

# River Plantation

## Architectural Control Guidelines

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## Section I - Purpose & Objectives

The reservations, restrictions, covenants and easements on file in the Real Property Records of Montgomery County, Texas for all sections of land contained within the River Plantation Subdivision (the "Restrictions") specify that, "No building or other improvements shall be erected, placed or altered on any building site until the construction plans/drawings and specifications and a plan showing the location of the structure or improvements have been approved by the Architectural Control Committee as to the quality of workmanship and materials, harmony of external design with existing structures, and as to location with respect to topography and finish grade elevation." These Architectural Control Guidelines (the "Guidelines") are intended to set forth the design guidelines used by the Architectural Control Committee for River Plantation (the "ACC") which has exclusive jurisdiction over all modifications, additions, and alterations (the "Modifications") made to properties within The River Plantation community (the "Community"). The purpose of these Guidelines is to protect the beauty of the properties, to establish and preserve a harmonious and aesthetically pleasing design for the Community and to protect and promote the value of the properties in the Community.

To preserve the architectural and aesthetic appearance of the Community, no Modifications shall be commenced or maintained by any owner of any lot ("Owner") within any section of the Community, including, without limitation, site work, new home construction, room additions, or the construction or installation of sidewalks, driveways, carports, decks, patios, courtyards, swimming pools, greenhouses, playhouses, walls, fences, garages, outbuildings, nor shall any exterior addition to or change or alteration therein be made (including, without limitation, painting or staining of any exterior surface), unless and until the contemplated Modifications shall have been submitted to and approved in writing by the ACC as to the compliance of such plans and specifications with these Guidelines including the harmony of external design, location, and appearance in relation to surrounding structures and topography.

The Restrictions also specify that "no noxious or offensive activity shall be permitted upon any building site, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood." These Guidelines are also intended to illuminate to the membership the manner in which the River Plantation Community Improvement Association, Inc. (the "Association") construes the nuisance provision set forth in the Restrictions by defining those activities predetermined, based upon resident input and historical perspective, to be a nuisance, noxious, or offensive to residents within the Community.

These Guidelines are not all inclusive; meaning, the ACC reserves the authority to review and approve Applications (herein defined) for building, additions, or improvements which are not explicitly described by these Guidelines and to consider additional guidelines in the review process whether published or not. These Guidelines may be amended by the Board of Directors of the Association (the "Board") as deemed necessary and appropriate.

## **A. Things to Remember**

**Restrictions Protect All Property Owners** - All Owners are subject to the Restrictions and have agreed to comply with them. Most problems can be resolved and unnecessary complications avoided by a thorough understanding of the Restrictions and these Guidelines. Compliance with the Restrictions and these Guidelines by all neighbors will promote property Owners to enjoy living and raising their families in a pleasing environment and an attractive community with sustained property values.

**The Appropriate Guideline** - Many different kinds of Modifications to a property can be made. Those described on the following pages are the most common, but not all are described. If a project is not included on the following pages, please contact the ACC to obtain the guidelines to use for preparing an Application to the ACC.

**Don't Copy Your Neighbors** - When considering a Modification to your property, do not rely on what your neighbors have done or said regarding their property. Your neighbor's modification may have been permitted under a prior guideline but is no longer allowed, may not have been approved, or it may have been disapproved and require modification.

**Changes by Previous Owners** - Purchasers of a previously occupied property sometimes are surprised and disturbed when they receive notice that the previous Owner made an unapproved alteration or addition and that they have purchased a property which is in violation of the Restrictions.

**Current Owners are responsible for any existing violations.** Any Owner who finds themselves in this situation should submit an Application for approval of the improvements with an explanation of the circumstances.

**Limitation of Responsibilities** – The primary goal of the ACC is to review applications, plans, specifications, materials and samples submitted by Owners in order to determine if the proposed improvement or modification conforms in appearance and design with the standards and policies as set forth by the ACC. The ACC does not assume responsibility for the following:

- The structural adequacy, capacity or safety features of the proposed improvement or structure.
- Soil erosion or unstable soil conditions.
- Compliance with any or all building codes, safety requirements, governmental laws, regulations or ordinances.
- Performance or quality of construction performed by any applicant or his subcontractor(s).
- Marketability of the product.

The ACC has thirty (30) days (as set forth in the applicable Restrictions) from date of receipt of the application for the Modifications by the Owner, construction plans and specifications, and a plan showing the location of the structure or improvements (collectively, the "Application") to respond. The thirty (30) day time frame, as the case may be, will start over from the date of receipt of the additional requested information. If such additional requested information is not submitted, the Application shall be deemed denied and must be resubmitted. The Applicant will allow for time required to complete the approval process.

Each Application is considered on its own merit and it is emphasized that ACC approval is required prior to any installation, construction, improvement or change. If any modifications are made without ACC approval, the ACC or Board has the legal right to enforce its removal. Additionally, Owners may not utilize any wording contained within these Guidelines to designate or imply automatic approval of any proposed modification prior to ACC formal written approval.

Approval of any project by the ACC does not waive the necessity for the required permits. ACC approval does not imply any type of guaranty or warranty as to the improvement proposed or subsequently made. Approval of plans and specifications shall not cover or include approval for any other purpose and specifically, but without limitation, shall not be construed as any representation as to or responsibility for the structural design or engineering of the improvement or the ultimate construction thereof. Receipt of a local permit does not waive the need for obtaining ACC approval. Additionally, this document is provided for general reference only to Owners.

## **B. Types of Approval**

The approval process is intended to minimize hardships or undue delays, while preventing a Modification that would be costly to correct if done improperly or in violation of the Restrictions or these Guidelines. The goal of the ACC in the review process is not to curtail changes to a residence but, rather, to assist in making a desired change in a manner which conforms to the character of the Community and the natural beauty of the Community.

Any Owner who seeks approval for a Modification to their property should review Section III which provides extensive detail concerning the approval process. However, in keeping with the goal of minimizing the approval process, the following categories of Modification require no ACC approval or, because of the nature of the Modification, are pre-approved. All other Modifications require prior written approval from the ACC.

### **1. No Approval Required**

The following Modifications are NOT subject to ACC approval:

- Interior Improvements – Modification to the interior unless the modification visually effects the outside of the improvement or requires structural modifications such as moving outside walls, changing the roofline, changing or adding windows, changing or adding outside doors.
- Holiday Decorations -- Seasonal decorations are generally not subject to ACC approval but must not be installed prior to thirty one (31) days before the calendar date of the holiday and must be promptly removed within Fifteen (15) days after the calendar date of the holiday.

