

**ADDITIONAL DEDICATORY INSTRUMENT FOR
HIGH MEADOW ESTATES PROPERTY OWNERS ASSOCIATION**

THE STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

BEFORE ME, the undersigned authority, on this day personally appeared Christopher J. Archambault who, being by me first duly sworn, states on oath the following:


My name is Christopher J. Archambault I am over twenty-one (21) years of age, of sound mind, capable of making this affidavit, authorized to make this affidavit, and personally acquainted with the facts herein stated:

I am the Attorney for HIGH MEADOW ESTATES PROPERTY OWNERS ASSOCIATION. Pursuant with Section 202.006 of the Texas Property Code, the following documents are copies of the original official documents from the Association's files:

- 1. **New Home Plan Review Application;**
- 2. **Improvement Plan Review Application for Swimming Pool, Pond, Fence, Generator, Dog Run and/or Water Well;**
- 3. **Improvement Plan Review Application for Barn, Outbuilding, Shop, Garage and/or New Roof;**

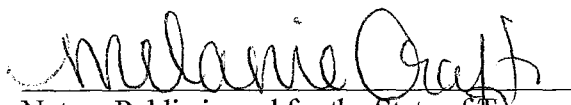
DATED this 5th day of May, 2022.

High Meadow Estates Property Owners Association

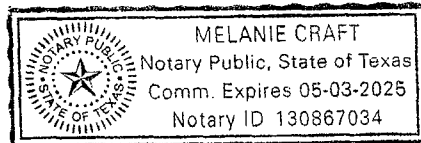
BY: 
Christopher J. Archambault, Attorney
(Printed Name)

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

THIS INSTRUMENT was **acknowledged** before me on this the 5th day of May, 2022 by the said Christopher J. Archambault, Attorney for High Meadow Estates Property Owners Association, a Texas non-profit corporation, on behalf of said corporation.


Notary Public in and for the State of Texas

After Recording Return To:
Daughtry & Farine, P.C.
17044 El Camino Real
Houston, Texas 77058
ATTN: CJA/mc
(1499.0001)



High Meadow Estates Property Owners Association

NEW HOME Plan Review Application

Updated April 2022

High Meadow Estates Property Owners Association (HME) Architectural Control Committee (ACC) has designed this **New Home Plan Review Application (Application)** to help the Property Owner, and Builder expedite the approval process of new home construction. Though fairly comprehensive, this Application may not address every new home construction request or question. The ACC strongly recommends that the Property Owner and Builder review the **High Meadow Estates Declaration of Covenants Conditions and Restrictions and all Amendments and Supplements thereof (Declaration)** for further context and details prior to any design or construction of a new home in High Meadow Estates. The Declaration may be found online at www.highmeadowestatespoa.com.

Each Property Owner is responsible for complying with the Declaration and meeting the minimum construction standards contained herein. Under no circumstances should any construction begin without the explicit written approval of the ACC.

New home construction must be completed within one (1) year after the slab has been poured, with the exception of a granted extension by the ACC. Builder shall notify ACC of construction completion. Upon completion of construction, as determined by the ACC, and after the Certificate of Compliance has been issued by the ACC, the refundable portion of the Submission Fee (hereinafter defined) shall be refunded. ***FAILURE TO OBTAIN A FINAL INSPECTION AND CERTIFICATE OF COMPLIANCE FROM THE ACC PRIOR TO MOVING IN WILL RESULT IN SUBSTANTIAL FINE (SEE FINE SCHEDULE FOR NON-COMPLIANCE BELOW).***

If, after one (1) year from plan approval date, construction has not begun, and if no extension has been granted, plans shall be returned to the Property Owner and the Submission Fee, less an administration fee of \$500.00, shall be refunded.

IMPORTANT NOTE:

CLEARING SITE: Lot clearing prior to ACC approval is allowed. Tree and brush removal should be for the building site only. No clear-cutting allowed. All trees and underbrush cleared during construction for the building site must be removed. Burning of trees and underbrush cleared for construction will result in an immediate \$5000 fine.

