

**ARCHITECTURAL GUIDELINES
FOR
PROPERTY OWNERS ASSOCIATION OF LEGENDS RANCH**

WHEREAS, Land Tejas Development Legends Ranch, Ltd., a Texas Limited Partnership has heretofore appointed Al P. Brende, B.J. Weidenfeld, and Linda Houston to the Architectural Control Committee ("Committee") for the subdivisions under the jurisdiction of the Property Owners Association of Legends Ranch ("Association"), which (i) subdivisions are hereinafter collectively referred to as the Subdivision, and (ii) are encumbered by those certain restrictive covenants commonly referred to as the Declaration and Supplemental Declarations and all recorded amendments and supplements thereto ("Declaration").

WHEREAS, the property under the jurisdiction of the Association, i.e., the Subdivision and the Declaration are reflected in the Notices of Dedicatory Instrument and amendments and supplements ("Notices") thereto filed of record in the Official Public Records of Real Property of Montgomery County, Texas. As the date of these Architectural Guidelines, the Notices are respectively filed of record under County Clerk's File Nos. 2003-068209, 2006-124689 and 2008-017077.

WHEREAS, the Declaration provides that no buildings, landscaping, improvements or fences of any character shall be erected, placed or the construction thereof begun, or changes made in the design, color, materials or additions, remodeling, renovation or redecoration of any portion of the exterior of any improvement on a Lot before or after original construction, until the construction plans, detailed specifications and surveys or original plot plans showing the location of the structure or improvement have been submitted to and approved in writing by the Committee or its duly authorized representative;

WHEREAS, Article II of the Declaration provides the members of the Committee may adopt minimum acceptable construction standards; and

WHEREAS, the Board of Directors of the Association (the "Board of Directors" or "Board") and the Committee desire to establish standards and guidelines with respect to landscaping and the type, quality and color of exterior buildings, additions and improvements on Lots within the Subdivision after the initial construction of the residential dwelling on Lots to be followed by the Committee, so that a harmonious exterior design within the Subdivision is consistently maintained.

NOW, THEREFORE, the Board of Directors and the Committee hereby adopt the following standards and guidelines relating to landscaping, buildings and improvements on Lots within all existing and future sections of the Subdivision after the initial construction of the residential dwelling on Lots pursuant to the authority granted by the provisions of the Declaration ("Architectural Guidelines"):

I.

DEFINITIONS

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

II.

OVERVIEW

The purpose of architectural design review is to keep the Subdivision attractive for the enjoyment of residents and for the protection of property and property values. The Declaration authorizes the Committee to establish rules, standards and procedures for the orderly development of the Subdivision and requires Owners to obtain the prior written approval of the Committee for any buildings, additions, or other improvements to be constructed or modified on Lots. This is to ensure that the improvements comply with the provisions of the Declaration and Architectural Guidelines and are compatible with existing improvements. The Committee and Board have established these Architectural Guidelines in accordance with the authority granted to them by the provisions of the Declaration and the Texas Property Code.

These Architectural Guidelines have been established to assure uniform and fair application of the Declaration and are intended to provide all Lot Owners in the Subdivision with information about: the type, color, quality of materials which may be used in the construction of various kinds of improvements; the permissible size and locations of such improvements; and information about the procedures used by the Committee in reviewing applications for proposed improvements.

The Committee reserves the authority to review and approve applications for buildings, additions, and other improvements which are not expressly addressed in these Architectural Guidelines, and to consider additional guidelines in the review process, whether published or not. These Architectural Guidelines may be amended by the Committee, as it deems necessary and appropriate.

III.

Application Procedure

3.1 **Submission.** All applications for approval to make any exterior changes, additions or improvements, including changes to landscaping visible outside of a Lot after original construction of the residential dwelling on a Lot must be submitted to the Committee in writing by completing the application form in use by the Committee. Plans and specifications for any exterior change, addition or improvement must be attached to the application. The application must be supported by the following information, as appropriate:

- (i) One (1) copy of an accurately drawn and dimensioned site development plan indicating the location of any and all improvements, including, specifically, the residential dwelling on the Lot, the location of all driveways, walkways, decks, terraces, patios and accessory buildings and the

relationship of the same to any setback requirements applicable to the Lot or residential dwelling.