Landscaping - Landscaping (defined as living plants, trees, shrubs, flowers, etc., and utilization of non-living material necessary for growth, e.g., bark, mulch, etc.) and irrigation systems are generally not subject to ACC review and approval except in circumstances where the landscaping is intended to accomplish a structural objective, such as a hedge or a visual barrier.

NOTE: Texas law requires that an owner ensure that the placement of any improvement or landscaping does not halt or materially impede drainage flowing off of a neighboring property and does not redirect the flow or significantly increase the amount of water flowing onto a neighboring property. Enforcement of this requirement is by the affected property owner(s).

## **2. Pre-Approved**

Certain Modifications have been pre-approved and require no action by the Owner other than compliance with the Restrictions and Guidelines. Pre-approved Modifications must be completed within 30 days. The following Modifications are pre-approved:

- **Replacement of roof shingles of the same type and color.**
- **Repainting the exterior of the improvement and/or trim the same color.**
- **Replacement of damaged brick, siding, or trim material with the same, or like, material of the same color and/or texture.**
- **New gutters or replacement gutters if painted the same color as the surface to which they are attached.**
- **Replacement exterior doors, windows, garage doors if of the same color (or a natural stained or varnished wood color such as walnut, mahogany, etc.) and type as the original.**
- **Screens or storm sash if the frames match the window/door frame color.**
- **Satellite dishes less than 18" in diameter.**
- **Replacement of an existing air conditioning unit or its component parts so long as the replacement is at the location of the pre-existing unit. Wall/Window and portable units are not permitted as a permanent air conditioning unit.**
- **Repair or painting of fences with the same material, height, location and/or color.**

## **3. Required Written Approval**

All other Modifications require a prior written ACC approval. If the approved modifications are not completed within the time prescribed, the approval is no longer valid, and the Application must be resubmitted unless a written extension is granted by the ACC.

ACC approval is required **PRIOR TO** the start of the Modification except for those Modifications that are pre-approved hereunder. **If a Modification is made without ACC approval, the Association has a legal right to enforce its removal or require modifications at the Owner's expense.**

After the completion of the Modification the ACC has the authority to inspect the completed project to ensure compliance of the Application and Guidelines has been followed. Inspection hours are from (9 AM to 5 PM seven days a week).

Upon approval from the ACC of a Modification, a sign will be issued to the Owner making the Application. The sign will be posted upon the Owner's lot in the Community and visible to the street until the Modification is complete. Prompt return of the sign to the ACC is required. If the sign is not returned within 10 days from the completion of the Modification, a fee will be assessed to the Owner's account in the amount of \$50.00.

## **Section II - Modification Guidelines**

Variances to these Guidelines will not be granted by the ACC.

### **A. Requirements For All Modifications**

**Access** -- If construction work requires access through an adjacent property (e.g. an open space reserve, drainage easement, or vacant lot), written permission from the adjacent Owner and a pre-construction photos/plot plan with all dimensions of the proposed access route must be included with the Application submitted to the ACC.

**Applicant's Lot** -- All improvements must be located entirely on the Owner's lot.

**Architectural Compatibility** -- All Modifications must be architecturally compatible. Architectural compatibility is an agreeable relationship in, and, in some instances, actual continuity of architectural style, mass, proportion, scale, materials, color and design detail with existing and planned improvements on adjacent properties and in the Community.

- Colors and materials used to accomplish the Modification must be in context with the existing environment.
- Colors that harmonize with the natural landscape are strongly encouraged. Muted earth tones are considered to be most appropriate. (See subsection entitled "Painting, Exterior" in Section II.B. for more information).
- Construction materials must be compatible with the original architectural character of the existing dwelling and Community. When enlarging, extending or remodeling an existing improvement, the materials must be compatible with those of the existing improvements. Materials must harmonize with the natural landscape.

**Drainage** -- Texas law requires that the Owner ensure that the placement of any Modifications or landscaping does not halt or materially impede drainage flowing off of a neighboring tract and does not redirect the flow or significantly increase the amount of water flowing onto a neighboring tract. Enforcement of this requirement is by the affected property Owner(s).

**Easements** -- Modifications are not permitted within areas encumbered by easements, except fences, limited landscaping, swimming pool piping, air conditioning equipment, light poles, basketball goal posts, flag poles, and driveways and sidewalks where they must cross



front or side yard easements to access the street. Other limited exceptions are set out in the applicable Guidelines. Any improvement constructed within an easement without the consent of the easement holder may be subject to removal by the easement holder. **ACC approval is not approval by the easement holder. Written consent from the appropriate owner of the easement must accompany any Application submitted to the ACC.**

**Community Character** -- Modifications must be consistent with and not adversely impact the Community's existing character.

**Community Criteria** -- All Modifications must comply with the Restrictions applicable to that Section. In case of a conflict between the Restrictions and the provisions of these Guidelines, the Restrictions prevail.

**Impact on Neighbors** -- All structures must be located so as to minimize the impact on neighboring properties. It is the Owner's responsibility to ensure that their contractors conduct themselves in an orderly manner so as not to be a nuisance to other Owners. Examples of nuisances are: speeding, reckless driving, loud music, profane language, littering, excessive dirt within the streets, etc.. Work that creates excessive or loud noises should not begin before sunrise and should end at sunset.

**Construction Materials/Parking** - No construction materials will be placed in the street. Construction workers parking will be on the construction site as the site will permit. Cul-de-Sac and parks parking is **NOT** permitted.

All construction trash and debris should be picked up at least once a week and should be contained in appropriate receptacles or should be contained within construction fencing so as not to blow onto surrounding properties. Food and beverage packages must be contained in containers with locked lids.

**Any washing of concrete trucks is not allowed on any construction site.**

Use -- Modifications are approved for the stated use only.

## **B. Guidelines For Specific Modifications**

### **Decks, Patios & Covers**

A registered plat with the home foot print, set back and easement with all measurements must be submitted with the Application. Decks/patios may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment.

Decks/patios should be situated on a lot such that they pose no problem to the effective drainage of the lot or a neighboring lot.