CULVERT CROSSING: In accordance with the Declaration of Convenience, Conditions and Restrictions Section 7.09 - All entries to any homesite shall be across an approved culvert crossing. In no case shall a ditch be crossed on a regular basis until such culvert crossing is constructed. Any improvement of a lot (clearing, hydro-axing, tree removal, pad development, etc.) prior to the proper installation of a culvert crossing topped with gravel will result in a \$1000 fine.

Improvements: Per the Declaration and the ACC's interpretation thereof, **Improvements include pools, ponds, fences, water wells, outbuildings, barns, detached workshops and garages, generators, new roofs and additional clearing and landscaping, among others. Please DO NOT include details and specifications for these Improvements with this New Home Application. Instead, please complete the application appropriate to the Improvement.** Additional applications relating to the aforementioned Improvements are located at www.highmeadowestatespoa.com.

To further assist you in the construction process the HME has established the position of **Architectural Control Administrator (ACA)**. The person in this role has the responsibility to assist you with questions and issues related to new home construction. The ACA assembles the Application for review by the ACC, monitors the construction project, validates that the completed project comports with the initial plan, and signals the ACC when construction is complete. Incomplete Applications will not be presented to the ACC.

Please refer to the HME website for current ACA contact information.

www.highmeadowestatespoa.com

High Meadow Estates Property Owners Association NEW HOME Plan Review Application

Please complete, execute and submit this Application with **one (1)** set of complete plans and specifications in electronic form in accordance with this Application to the current ACA together with all applicable fees payable to High Meadow Estates POA. Contact information for the current ACA may be found at:
www.highmeadowestatespoa.com

PLEASE TYPE OR PRINT CLEARLY

UPDATED April 2022

PROPERTY OWNER:	PHONE:	DATE:
MAILING ADDRESS:		
E-MAIL ADDRESS:		
BUILDER NAME:	PHONE:	
ADDRESS:		
E-MAIL ADDRESS:	CELL:	FAX:

PROPERTY: SECTION BLOCK LOT

PROPERTY PHYSICAL ADDRESS:

DESCRIPTION OF NEW HOME:

House (Living SQ. FT.)	Estimated Area of Clearing (%):	
Porch (SQ FT):	Width of Home:	
Exterior Materials:		
Exterior Colors (Color Sample):		
Roof Warranty:	Roof Materials (Color Sample):	
Culvert Installation Date:	Note: Permanent Culverts Only. No temporary culverts allowed. Must be at least 18" (ID) width, made of reinforced concrete. Must be installed prior to any construction or heavy equipment on the property.	
Landscaping:	Start Date:	Projected Completion Date:

Additional Information:

New Home Construction Process, Guidelines & Minimum Construction Standards

In order to facilitate an efficient review and approval process and mitigate potential construction and deed restriction violations the ACC has adopted specific requirements that must be complied with in order to receive new home construction approval. Questions regarding the approval process should be directed to the ACA. **No verbal approvals by the ACC and/or ACA will be allowed or enforceable.**

Improvements

Per the Declaration and the ACC's interpretation thereof, Improvements include pools, ponds, fences, water wells, outbuildings, barns, detached workshops and garages, new roofs and additional clearing and landscaping, among others. If Improvements other than a New Home are being constructed during the New Home construction process, please complete and submit a separate **Improvement Plan Review Application** for ACC approval. Improvement Plan Review Applications for barns, outbuildings, shops, garages, new roofs, swimming pools, ponds, generators, fences/dog runs, water wells and other may be found on the HME Website: www.highmeadowstatespoa.com. Please **DO NOT** include details and specifications for any Improvements other than New Home Improvements with this New Home Plan Review Application.

