



**Architectural Control Committee Guidelines
Houston El Norte Property Owner's Association, Inc.**

Basic Information

- Date:** May 9, 2017, but to be effective as of April 15, 2017
- Declarant:** Colony Ridge Development, LLC, a Texas limited liability company
P.O. Box 279
Fresno, Texas 77545
- Association:** Houston El Norte Property Owner's Association, Inc.,
a Texas nonprofit corporation
P.O. Box 1920
Conroe, Texas 77305
- Property:** These ACC guidelines apply to all properties in all subdivisions that are currently managed by Houston El Norte Property Owner's Association, Inc. and are subject to ACC review. These guidelines do not apply to properties that are not subject to ACC review.

Definitions

"ACC" means the Architectural Control Committee (also referenced as the "Committee").

"Association" means Houston El Norte Property Owner's Association, Inc.

"Board" means the Board of Directors of the Association.

"CC&R" means the Declaration of Covenants, Conditions, and Restrictions that apply to each lot or property, which is a Governing Document.

"Declarant" means Colony Ridge Development, LLC, a Texas limited liability company, and any successor or assign that acquires all unimproved Lots owned by Declarant for the purpose of development or is named as successor/assignee by Colony Ridge Development, LLC in a recorded document.

"Easements" means Easements within the Property for utilities, drainage, and other purposes as shown on the Plat or of record.

"Governing Documents" means the Declaration and the Bylaws and the certificate of formation, and rules of the Association, as amended.

"Lot" means each tract of land designated as a lot on the Plat, excluding lots that are part of the Common Area.

"Member" means Owner.

"Owner" means every record Owner of a fee interest in a Lot.

“Residence” means a detached building designed for and used as a dwelling by a Family and constructed on one or more Lots.

“Structure” means any improvement on a Lot (other than a Residence), including a sidewalk, driveway, fence, wall, tennis court, swimming pool, outbuilding, or recreational equipment.

“Vehicle” means any automobile, truck, motorcycle, boat, trailer, or other wheeled equipment, whether self-propelled or towed.

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Article I. Purpose & Objectives

The Architectural Control Committee (ACC) is established as a committee of the Property Owners Association to assist the Property Owner's Association in ensuring that all Residences, Structures, and landscaping within the Subdivision are aesthetically compatible and conform to the Governing Documents. The Declarant or Association may delegate this authority to a Management Company. The ACC is responsible to review plans and assure compliance with the standards promulgated by the Board. No Residence, Mobile Home or Structure may be erected on any Lot, or the exterior altered unless plans, specifications, and any other documents requested by the ACC have been submitted to and approved by the ACC in writing. The plans and specifications must show exterior design, height, building materials, color scheme, location of the Residence Mobile Home (if allowed) or Structure depicted horizontally and vertically, and the general plan of landscaping, all in the form and detail the ACC requires.

Article II. Application Procedure

Section 2.01 Complete Submission.

The Owner may obtain an ACC Improvement Request Form from the management company or appointed authority over the ACC. Within 20 days after the submission of plans and specifications by an Owner, the ACC must notify the submitting Owner of any other documents or information required by the ACC. The absence of timely notice from the ACC requesting additional documents or other information, the submission is deemed complete. Plans should be submitted to the Management Company at the following address: CH&P Management, LLC, P.O. Box 1920, Conroe, Texas 77305 or other designated management company or address.

Section 2.02 Deemed Approval

The Owner is responsible for submitting an Application with plans and specifications. If the ACC fails to give notice of disapproval of the plans and specifications to the submitting Owner within 30 days after complete submission, the submitted plans and specifications are deemed approved.

Section 2.03 Appeal Process

If an application for improvement has been denied or disapproved, an Owner may appeal any action of the ACC to the Board. The appealing Owner must give written notice of the appeal to the Board, and if the appeal is by an Owner who is not the submitting Owner, the appealing Owner must also give written notice to the submitting Owner within 5 days after the ACC's action. The Board shall determine the appeal within 30 days after timely notice of appeal is given. The decision given by the Board is final.