Deck/patio permanent covers shall be constructed of materials which complement the main structure and, if attached to the house, such covers must be integrated into the existing roofline (flush with eaves). If the cover is to be shingled, the shingles used must match the shingles used on the residence. Deck/patio covers and posts should be trimmed out to match the residence. Supports must be brick, painted wood, or metal columns. **Pipe is not allowed.**

**Acceptable patio construction materials** include treated wood or naturally rot and insect resistant woods (such as cedar and redwood) and brick. Topography/Drainage report showing drainage at the completion of the project, all utilities, registered plat with house footprint, all set backs and easements, will be included with the Application by licensed contractor.

#### **Driveways/Sidewalks**

Under no circumstances will a driveway extension be granted for the sole purpose of providing additional automobile parking and painted driveways are not permitted.

Owners shall maintain at their expense the driveway from the garage to the street, including the portion in the street easement. Repairs must be made by the Owner in a timely manner. An Application must be submitted for any driveway removal, addition, lifting or modification. A registered plat with the home foot print, set back and easement with all measurements must be submitted with the Application. Driveways, entry walks and sidewalks may be constructed of concrete or other materials approved by the ACC. In order for masonry material to be approved, it must be compatible with the home and other driveways, entry walks and sidewalks on the lot.

Concrete repairs must blend with the existing concrete and work must be done in a good and workmanlike manner.

No excessive concrete will be allowed on lots.

Circular driveways may be approved if a 16' minimum turning radius can be achieved.

Asphalt driveways and sidewalks are prohibited unless they are to replace an existing asphalt driveway.

Any concrete spilled, poured or washed on a street must be immediately removed leaving the street clean and unstained. The Owner will be held responsible for cleanup.

#### **Fences, Fence Extensions, Gates, Driveway Gates & Walls**

All fences, fence extensions and walls must comply with the "Building Line" requirements set forth in the Restrictions.

Any fence, or wall intended for the purposes of privacy and/or security, should be no greater than six foot (6'1/2") in height and include a 1" x 6" inch rot board at the bottom of the fence. . The maximum height of decorative columns, posts and (gates at the peak) is seven feet (7'). Fence post/pickets/planks must be vertical to the ground.

Number of gates allowed is two (2). All fence pickets/planks will be vertical to the ground.

Driveway gate materials may be black wrought iron (vertical to the ground) self-locking and will be done in good taste with no ornamental additions. Wooden driveway gate will match the wooden fence, smooth pickets/planks facing out, (vertical to the ground) self-locking and will be done in good taste with no ornamental additions.

No fence can be placed in front of the front building line or in front of the front exterior wall of the residential structure on such lot.

A fence intended to serve an aesthetic purpose may be located outside the limits defined by the prescribed building lines, with written approval of the ACC, provided that it does not exceed three (3) feet in height, is of an open construction (split rail or wrought iron), and is located within the front and side property lines.

If wood fences are constructed so that reinforcing is visible on one side only, the side with visible reinforcing shall face the interior of the Owners lot.

Vinyl, wood, and wrought iron fencing may be considered. Vinyl and wood fencing materials must consist of posts and individual planks with ingrain to resemble wooden material.

Painting approved colors for fences is: wood natural, wrought iron black and vinyl white.

The following fence materials are Prohibited:

- Fence extensions are prohibited
- Chain link, wire, wire mesh or hog wire fencing prohibited
- Sheet or expanded metal and stamped metal posts prohibited
- Plastic or fiberglass sheets prohibited
- Rope, bamboo, reed, or wire-bound pickets prohibited
- Cinder block prohibited

#### Garages & Carports

A registered plat with the home foot print, set back and casement with all measurements will be submitted with the Application. All garages and carports must comply with the "Building Line" and "Facing of Garages" requirements set forth in the Restrictions.

New garages or carports require ACC approval. Only one garage or one carport is allowed per residence.

Garage and carport conversions are considered a room addition, and ACC approval is required. Conversions must meet the requirements relating to "Room Additions" set forth herein.

Existing garage space may not be converted to a room(s) unless it is replaced with another two (2) car garage or carport with at least 150 square feet of enclosed storage area along one side of the carport.

Vehicles must be parked in the garage, driveway or on the street. Parking in/on the front yard is prohibited.

Living area created by conversion of garage or carport space will be permitted only when the new living area is within the dwelling setback lines and prior written approval by ACC.

Steel, fiberglass, aluminum carports are not allowed.

#### Garage Doors

Garage doors must be maintained in good working order and appearance, (color to compliment the main structure). Garage doors may be constructed of either metal or wood.

### Gutters & Downspouts

New or replacement gutters and downspouts which match the color of the surface they are attached to are pre-approved. All gutters and downspouts must be installed so water runoff does not adversely affect adjacent properties. For safety reasons, water runoff should never be directed directly onto sidewalks.

### New Construction / Remodeling or Structural Change

All new **construction, remodeling and structural change** must comply with the "Building Line" requirements set forth in the Restrictions. A complete set of construction drawings must be submitted.

All new **construction, remodeling and structural change** must receive ACC approval in writing. Please refer to Section III, Approval Process for the requirements in submitting an Application for new home construction as well as this subsection B on site work/lot clearing. New home construction must meet all of the Restrictions and Guidelines. The slab of all new residents must be a minimum of 12" above the crown of the street. A complete set of construction drawings must be submitted.

Fill dirt and sand used in the construction must be contained within the perimeter of the forms.

No dirt, sand or other construction debris piles in the street.

Dirt clumps deposited in streets from vehicles leaving muddy job sites must be removed when the work is completed and must not remain for longer than 24 hours.

Each site must have some sort of trash containment. Dumpsters are preferred, but a fenced area is acceptable. Trash containment must be left until the site is ready for grading and landscaping.

Building material or debris blown onto nearby properties must be promptly removed by the contractor. No construction workers may park in a cul-de-sac.

### Outbuildings

An "outbuilding" is defined as any structure that is not attached to the main building. This definition does not include bonafide additions to the main residence or garages but does include storage sheds, gazebos, and playhouse/forts.

All outbuildings shall be placed in the backyard of a residence.

The colors of the outbuilding should match or blend with the predominant exterior colors of the main residence.

Materials used to construct the outbuilding shall match those of the main residence in both size and color. The ACC will consider wood or vinyl storage buildings providing the color blends with the main residence.

