

CERTIFICATION

STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

I, the undersigned, pursuant to §202.006 of the Texas Property Code, do hereby certify, as follows:

(1) I am an Agent for Indigo Lake Estates Property Owners Association, Inc., (hereinafter the "Association") a Texas non-profit corporation; and,


(2) An instrument titled: "**ARCHITECTURAL GUIDELINES For INDIGO LAKE ESTATES PROPERTY OWNERS ASSOCIATION**" (hereinafter the "Instrument") is attached hereto; and,

(3) The property affected by the Instrument consists of Indigo Lake Estates, Sections, 1, 2, 3, 4, 5 and 6, additions in Montgomery County, Texas, according to the maps or plats thereof, recorded in the Map Records of Montgomery County, Texas, under Book G, Page 168B; Book H, Page 14B; Book H, Page 56; Book H, Page 140B; Book G, Page 175B; and Book H, Page 197, respectively, along with any amendments and supplements thereto (the "Subdivision");

(4) A majority of the Association's Board of Directors adopted the Instrument at a properly-noticed open meeting of the Association's Board of Directors, at which a quorum of Directors was present; and,

(5) The attached Instrument is a true and correct copy of the original.

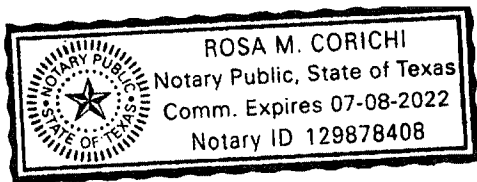
IN WITNESS WHEREOF, I have hereunto subscribed my name on this the 17th day of August, 2020.


By: 
David Berk, Attorney and Agent for
Indigo Lake Estates Property Owners Association, Inc.,

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared David Berk, known by me to be the person whose name is subscribed to the foregoing document, and being by me first duly sworn, declared that he is the person who signed the foregoing document in and that the statements contained therein are true and correct.

SWORN AND SUBSCRIBED TO BEFORE ME, on August 17th, 2020.




Notary Public, Texas



ARCHITECTURAL GUIDELINES

For

INDIGO LAKE ESTATES PROPERTY OWNERS ASSOCIATION

A. INTENT

The intent of these guidelines is to establish and document standards and guidelines for items requiring ACC approval. Additionally, pertinent deed restriction items, as amended, with which the ACC does not normally get involved are also included where applicable. These Architectural Guidelines replace the Architectural Guidelines previously filed of record in the Official Public Records of Real Property of Montgomery County, Texas under Clerk's File No. 2017033580.

Paragraphs ending with (CCR Section X.XX) are abbreviated wording from the Covenants, Conditions, and Restrictions (CCR) for Indigo Lake Estates, Sections 1-6 inclusive, which are filed of record in the Official Public Records of Real Property of Montgomery County, Texas.

B. BASIC ARCHITECTURAL CONTROL

The intent of the Architectural Control Committee (ACC) is to maintain an orderly development of Indigo Lake Estates within the guidelines of the CCR.

No building or improvements of any character shall be erected or changed until the necessary approval has been received from the Architectural Control Committee (CCR Section 4.01).

Approval shall be granted or withheld based on matters of compliance with the provisions of this instrument, quality of materials, drainage, harmony of existing design and color with existing and proposed structures, and location with respect to topography and finished grade elevation. (CCR Section 4.01)

Any approval of an application, periodic inspection, or final inspection shall not be relied upon by any person or entity as to the sufficiency, suitability, fitness, workmanship, or quality of the design or construction of the improvements. Neither the ACC, the Association, the Indigo Lake Estates subdivision, nor any of their respective members, officers, directors, shareholders, employees, or agents shall be liable because of the approval or non-approval of any improvement.

C. APPLICATION PROCEDURE

1. Application Fee – All ACC applications require a \$50.00 non-refundable application fee.
2. Deposit – Additionally, all ACC applications require a deposit at time of submission. The deposit shall be determined based on (i) the total value of the requested improvements; or (ii) if a new home is part of the submission, the new home construction deposit will apply. Deposit requirements are as follows:
 - \$50.00 for small improvements costing less than \$10,000.00
 - \$250.00 for major improvements costing \$10,000.00 or more
 - \$500.00 for new home construction
3. Submission
 - a) All applications for approval to site or building construction, any improvements, modifications, any alterations or additions thereto must be submitted to the ACC in writing by fully completing the application form currently in use by the ACC, a copy of which is included in these guidelines.

- b) The completed application form shall be submitted to the ACC with plans and drawings as indicated. All applications must be mailed to the Association's Managing agent as set forth in the Association's most recent management certificate required by section 209.004 of the Texas Property Code.
- c) Any questions pertaining to the application requirements may be directed to the managing agent of the Property Owners Association.