General Approval Criteria for New Home Construction:

1. **Ownership:** The Property Owner must provide proof of ownership and good account standing.
2. **Review Fee:** A \$1000.00 Review Fee is required for all New Home Construction requests; the Review Fee is non-refundable.
3. **New Home Submission Fee:** For New Home Construction, the ACC requires a \$10,000 Submission Fee. Upon project completion, Property Owner shall notify the ACC and, after final inspection and issuance of a Certificate of Compliance by the ACC, a refund of the Submission Fee, less any fines for violations cited during construction, will be issued. (**Note: Property Owner shall not move in or reside on Property, subject to \$5,000 fine, until such time as the ACC has issued a Certificate of Compliance.**)
4. **Completed Application:** Property Owner shall submit this Application, completed and fully executed by Property Owner and Builder. Oral requests will not be considered.
5. **Masonry:** Masonry shall consist of no less than 80% of natural brick and stone or stucco or some combination thereof. **Painted brick is not allowed.** Hardi siding is not considered masonry.
6. **Codes/Requirements:** All homes must be built and inspected to International One and Two Family Dwelling Code specifications in addition to requirements listed in this Application.
7. **Minimum Square Footage:** Minimum square footage is 3,000 square feet and is based on uninterrupted heating/AC living space.
8. **Minimum Width:** No residence shall be less than seventy-five (75) feet in width including the garage (whether the garage is attached or detached) unless the width of the home site does not provide for seventy-five (75) feet between building lines. In such case the home shall be within one (1) foot of the width of the building lines permit.
9. **Culvert:** A permanent culvert must be in place **BEFORE** construction begins. ACC requires a minimum 18" (ID) made of reinforced concrete. In no case shall a ditch be crossed on a regular basis until a culvert crossing is constructed.
10. **Roof/Shingles:** Roofing shall conform to Section 8.01 B of the Declaration. All shingled homes must have minimum 240 lb. Shingles, heavyweight, accented shadow-line composition roofing. Color sample must be provided with warranty information. Roof pitch of at least 6 on 12. No Hip Roofs facing the street. Gables required on any portion of roof facing the street. No straight run roofs on front elevation of the home are allowed.
11. **Mailboxes:** Cluster mailboxes will be provided in select areas by the U.S. Post office.
12. **Site/Plot Plan/Survey:** Site/Plot plan must be included with plan submission showing location of all Improvements and drainage. Professional survey must also be included, showing easements, setbacks, drainage.
13. **Exterior Materials:** Type and color of exterior materials used (in addition to masonry requirements) must be provided. Color sample must be provided. All exterior home colors must be Earth tone. All siding must be Hardi.
14. **Driveways:** 12' width minimum; 30' apron at road tie in point; 20' minimum width fronting garage; and 20' width minimum at culvert crossing. Provide description of wing walls at culvert crossing that includes hard wired lighted address numbers in accordance with Declaration. No solar lighted address numbers are allowed. **See Exhibit A: Decorative Driveway Culvert and Lighting Requirements (Page 8)**
15. **Landscaping:** Property Owner shall submit a *Landscape Plan* that includes preliminary description and diagram/drawing of anticipated landscape design with irrigation plans. A formal proposal/bid received from a Landscape Company, Landscape Architect, or General Landscaper may satisfy this requirement. **Landscaping must be completed prior to move in and final inspection by the ACC and to get final Certificate of Compliance.** Landscaping must be sufficient to cover at least 80% of the front foundation profile and include grass. No change can be made to the natural drainage of the property so as to have an adverse effect on adjacent properties, including by impeding the flow of groundwater.
16. **Front Entry Door:** It is required that the front entry door on all homes will be at least 48" wide, excluding sidelights.
17. **Failure to complete construction within twelve months:** "The required Time of Completion, as defined in the

Declaration of Covenants, Conditions and Restrictions Section 8.01(F), is not later than twelve months following the commencement of construction, which is deemed to mean the date on which the foundation is completed. The Owner may request an extension of the Time of Completion based on delays as a result of circumstances beyond the reasonable control of the Owner. An extension due to the failure of the Builder to complete construction within twelve months will not be approved by the ACC unless there are specific, acceptable circumstances supporting the request for an extension. The extension request shall include the expected completion date. The maximum extension shall be six months provided the circumstances support requiring that much additional time. A shorter extension may be required by the ACC. Any additional extension(s) requested shall only be approved based on proof of continued circumstances beyond the reasonable control of the Owner. The ACC will send a notice to the Owner advising them that the initial 12 months or an extension was about to expire. Failure to complete construction within the 12-month time frame, or prior to the expiration of any extension period(s), will result in a *daily* fine of \$100 until a Certificate of Compliance is issued by the ACC.