- (ii) One (1) copy of a foundation plan, floor plans and exterior elevation drawing of the front, back, and sides of any structure to be constructed on the Lot.
- (iii) One (1) copy of written specifications and samples indicating the nature, color, type, shape, height and location of all exterior materials to be used in the construction or alteration of the improvement on the Lot, including, without limitation, the type and color of all brick, stone, stucco, roofing and other materials to be utilized on the exterior of the improvement and the color of paint or stain to be used on all doors, shutters, trim work, eaves and cornices on the exterior of such improvement.
- (iv) One (1) copy of the lighting plan, including specifications, for any exterior lighting to be utilized with respect to such Lot.
- (v) One (1) copy of the landscaping and irrigation plans prior to the installation of any landscaping or irrigation.
- (vi) A written statement of the estimated date of commencement, if the proposed improvement is approved, and the estimated dated of completion.
- (vii) Such other plans, specifications or other information or documentation as may be required by these Architectural Guidelines.

The Committee reserves the right to request any additional information deemed by it to be necessary to properly evaluate the application. In the event that the Committee requests additional information, the application shall be deemed to be disapproved, whether so stated in the written communication, and a new thirty (30) day period (as addressed below) shall commence upon the receipt by the Committee of the additional information. All applications shall be mailed or delivered to the office of the managing agent of the Association.

3.2 Committee Decisions. Committee members shall consider each application for compliance with the provisions of the Declaration and with these Architectural Guidelines. The decision of a majority of members to approve or disapprove an application shall be considered the decision of the Committee.

Committee decisions shall be conveyed in writing by the managing agent of the Association to the applicant and shall include a statement of the conditions under which the application is approved, if any, or the primary reason(s) for disapproving the application.

In accordance with the Declaration, any application that is not approved or disapproved within thirty (30) days of the date of its actual receipt shall be deemed to have been automatically approved; provided, however, that no such deemed approval shall operate to permit an Owner to construct any improvement that violates the provisions of the Declaration or these Architectural Guidelines. All approved exterior changes, additions or improvements shall be commenced within one hundred twenty (120) days of the date of approval by the Committee, unless a later commencement date is approved by the Committee.

3.3 Board of Director Appeals. After the date the Board of Directors obtains the authority to appoint members of the Committee, the applicant may appeal an adverse decision of the Committee to the Board of Directors. The Board of Directors shall review the appeal at one of its next two (2) meetings following the date upon which the appeal is received and notify the applicant of the Board's decision. All decisions of the Board of Directors shall be final.

3.4 Status of Applications During Appeal. During the appeal period, the decision of the Committee on the original application shall remain in effect. The failure of the Board of Directors to respond to a request for reconsideration within thirty (30) days of the date of its receipt shall not result in deemed approval of the original application.

3.5 Deposits.

- (1.) Applications for the following improvements must be accompanied by a security deposit ("Deposit") as indicated. Failure to submit the Deposit will result in the application being denied.
 - a. Outbuildings, patio covers, arbors, gazebos and room additions to existing residential dwellings....\$250.
 - b. Swimming pools, hot tubs, spas, etc....\$1000.
- (2.) The Deposit must be made payable to the Association and will not be returned until after the improvement has been inspected by the Association.
- (3.) Owners must contact the managing agent for the Association upon completion of the improvement so the improvement and the adjacent property can be inspected.
- (4.) Any damage to the Common Area or other property will be deducted from the Deposit.
- (5.) After final inspection, the Deposit will be returned to the Owner, less any damage deductions in accordance with Section 3.5.4.

IV. General Guidelines

4.1 Factors. The Committee shall consider the following factors upon the review of each application for an exterior change, addition or improvement:

- (1.) The quality of construction and materials, colors, exterior design (elevations), size (dimensions), location and appearance, all of which must be harmonious with existing and other proposed improvements and the design concept of the Subdivision;
- (2.) The location of an improvement must comply with all applicable setbacks set forth in the Declaration. No improvement shall be located on a utility or drainage easement unless approved by the owner of the easement and the Committee.