Storage sheds shall have a maximum floor space of ten by twelve (10 x 12) feet, and the roof of the outbuilding shall be no higher than ten (10) feet from the ground to the highest point. The structure must be placed a minimum of five (5) feet from any property line, and the location must allow for drainage to occur entirely on the Owner's lot.

Any storage building placed on a concrete slab may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment. If a storage building is on a utility easement, but is not on a slab and can be moved, the ACC will consider it a portable building.

A playhouse/fort cannot exceed ten (10') feet in height. If the playhouse/fort has a platform, then the platform can be no higher than six (6') feet off the ground. The playhouse/fort cannot be placed within five (5') feet of any property line and must be located at the rear of the property and not be visible from the street.

A freestanding gazebo must be placed in the back yard in compliance with the setbacks, easements and building line in the applicable Restructioins and as shown on the recorded plat for the applicable lot and at least six (6') feet away from the house. The gazebo, at the peak of the structure, cannot exceed twelve (12') feet in height and must be placed at least five (5) feet from any property line and otherwise adhere to the setbacks or easements. The location of the gazebo must allow for drainage to occur entirely on the Owner's lot. The roof of the gazebo must match the shingles of the main residence. The colors should match or blend with the predominant exterior colors of the main residence.

#### Painting, Exterior

Color changes to the exterior of an improvement must be approved by the ACC. The color of the brick used on the house and the color of neighboring houses are considerations.

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

Wood siding and trim should generally stay within the earth tone color family (i.e. black, brown, tan, beige or gray). The use of white is also permitted.

Extremely bold colors are prohibited. The variety and number of exterior colors on each house should be held to a maximum of three, excluding the brick or front door color.

Front doors may be stained a natural wood color or painted the same color as the house trim.

#### Room Additions

All room additions must comply with the "Building Line" requirements set forth in the Restrictions. A complete set of drawing and pictures of the existing home are required to be submitted with the Application.

The style and layout of the room addition must be compatible with the basic house structure and lot. Roof of the addition must integrate with the existing roofline. Additions must meet the side and backyard setbacks of the lot. All room additions must have prior ACC approval. Detailed plans must be submitted to the ACC as specified in Section III hereof. A registered plat showing the home foot print, set back and easement with all measurements must be submitted with the Application.

Building permits, as required by the county, must be submitted with the Application.

Exterior materials and colors must match the house.

Room additions may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment. Room additions must not encroach into any property setbacks.

Size and shape will depend on architectural style and layout of home, size of lot and how the room addition integrates with existing home. Plans for room additions must show room size in proportion to room dimensions of the residence. The roof of any addition must integrate with the existing roofline so as to appear to have been a part of the original house.

Room additions cannot exceed one-third (1/3) of the remaining back yard.

#### **Site Work/Lot Clearing**

Written approval from the ACC to perform site work or clearing a non-improved lot must be obtained PRIOR TO the commencement of the clearing of any building site. Once the site has been cleared it will remain clear and be maintained by the property Owner.

**No tree stumps or debris shall be left on the lot.**

Under no circumstances shall a Owner be allowed to divert drainage water from one property to another. Existing drainage shall be maintained.

Contractor and the Owner will be responsible for all damages that occur to drainage ditches and/or driveways during construction.

Any dirt used for site work must be promptly used for its intended purpose and may not be stored in piles for more than seven (7) days.

#### **Solar Panels/Screens/Film**

Solar Panels, Solar Screens and Solar Film, must receive written approval from the ACC. The ACC will only approve solar panels which are unobtrusive and which blend in with the roof shingle color. **(Refer to Texas Property Code Section 202.010)**

Solar screens are allowed on windows only if they blend with the window color.

Solar window film must be of a non-reflective type. Samples of window film must accompany each Application.

#### **Storm Windows & Storm Doors**

Storm windows and storm doors are pre-approved if the frames match the window frame color of the house. Other colors must be receive prior written approval by the ACC.

#### **Swimming Pools & Spas**

Must receive prior written approval from the ACC. Professional engineering drainage report, all utilities, registered plat with house footprint, all setbacks and easements, all property set back and no build zones, will be included with the Application by licensed contractor.

No pool or spa of any type may encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment. Decking encroachment also requires a consent agreement. Copies of the consents granted by the utility companies must be received by the ACC prior to approval.

The pool construction drawings must meet all building line and easement restrictions on the recorded plat. Including all setback and no build zones.

Pools will only be constructed in the backyard which is an area at the rear of the house, which is not the sides, or front of the house.

All swimming pools and spas shall be completely enclosed by a solid wood or wrought iron type fence enclosure, being not less than four (4') feet, nor more than six (6') feet in height and having pickets spaced not more than three (3") inches apart. All openings to any such enclosure shall be closed with a self-closing and self-locking gate of the same construction and material as the fence. Golf course lots pools will be enclosed with a wrought iron fence with self-locking gate.

Above ground pools are not permitted.

Above ground spas, jacuzzis or hot tubs are allowed provided they are screened from public view by landscaping or a privacy fence; otherwise, they must be part of a deck system in the back yard.

Pools are to be drained into the River Plantation MUD or East Plantation UD sewage drain system.

All new pools are required to be inspected for proper water connections and drains. Contact the River Plantation MUD or East Plantation UD to schedule the inspection. Written approval for drainage of the new pool is required from River Plantation MUD or East Plantation UD.

Ponds are not permitted as they can breed insects causing health hazard.

#### Home Maintenance

Each Owner is responsible for the exterior maintenance which includes, but not limited to:

- .Painting, repainting, staining, or restraining any exterior surfaces that are faded, chipped, peeling, or badly soiled.
- Homes must be kept free of mildew (mold, algae, etc.)
- Prompt repair of rotted, sagging, damaged, or broken siding, trim, columns, exterior doors, windows, garage doors, gutters, fences, shutters, screens, decks, or yard structures.
- Prompt repair of damaged or broken driveways, walkways or other pavement areas.
- Driveways and sidewalks must be kept clean, free of oil, clutter and debris.
- Mowing, edging, weeding of lawn/ditch areas to the street pavement edge.
- Drainage ditch in front of the owner's lot will be kept operational and flowing.
- Residents/lawn contractors are strongly discouraged from allowing yard waste to enter the storm sewer system.