Specific Approval Criteria & Required Documents:

1. One (1) complete copy of constructions plans and specifications are required in electronic form. The ACC will retain this copy. The plans, specifications, and supporting documents must conform to the following requirements:
2. Plans must be professionally prepared and include:
 - a. Drawn to Scale (1/4" preferred) and presented on 2'x3' Blue Line drawing or equivalent
 - b. Floor Plans
 - c. Structural Foundation plan with details and Professional Engineer Seal
 - d. Structural Framing plan for all floors and roof with all details
 - e. Plumbing & Electrical layout plans (may combine with floor plan layouts)
3. Elevations:
 - a. Plans must include elevations profiles of all sides of residence
 - b. Plans must include detailed description of all exterior materials including masonry
 - c. Must provide color samples for all exterior materials
 - d. Must provide color sample for shingles and specific details on the type of shingles to be used
4. Site / Plot Plans that includes:
 - a. Location of residence in relation to all setback lines and all easements, rear property setback 10', side 8'
 - b. Professional Survey that includes drainage patterns and ditches or recorded instruments
 - c. Distance of garage from residence if detached
 - d. Driveways, including lengths and widths
 - i. 12' width minimum; 30' apron at road tie in point; 20' minimum width fronting garage; and 20' width minimum at culvert crossing. Must also provide description of wing walls at culvert crossing to include hard wired lighted address numbers in accordance with amendment to Declaration. (*See Page 8*)
 - e. General Landscaping design and/or drawing must be provided per Declaration
 - f. Location of any other Improvements in relation to residence and setback lines and easements
 - i. NOTE: For ACC approval of all other Improvements, including those constructed at or during New Home Construction, an **Improvement Plan Review Application** must be submitted separately.
 - g. Location of Air Conditioning Units and Meters should be shown on the plans. A/C units must be screened and not visible from the street. Meters should be placed so that not seen from the street.
5. **Warning:** changes to approved plans are subject to fines if not re-submitted for ACC approval.

Construction Site Requirements:

1. One (1) Builder sign with a size of 36 X 36 is allowed. No other types of signs other than the house numbers will be allowed. The Builder's sign must be removed by the end of construction. The High Meadow Estates frame must be used and the sign must include High Meadow Estates Visitors Center and phone number. Sign style and text is provided by the HME/ Developer, Builder will have an area on the sign to have logo and contact info.
2. Tree removal should be for the building site only. No clear-cutting allowed. All trees and underbrush cleared during construction for the building site must be removed. No on-site burning of the trees and underbrush cleared during construction is allowed. Burning of trees and underbrush cleared for construction will result in an immediate \$5000 fine.
3. Trash bin or dumpster is required. Trash bin must be a permanent type roll of dumpster or equivalent. The Builder is to ensure all trash and debris is removed from the site and placed in the dumpster before each weekend. During the week the site is to be kept clean to prevent trash from going into other property. The dumpster must be emptied when full.
4. Construction fencing is required on the rear and side lines of the property when another home is adjacent to the construction site.
5. Portable Toilet is required. Once the foundation pad is installed the portable toilet must be in place. No construction can start without the toilet. Portable toilets should, as much as possible be shielded from street view and must be staked to