Note: The Committee cannot grant permission to place an improvement on an easement; consent to encroach upon a utility or other easement must be obtained in writing from the owner of the easement.

- (3.) An improvement which is intended for other than single-family residential purposes, or which may be or become an annoyance or nuisance to surrounding residents, is not permitted.
- (4.) An improvement must be located so that its use will not infringe upon the rights of adjacent Owners or increase the risk of damage to adjacent property.

The Committee may also consider the provisions of the Declaration and applicable statutes, ordinances, and building codes. However, approval of an application shall not be construed as a warranty or representation by the Committee that the change, addition or improvement, as proposed or as built, complies with any or all applicable statutes, ordinances or building codes, or as a warranty or representation by the Committee of the fitness, design or adequacy of the proposed improvement.

V. Specific Guidelines

5.1 Fences.

5.1.1 General. Each Lot must have the fencing required by the Declaration, which fencing cannot be altered, removed or replaced without the approval of the Committee.

5.1.2 Privacy Wood Fence Construction. Six foot (6') high wood fences shall be installed between all Lots and enclosing the rear yard on all Lots, except where Association boulevard walls have been constructed or where alternative materials have been herein specified. Wood fences shall be constructed "good neighbor style" (alternating panels) using six inch (6") notched cedar pickets with a minimum of two (2) rails of two inch (2") by four inch (4") treated wood and four inch (4") by four inch (4") treated wood posts at a maximum spacing of eight feet (8') on center. All wood fences shall be constructed using galvanized nails, four (4) per picket minimum. Wood fences that face any street shall have all pickets facing the street.

The tops of fences must be level. If the topography of the Lot varies, the bottom of a fence should "step" up or down (stagger) as required so that the top of the fence is always level with the horizon.

5.1.3 Gates. All gates shall be constructed with material that is compatible with the appurtenant fence. The hinges and latches used on a gate must be consistent with the style and quality of hinges and latches used throughout the Subdivision.

- 5.1.4 Color. No portion of a wood fence on a Lot which is visible from a street shall be painted or stained without the prior written approval of the Committee.
- 5.1.5 Chain Link and Wire Fences. Chain link and wire fences are prohibited.
- 5.1.6 Setbacks. With respect to a fence which faces the street in front of the Lot, the fence must be set back at least ten feet (10') from the front building line or the Lot. With respect to the street side of a corner Lot, a fence must be no closer to the street than the side building setback line on the Lot.
- 5.1.7 Maintenance of Fences. Pickets or rails that are broken, warped, bent, sagging, or which have otherwise deteriorated must be promptly repaired or replaced. All fences which are painted or stained (with the approval of the Committee) shall be properly maintained to prevent cracking, chipping, fading or mildewing.
- 5.1.8 Height of Fences. No fence on a Lot shall exceed six feet (6') in height, except for fences installed by the Developer, which are to be maintained by the Association.
- 5.1.9 Attachments. No structure or materials may be attached to a fence unless otherwise approved in writing by the Committee.