- The cracks between cement sections of walkways and driveways shall be kept free of all vegetation.
- Lawn clippings must be removed by Owner/ lawn contractors and stored out of street view.
- Pruning and cutting of trees and shrubbery and stored out of street view.
- Maintenance of any drainage structure on the lot.
- Removal of all trash and debris
- Storage of all equipment, materials, supplies, appliances, etc. within the garage, an ACC approved storage building.
- House address numbers must be visible from the street.

#### **Trash and Refuse**

No trash or refuse will be placed in the park.

Trash and refuse (except bundled limbs and branches) must be placed in sturdy, water tight, enclosed containers or plastic bags of a size and weight not exceeding the limitations of the waste hauler. Food waste must be placed in a sturdy container with a secure cover so that animals cannot remove the contents. Trash cans should be stored in a secure place where they are not visible from the street.

Any resident who desires to place trash for collection must place the trash container near the street line in front of the residence no earlier than 6:00 p.m. the day prior to the designated pickup.

Emptied containers must be removed from the street, yard or driveway no later than 10:00 p.m. of the day that the trash or refuse has been collected.

Trash and refuse containers shall be stored in a manner such that they cannot be seen from the street or from adjacent and surrounding properties.

#### **Vehicles, Trailers and Boats**

Trailers, trailer houses, recreational vehicles, mobile homes and boats may be stored in a garage providing that such storage does not result in the displaced automobile(s) being parked outside the boundary of the lot or in a manner inconsistent with these Guidelines.

Trailers, trailer houses, recreational vehicles, mobile homes and boats may not be stored or habitually parked on any lot if they are visible at ground level from an adjacent street or property. Habitually parked means parked without movement for 48 hours or more. Periodic movement of the vehicle for the purpose of circumventing this requirement does not constitute compliance.

Streets, parks, cul-de-sacs, or road right of ways shall not be used as a storage area for cars, trucks, trailers, trailer houses, recreational vehicles, mobile homes or boats. Daily parking is limited no longer than 4 hours.



Tractor trailers, semi-trucks, commercial vehicles and rigs shall not be allowed in the Community except for necessary deliveries and, in no case, can they be parked overnight in the Community. Vehicles that are disabled, not currently licensed or registered, or are otherwise inoperable cannot be stored at a location visible at ground level from any street or adjacent property.

**Open storage (a period of more than 30 days) of any vehicle is prohibitive.**

No unsightly vehicle, as determined by the Board, may be parked, stored, or kept at any time on a lot unless such vehicle is stored out of street view.

No visible repair work, dismantling or assembling of motor vehicles or any other machinery or equipment shall be permitted on any lot, street or common area in the Community.

All vehicles parked on a lot must be parked on concrete or other approved hard surface material. Parking on lawns, ditches, open space areas, or other dirt, gravel or grassy areas is prohibited except if parked parallel to a street and within 12" of the edge of the street.

Vehicles may not be parked overnight in any park or cul-de-sac.

#### **River Plantation Parks**

Vehicles are not allowed to park overnight in the park. Vehicle are only permitted to park for a 4-hour period within a 24-hour period in the park. (ALL VIOLATORS ARE SUBJECT TO BEING TOWED)

Parallel parking in parks is permitted on the street and within 12" of the edge of the street.

No treehouses/structures of any kind will be built in the parks.

No debris will be deposited or dumped and left in the parks.

No basketball, goals, poles/posts, backboards or stands allowed.

#### **Cul-de-sac**

Vehicles are not allowed to park overnight in the cul-de-sac.

Vehicles are not permitted to park in the cul-de-sac.

No basketball goals, backboards or poles/posts permitted.

#### **Unightly Objects**

No unsightly objects, which might reasonably be considered to give annoyance to neighbors of ordinary sensibility, shall be placed or allowed to remain on the yard, residential structure, outbuilding, storage shed, yard structure, street or driveway. Unightly objects include, but are not limited to, the following:

- Wood, tree branches or lumber stored in open view.
- Empty plant containers that remain in public view for over 30 days.
- Old bicycles, tricycles (rusted), and toys that remain in public view over 30 days.
- Bricks, sawhorses, paint cans, building materials, etc., that remain in public view for over 30 days.
- Trash cans in public view.
- Bagged lawn clippings or leaves that are not discarded on regular trash days and are left in public view.
- Dirt or mulch piles which are not spread within 30 days.

### Pets

No livestock or poultry of any kind shall be raised, bred, kept or maintained on any said lot at any time except "Permitted Pets" which are dogs, cats, or other usual household pets provided they are not kept, bred, or maintained for commercial purposes or in unreasonable numbers.

Not more than three (3) total Permitted Pets are allowed unless authorized in writing by the Board and no Permitted Pets may be raised, bred, kept, or maintained for any type of commercial purposes.

The foregoing limitation on the number of Permitted Pets does not apply to hamsters, small birds, fish, or constantly caged animals which are continuously kept completely within a residence, nor shall it apply to require the removal of any litter born to a Permitted Pet prior to the time that the animals of such litter are three months old.

All Permitted Pets must be kept on a leash or otherwise maintained under the control of the Owner of the Permitted Pet or his or her agent when not in an enclosed yard from which the pet cannot escape.

The Owner of the Permitted Pet is responsible to remove all pet feces from the front/back/side yard in order to control any foul odor.

Excessive barking is deemed a nuisance. Owners must monitor/control their pet(s) barking.

### NUISANCE/ANNOYANCE

NO activity shall be carried on upon any lot or common area which might reasonably be considered as giving annoyance to neighbors of ordinary sensibility and which might be calculated to reduce the desirability of the property as a residential neighborhood, even if such activity is in the nature of a hobby and not carried on for profit. The Board shall have the sole and exclusive discretion to determine what constitutes an annoyance.

### Yard Appearance

Seasonal decorations may not be installed prior to thirty one (31) days before the calendar date of the holiday and must be removed within Fifteen (15) days after the calendar date of the holiday.

Skateboard ramps may not be permanently affixed to the ground and must be stored where they are not visible from streets or adjacent property when not in use.

No live trees will be removed without Application to ACC and prior written approval by the ACC. However, Dead trees must be removed within **Two (2) weeks by the Owner of the lot.**

Tree Houses are not permitted.

Playhouses and Forts must not be visible from the street or common areas.

Mail Box structures should be US Postal approved. Stacked concrete blocks (one on top of each other with the mail box sitting on top of the blocks is not approved.)