4. Application requirements

- a) All items listed below must accompany each application submitted to the ACC.
 - (1) Fully completed and signed application form. Form must be signed by both the homeowner and the individual or company performing the work, i.e. Contractor.
 - (2) One (1) set of drawings of the proposed structure showing the top, front, side, and rear exterior views; overall dimensions (length, width, height) of the structure; foundation plans showing supports and concrete information; and copies of all permits.
 - (3) One (1) copy of the current plot plan showing location of easements, all existing buildings and structures, the proposed location of the improvement, applicable building set back lines, and a description of any proposed screening from view of neighboring properties, roadways, and publicly accessible areas.
 - (4) Exterior color should be a shade of an earth tone color and should be harmonized with the look of the neighborhood. Paint chip or manufacturer samples shall be submitted showing the color name and a sample of the color. Generic color names are not sufficient, and the approval of applications not submitting paint chips or manufacturer samples may be delayed.
 - (5) A check, payable to Indigo Lake Estates POA, in the appropriate amount of the fee and deposit listed in Section C.1 and C.2 above.
- b) It is the Owner's responsibility to determine all easements and setbacks that exist upon their property. No construction, with the exception of driveways and/or property grading, should occur within these easements or building setback lines (Fences excepted, see Section P.1 of this document).
- c) All required building and septic permits must be in effect at the time of construction. It is the Owner's responsibility to obtain the required Montgomery County Development permit and septic permit. Other permits or approvals may be required from the City, County, or other governmental entities. It is the responsibility of the Owner to obtain all required City, County, or other governmental approval. Copies of permits must be submitted with the application.
- d) If changes are made to the original design after ACC approval, then the plan review application will have to be resubmitted with the indicated changes.
- e) The ACC has thirty (30) days from final submittal of a complete application per the requirements listed in these guidelines to approve the plans and authorize commencement of construction.
- f) The ACC reserves the right to request any additional information it deems necessary to properly evaluate any application. In the event that the ACC requests additional information, the application shall be considered incomplete and denied until such information is submitted to the ACC, and the thirty (30) day requirement for approval of the application shall not begin until such information is received. In the event that the ACC requests additional information and the information is not received within thirty (30) days from the date of the request, the application shall be denied. However, the applicant may thereafter submit a new application with the requested information to the ACC for its review. A new non-refundable application fee will be required with this new application per C.1.

5. Application Approval

- a) ACC decisions shall be conveyed in writing by the managing agent of the Property Owners

Association to the applicant and shall include a statement of the conditions under which the application is approved, if any, or the primary reason(s) for disapproving the application.

- b) The approval of any application is valid for twelve (12) months from the date shown on the written approval indicated above.
- c) Any application that is not approved or disapproved within thirty (30) days of its receipt shall be deemed to have been automatically approved, provided, however, that
 - (1) Any such approval shall extend only to architectural guidelines and not to any of the use or other restrictions set forth in the CCR.
 - (2) In no event shall non-action by the ACC or the managing agent of the Property Owners Association be deemed to constitute approval of an application for any change, addition, or improvement, or any other item that would violate the restrictive covenants in the CCR.

6. Deposit Refund

- a) An Owner must request a refund of their construction deposit. Upon requesting the return of a construction deposit, the ACC will make a determination as to whether the deposit shall be returned, and in what amount. A request for return of a construction deposit must be received by the Association through the Management Company no later than thirteen (13) months from the date the ACC approves the application. **ANY CONSTRUCTION DEPOSITS FOR WHICH A REQUEST FOR REFUND HAS NOT BEEN RECEIVED BY THE END OF THE THIRTEENTH (13th) MONTH FOLLOWING THE ACC APPROVAL OF THE APPLICATION FOR WHICH THE DEPOSIT WAS PAID WILL BE FORFEITED TO THE ASSOCIATION.**
- b) For construction taking longer than twelve (12) months, the Owner must notify the ACC through the **POA MANAGEMENT COMPANY PRIOR TO THE TWELFTH (12th) MONTH** of any extenuating circumstances and a proposed completion schedule for the ACC's consideration.

D. PLAN STANDARDS

All plans and specifications for residential dwellings, barns, garages, sheds, outbuildings, and all other structures covered in this document and the CCR should be drawn in a professional manner. An architect or designer is not required, but is recommended for generally better design results.

Our plan standards are as follows:

1. Site Plans: A site or plot plan to show the dimensions of the lot and the shortest distance from each side of the proposed construction to the corresponding easement and building setback line.
2. Floor Plans: A floor plan to show the dimensions and location of all rooms, patios, balconies, garages, driveways, fences, and structures.
3. Elevations: An elevation of all sides is required to show exterior materials, floor and slab heights, and roof slopes.
4. Foundation Plans: All structures must have a support or foundation plan. The plan should include details of footings, grade, beams, layout, concrete strength, and steel reinforcement of concrete. It is highly recommended that all main dwellings as defined in CCR Section 3.01 have an engineered foundation plan for best results.

Final Form Survey: All main dwellings as defined in CCR Section 3.01 will require a final form survey to be submitted and approved prior to concrete pour to ensure that the foundation does not encroach on the setback line. Surveys will also be required of other structures with concrete foundations built within 8' of a building setback line, unless the structure can be located (by dimensions) from at least two (2) surveyed points or boundary lines to show that the structure is in compliance with building setbacks specified in these guidelines and the CCR. The survey should be stamped/certified and performed by a Texas Registered Professional Land Surveyor. This is a separate submission in addition to the application process for a proposed improvement.