Section 2.04 Records

The ACC will maintain written records of all requests submitted to it and of all actions taken. The Board will maintain written records of all appeals of ACC actions and all determinations made. Any Owner may inspect the records of the ACC and Board, but no Owner may inspect or copy the interior floor plan or security system design of any other Owner.

Article III. Variances

Where specifically granted the power by the provisions hereof, the Committee shall have the right, exercisable at its sole discretion, to grant variances to certain restrictions in specific instances where the Committee in good faith deems that such variance does not adversely affect the architectural and environmental integrity of the Subdivision. The Committee may require the

submission to it of such documents and items as it shall deem appropriate in connection with its consideration of a request for a variance. If the Committee shall approve such request for a variance, it shall evidence such approval, and grant its permission for such variance, only by written instrument addressed to the Owner of the property relative to which such variance has been requested, describing the applicable restriction(s) and the particular variance requested, expressing the decision of the Committee to permit the variance, and describing (when applicable) the conditions on which the variance has been approved. Any request for a variance shall be deemed to have been disapproved in the event of either (a) written notice of disapproval from the Committee or (b) failure by the Committee to respond to the request for variance. The Committee shall have no authority to grant any variance except in the instances expressly provided herein.

Article IV. Non-Liability for Committee Action

No member of the Committee, the Association, any member of the Board of Directors, or Declarant shall be liable for any loss, damage, or injury arising out of or in any way connected with the performance of the duties of the Committee. In reviewing any matter, the Committee shall not be responsible for reviewing, nor shall its approval of any plans or specifications be deemed an approval of, any building or improvement from the standpoint of safety, whether structural or otherwise, or conformance with existing building codes, governmental laws or regulations. Furthermore, no member of the Committee, any officer or member of the Board of Directors or the Declarant shall be personally liable for debts contracted for or otherwise incurred by the Association or for any torts committed by or on behalf of the Association, or for a tort of another of such individuals, whether such individuals were acting on behalf of the Association, the Committee, the Board of Directors, or otherwise. Finally, neither Declarant, the Association, the Board of Directors, or the Committee, or their officers, agents, members or employees, shall be liable for any incidental or consequential damages for failure to inspect any premises, improvements, or portion thereof, or for failure to repair or maintain the same.

Article V. Residential Use Guidelines

The following are guidelines adopted by the ACC to specify their standards and requirements used in evaluating an application. These guidelines will be amended from time to time and recorded in the local property records and posted on the Association website.

Section 5.01 Non-Mobile Home Structure

Only one residence shall be built on each Lot. Any Residence or Structure requires approval of the ACC before construction begins. All non-mobile home residences shall contain not less than minimum square footage required by the CCRs for each subdivision, unless otherwise approved by the Committee. All residences must be kept in good repair and must be painted when necessary to preserve their attractiveness. All exterior materials must be new and be products normally intended for exterior surface such as siding, brick or hardy plank. Roofs must be in good repair and have appropriate pitch and shingles.

(a) Non-Mobile Home Structure Approval

In order to comply with improvement review criteria, a lot owner may submit construction plans, floor plan, colors and materials, and site plan to the ACC. The ACC may make the written approval based on the review of plans and other documents. The ACC shall act on the requested approval within 30 days, or the request for written approval will be deemed to have been granted.

Section 5.02 Installing Mobile Home

A Mobile Home may be installed on a Lot as allowed by the CCRs for each subdivision and with written approval by the ACC. All mobile homes must be kept in good repair and must be maintained in compliance with the standards below to preserve their attractiveness. The ACC will consider if a mobile home is acceptable to be installed based on the following criteria below including the minimum square footage required.

