foot spacing and 52" in height. A single top rail consisting of the same size pipe will be placed on top of line posts. The area between the posts shall be Tightlock or Solidlock Mesh tensile steel class III galvanized wire or equal. All piping must be painted black with panels left in natural color

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or painted black. All gates that front a road must be of a decorative nature and constructed of iron or wood. Standard aluminum ranch gates are not permitted.

Chain link or like fencing material may not be constructed, used in the construction of, or maintained on any tract except in connection with tennis and/or sports courts. Tennis and/or sports court fencing must be constructed of the green-coated chain link fence material. The ARB or other appropriate reviewing body reserves the right to disapprove any fence that, in its sole opinion, may not meet the intended plan for the area.

Aesthetics are subjective and opinions regarding the appropriateness of fencing proposed on individual properties may not be approved on other properties; approval of fences on other properties in no way obligates future approvals.

Mesh panels for the purpose of containment of domestic pets should be compatible with fence materials and are appropriate on all fence types.

Privacy fencing will only be permitted between properties, and can be wood, vinyl, or other material with prior approval from the ARB. Wooden privacy fencing with a rot resistant or pressure treated wooden rot board shall not be more than six feet six inches (6'-6") high and the rot board shall not be greater than six (6) inches wide. All other privacy fencing shall not be more than six (6) feet high. Privacy fencing setback must at least four (4) feet back from the front of the residence.

Privacy fencing cannot extend beyond the 50' maintenance easement on lake front properties. Fencing along lake front properties must have an unlocked access gate to allow access to the 50' maintenance easement. **REF#12, REF#13**

Cross fencing intended to compartmentalize pasture areas for the purposes of limiting access and egress of horses may be barbed or smooth wire and must not be more than five feet high.

Pool fencing will be reviewed on a case-by-case basis but in no case will approvals conflict with any current Texas guidelines or requirements. REF#14

7.4 Security Measures

Before any security measure contemplated by Section 202.023(a) of the Texas Property Code ("Code") is constructed or otherwise erected on a Lot, an ARB application must be submitted to the Association and approved in writing in accordance with the Declaration. The following information must be included with the application:

- i. Type of security measure;
- ii. Location of proposed security measure;
- iii. General purpose of proposed security measure; and
- iv. Proposed construction plans and/or site plan.

Security fencing must be approved by the ARB, who shall have the discretion to determine any types of approvable security measure fencing. The following types of security fencing are approvable:

- A. Fencing that complies with this section, as described above.
- B. The ARB shall have the discretion to determine any additional types of approvable security measure fencing.

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The following types of security fencing are prohibited:

- i. Barbed wire fencing
- ii. Razor wire fencing
- iii. Chain link fencing

If the proposed security measure fencing is located on one or more Lot lines with adjacent Lot(s) (“Affected Lots”), all Owners of record of the Affected Lots must sign the ARB application evidencing their consent to the security measure fencing before the requesting Owner (“Requesting Owner”) submits the ARB application to the ARB. In the event that the Affected Lot Owner(s) refuse to sign the ARB application as required by this section, the Affected Lot Owner(s) and Requesting Owner hereby acknowledge and agree that the Association shall have no obligation to participate in the resolution of any resulting dispute. A security measure may be installed only on an Owner’s Lot, and may not be located on, nor encroach on, another Lot, street right-of-way, Association Common Area, or any other property owned or maintained by the Association.

Security measures, including but not limited to, security cameras and security lights shall not be permitted to be installed in a manner that the security measure is aimed/directed at an adjacent property which would result in an invasion of privacy, or cause a nuisance to a neighboring Owner or resident. **REF#24-1&2**

7.5 Swimming Pools and Spas

Above ground swimming pools are prohibited. Bubble covers for below ground swimming pools are prohibited. Pools may not be installed on the front or side yard of any home. All plans for swimming pools, hot tubs and spas must be submitted to the ARB for approval. Swimming pools which are installed in the rear yards of lots that are adjacent to other lots may be subject to additional screening requirements as imposed by the ARB.

Pools and spas are required to be fenced or otherwise secured in accordance with Texas State regulations. Hot tubs are required to have a cover that can be secured or locked.

7.6 Clotheslines

There shall be no outdoor clothesline on any home site.