E. BUILDER | CONTRACTOR | OWNER CONSTRUCTION REQUIREMENTS

1. The Owner and builder agree to abide by the following: The controlled burning of underbrush and trees during Lot clearing shall be permitted on site only with approval of the District Fire Marshall. No burning of debris is allowed in the right-of-way. All burning must be monitored at all times. No treated wood and/or materials (roofing, plumbing, tires, or any material that would not be approved for burning by the EPA) shall be burned on the property.
2. The work site shall be kept clean. The property Owner and the contractor are responsible for policing the site to keep it free of all trash and debris. No dumping in the lake or on any property within Indigo Lake Estates is allowed.
3. Contractors and Homeowners are responsible for keeping mud, dirt, etc. off of the roadway and meeting all TCEQ and EPA requirements regarding movement of silt and other materials from building site to drainage ditches and/or adjacent properties. All construction for contractors and homeowners will be required to have silt fencing installed and maintained to prevent soil and sediment from leaving the property or entering drainage easements and ditches around perimeter of the work site per TCEQ Guidelines. Contractors and homeowners will be responsible for repair to any road or road right-of-way, shoulders, or ditches damaged during the course construction.
4. For each construction site requiring more than seven (7) days to complete construction, a portable toilet is required to be on site at the start of construction and should be placed behind a 25' setback wherever possible.
5. Adherence to all posted speed limits and other signage within the subdivision is required at all times.
6. No dumping or cleaning of cement trucks or dumping of construction material is allowed on any other property or right-of-way within Indigo Lake Estates (i.e. neighboring lots, ditches, parks, all easements).
7. Design of roadside ditches must not be impeded. The minimum size of the culvert shall be eighteen inches (18") inner diameter with not less than 1.75 sq. ft. waterway opening. The inside bottom of the culvert must be even with or slightly below the level of the ditch. The culvert must be installed and properly covered before site preparation and construction begins. Metal culverts and non-structural plastic culverts are not allowed.
8. The mailbox must have the street number and follow US Postal Guidelines.
9. The green placard that is included along with the approval letter must be posted in plain view from the street during construction of the improvement.

F. INSPECTION PROCESS

1. Periodic inspection may be performed to assure full compliance with all building requirements as indicated in these guidelines.
2. Non-compliance with ACC approval: If for any reason an improvement is deemed not to be in compliance with the approved plans and application, the Owner will be notified by the management company. The cessation of construction will be required until the item(s) in non-compliance are corrected.
3. Failure to comply with the above requirements may result in fines and/or legal action.

G. SINGLE FAMILY RESIDENTIAL CONSTRUCTION

One dwelling unit per each lot may be used for residential purposes except that one guest/servants house may be built. Said guest/servants house must contain a minimum of 500 square feet and be built after or while the main dwelling is being built. All dwellings must have at least 1800 sq. ft. (2000 sq.ft. in section 6) of living area, excluding porches, and be built with new construction materials. (CCR Section 3.01)

1. **Building Foundations:** All building foundations shall consist of either concrete slabs, or piers and beams with the entire building being skirted with brick or materials which match the outside of the building.

However, the ACC may approve a different type of foundation when circumstances make it impractical to use one of the above foundations for all or any portion of the foundation. (CCR Section 3.04)

A building foundation designed by a Professional Engineer registered in the State of Texas is not required, but recommended for generally better design results.

2. Slab Elevation: Minimum finished slab elevation for all structures shall be at least 1 foot above the 100-year flood plain elevation, or such other level as may be established by the Commissioner's Court of Montgomery County, Texas, and other applicable governmental authorities. (CCR Section 3.04)
3. Roofing: Roofing material must be consistent with the architectural style of the building and must be fire resistant. Wood shingles or shakes are prohibited. All exposed metal accessories (i.e. stack vents, flashing, ventilators, etc.) should not be visible from the street and should match or be compatible with the roof and house colors.
4. Chimney(s): Either brick or prefabricated metal fireplaces with brick or metal flues may be used. Brick, stone, wood, or other standard chimney materials may be used. Chimney caps and exposed metal flues must be painted to be compatible with the house colors.
5. Windows: Reflective glazing is not permitted.
6. Exterior Materials and Colors: Materials should be conventional and approved for residential construction by the International Conference of Building Officials (ICBO). Each exterior color must be an acceptable shade of an earth tone color. Siding, trim, shutters, and doors may each be different colors, but all must be solid colors. The Architectural Control Committee must review and approve any unconventional material or color.
7. Driveways, parking areas, and sidewalks: Driveways, parking areas, and sidewalks shall be "all weather." That is, the surface shall be hard enough and properly drained so that it will not rut or become excessively muddy when wet.
8. Mailboxes and Street Numbers: Mailboxes must meet U.S. Post Office standards. All lots with dwelling units must display street numbers whether or not they have a mailbox. Street numbers must be clearly visible and readable from the street.
9. Completion: Any building, structure or improvement commenced on any tract shall be completed as to exterior finish and appearance within twelve (12) months from the commencement date. (CCR Section 3.01)
10. "Commencement date" is considered the date shown on an approval conveyed in writing by the managing agent of the Property Owners Association to the applicant. If construction of the exterior has not been completed within one year of commencement date the approval is no longer in force and an application must be resubmitted for an extension, provided no changes have been made to the original design. In this case, an additional non-refundable application fee will be required per C.1. In the case of extenuating circumstances where the construction is expected to take longer than one year, the Owner must notify the ACC through the **POA MANAGEMENT COMPANY PRIOR TO THE TWELFTH (12TH) MONTH** of any extenuating circumstances and a proposed completion schedule, in which case the ACC will consider an appropriate extension. Camper: A camper or recreation vehicle may be used for living quarters on the property for no longer than 14 days out of a 30-day period, without the express written consent of the Architectural Control Committee. (CCR Section 3.01)
11. Not Allowed: Mobile homes or trailers, used houses to be moved on the lot, duplex houses, condominiums, townhouses, garage apartments, or apartment houses are not permitted. (CCR Section 3.01) No structure of a temporary character, whether trailer, basement, tent, shack, garage, barn or other outbuilding shall be maintained or used on any lot at any time as a residence, either temporarily or permanently. (CCR Section 3.05)

H. OTHER BUILDINGS

1. Prior to Main Dwelling Construction: Detached garages, workshops, and barns may be constructed on

the property prior to the main dwelling construction provided they are not used for residential purposes. Construction of the main dwelling must begin within two (2) years of completion of any non-residential buildings. (CCR Section 3.01)

2. Garages: No accessories, parts or objects used with cars, boats, buses, trucks, trailers, house trailers, or the like, shall be kept on any lot other than in a garage or other structure approved by the ACC. (CCR 3.11) Although not specifically required, each dwelling unit should have a garage, preferably for at least two automobiles. Garage exteriors must be compatible with the exterior of the dwelling unit in architectural style, materials, and color.
3. Detached garages, workshops, barns, and standalone structures other than the Main Dwelling may require screening such as shrubs, plants, trees, or trellises if visible from roadways, neighboring properties, or publicly accessible areas to ensure such structures are harmonized with the property.