#### Yard Decorations and Structures

Trellises, garden benches, windmills, wind vanes, wishing wells, birdhouses, and (barbecue grills back yard only) are considered yard structures. Although not subject to ACC approval, yard structures must be in good taste, limited to three (3) items, and compatible with and appropriate in scale, color, and mass to the architectural character of the dwelling and the Community. Flagpoles, birdbaths, and fountains require the prior written approval by the ACC.

Lawn furniture and benches must be properly maintained. Furniture should be made of ornamental iron, stone, wood, or combination of listed materials. No plastic furniture will be permitted in front yard or visible from the street.

Outdoor furniture in the front yard is limited to one item.

#### Landscaping

Yards must have sod or grass or approved ground cover in the areas where there are not flowerbeds or hedges.

Landscaping (defined as living plants, trees, shrubs, flowers, etc., and utilization of non-living material necessary for growth, e.g., bark, mulch, etc.) and irrigation systems are generally not subject to ACC review and approval except in circumstances where the landscaping is intended to accomplish a structural objective, such as a hedge or a visual barrier.

Plants must be put in the ground or decorative containers where visible from the street.

**Ponds** are not permitted as they can breed insects causing health hazard. **Fountains** are not allowed in the front or side yards.

NOTE: Texas law requires that an owner ensure that the placement of any improvement or landscaping does not halt or materially impede drainage flowing off of a neighboring property and does not redirect the flow or significantly increase the amount of water flowing onto a neighboring property. Enforcement of this requirement is by the affected property Owner(s).

### Exterior Lighting

Additional exterior lighting should not be of a lumen count angle, which will not adversely affect neighboring homes. Lights shall be mounted no higher than ten (10) feet from the ground. No light fixtures should be placed in a direction that become a nuisance to any neighbor.

### Solar Panels, Roof Shingles, Flags, Flagpoles, Religious Items and Rain Barrels

For additional provisions regarding solar panels, roof shingles, flags, flagpoles, religious items and rain barrels, see the Association's Regulation of Solar Panels, Roof Shingles, Flags, Flagpoles, Religious Items, and Rain Barrels dated December 21, 2011, and recorded in the Official Public Records of Montgomery County, Texas under Clerk's File Number 2011113004.

### Standby Electric Generators

- a. Standby Electric Generators (herein "Standby Electric Generators") shall mean a device that converts mechanical energy to electrical energy and is:
- (i) Powered by natural gas, liquefied petroleum gas, diesel fuel, biodiesel fuel or hydrogen;
  - (ii) Fully enclosed in an integral manufacturer-supplied sound attenuating enclosure;
  - (iii) Connected to the main electrical panel of a residence by a manual or automatic transfer switch and
  - (iv) Rated for a generating capacity of not less than seven kilowatts.
- b. Standby Electric Generators must meet the following guidelines:
- (i) Standby Electric Generators must be installed and maintained in compliance with the manufacturer's specification and applicable governmental health, safety, electrical, and building codes, laws, and regulations.
  - (ii) All electrical, plumbing and fuel line connections must be installed only by licensed contractors
  - (iii) All electrical connections must be installed in accordance with applicable government health, safety, electrical, and building codes, laws, and regulations.
  - (iv) All natural gas, diesel fuel, biodiesel fuel, or hydrogen fuel line connections must be installed in accordance with applicable governmental health, safety, electrical, and building codes laws, and regulations.
  - (v) All liquefied petroleum gas fuel line connections must be installed in accordance with rules and standards promulgated and adopted by the Railroad Commission of Texas and other applicable governmental health,

- safety, electrical and building codes, laws and regulations
- (vi) Nonintegral Standby Electric Generator fuel tanks must be installed and maintained to copy with the applicable municipal zoning ordinances and governmental health, safety, electrical, and building codes, laws, and regulations
  - (vii) Standby Electric Generators and all electrical, plumbing and fuel lines shall be maintained in good condition by the Owner of the lot upon which it is located
  - (viii) Any deteriorated or unsafe component of a Standby Electric Generator, including electrical, plumbing or fuel lines, shall promptly be repaired, replaced or removed the Owner of the lot upon which it is located
  - (ix) The Standby Electric Generator and related electrical, plumbing and fuel lines must serve only improvements on the particular lot in which they are located.
  - (x) Periodic testing of a Standby Electric Generator consistent with the manufacturer's recommendation may only take place between the hours of 9:00 a. to 7:00 pm.
  - (xi) Standby Electric Generators must be screened. The size type and materials to be used must be submitted to the ACC for approval if the Standby Electric Generator is
    - 1. Visible from the street faced by the dwelling
    - 2. Located in an unfenced side or rear yard of a residence and is visible either from an adjoining residence or from adjoining property owned by the Association; or
    - 3. Located in a side or rear yard fenced by a wrought iron or residential aluminum fence and is visible through the fence either from an adjoining residence or from adjoining property owned by the Association
  - (xii) The use of a Standby Electric Generator to generate all or substantially all of the electrical power to a residence, except when utility-generated electrical power to the residence is not available or is intermittent due to causes other than non payment for utility service to the residence is prohibited.
  - (xiii) Standby Electric Generators and any related electrical, plumbing and fuel lines shall not be constructed or placed or permitted to remain on any property owned by the Association.
  - (xiv) In addition to the foregoing requirement, no Standby Electric Generator and related electrical, plumbing and fuel lines shall be erected, constructed, placed or permitted to remain on any lot unless such installation strictly complies with the following location requirements (however, each location requirements shall not apply if it increases the

cost of installation of the Standby Electric Generator by more than then (10%) percent or increases the cost of installing and connecting the electric and fuel lines for the Standby Electric Generator by more than twenty (20%) percent;

- A. To the extent feasible, the Standby Electric Generator and related electrical, plumbing and fuel lines shall be located in the backyard of the lot behind the main dwelling and at least ten feet (10') from all property lines.
- B. To the extent feasible, no Standby Electric Generator and related electrical, plumbing and fuel lines shall be constructed or place or permitted to remain on any utility easement or other easement or right of way located on any lot.

(xv) If any provision of this section is determined by a Court to be invalid, the remainder of the provisions in this section shall remain in full force and effect.