7.7 Tennis Courts

Private tennis courts shall be permitted on tracts that are 3 acres or larger and must meet all set back requirements, placed on the rear yard of the home and must be approved by the ARB. Basketball goals are permitted if the goal is a permanent structure. The location and finish of basketball goals shall be submitted and approved prior to construction.

7.8 Camping

No camping is permitted on the property.

7.9 Burning / Campfires

Open Burning is not permitted on property within Saddle Creek Forest prior to occupancy, by Owner(s), Residents or Non-residents. Burning of certain materials after completion of home is covered in other sections of the Governing Documents. **REF#17**

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7.10 Flags and Flagpoles

An Owner may display (1) the flag of the United States of America; (2) the flag of the State of Texas; and/or (3) an official flag or replica flag of any branch of the United States Armed forces on their property. Only one (1) freestanding flagpole or mounted flagpole bracket may be utilized per residence. No displayed flags shall exceed three (3) feet in height, and five (5) feet in length. Additional details and restrictions are found in the POLICY REGARDING DISPLAY OF FLAGS. **REF#14-V**

7.11 Display of Religious Items

Before a religious display is placed on an Owner's property, an ARB application must be submitted and approved, including (a) type and description of the religious display; and (b) site plan indicating the location of the proposed religious display with respect to any applicable building line, right-of-way, setback or easement on the Owner's property. Additional details and restrictions are found in the DISPLAY OF RELIGIOUS ITEMS POLICY. **REF#23**

8.0 Site Requirements: Driveways

8.1 Driveways and Culverts

Driveways must be surfaced with poured in place concrete, exposed aggregate concrete, brick pavers, hot mix asphalt paving or a combination thereof. Driveways must extend in a contiguous fashion from the street to the garage of the dwelling. Driveways must be surfaced upon completion of construction of the dwelling section and prior to occupancy. **REF#4-3.1(a)(b), REF#5-3.1(a)(b), REF#6-3.1(a)(b), REF#7-3.1(a)(b), REF#8-3.1(a)(b)**

Culverts are required for Driveways to prevent blocking or impeding drainage flow of water. All Lots shall have minimum 18" diameter concrete drive culverts except as noted in the plat plans, where size is specified for any Lot requiring a minimum culvert size other than the default of 18". See **Appendix A. REF#26, REF#27, REF#28, REF#29, REF#30**

8.2 Secondary Driveway

Entries onto the properties that are intended to provide direct access to fields, pastures or other open areas on the property will be considered Secondary Entrances. Requirements for Secondary Entrances are identical to requirements for Driveways in terms of culvert size and type but may be seeded in lieu of the surfacing with the above materials up to the limits of the Saddle Creek Forest Road Reserve. The Property owner is responsible for preventing erosion of the Road Reserve at the location of the culvert.

Nothing in this document shall relieve the Property owner from the submittal and approval requirements of the Saddle Creek Forest Governing Documents and the Saddle Creek Forest Architectural Review Board specifically reserves the right to deny approval based on aesthetics.

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9.0 Site Requirements: Landscaping, Irrigation and Lighting

9.1 Landscape and Submission Requirements

All homes are required to be landscaped. **REF#4-3.3, REF#5-3.3, REF#6-3.3, REF#7-3.3, REF#8-3.3**