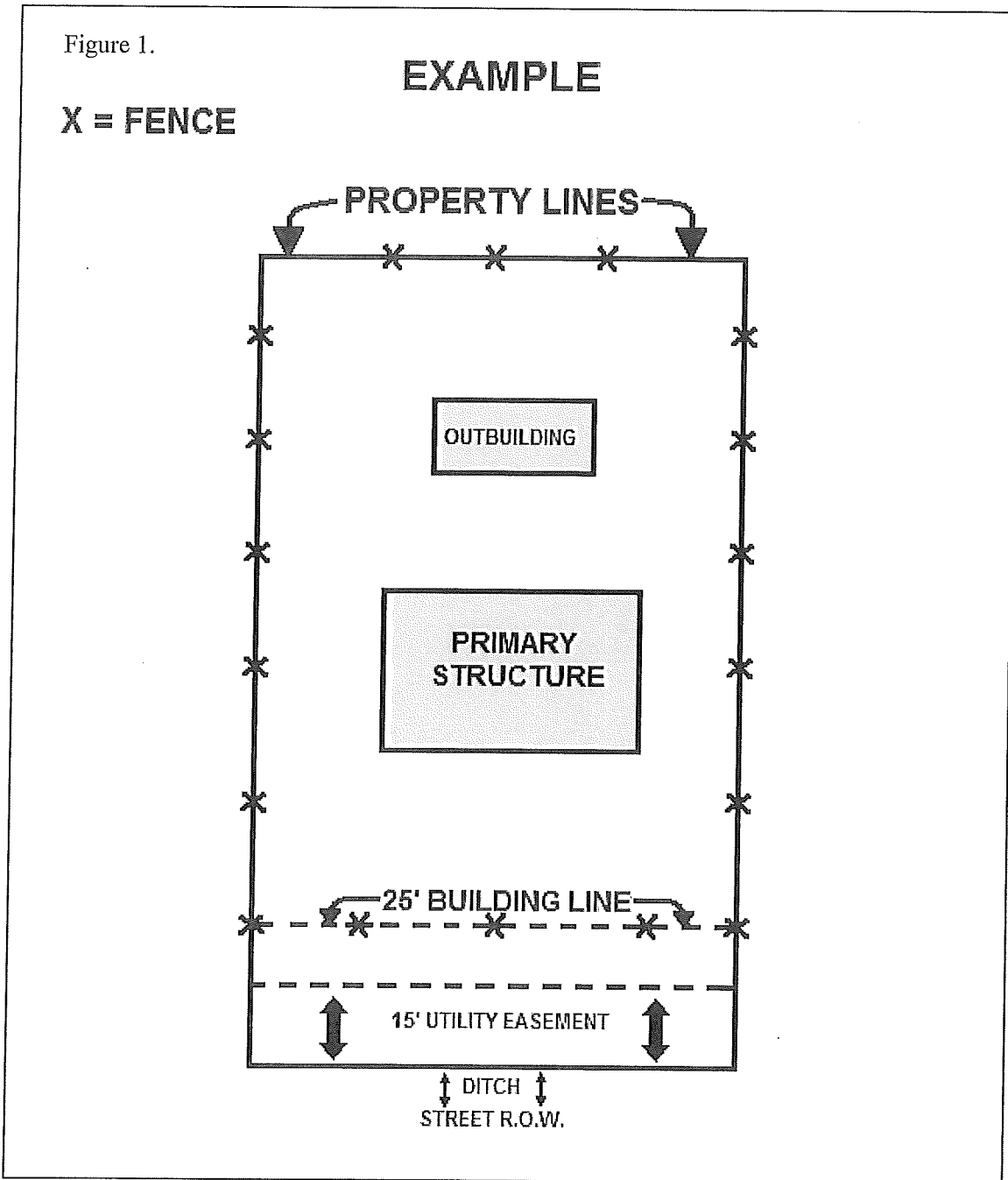
- a. Serial number and Age of mobile home will be considered;
- b. Uniform color on exterior of mobile home;
- c. Earth tone and/or muted color (no neon or bright colors) on exterior of mobile home;
- d. All siding in place;
- e. No mold visible (from a distance of 50 feet);
- f. No rust visible (from a distance of 50 feet);
- g. Skirting in place with no missing panels (after installation);
- h. Windows and window frames intact and in good condition;
- i. No rotted wood;
- j. No missing trim; and
- k. Roof in good condition with no patches visible (from a distance of 50 feet).