#### Drought-Resistant Landscaping and Water-Conserving Natural Turf

Drought resistant landscaping or water conserving natural turf shall not be used on any lot unless the following minimum conditions are met:

- a. An Owner must submit a detailed description or a plan for the installation of drought resistant landscaping or water conserving natural turf for review and approval by the ACC to ensure to the extent practicable, maximum aesthetic compatibility with other landscaping in the Community, Artificial turf and landscaping are not permitted.
- b. The Association reserves the right to adopt further guidelines pertaining to landscape design permitting or excluding certain drought resistant landscaping or water conserving natural turf based on the aesthetic compatibility with other landscaping in the Community, and any use of drought resistant landscaping or water conserving natural turf to the extent practicable shall be in compliance therewith.

#### Use of Adjacent Lots

- a. Section 209.015 (a)(1) of the Texas Property Code defines "adjacent lot" (therein called "Adjacent Lot") to mean (i) a lot that is contiguous to another lot that fronts on the same street (ii) with respect to a corner lot a lot that is contiguous to the corner lot by either a side property line or back property line or (iii) if permitted by the dedicatory instruments of the property owner's association, any lot that is contiguous to another lot at the back property line. Section 209.015 (a)(2) of the Texas Property Code provides "residential purpose" (herein called "Residential Purpose" or "Residential Purposes") with respect to the use of a lot: (i) means the location on the lot of any building, structure or other improvement customarily appurtenant to a residence as opposed to use for a business or commercial purpose; and (ii) includes the location on the lot of a garage, sidewalk, driveway, parking area, children's swing or playscape, fence, septic system, swimming pool, utility line, or water well and if

otherwise specifically permitted by the dedicatory instruments of the property owner's association, the parking or storage of a recreational vehicle. Use of an Adjacent Lot must meet the following guidelines:

- The Owner must obtain the approval of the ACC based on criteria prescribed by the dedicatory instruments of the Association specific to the use of a lot for Residential Purposes, including reasonable restrictions regarding size, location, shielding and aesthetics of the Residential Purposes before the Owner begins the construction, placement or rection of a building, structure or other improvement for the Residential Purpose on an Adjacent Lot.
- The Owner who elects to use an Adjacent Lot for Residential Pusposes shall, on the sale or transfer of the lot containing the residence;
  - a. Include the Adjacent Lot in the sales agreement and transfer the Adjacent Lot to the new Owner under the same dedicatory conditions;  
or
  - b. Restore the Adjacent Lot to the original condition before the addition of the improvements allowed under these Adjacent Lot Use Guidelines to the extent that Adjacent Lot would again be suitable for the construction of a separate residence as originally platted and provided for in the conveyance to the Owner.
- The Owner may sell the Adjacent Lot separately only for the purpose of the construction of a new residence that complies with existing requirement in the Association's dedicatory instruments unless the Adjacent Lot has been restored as described by Subsection (if)(b) above.

### **Signage**

Only the types of signs listed below are allowed and only after written approval by the ACC. If you wish to place a sign that is not included in the below listing, please apply to the ACC. Only signs approved in writing by the ACC are permitted.

Signs may only be placed as indicated. Signs may not be attached to street signs, stop signs, the bridge, railroad property or trees.

Signs not following these Guidelines may be removed by the Association without notice.

Habitual offenders, as determined by the Board, in its sole discretion, will be charged a service fee of \$25.00 for every occurrence that requires sign removal.

**TYPES OF PERMITTED SIGNAGE AND THEIR SPECIFIC REQUIREMENTS**

TYPE OF SIGN	SIGN SIZE	# OF SIGNS	PLACEMENT	PERIOD OF DISPLAY
FOR SALE FOR LEASE FOR RENT	2' X 4'6"	1 PER PROPERTY, EXCEPT GOLF COURSE 1 FRONT & REAR, CORNER LOTS-1 ON EACH STREET	MINIMUM OF TWENTY FEET FROM STREET	REMOVED DAY OF CLOSING
OPEN HOUSE	2' X 3'	1 PER PROPERTY PLUS 1 PER INTERSECTION UP TO 4 INTERSECTIONS	NO CLOSER TO STREET THAN STOP SIGN OR STREET SIGN	AFTER 12 NOON DAY BEFORE & REMOVED BY 8:00 PM OF LAST DAY- MAX OF 3 DAYS
POLITICAL	2' X 3'	ONE PER CANDIDATE/MEAS- URE	MINIMUM OF TWENTY FEET FROM STREET	90 DAYS PRIOR TO ELECTION AND REMOVED WITHIN 10 DAYS AFTER ELECTION OR RUNOFF IS FINAL
PATRIOTIC SCHOOL ORGANIZATIONS CHURCH ALARM/SECURITY	2' X 3'	ONE	WITHIN TEN FEET OF HOME	NO TIME LIMIT
LOST & FOUND	1' X 1'	MAXIMUM OF THREE THROUGHOUT COMMUNITY	ON STAKES AT INTERSECTIONS. NO CLOSER TO ROAD THAN STOP SIGNS OR STREET SIGNS	MAXIMUM OF SEVEN DAYS (DATE PLACED MUST BE ON SIGN)



## **Section III – Approval Process**

### **A. Application Procedure**

Applications shall be obtained from the Association or its assigned agent. A completed Application shall include: Two complete sets of drawings and specifications, if applicable, and the completed Application package. The applicant must be the Owner and shall provide a valid, current address and phone number. Incomplete Applications shall be rejected and returned. Applications shall be electronically submitted to the Association or its assigned agent. All Applications must be in writing. The ACC will not respond to fax or verbal requests. It is the applicant's responsibility to ensure that the Association or its assigned agent has received the Application. Do not assume it was received. New construction homes will pay a deposit to the Agent of the ACC.

### **B. Approval/Disapproval/Processing Period**

The ACC or assigned agent will respond in writing to all completed Applications. Upon approval, the applicant will receive written approval to start their project. New construction will receive written approval and a set of drawings will be marked "Approved" and returned.

**Please note that the ACC has twenty (20) or thirty (30) calendar days(as set forth in the applicable Restrictions) from the date of receipt of a complete Application and all required documents within which to respond. If additional information is required by the ACC, the twenty (20) or thirty (30) day processing period, as the case may be, will commence upon receipt of additional information. Scheduling for the implementation of the proposed improvement(s) should allow for the time required for completion of the approval process.**

In the event the ACC fails to indicate its approval or disapproval within the twenty (20) or thirty (30) days, as the case may be, after receipt of the completed Application and all required documents, the approval process and the related covenants set out in the Restrictions shall be deemed to have been fully satisfied, provided that the proposed improvements are in general harmony with the scheme of the development as set forth in the Restrictions and these Guidelines and do not violate any of the provisions in the applicable Restrictions. However, failure to respond on the part of the ACC does not imply permission to encroach on an easement or building line or violate a provision of the Restrictions or the Guidelines promulgated.