- prevent turning over by high winds.
- 6. Streets must be kept clean of mud, dirt, rocks, and building material to include nails. To prevent mud tracking, Builder must use crushed rock or stabilized material at exit of construction site.
- 7. The County/City building permit and the Green ACC approval sign must be posted on the lot from start of construction until the construction has been completed.
- 8. Construction hours are from 7am to 7pm Monday through Friday and 8am to 7pm on Saturday. No construction work on Sundays or Holidays. **Holidays shall include New Year’s Day, President’s Day, Easter Sunday, Memorial Day, July 4th, Labor Day, Veteran’s Day, Thanksgiving Day, Christmas Eve, and Christmas Day.**

High Meadow Estates Architectural Control Committee Fines for Non-Compliance to Building Restrictions:

<u>Violation</u>	<u>Builder & Owner Initial</u>	<u>Fine</u>
• <u>Any improvement of a lot prior to the proper installation of a culvert crossing topped with gravel</u>	_____	<u>\$1000</u>
• <u>Start of construction prior to ACC approval</u>	_____	<u>\$1000</u>
• <u>Change in approved Construction with ACC approval</u>	_____	<u>\$1000</u>
• <u>Burning of trees and underbrush cleared for construction</u>	_____	<u>\$5000</u>
• <u>Unauthorized or unapproved slab pour</u>	_____	<u>\$1000</u>
• <u>Dirty work site, Builder trash, Friday site not cleaned</u>	_____	<u>\$200</u>
• <u>No Port-o-potty or trash bin</u>	_____	<u>\$500</u>
• <u>No construction fence (if applicable)</u>	_____	<u>\$1000</u>
• <u>Working outside construction hours or Sundays or Holidays</u>	_____	<u>\$1000 each occurrence</u>
• <u>Construction fence down (if applicable)</u>	_____	<u>\$500</u>
• <u>Failure to keep streets clean of mud, dirt, rocks and building material including nails, and failure to use crushed rock or stabilized material at exit of construction site</u>	_____	<u>\$1000 each occurrence</u>
• <u>Failure to provide “Forms” survey</u>	_____	<u>\$500</u>
• <u>Failure to provide “Final” survey</u>	_____	<u>\$500</u>
• <u>Utilizing Solar lighted address numbers</u>	_____	<u>\$2000</u>
• <u>Landscaping not installed as required</u>	_____	<u>\$1000</u>
• <u>Signs, more than one 36 X 36-inch Builder sign</u>	_____	<u>\$100</u>
• <u>Failure to provide lighting plan if installing outdoor lighting</u>	_____	<u>\$500</u>
• <u>Moving in prior to final inspection and Certificate of Compliance Issued</u>	_____	<u>\$5000</u>
• <u>All other violations not specifically listed above</u>	_____	<u>\$500</u>

Inspections & Survey Process

- **Inspections** – There are four (4) minimum required Inspections:
 1. *ACC First* – after the plans have been approved and construction has commenced. This inspection will check to assure that a portable toilet, trash bin, and construction fencing (if required) is in place at the construction site. It will also verify with the Builder of the remaining inspections and surveys to be completed.
 2. *Foundation* – foundation inspection by a certified foundation inspector. The inspector will inspect the foundation based on CABO requirements.
 3. *Mechanical* – by a certified inspector, will inspect the mechanical installation based on CABO requirements.
 4. *ACC Final* – after home construction is essentially complete, this inspection will check for yard installation, yard cleaned of all Builder debris, removal of portable toilet, trash receptacle, construction fencing, and signage. Provided all required construction is completed and in compliance with this Application and all accompanying documents (drawings, etc.), the ACC shall issue a Certificate of Compliance.
- **Surveys** – There are three (3) minimum required Surveys:
 1. *Initial Survey* of Lot. This survey should be provided along with this New Home Application.
 2. *Forms Survey*. Upon completion of forms, the Builder shall obtain a Forms Survey from a certified surveyor (surveyor stamp and date must appear on copy). Once the survey is completed, the Builder will call the inspector to schedule an inspection. The Builder shall provide a copy of the survey to the inspector and the ACC by faxing the survey to ACA and the inspector. Independent Inspector: The inspector shall inspect the job site and inform the Builder if there are any violations. If there are violations the inspector shall be required to re-inspect once the issues

are corrected. The ACC shall review the "Forms" survey for encroachments and to assure the Forms Survey agrees with the approved site plan.