(a) Mobile Home Approval

In order to comply with this inspection criteria, a lot owner may submit pictures of the proposed mobile home (minimum of 8) to the ACC. The ACC may make the written approval based on review of the photographs; however, the ACC reserves the right to physically inspect the mobile home and must be given access to inspect. The ACC shall act on the requested approval within 30 days, or the request for written approval will be deemed to have been granted. The goal of the ACC is to have mobile homes that fit with the quality and character of the subdivision.

Section 5.03 Outbuildings

Outbuildings (non-Residence) should be located behind the Residence when possible (Figure 1). No building shall be erected or placed on any Lot that has not been first approved by the ACC. Outbuildings must be kept painted and in a state of good appearance and repair at all times. Outbuildings must meet setback line requirements as specified on the plat or Pre Development Disclosure.

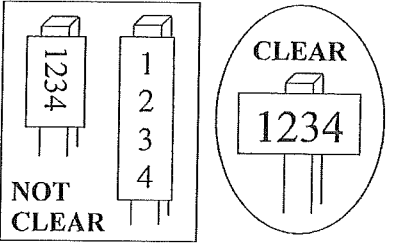
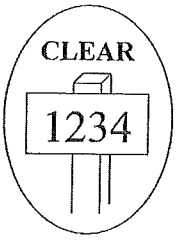
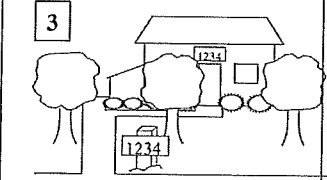


Article VI. House Numbers

A house number must be placed within four (4) weeks after date of closing or one (1) week of the date that the Owner begins any types of construction. See Figure 2 below to view an example of proper address number placement:

Figure 2.

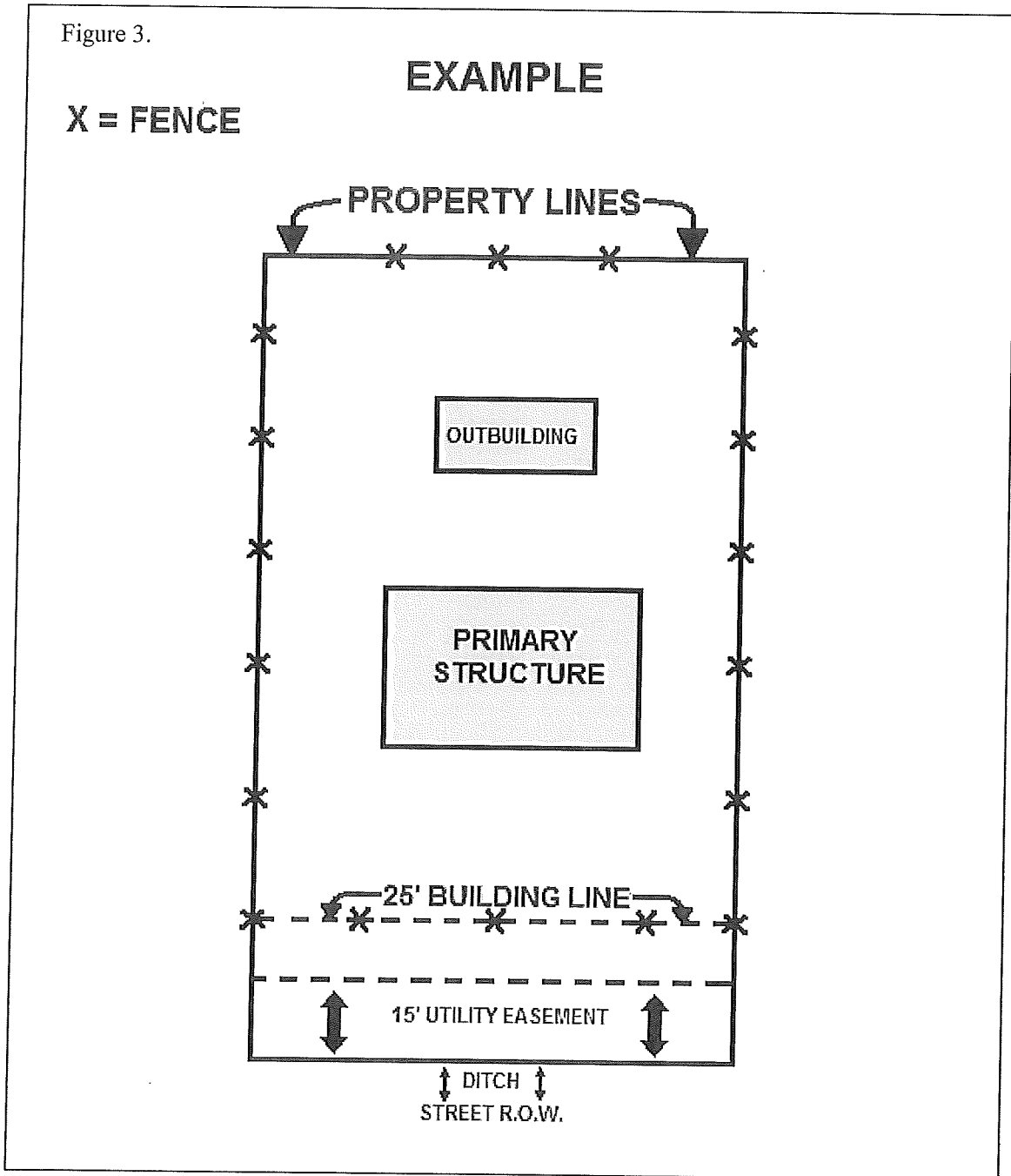
HOW TO DISPLAY ADDRESS NUMBERS
SO THEY CAN BE SEEN AT NIGHT - BY POLICE, FIRE, AND RESCUE PERSONNEL