The following are the requirements for landscaping: **REF#15-4**

- A. Landscaping plans must be submitted for review by the Architectural Review Board at least thirty (30) days prior to home completion. The landscape layout and plans must be approved in writing by the ARB. Such landscape layout and plans shall include all landscaping, plant materials, irrigation systems, walls, walks, swimming pools, fences, or other features to be installed or constructed on any portion of the lot. The ARB shall, in its sole discretion and authority, determine whether the landscape layout and plans submitted to it for review are acceptable.
- B. Landscaping installation must be completed within ninety (90) days after the completion of home construction.
- C. No construction deposits will be returned until all requirements of this section are met.
- D. Landscaping shall be a well-designed balance of mature trees, shrubs, and lawn grass around the perimeter of each new home. Low water consumption landscaping turf or planted grass for new installations are recommended (i.e.: Buffalo, Blue Grama, Zoysia or Bermuda grass) but not required. Other turf products will be considered and approved by the Architectural Review Board. Acceptable grasses include common residential turf grasses found in Southeast Texas.
- E. Rocks, timbers or other landscaping materials may be acceptable with prior written approval from the ARB.
- F. Most of the exposed foundations must not be visible from the streets or must be screened by plants.
- G. Should plants die or be determined to be in ill health, then the Property owner will be notified to correct the deficiencies under the nuisance clause and/or for the safety of power lines and propane tanks
- H. Landscaping must be in place along the front and sides of the home to screen the slab and any missing or dead plants must be replaced so proper screening of the slab is accomplished.
- I. No fence, wall, hedge, or shrub planting which obstructs sightlines at elevations between two feet (2') and six feet (6') above the roadways shall be placed or permitted to remain on any corner Lot which obstructs sight lines as per **REF#1-10.11**, and the foliage lines of any trees must be maintained at sufficient height to prevent obstruction of such sight lines.

Plants, including trees, shrubs, vines, grasses, and all other plant materials, should be

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appropriate for Texas Growing Zone 8b. Plants defined as invasive – that is, non-native or alien to the ecosystem and whose introduction causes or likely to cause economic or environmental harm or harm to human health (Executive Order 13112) – must not be used. A list of these species can be found in the Invasives Database at www.texasinvasives.org and the Texas Department of Agriculture – Noxious Weed List.

9.2 Irrigation, Water Wells and Rainwater Harvesting

Irrigation is considered part of landscaping and requires ARB approval for installation. Irrigation may utilize either community water service (“city water”) or private well water.

Water wells may be potable or nonpotable. It is the responsibility of the Owner to ensure compliance with State and local testing and reporting regulations.

Rain barrels and rainwater harvesting systems owned or maintained by the Property owner require ARB approval. Rain barrels or other approved rainwater harvesting systems may be installed in a fully enclosed and fenced yard or patio. If installed at the side of a house or in a location visible from a street, another lot or a common area, there must be reasonably sufficient area on the Owner’s property as determined by the ARB, must be of a color consistent with the color scheme of the property, and may not display language or other content that is not typically displayed by such a device or system as it is manufactured. **REF#14, REF#15**

9.3 Lighting

All exterior lights shall consist of fixtures that prevent light from escaping through the top and sides of the fixture. Down lighting and Dark Sky-compliant lighting are encouraged to reduce glare, better light drives and paths, and to protect neighboring properties from bright light sources. The Night Sky Protection Act regulates outdoor lighting fixtures to preserve the state’s dark sky while promoting safety, conserving energy and protecting the environment for astronomy. The International Dark Sky Association’s Fixture Seal of Approval (FSA) program certifies dark sky friendly outdoor lighting, which are fixtures that are fully shielded and have low color temperature. Lighting, including security lights, shall not be permitted to be installed in a manner that the security measure is aimed/directed at an adjacent property which would result in an invasion of privacy, or cause a nuisance to a neighboring Owner or resident. **REF#24-4**

Colored lights are prohibited (does not apply to holiday lighting). Spotlights / Floodlights will be considered on a case-by-case basis, depending on orientation and location. Pole lights will be reviewed on a case-by-case basis.

All path and landscape lighting must consist of low voltage lamps. Path and landscape lighting shall have a maximum height of 36". Landscape lighting must be concealed in daytime.

9.4 Solar Energy Devices

A Property owner may, at their own cost, install, maintain and utilize one or more Solar Energy Device(s) for the purpose of providing heating or cooling or to produce electrical or mechanical power by collecting and transferring solar-generated energy. A Solar Energy

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Device installed upon the Owner's own property may only be installed on the roof of the Owner's home, or in a fenced yard or patio owned and maintained by the Property owner.

Roof-mounted Solar Energy Devices must not: (i) extend higher than or beyond the roofline; (ii) fail to conform to the slope of the roof; (iii) include a top edge that is not parallel to the roofline; (iv) include a frame, support bracket or visible piping or wiring in a color other than silver, bronze or black. Solar Energy Devices located in a fenced yard or patio must not extend beyond or above the fence line.