3. *Final Survey.* Upon completion of construction the Builder will obtain a final survey. Once the survey has been completed, the Builder will call the ACC for a final inspection and fax the final survey to inspector and same to ACA / ACC with a written request for refund upon completion of construction. Upon completion of the final inspection, the inspector will forward to ACA a copy of the final inspection; the applicable refund will be processed and paid, less any fines and/or violations incurred. The inspector shall inspect the exterior of job site for completion of home, driveway completion, house numbers, construction and trash cleanup, removal of trash bin & portable toilet and planting of trees. The inspector shall review the final project to ascertain if any encroachments or violations have occurred. Correction of encroachments and other violations shall be the responsibility of the Builder and Property Owner.

 - **ACC Inspections** – The ACC Inspector and/or a staff member of ACA will perform ACC inspections. If any noncompliance issue exists, the job site shall be "red tagged" to "STOP CONSTRUCTION" and a phone call and email shall be made to the Builder and Property Owner. Builder shall have 24 hours (business day) to correct the situation. If the noncompliance issue is not corrected the Property Owner and Builder will be notified by certified mail and given ten (10) days to correct the issues. Notice of noncompliance may include fines and other actions to be taken. If no change, or adequate change, is noted within the 10 days as stated in the letter, the issue will be turned over to the ACC and the HME Board of Directors who may employ an attorney to enforce these requirements and collect the fine plus costs.
 - **Additional Surveys & Permits** – During construction, you may obtain your own Certified Inspectors, as needed, or required by the County. In addition, other permits or approvals may be required from City, County, or other Governmental entities. It is the responsibility of the Property Owner to obtain all required approvals.
 - **Permits Displayed** - Building Permits County/City and Septic along with ACC Green Committee Permit **MUST** be displayed and visible from the street.

Property Owner/Builder Agreement

1. Property Owner hereby acknowledges receipt of this Application and hereby agrees to comply with all terms and conditions contained herein and obtain all applicable surveys and inspections as specified herein prior to occupancy.
2. Property Owner hereby authorizes the ACC or its agents to enter upon and inspect the lot and structure thereon during regular business hours for the purpose of ascertaining whether said structure is in compliance with the restrictions, the standards and the approved plans and specifications. Neither the ACC nor its agents shall be deemed to have committed a trespass by reason of such entry or inspection.
3. Property Owner agrees and understands that the approval of plans and specifications by the ACC shall not be relied upon by any person or entity as to sufficiency, suitability, fitness, workmanship or quality of the design or construction of the Improvements.
4. Any change to the original design and original application requires additional review and approval by the ACC. This includes changes in color and any design changes or location changes. **Note: Failure to obtain ACC approval is a fineable violation.**
5. If construction is not completed after plans have been approved within one (1) year or the date of completion so stated in the application, an extension **MUST** be obtained.
6. The ACC has 60-days from final submittal of plans and permits to approve the plans and authorize commencement of construction. The ACC typically meets the first Tuesday monthly, but also communicates on a weekly basis.
7. Neither the ACC, HME, ACA, 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.
8. Error in location causing an encroachment will be the direct responsibility of the Property Owner. The Builder/Property Owner must satisfy the ACC that Improvements are accurately located in accordance with the approved plans and that encroachments are not to occur, without a specific variance having been requested and granted by the ACC. If encroachment occurs without a specific variance having been granted, Property Owner and Builder agree to remove those items.
9. Failure to comply with the above inspections can result in fines and legal action being brought to require compliance. If Property Owner/Builder is fined, Property Owner/Builder has the right to a hearing before the ACC. Property Owner/Builder also has the right to appeal the ACC findings after the hearing, before the HME Board of Directors.
10. Basis of Approval: Approval of plans and specifications will be based, among other things, on adequacy of site dimensions, design of the structure, conformity and harmony with external design, relation of finished grades and elevations to neighboring sites and conformity to both the specific and general intent of the restrictions. All plans will be reviewed in a timely manner and a letter will be sent to the Property Owner's name and address on this Application.
11. **ACC strongly recommends that Property Owner and Builder review the Declaration and this Agreement prior to design and/or construction.**