<p>ALWAYS DISPLAY NUMBERS HORIZONTALLY:</p>	 <p>NOT CLEAR</p>	 <p>CLEAR</p>
<p>IF YOU HAVE NOT BEEN ISSUED AN ADDRESS, CONTACT LIBERTY COUNTY APPRAISAL DISTRICT:</p> <p style="text-align: center;">2030 Sam Houston Liberty, TX 77575</p> <p style="text-align: center;">Hours: Monday-Friday, 7:00 a.m. - 6:00 p.m. Phone (936) 336-5722 Fax (936) 336-8390</p>		
 <p>3</p>		
<p>DISPLAYING YOUR ADDRESS ON BOTH THE HOUSE AND AT YOUR DRIVEWAY ENTRANCE WILL HELP EMERGENCY PERSONNEL LOCATE YOUR HOUSE QUICKLY. REFLECTIVE NUMBERS ARE VERY HELPFUL, IF LARGE ENOUGH TO BE SEEN FROM A DISTANCE.</p>		

Section 6.01 Fencing

The construction or installation of walls, fences and/or hedges shall be subject to the approval of the Architectural Control Committee in accordance with the provisions of the Declaration. The Owner shall be responsible for maintaining and repairing all walls, fences and hedges located on the Owner's Lot. No fence shall be within the drainage easement or utility easement (Figure 3). Fencing, walls and/or hedges should be no more than eight (8) feet in height and should be constructed of manufactured fencing material including wood, stone, brick, steel, metal or masonry materials. Hedges may not obstruct view of traffic along public right-of-way.

Figure 3.



Section 6.02 Timing of Construction

An owner is not required to begin construction within a certain time period. During the course of actual construction of any permitted structure or improvement thereunder, and provided construction is proceeding with due diligence, the Owner shall have 24 months to complete exterior construction; provided, however, during the course of any such construction, nothing shall be done that will result in a violation of any of the provisions of the Declaration upon completion of the construction or that will constitute a nuisance or unreasonable interference with the use and enjoyment of the other properties within the Subdivision.

Section 6.03 Adding or Modifying Improvements

After the first Request for Improvement application has been submitted and the first application fee of \$50.00 has been paid, any additional Request for Improvement application fees will be \$25.00. Questions regarding what requires ACC approval should be directed to the committee.