I. LOCATIONS OF IMPROVEMENTS UPON THE LOT

1. Building Setback Lines: No building of any kind shall be located on any lot nearer to any property line than indicated on the Plat. However, the ACC may waive or alter any such setback line if it deems such waiver or alteration is necessary to permit effective utilization of a lot. Any such waiver or alteration must be in writing and recorded in the Official Public Records of Real Property of Montgomery County, Texas. (CCR Section 3.03)

The ACC cannot grant permission to construct or place an improvement upon or across any utility easement (Fences excepted, see Section P. 1 of this document). Consent to encroach upon any utility easement must be obtained in writing from the Owner of the easement. The ACC may grant permission to construct or place an improvement upon or across a drainage easement, provided that the ACC may revoke its consent if, after completion of installation, it determines that the improvement materially impedes or adversely affects drainage. In the event that the ACC revokes its consent, the homeowner shall bear the responsibility to remove the improvement at his sole cost and expense.

2. Composite Building Site: Any Owner of one or more adjoining Lots (or portions thereof) may, with the prior written approval of the ACC, consolidate such Lots into one building site with the privilege of placing or constructing improvements on such resulting site. (CCR Section 3.02)

ACC approval to composite two or more adjoining lots is contingent upon the owner signing and dating an agreement that back association assessment fees accrued for the current year's assessments, at the time of the request to uncomposite the lots, must be paid to the Association if one of the lots is sold separately. If a permanent structure is constructed across a former setback line the Lots may not be sold separately or uncomposited.

3. Residential Structure Orientation: The main residential structure on any Lot shall face the front of the Lot towards the street or road, unless a deviation is approved in writing by the Architectural Control Committee. (CCR Section 3.03).

A residential structure constructed on a corner lot may face either adjacent street.

J. LANDSCAPING

1. Non-structural landscaping does not require ACC approval.
2. Yards: A yard area is considered an area in proximity to the house where the natural vegetation has been removed. A yard is not required. However, if a yard has been cleared it needs to be covered by grass, ground cover, shrubs and flowers, or other landscaping within 6 months after the residential structure has been completed. Bare dirt and weeds are not acceptable. If a house has been built for over 6 months and extensive clearing of the lot is wanted by the homeowner, an application and a plan for planting grass must be submitted and approved prior to the extensive clearing of the lot.

All areas not left as natural vegetation are deemed to be lawns and are subject to regular mowing, weeding, edging, and basic care to maintain a neat and clean appearance. However, the Owner of a Lot that has been cleared of natural vegetation may permit a portion or portions of the lot to return to its

natural vegetative state via an application to the ACC showing the portion or portions of the lot so designated.

3. Landscaping Equipment and Materials: All yard equipment or storage piles shall be kept screened by a service yard or similar facility so as to conceal them from view from neighboring lots, streets or other property. (CCR Section 3.16)
4. Flagpoles should not be more than 20' in height and require prior ACC approval through the normal application process. Details of how the pole will be secured in the ground and the height of the pole are required. Location of pole must comply with setback lines and easements.

K. CONSTRUCTION OF PIER OR DOCK (LAKEFRONT LOTS)

1. No pier, dock, boat slip, or other structure shall be constructed on any lot other than lakefront lots and shall not be constructed or project beyond the Lot line or into the water of the Lake (whether within or outside of the Lot line) unless prior written approval is given by the ACC and such improvement complies with the specifications set forth by the said committee. (CCR Section 3.18 only for ILE Sections 1, 2, and 4)
2. A pier, dock, or boat slip may not project into the lake, as measured from the existing shoreline or the Lot line, more than:
 - a) Thirty (30) feet in Sections 1 and 2 (CCRSection3.18);
 - b) Five (5) feet for Section 1, Block 1, Lots 38 through 41; Section 2, Block 1, Lots 22 through 27; and Section 4, Block 1, Lots 1 through 5.
3. No pier, dock or boat slip shall exceed a height of five feet (5') above the pool level of the Lake of 210'. (CCR Section 3.18)
4. Objects that exceed the five (5') foot height requirements but do not present a significant visual obstruction (such as flagpoles, mooring posts, umbrellas, and lamp standards) are allowed. However, extensions such as these must be shown on the ACC application and specifically approved by the ACC. No other structures may be built between the lake and the lakeside building set back line.