The Owner must submit an application to the ARB prior to installation, maintenance or use of any Solar Energy Device, regardless of location or type. **REF#14**

10.0 Additional Requirements

10.1 Storage of Recreational Vehicles and Equipment

The following requirements are from the Governing Document Clarifications and Interpretations Final Resolution, Section 2: **REF#15-2**

- A. Recreational vehicles (RVs) may not be kept on the property prior to the main dwelling being built. The term "recreational vehicles" includes motor homes, mobile homes, boats, jet skis or other watercraft, trailers, other towed vehicles, motorcycles, "all-terrain vehicles" (ATVs, UTVs), minibikes, scooters, go-carts, golf carts, campers, buses, commercial trucks and commercial vans.
- B. Anything with a capacity exceeding one (1) ton is considered to be a commercial vehicle and must comply with the restrictions set forth for RVs.
- C. A tractor in excess of 30 bhp is considered to be part of this restriction.
- D. RVs may be parked on the property but may not be visible from streets; any screening proposed must be approved by the ARB and if enclosed, may be considered a separate building.
- E. If the property owner declares a trailer as necessary for the care and safety of allowed animals, then the property owner may request a waiver in writing through the Management Company Property Manager. The ARB or its designee will then conduct an on-site visit and determine one (1) location on the property to best place the horse or stock trailer.
- F. In no case shall more than one (1) horse or stock trailer be parked on properties without being screened from view of any street.
- G. Automobiles may only be parked on driveways or in garages.
- H. Exceptions will be considered and Property owners desiring an exception must request it in writing. All exceptions will be considered temporary and will have an expiration date stated on the approval document.
- I. Nothing in this document relieves the Property owner from compliance with other Saddle Creek Forest Governing Documents.

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10.2 Signage

No permanent or temporary sign(s) shall be constructed or placed upon any Lot covered by these Restrictions without prior written approval of the ARB. In the event a permitted sign is not properly maintained, the ARB may give the Lot owner written notice thereof. Required repairs must be made within five (5) business days of notification or the ARB shall have the right, but not the obligation, to have repairs made and charged to the sign Owner. Each Lot may have one (1) professionally made "For Sale" sign while the house on the Lot is under construction. All Builder's signs must be removed from the Lot within fourteen (14) days after the house is occupied. No other real estate signs shall be allowed in the subdivision including, but not limited to, "For Sale" signs, "Sold" signs, "For Lease" signs, "Rented" signs and/or "For Rent" signs. No signage of any type may be erected on an unimproved property. Political signs are not allowed except as permitted by Texas State law, ninety (90) days before and ten (10) days after an election. No other signs, except as provided in Article 9.4(b)(I) of the Covenants, are permitted on the property.

10.3 Propane Storage Tanks

The following requirements are from the Governing Document Clarifications and Interpretations Final Resolution, Section 5: **REF#15-5**

- A. Above ground propane tanks and water well equipment must be screened from view of neighboring streets and Association owned property.
- B. Screening can consist of evergreen plants, a screening fence or a combination thereof.
- C. Screening must be approved by the ARB prior to installation.
- D. Screening must block view of tank from any road (these provisions do not limit the view of tanks from neighboring properties).
- E. Documentation must be provided by the property owner that the plants proposed for screening will block the view within one growing season.
- F. Proposed vegetation and proposed fences require ARB approval.
- G. Should development of an adjoining property cause an existing tank to become visible to a road, the tank screening must be revised per the guidelines.
- H. Property owners with existing violations must submit a proposal for remedy (fence or plants) within 2 months and remedy the violation within 4 months after the solution is approved; grow-in time of up to one growing season will be allowed.

10.4 Pool Equipment and Water Well Equipment

Equipment associated with private swimming pools, hot tubs or spas must not be visible from the road or must be screened with vegetation and/or fencing/enclosure.

Equipment associated with private wells must not be visible from the road or must be screened with vegetation and/or fencing/enclosure. **REF#15-5**

It is also recommended that the view of installed emergency generators, HVAC units, and other ancillary equipment external to the dwelling be screened from view from the street similar to that used for propane tanks, water well and pool equipment.

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10.5 Garbage Cans

All garbage cans are to be located or screened so as to be concealed from view of neighboring streets and property except on trash service days. Property owners with existing violations must submit a proposal to remedy within two (2) months and remedy the violation within four (4) months.