By Signing Below, both the Property Owner and Builder acknowledge that they have read and understood the Declaration and this Application for construction of NEW HOMES:

Property Owner: _____ Builder: _____

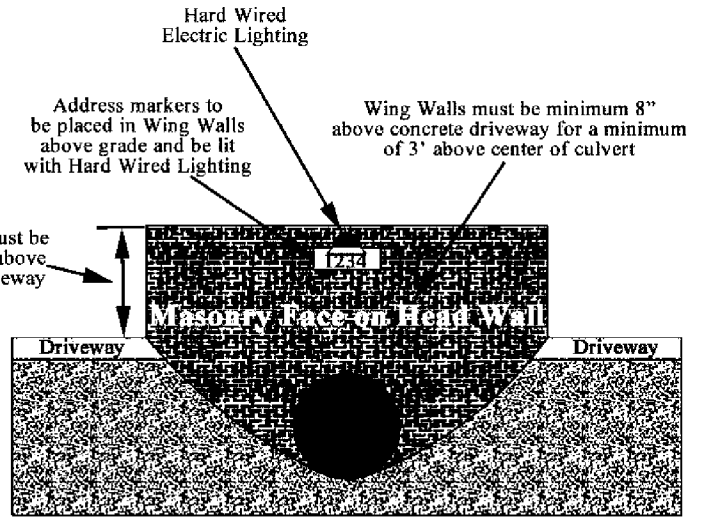
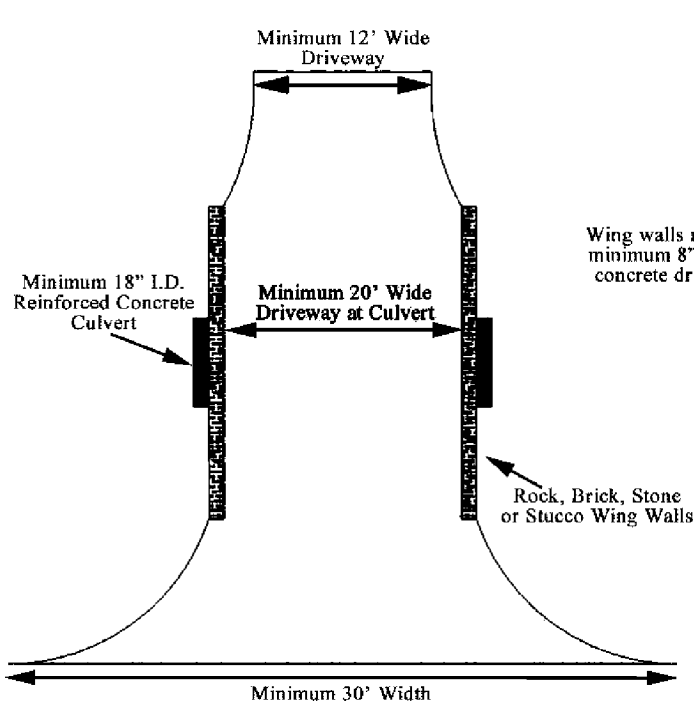
Date: _____ Date: _____

Owner will be notified via email with attached letter informing the status of the application.

Initial & Return ALL Pages With Application Builder _____ Owner: _____

**Exhibit A
Decorative Wing Wall Requirements**

DECORATIVE DRIVEWAY CULVERT AND LIGHTED ADDRESS MARKER REQUIREMENTS



*Wing Walls may be rounded or tapered on either end, they do not have to be square, especially if owner is using stone instead of brick

NOTE: These are minimum requirements, planters or extended walls are permissible. All must flow with masonry of the Home

E-FILED FOR RECORD

05/03/2022 10:12AM



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.

05/03/2022



County Clerk
Montgomery County, Texas