Section 6.04 Temporary Structures

(a) Temporary Structure Approval

1. Temporary structures shall be allowed only during the initial 24 month construction period.
2. Temporary structures shall only be allowed if construction is proceeding with reasonable due diligence.
3. Temporary structures shall not be allowed on any Lot unless approved by the ACC. Plans should be submitted to the Management Company at the following address: CH&P Management, LLC, P.O. Box 1920, Conroe, Texas 77305 or other designated management company address.
4. Temporary structures shall mean any structure that is mobile or temporary in nature and includes but is not limited to travel trailer, camper, vehicle, shed or other portable building.

Article VII. Commercial Use Guidelines

Commercial use is only allowed in specified sections, which can be found in the Governing Documents pertaining to your subdivision, listed in the CC&R's for your subdivision section. Commercial use is outlined in the Declaration of Covenants, Conditions, and Restrictions (CC&R's). When commercial use is allowed, a lot may be used for reasonable commercial use that does not create an unreasonable and negative external impact on neighbors and surrounding property.

Section 7.01 Commercial Use in Santa Fe

The Declarant reserves the right to designate commercial reserves. Any reserve or Lot within the Subdivision may be designated by the Declarant to allow for commercial use. Declarant will be allowed to create and enforce reasonable guidelines about the construction and use within commercial reserves, such as construction quality standards, ACC approval, lighting, opaque fencing, parking, shared easements, green belts, and green belt crossings.

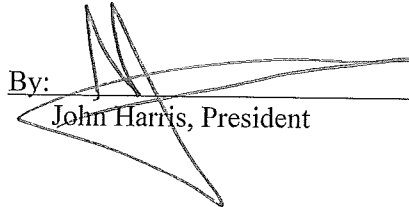
(a) Commercial Use Approval

In order to comply with improvement review criteria, a lot owner will submit construction plans, floor plan, colors and materials, and site plan to the ACC. The ACC may make the written approval based on the review of plans and other documents. The ACC shall act on the requested approval within 30 days, or the request for written approval will be deemed to have been granted. A Request for Improvement form and plans must be submitted to the Management Company at the following address: CH&P Management, LLC, P.O. Box 1920, Conroe, Texas 77305 or other designated management company address.

Article VIII. "Request for Improvement" Form Checklist

- Obtain an ACC "Request for Improvement" form from the Houston El Norte Property Owner's Association website or Management Company.
- Complete all sections of the Request for Improvement form.
- Include plans for construction:
 - Drawings of proposed improvement
 - Floor plans and exact dimensions
 - Construction drawings including proposed materials, dimensions, and all exterior colors.
 - A copy of the property plat or survey demonstrating the proposed location of the improvement(s).
 - A minimum of eight (8) full-color pictures of the proposed Mobile Home (if applicable)
 - Permanent structures must not be located within any easement or right-of-way or set back requirement
- Submit application fee in the form of a check or money order, payable to CH&P Management. If this is the first Improvement Request Form, application fee is \$50.00.
 - Each application submitted hereafter will be \$25.00
- Mail application, construction plans and payment to:
 - CH&P Management, LLC
 - P.O. Box 1920
 - Conroe, TX 77305

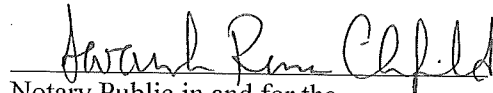
HOUSTON EL NORTE PROPERTY
OWNER'S ASSOCIATION, INC.

By: 
John Harris, President

THE STATE OF TEXAS)
)
COUNTY OF Montgomery)

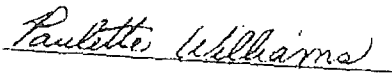
This instrument was acknowledged before me on the 9 day of May, 2017, by John Harris, President of HOUSTON EL NORTE PROPERTY OWNER'S ASSOCIATION, INC., a Texas non-profit corporation, on behalf of said corporation.




Notary Public in and for the
State of Texas

AFTER RECORDING RETURN TO:
Law Office of Beard & Lane, P.C.
12841 Jones Road, Suite 100
Houston, Texas 77070
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FILED AND RECORDED
OFFICIAL PUBLIC RECORDS





Paulette Williams, County Clerk
Liberty County, Texas

July 19, 2017 07:39:05 AM

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