If an Application is not approved, the ACC will respond in writing as to why such approval was denied. If an applicant wishes to discuss the decision made by the ACC, the applicant must contact the Association or its assigned agent to make arrangements for a meeting. The Board shall

have the final authority over all actions taken by the ACC. If an Application is disapproved by the ACC, the applicant may correct the deficiencies noted by the ACC and resubmit the corrected Application and all required documents subject to the standard approval process. A new or thirty day (30) approval period as the case may be, begins upon receipt by the ACC or its agent of the updated Application and all required documents.

No ACC member can approve his/her own improvements.

**Please note that written ACC approval is required PRIOR TO the installation or construction of any improvement or modification to an existing improvement. If an improvement is made without ACC approval, the Association has legal right to enforce its removal or modification at the Owner's expense.** If any changes are made to an approved Application, the Application and any additional required documents must be resubmitted meeting all of the original Application procedure and requirements herein.

If construction has not begun within six (6) months from the date of approval, the approval is no longer viable and the Application must be resubmitted. ACC approval is non-transferable.

All construction shall be completed within six (6) months of construction start date.

### Vacant Lots

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

Should a vacant lot be cleared, that lot will be maintained from that time forward by the Owner of the lot.

### Inspection

All new construction / improvements are subject to inspection, at any time, by the Association, the ACC or their agent. Inspections 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 Board, the Association, the property managers nor any of their respective members, officers, directors, shareholders, employees or agents shall be liable because of the approval or non approval of any improvements. If for any reason an improvement is deemed not to be in compliance with the approved plans, the Owner will be notified. The Owner/contractor will be required to cease construction until the item(s) in non-compliance are corrected to the satisfaction of the ACC. Failure to cease construction may result in additional fees being assessed.

### Complaints

Owners are encouraged to help maintain the beauty of the Community. To this end, all Owners have an obligation to conform to the Restrictions and Guidelines and to ensure non-complying improvements get corrected. If you should have a complaint regarding a violation, please notify the Association or its assigned agent. All complaints will be handled in a professional manner and shall remain confidential.

### River Plantation Gazebo/ Park Pavilion

All Applications to use the facilities must be handled through the Association or its agent. Fees/Deposits are applicable with the Application.

No group events/gathering are approved without an Application approved in writing by the Association or its agent.

These facilities are for the use of Community residents only.

FEES -- refer to the Community website.

### Wind Turbines

Wind turbines should be mounted in the rear portion of the roof so that they are not visible from the front or above the roofline.

Wind turbines, preferably should either be a color, which will blend with the shingle color or be painted to match the shingle color.

Wind turbines must be maintained and appear to be in good working condition.

#### **Window Shades, Awnings, & Coverings**

Canvas awnings are not permitted.

Only blinds, plantation shutters, curtains or drapes are permitted. Non – traditional window coverings (including foil, paper, or bed sheets) are not allowed.

#### **Basketball Goals**

Permanent basketball goals, backboards, net, and poles/post must receive prior written ACC approval.

**Temporary** basketball structures are permitted, if neatly placed in the driveway or on the grass near the driveway. Goals cannot be placed in the street. Goals should not be placed at the edge of the lot or drive where basketball play in the street is encouraged.

Goals must be kept in excellent condition at all times with the net in place and the fixture must not be rusted, unsightly or in poor condition.

Basketball goals may not be attached to the house or garage.

Only one basketball goal per lot is permitted.

#### **Flag Poles – Texas Property Code 202.012**

Owners shall first apply to and receive written approval from the ACC prior to installation of any free standing in ground flag pole.

Only one of each flag may be displayed at any one time.

No flag can be flown from a tree.

The flag display and flag pole shall conform to all setbacks, easements, and zoning ordinances.

Free standing flag poles, are limited to one per lot, in a location approved by the ACC in writing, and shall not exceed twenty (20') feet in height (including any ornamental cap) and nine (9") inches in diameter.

Free standing flag poles shall be permanently installed in the ground according to the manufacturer's instructions.

Permitted flags are limited to size to three (3') feet tall by five (5') feet wide.

Additionally, one flag pole attached to the house may fly a flag limited in size to three (3') feet tall by five (5') feet wide.

#### **House Fires, House Flood, and House Abandonment**

Owners are responsible to keep the public safe and protect their property.

Owners are responsible to maintain property regarding yard mowing and debris.

Owners are responsible to remain current with Association dues and fees.

Owners are responsible to communicate with the Board **monthly** regarding the property and structure status plans.

The Owner will have a maximum of three hundred sixty five (365) days to declare plans for the property and structure. The Owner will inform the ACC of their plans.

If the guidelines for House Fires, House Floods, and House Abandon herein are not adhered to by the Owner the Board will take action to ensure the Community health, safety and welfare is maintained.

**Central Air Conditioner Units and Window/In Wall Air Conditioners**

No window or in wall units which are visible from the exterior of the lot are permitted in the Community.

Central air conditioner units must not be visible from the street. Units must be concealed by mature shrubs or approved screen

**Satellite Dishes, Antennas, and Weather Station**

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 upon any portion of the lot which is visible from any street or common area unless it is impossible to receive signals from said location. In that event the receiving device may be placed in a visible location as approved by the ACC. The ACC may require as much screening as possible while not substantially interfering with reception.

No satellite dishes shall be permitted which are larger than one (1) meter (3.28 feet) in diameter.

No broadcast antenna mast may exceed the height of the center ridge of the roofline.

No exterior antennas, aerials, satellite dishes, or other apparatus shall be permitted which transmit television, radio, satellite or other signals of any kind shall be placed upon any portion of the Property. The ACC is not attempting to violate the Telecommunications Act of 1996 ("the 1996 Act"), as may be amended from time to time. This paragraph shall be interpreted to be as restrictive as possible while not violating the 1996 Act.

**E-FILED FOR RECORD**

06/22/2021 03:14PM



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.

**06/22/2021**



County Clerk  
Montgomery County, Texas