L. SWIMMING POOLS

1. An application for the construction of an in-ground swimming pool, spa, or Jacuzzi must include a plot plan showing the proposed location of the swimming pool, spa, or Jacuzzi and pool equipment in relation to the property lines, building setback lines, existing structures, and existing or proposed fences. The application shall also include all details of the pool, spa, or Jacuzzi, including a timetable for the construction. Additional features including type of decking, water features, outdoor kitchens, etc. must be included on the application.
2. Above ground swimming pools are prohibited. Above ground hot tubs independent of a pool will be reviewed on a case-by-case basis.
3. It is strongly recommended that all swimming pools, spas, and Jacuzzis be located in an area that is enclosed by a fence constructed of wood or wrought iron with a maximum of three inches (3") between each bar.
4. The construction of all swimming pools, spas, and Jacuzzis must be in compliance with the national electric code and include the installation of a ground fault circuit interrupter (GFCI).
5. There shall be no intentional discharge from the pool, spa, or Jacuzzi to adjacent property.
6. No swimming pool, spa, or Jacuzzi shall be constructed in a manner to impede drainage on a lot or to cause water to flow on an adjacent lot.

M. WATER WELLS

Water wells may be made, bored, or drilled for private system installation for human consumption, livestock,

and landscaping upon approval of the Architectural Control Committee and any required governmental authorities. (Fourth Amendment to Declaration of Covenants, Conditions, and Restrictions, Indigo Lake Estates, Sections 1, 2 ,3 ,4 ,5, and 6.)

Water wells and the associated tanks must be located or screened such that they are not visible from the street.

Tanks should be placed so that they are in compliance with all building setbacks outlined in these guidelines and the CCRs as per each individual RPLS plot plan.

All county permits are required to be submitted with the application for the water well.

N. PROPANE TANKS

Propane tanks and other service facilities should be located or screened such that they are not visible from the street.

O. SANITARY SEWERS

No outside, open, or pit type toilets will be permitted. All dwellings constructed in this Subdivision must have a septic or sewage disposal system installed by the Owner prior to occupancy to comply with the requirements of the appropriate governing agency. (CCR Section 3.07)

P. WALLS AND FENCES

1. Decorative walls and all fences, if any, must be approved prior to construction and shall be not closer to street property lines than the lot boundary line. Erection of any wall, fence, or other improvements on any **Nature Trail Easement** (also referred to as **Bridle Path**) is prohibited. (CCR Section 3.08)
2. Unless otherwise approved by the ACC, fences along and adjacent to any road or street must be constructed of wood boards or similar appearing materials and painted white. All other fences and walls will be constructed of ornamental iron, wood, or masonry. No wire, electric, barbed wire or temporary fences shall be allowed unless the ACC approves a variance to allow such type of fence prior to its construction. In ILE Section 1, wire or barbed wire fences shall be allowed on lots in Block 3 of the subdivision provided such fence shall be no closer than 100 feet to any street or road. (CCR Section 3.08)
3. Specific Requirements
 - a) Fences Along a Road or Street
 - (1) Fences along any road or street must be 4 -5 feet in height and should be constructed of 4x6 posts equally spaced 6 - 8 feet apart and 3 equally spaced 2x6 rails.
 - (2) Fences along any road or street must be painted white on all four sides of the boards and posts.
 - (3) Properties that face more than one road or street must meet this guideline for all property lines along such road or street.
 - (4) Fences which parallel a road or street and are 75 feet or more from the roadway property line may be painted wood, unpainted wood, wrought iron or other fence design submitted to ACC and preapproved before construction are allowed.
 - b) Interior Fences
 - (1) Interior fences are defined as fences along a shared side lot line, rear property line, or cross-fencing within a lot.
 - (2) Interior fences may be painted but are not required to be painted.
 - (3) Interior fences should generally be 4-5 feet high.
 - (4) Wood fencing constructed using the same 3-rail style as mandated for fences along a road or street may be constructed of 4x4 (or larger) posts placed 6-8 feet apart and 3 equally spaced

5/4x6 (or thicker) "corral boards" for rails.

- (5) Wire fencing and Picket style "privacy fences" shall not be used for fencing along property lines; however, wire or barbed wire fences shall be allowed on the Lots of Block 3, Section 1 provided such wire or barbed wire fence shall be no closer than 100 feet to any street or road.
 - (6) Privacy fences may be installed around pools but must be placed completely behind the main dwelling and not visible from the street or lake.
 - (7) Fencing which is visible from the lake shall follow the same guidelines as Section P.3(a) – Fences Along a Road or Street, with the exception that ornamental iron or other approved fencing is allowed around a pool placed between the main dwelling and the lake. Fences along the lake and parallel to the shoreline must be no less than thirty [30] feet from the shoreline at normal pool level [210'].
- c) All fences that have been approved with a variance to have wire attached (usually "no-climb" wire) shall have three equally spaced rails. Homeowners must request a variance for no-climb wire when submitting the application.
 - d) Chain link fences may only be used for dog runs or swimming pool enclosures, with ACC approval required.
 - e) No fences shall exceed 6 feet in height without the express approval of the ACC.
 - f) All fences that are painted or coated shall be properly maintained to prevent cracking, chipping, fading, or mildewing.
 - g) White vinyl fences must be 4-5 feet in height and must be constructed of 5x5 posts placed 6-8 feet apart and 3 equally spaced 2x6 rails.
4. Gates and/or driveway entries shall be constructed of wood, ornamental metal, brick, stone, or other masonry material, and shall be approved by the ACC.

Q. DOG RUNS AND KENNELS

1. County ordinances provide that pets must be on a leash when outside the home or fenced yard.
2. Because of the large variation in dog sizes and needs, the size for dog runs and kennels should be appropriate for the proposed use.
3. Dog Runs and kennels should be placed in the rear and be structurally screened or landscaped.
4. Location should not extend into setback areas, and consideration of neighbors should be given top priority. Distances from property lines should be clearly indicated on the submitted plot plan at time of application.
5. Any Magnolia ISD sponsored 4-H project involving domestic livestock shall require a letter from the school stating the length of time (start and end date) the animal(s) will be kept on the property and the number of animals approved for the school sponsored project. The numbers and types of animals must comply with the deed restrictions for each section. Animals must be contained as to not be a nuisance to the neighbors. Montgomery County Fair projects are not school sponsored. All shelters for the animals require prior ACC approval and will follow the same guidelines as dog runs, kennels, and fences.