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APPENDIX A

Minimum Driveway Culvert diameter required, other than the default 18" diameter

<u>Section 1</u>	Block 2	Lot 18 & Lot 24 along their east line	24" or twin 18"	
		Lot 10 along the south line	24" or twin 18"	
	Block 3	Lots 3,4,5,9,10,11,12,13,14 & 15 Lots 19,20,21,22 & 23	24" or twin 18" 36" or equivalent	
	Block 6	Lot 13 along the east line	24" or twin 18"	
<u>Section 2</u>	Block 1	Lots 44,45 & 46 along Buckskin Lots 50,51,52 & 53 along Saddle Horn	24" or twin 18" 24" or twin 18"	
	Block 3	Lots 7 & 8 along Steed & Rodeo Lots 15,16,17 & 18 along Appaloosa & Rodeo Lot 19 along Appaloosa Lot 19 along Rodeo	24" or twin 18" 24" or twin 18" 24" 30"	
	<u>Section 3</u>	Block 1	Lots 2 & 3 Lot 4	24" twin 24"
		Block 2	Lots 24,25,26,27 & 28 Lots 22,23,29,36-40,47-49 along Bronco Lots 53-55 along Nathan	twin 24" 24" 24"
		<u>Section 4</u>	Block 2	Lots 7,8 & 9
	Block 3	Lot 1 along Racehorse Lots 13,14,15,16 & 20 Lots 9-10 & 17-19	24" 24" 30"	
	Block 4	Lots 1-2 & 6-7 along Derby	24"	
	Block 5	Lots 3-5 Lots 6-7	24" 30"	
	Block 6	Lots 1, 6-7, 12-16, 23-25, 34-35, 47-53	24"	
<u>Section 6</u>	Block 2	Lots 9 & 10	24"	
	Block 6	Lots 7,8,9,24 & 25 Lots 16 & 17 along Sorrel Lots 18 & 19 along Roan	24" 24" 24"	

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APPENDIX B

Order of Precedence of Governing Documents

In case of conflicts within documentation the following is the mandated order of precedence:

1. Federal law
2. State law
3. County ordinance
4. Amendments to DCCRs (reverse chronological order)
5. Supplements to DCCRs (reverse chronological order)
6. Recorded Plats
7. Declaration of Covenants, Conditions and Restrictions (DCCRs)
8. Amendments to Articles of Incorporation
9. Articles of Incorporation
10. Amendments to the Bylaws
11. Bylaws
12. Amendments and Supplements to the Design Guidelines
13. Design Guidelines
14. Adopted Policies, Clarifications, Applications and Other Supporting Documents
(must be recorded in minutes)

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FORMS

The following forms and documents are provided on request from the ARB and may be updated at any time as required upon approval SCF Board of Directors.

- Permit Category Definitions & Schedule of Fees
- Category 1 – Site Clearing Permit Form
- Category 2 & 3 – New Home Construction & New Home Construction with Site Clearing Permit Form
- Category 4 & 5 – Major Modifications and Improvements & Additional Building or Accessory Structures Permit Form
- Category 6 – Minor Modifications and Improvements Permit Form
- Project Submittal Requirements Checklist
- Violation Fees
- Construction Reminders

SADDLE CREEK FOREST

Architectural and Site Design Guidelines

REFERENCES

References in the text are cited by the Reference Number listed below, and any associated sections or articles within that document. (Example: REF#1-10.4(d) references the DCCRs (#1) section 10.4 item (d).)

County Clerk's File Numbers for Waller County (W) and Grime County (G) are noted at the end of each reference.