R. SIGNS

No signs of any kind may be erected or maintained on any lot without the approval of the ACC except one (1) sign not more than forty-eight inches (48") square, advertising an Owner's residence for-sale or rent and one (1) sign not more than forty-eight inches (48") square advertising the builders of the Owner's residence during the construction period from the forming of the foundation until completion not to exceed a six (6) month period. (CCR 3.12). Realtor's signs conforming to the requirements stated above may be used for advertising a residence for sale or rent.

Notwithstanding the provisions of Section 3.12 of the CCR, due to a change in the law, the following restrictions apply to signs advertising a political candidate or ballot item for elections, as regulated by Section 202.009 of the Texas Property Code ("Political Signs"). No Political Sign may be placed on an Owner's Lot prior to the ninetieth (90th) day before the date of the election to which the sign relates, or remain on an Owner's Lot subsequent to the tenth (10th) day after the election date. No more than one (1) Political Sign is allowed per political candidate or ballot item. No Political Sign may: contain roofing material, siding, paving, materials, flora, one (1) or more balloons or lights, or any other similar building, landscaping, or nonstandard decorative component; be attached in any way to plant material, a traffic control device, a light, a trailer, a vehicle, or any other existing structure or object; include the painting of architectural surfaces; threaten the public health or safety; be larger than four feet (4') by six feet (6'); violate a law; contain language, graphics, or any display that would be offensive to the ordinary person; or be accompanied by music, other sounds, streamers; or otherwise be distracting to motorists.

S. DRAINAGE

Natural established drainage patterns of streets, lots, or roadway ditches shall not be impaired by any person or persons, and the ILE POA may enter upon any Lot to maintain such natural drainage areas. Driveway culverts shall be of sufficient size to afford proper drainage of ditches without backing water up into ditch or diverting flow. (CCR 3.15)

Roadside drainage ditches must not be altered except for the installation of a culvert for each driveway. Culverts must be at least 18" in diameter with the bottom water flow surface even or slightly below the level on the ditch. Metal and non-structural plastic culverts are not allowed.

T. ALTERNATE ENERGY

Solar Photovoltaic roof mounted arrays require prior ACC approval through the normal application process. The application must include the location of the arrays, the size and color of the arrays, and how they will be attached to the roof. The panels must not be visible from the street except if the orientation increases the output by a documented 10%. The panels must be properly connected to the property's existing electric system, and if "grid connected" must have been reviewed and approved by the electric provider. The arrays must be flat panel only and not parabolic trough.

Ground mounted arrays will be individually reviewed on a case-by-case basis. The design must be harmonized with the property and not exceed the height of the ILE standard fence.

Wind driven turbines for energy production are not allowed.

U. BACK-UP GENERATORS

Permanently installed back-up generators require prior approval of the ACC through the normal application process. The generator must be properly connected to the property's existing electric system, and if "grid connected" must have been reviewed and approved by the electric provider. Application must include fuel source and location of generator on plot plan.

V. ANTENNAS

1. No exterior antennas, aerials, satellite dishes, or other apparatus for the reception of television, radio, satellite or other signals of any kind shall be placed, allowed, or maintained upon any Lot, which are visible from the front of a dwelling unit, any street, Common Areas, or another Lot, unless it is impossible to receive an acceptable quality signal from any other location. In that event, the receiving device may be placed in the least visible location where reception of an acceptable quality signal is possible.
2. The Architectural Control Committee may require painting or screening of the receiving device, which painting or screening does not substantially interfere with an acceptable quality signal. In no event are the following devices permitted: (i) dish antennas designed to receive direct broadcast satellite service, including direct-to-home satellite service, or to receive or transmit fixed wireless signals via satellite, which are larger than one (1) meter in diameter; (ii) antennas larger than one meter designed to receive video programming services via broadband radio service (wireless cable) or to receive or transmit fixed

wireless signals other than via satellite; or (iii) masts, which exceed the height of twelve feet (12') above the center ridge of the roofline (unless the prior written approval of the Architectural Control Committee has been obtained).

3. Without the prior written approval of the Architectural Control Committee no exterior antennas, aerials, satellite dishes, or other apparatus shall be permitted, placed, allowed, or maintained upon any Lot, which transmit television, radio, or other signals of any kind, except fixed wireless signals via satellite that are allowed if they are in compliance with 1 and 2 above.
4. This section is intended to be in compliance with the Telecommunications Act of 1996 (the "Act"), as the Act may be amended from time to time; this section shall be interpreted to be as restrictive as possible, while not violating the Act.

W. MAINTENANCE

“Maintenance” is defined as repair or replacement of materials of a previously approved structure or improvement in order to maintain the visual aesthetics or structural integrity.

Maintenance shall not require the prior approval of the ACC if there is no change to the footprint or foundation, top, bottom, front, back, or sides of the improvement and the materials and colors used to perform the Maintenance are the same as those contained on the previously approved ACC application.

Examples of Maintenance (no ACC approval required) include but are not limited to: repairing or repainting a fence, repainting a main dwelling or other structure the same color, repairing or replacing rotted wood on a structure, replacing a roof with the same shingle material and color.

For the purposes of this section, the repainting of a structure or improvement which results in the complete change of color of the structure or improvement or a substantial portion thereof shall be deemed a change and not Maintenance, and shall require ACC approval.

X. EXTERIOR LIGHTING

All lighting installed after the publishing of these guidelines is required to meet the following guidelines:

1. General Requirements
 - a) Lighting must be aimed, shaded, or shielded so the direct field of illumination is not extending into adjacent properties and must not extend more than ten (10) feet into the lake or ten (10) feet past an approved boat dock.
 - b) No direct view of lighting filaments, bulbs, or other illumination sources shall be visible across the lake.
 - c) Continuous operation is not allowed 24 hours a day seven days a week. Timers, light sensors, or timed light sensors which run a set number of hours after sunset are allowed.
 - d) Open flame gas lamps of any type are allowed.
 - e) Regardless of the requirements in Section X.3, lighting near the lake or on a dock must be of a type and installed in such a way where reflected light shall not be a nuisance to other lots on the lake.
2. General Exterior Lighting Levels (lighting greater than thirty [30] feet from the shoreline at normal pool level [210'])
 - a) General exterior lighting shall not be placed closer than thirty (30) feet to the shoreline at normal pool level (210').
 - b) Partly shielded or unshielded diffuse luminaries must not exceed the allowed lumen output for lighting type EL-2 in Table X-1.
 - c) Partly shielded or unshielded directional lighting must not exceed the allowed lumen output for lighting type EL-3 in Table X-1.
 - d) Shielded directional lighting must not exceed the allowed lumen output for lighting type EL-4 in

Table X-1.

- e) Lighting installed with a vacancy (motion) sensor, where the sensor extinguishes the light no more than fifteen (15) minutes after the area is vacated must be shielded directional flood lighting and may exceed the allowed lumen output for lighting type EL-4 in Table X-1.
3. Lake Front and Dock Based Lighting Levels (lighting within thirty [30] feet of the shoreline at normal pool level [210'] or dock based)
- a) Partly shielded or unshielded diffuse luminaries must not exceed the allowed lumen output for lighting type EL-1 in Table X-1.
 - b) Partly shielded or unshielded directional lighting must not exceed the allowed lumen output for lighting type EL-2 in Table X-1.
 - c) Shielded directional lighting must not exceed the allowed lumen output for lighting type EL-3 in Table X-1.
 - d) Lighting installed with a vacancy (motion) sensor, where the sensor extinguishes the light no more than fifteen (15) minutes after the area is vacated must be shielded directional flood lighting and may exceed the allowed lumen output for lighting type EL-3 in Table X-1.

Table X-1 - Light Level Requirements

Lighting Type	Output (Lumens)	Incandescent (Watts)	CFL (Watts)	LED (Watts)
EL-1	500	40	8 - 10	9
EL-2	850	60	13 - 18	12 - 15
EL-3	1,200	75	18 - 22	15
EL-4	1,700	100	23 - 28	18



APPLICATION FEE AND DEPOSIT MUST BE INCLUDED AND APPLICATION MUST BE COMPLETELY FILLED OUT PRIOR TO SUBMISSION. **APPROVAL IS REQUIRED BEFORE CONSTRUCTION.**

SECTION 1			
Completely fill out the sections below. then completely fill out the information required for each improvement listed. Refer to "Architectural Guidelines for Indigo Lake Estates," Section C for the application procedure.			
A. GENERAL INFORMATION			
Indigo Lake Estates Section:	Block:	Lot:	Date:
Name of Property Owner:		Phone (H):	
Owner Mailing Address:		Phone (O):	
Property Address:		Phone (M):	
Property Owner Email:			
B. IMPROVEMENTS REQUESTED			
Provide a brief description of each requested improvement that is included with this application. Complete Section 2 providing detailed information about each requested improvement.			
REF #	IMPROVEMENT DESCRIPTION	START DATE	PROJECTED COMPLETION DATE
1			
2			
3			
4			
C. APPLICATION FEES			
<input type="checkbox"/> \$50.00 APPLICATION FEE RECEIVED			
<input type="checkbox"/> \$50.00 DEPOSIT RECEIVED FOR SMALL IMPROVEMENT UNDER \$10,000			
<input type="checkbox"/> \$250.00 DEPOSIT RECEIVED FOR MAJOR IMPROVEMENT OVER \$10,000			
<input type="checkbox"/> \$500.00 DEPOSIT RECEIVED FOR NEW HOME CONSTRUCTION			
D. SIGNATURE			
<p>By signing below, Applicant authorizes the Architectural Control Committee or its agent to enter upon and inspect the Lot and improvement thereon during daylight hours for the purpose of ascertaining whether said Lot and improvement thereon are in compliance with the Covenants, Conditions, and Restrictions of Indigo Lake Estates and the approved plans and specifications. Neither the Architectural Control Committee nor its agent shall be deemed to have committed a trespass by reason of such entry or inspection.</p> <p>By signing below, Applicant agrees and understands that approval of plans, specifications, and/or this application by the Architectural Control Committee shall not be relied upon by any person or entity as to the sufficiency, suitability, fitness, workmanship, or quality of the design or construction of the improvement(s).</p> <p>A request for return of a construction deposit must be received by the Association through the Management Company no later than thirteen (13) months from the date the ACC approves the application, except as per Section C.6(b). ANY CONSTRUCTION DEPOSITS FOR WHICH A REQUEST FOR REFUND HAS NOT BEEN RECEIVED BY THE POA MANAGEMENT COMPANY BY THE END OF THE THIRTEENTH (13th) MONTH FOLLOWING THE ACC APPROVAL OF THE APPLICATION FOR WHICH THE DEPOSIT WAS PAID WILL BE FORFEITED TO THE ASSOCIATION.</p> <p>By signing below, Applicant verifies that they have received, fully read, and understand the Architectural Guidelines for Indigo Lake Estates and agree to adhere to all requirements and restrictions contained therein as well as all requirements and restrictions contained within the Covenants, Conditions, and Restrictions of Indigo Lake Estates.</p> <p>By signing below, Applicant agrees and understands that neither the Architectural Control Committee, the Indigo Lake Estates Property Owners' Association, the Managing Agent of the Association, nor any of their respective members, officers, directors, shareholders, employees, or agents shall be liable because of the approval or non-approval of any improvement request.</p>			
Signature of Property Owner:			Date:



SECTION 2

COMPLETE A SEPARATE SECTION 2 FOR EACH REQUESTED IMPROVEMENT. INCLUDE ALL SUPPORTING INFORMATION.

A. OWNER INFORMATION

Indigo Lake Estates Section:	Block:	Lot:	Date:
Name of Property Owner:			Phone:

B. IMPROVEMENTS REQUESTED

All improvements must be shown on a plot plan showing location of easements, existing buildings and structures, the proposed location of the improvement, and applicable building setback lines. Refer to "Architectural Guidelines for Indigo Lake Estates," Section C.4 for application requirements. Attach any additional pages as required to clearly describe the improvement. Reference # should correspond to the improvement reference from Section 1 of this application.

REF #	IMPROVEMENT DESCRIPTION	START DATE	PROJECTED COMPLETION DATE

IMPROVEMENT DETAILS

C. SIGNATURE

By signing below, Contractor/Builder authorizes the Architectural Control Committee or its agent to enter upon and inspect the Lot and improvement thereon during daylight hours for the purpose of ascertaining whether said Lot and improvement thereon are in compliance with the Covenants, Conditions, and Restrictions of Indigo Lake Estates and the approved plans and specifications. Neither the Architectural Control Committee nor its agent shall be deemed to have committed a trespass by reason of such entry or inspection. Contractor/Builder agrees and understands that approval of plans, specifications, and/or this application by the Architectural Control Committee shall not be relied upon by any person or entity as to the sufficiency, suitability, fitness, workmanship, or quality of the design or construction of the improvement(s). Contractor/Builder verifies that they have received, fully read, and understand the Architectural Guidelines for Indigo Lake Estates and agree to adhere to all requirements and restrictions contained therein as well as all requirements and restrictions contained within the Covenants, Conditions, and Restrictions of Indigo Lake Estates. Contractor/Builder agrees and understands that neither the Architectural Control Committee, the Indigo Lake Estates Property Owners' Association, the Managing Agent of the Association, nor any of their respective members, officers, directors, shareholders, employees, or agents shall be liable because of the approval or non-approval of any improvement request.

Contractor / Builder Name & Address:	Phone:
Signature of Contractor / Builder:	Date:

PLAN REVIEW (FOR ACC USE)

REF #	IMPROVEMENT DESCRIPTION	APPROVED	NOT APPROVED
		<input type="checkbox"/>	<input type="checkbox"/>

Approval Conditions/Reason for Not Approving:

ACC SIGNATURES

Architectural Control Committee Member #1:	Date:
Architectural Control Committee Member #2:	Date:
Architectural Control Committee Member #3:	Date:



**Architectural Control Committee
ACC Application Submission Checklist**

The following checklist should be used as guidance to confirm that the proper information is being submitted for review to the ACC. Failure to include any of the below items will result in the application being marked incomplete and a decision will be delayed.

<input type="checkbox"/>	Application form is fully completed.
<input type="checkbox"/>	Application form signed by both the homeowner (Section 1) and individual or company performing the work (Section 2). If the homeowner is performing the work, sign and date both as Property Owner and as Contractor/Builder.
<input type="checkbox"/>	Check payable to “Indigo Lake Estates POA” in the appropriate amount of the non-refundable application fee and deposit
FOR EACH IMPROVEMENT SUBMITTED	
<input type="checkbox"/>	<p>One (1) set of drawings of the proposed structure showing:</p> <ul style="list-style-type: none"> - top, front, side, and rear exterior views - overall dimensions (length, width, height) of the structure, including square footage - foundation plans showing supports and concrete information - exterior materials and colors (including siding and roofing)
<input type="checkbox"/>	<p>One (1) copy of the current plot plan showing:</p> <ul style="list-style-type: none"> - location of easements and building setback lines - all existing buildings and structures - the proposed location of the improvements, showing distances from the front and side property lines to the proposed structure - a location and description of any proposed screening of a structure <p>Note: All dimensions relevant to the application must be legible on the submitted plot</p>
<input type="checkbox"/>	<p>Color samples for all colors involved, including roofing. Acceptable forms of submission include:</p> <ul style="list-style-type: none"> - color chips from a vendor - an actual paint sample - sample downloaded and printed in color from a vendor’s website
<input type="checkbox"/>	<p>Copies of all required permits:</p> <ul style="list-style-type: none"> - Montgomery County Development Permit (if required) - Septic Permit <p>Requirements can be found at: http://www.co.montgomery.tx.us/departments_d-k/departments_e/environmental_health/permitting.html</p>

E-FILED FOR RECORD

08/17/2020 04:29PM



COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number sequence on the date and time stamped herein by me and was duly e-RECORDED in the Official Public Records of Montgomery County, Texas.

08/17/2020



County Clerk
Montgomery County, Texas