1. Declaration of Covenants, Conditions and Restrictions for Saddle Creek Forest (DCCRs) – August 29, 2005 (W-505966, G-00201846)
2. First Amendment to Declaration of Covenants, Conditions and Restrictions for Saddle Creek Forest – September 19, 2007 (W-707833, G-00217952)
3. Second Amendment to Declaration of Covenants, Conditions and Restrictions for Saddle Creek Forest – September 22, 2010 (W-1002315, G-00235763)
4. Supplemental Declaration of Covenants, Conditions and Restrictions for Saddle Creek Forest Section One – August 10, 2005 (W-505967)
5. Supplemental Declaration of Covenants, Conditions and Restrictions for Saddle Creek Forest Section Two – August 29, 2005 (G-00201847)
6. Supplemental Declaration of Covenants, Conditions and Restrictions for Saddle Creek Forest Section Three – October 17, 2005 (G-00202991)
7. Supplemental Declaration of Covenants, Conditions and Restrictions for Saddle Creek Forest Section Four – May 11, 2006 (G-00207150)
8. Supplemental Declaration of Covenants, Conditions and Restrictions for Saddle Creek Forest Section Six – November 6, 2006 (W-069261)
9. Statement of Vacation, Abandonment and Cancellation of Recorded Subdivision Plat and Declaration of Covenants, Conditions and Restrictions – Saddle Creek Forest, Section V (W-903122)
10. By-Laws of Saddle Creek Forest Property Owners Association – October 30, 2006 (W-608719, G-00211180)
11. First Amendment to the By-Laws of Saddle Creek Forest Property Owners Association – April 26, 2010 (W-608719, G-00211180)
12. Maintenance Easement – Section 2 – August 31, 2005 (G-00201942)
13. Maintenance Easement – Section 1 – September 1, 2005 (W-0913627)
14. Supplemental Deed Restriction Policy – Amended Collection Policy, Supplemental Deed Restriction Policy and Record Retention Policy (includes policies relating to Solar Energy Devices, Certain Roofing Materials, Rain Barrels and Rainwater Harvesting Systems, Display of Certain Religious Items, Display of Flags) - Dec 10, 2011 (W-1106558, G-00246750)

SADDLE CREEK FOREST

Architectural and Site Design Guidelines

15. Governing Documents Clarifications and Interpretations – April 9, 2014 (Animal Husbandry/Pets, Vehicles, Property Maintenance, Landscaping, Propane Tank & Water Well Screening, Garbage Cans, Firearms & Hunting) (W-1402531, G-00263925)
16. Fence Policy – April 28, 2014 (G-00263927)
17. Open Burning Policy – April 16, 2014 (G-00263930)
18. Notice of Dedicatory Instruments for Saddle Creek Forest Property Owners Association, Inc. (2015 Assessment Collection Policy Guidelines and Collection Charges Effective 1-1-2015 – July 24, 2015) (W-1505213, G-00273907)
19. First Supplemental Notice of Dedicatory Instruments for Saddle Creek Forest Property Owners Association, Inc. (Covenant Compliance Inspection - December 15, 2015) (W-1508470, G-00276522)
20. Fourth Supplemental Notice of Dedicatory Instruments for Saddle Creek Forest Property Owners Association, Inc. (Governing Documents Enforcement and Fine Policy & Schedule of Fines - April 21, 2018) (W-1804503, G-00294761)
21. Fifth Supplemental Notice of Dedicatory Instruments for Saddle Creek Forest Property Owners Association, Inc. (Location of the Fifteen Foot Walking or Riding Trail Easements - March 19, 2021) (W-2103226, G-314772)
22. 209 Hearing Policy – August 17, 2021 (W-2109943, G-00318879)
23. Display of Religious Items Policy – August 17, 2021 (W-2109941, G-00318876)
24. Securities Measures Policy – August 17, 2021 (W-2109942, G-00318877)
25. Saddle Creek Forest Property Owners Association, Inc. Board of Directors Meeting Minutes for March 16, 2021 (Doc ID: 2021-03 – SADDLE CREEK FOREST POA Board Meeting Minutes.pdf) Attached Garage Definition
26. Section 1 Plat (W-505913)
27. Section 2 Plat (G-00201314)
28. Section 3 Plat (G-00202769)
29. Section 4 Plat (G-00206939)
30. Section 6 Plat (W-609197)

FILED AND RECORDED

Instrument Number: 2202445

Filing and Recording Date: 03/01/2022 10:21:24 AM Pages: 35 Recording Fee:

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



A handwritten signature in black ink that reads "Debbie Hollan". The signature is written in a cursive style.

Debbie Hollan, County Clerk
Waller County, Texas

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

CSC, Deputy

Returned To:
ROBERTS MARKEL WEINBERG BUTLER HAILEY
2800 POST OAK BLVD FL 57
HOUSTON, TX 77056