5.2 Swimming Pools and Spas

An application for the construction of a swimming pool, spa or jacuzzi must include a plot plan showing the proposed location of the swimming pool, spa or jacuzzi in relation to the property lines, building lines, easements, existing structures and existing or proposed fences. The application must also identify any trees which are to be removed or relocated. The application shall also include a timetable for the construction of the pool, spa or jacuzzi. No swimming pool, spa or jacuzzi shall be approved unless the area in which the pool is to be located is either enclosed by a fence constructed of wood or of wrought iron as provided in the Declaration or these Architectural Guidelines or such a fence is proposed to be constructed in conjunction with the swimming pool. Spas and jacuzzis must also have an adequate drainage system according to the requirements of any governmental agency having jurisdiction or, in the event there is no governmental agency having jurisdiction, as deemed appropriate of the Committee. Under no circumstances shall water from a swimming pool, spa or jacuzzi be permitted to drain onto the surface of the Lot on which the swimming pool, spa or jacuzzi is situated, or onto any adjacent Lot. During construction, the pool area shall be enclosed with a temporary fence or barrier, unless a fence already exists. If a portion of an existing fence is removed during construction, a temporary fence or barrier must be erected to fully enclose the area in which construction is taking place. Further, no building materials shall be kept or stored in the street overnight. Excavated material shall either be used on site or removed from the Lot by the pool contractor. The construction of all swimming pools must be in compliance with the National Electrical Code and include the installation of a ground fault circuit interrupter. No swimming pool shall be enclosed with a screen. No swimming pool, spa or jacuzzi shall be approved for construction on utility or drainage easements or in a manner that causes water to flow on an adjacent Lot. No above-ground swimming pool is permitted on a Lot, except for temporary seasonal pools customarily used for children, which must be removed after each use.

5.3 Outbuildings.

5.3.1 General Rules. Any type of building or structure which exists on a Lot but is not attached to the residential dwelling on the Lot, other than the residential dwelling itself or a detached garage, shall be deemed to be an outbuilding, including without limitation, a tool shed, a storage shed, a gazebo and a play structure. Unless otherwise approved by the Committee in writing, only two (2) outbuildings are permitted on a Lot. Except as otherwise provided in these Architectural Guidelines, an outbuilding shall not exceed one hundred (100) square feet and eight feet (8') in height from the highest point of the structure. The standard, type, quality and color of the materials used in the construction of an outbuilding shall be harmonious with the standard, type, quality and color of the materials used in the construction of the residential dwelling on the Lot. No exterior portion of an outbuilding shall be metal. The roof of an outbuilding shall conform to the provisions relating to roofing materials set forth in the Declaration and these Architectural Guidelines and shall be compatible with the color and type of materials used in the construction of the residential dwelling. An outbuilding must be located in the rear yard of the Lot. Decks of pool ancillary structures are limited to twenty-four inches (24"). Additionally, playground and equipment of any type or amenity structures of any type are permitted only when the specific Lot involved is completely enclosed by fences. An outbuilding shall be no nearer to a side Lot line than five feet (5') or ten feet (10') from the rear Lot line. Outbuildings are not permitted on Lake Lots.

5.3.2 Gazebos. For the purposes hereof, a gazebo shall be defined as a free standing, open framed structure with lattice-type walls. Gazebos are typically circular or octagonal shaped structures. There are two (2) permissible types of gazebos:

- a. Conical shaped (peaked) roofed gazebos. These gazebos cannot exceed twelve feet (12') in height (height measured from the ground to the highest point of the gazebo) and the horizontal supports cannot exceed eight feet (8') from the deck level. Decks shall not exceed two feet (2') in height measured from the ground.
- b. Flat lattice (arbor type) roofed gazebos. These gazebos cannot exceed ten feet (10') in height measured from the ground and the horizontal supports cannot exceed eight feet (8') in height from the deck level.

For both types of gazebos, the footprint area is limited to one hundred (100) square feet (typically 10' by 10'). All gazebos must have a permanent roof with materials conforming to the provisions of the Declaration and these Architectural Guidelines. The materials used in construction of the gazebo shall be harmonious with the standard, type, quality and color used in the construction of the residential dwelling of the Lot. Louvered or trellis style gazebo roofs may be allowed as long as the quality of materials is approved in writing by the Committee. Pressure treated wood may be stained or painted. Water and electricity may be permitted upon approval of the

Committee so long as there is compliance with the National Electrical Code. All pipes and cables must be underground. A gazebo must be located a minimum of six feet (6') from rear and side property lines. No gazebo shall be approved for construction on utility or drainage easements or in a manner that causes water to flow onto an adjacent Lot.

- 5.3.3 Children's Play Structures. For the purposes hereof, a children's play structure shall mean any type of children's swing set, play set, climbing structure, slide, trampolines or play fort. Requests for trampolines may be submitted and will be reviewed and approved on a case-by-case basis depending on the Lot. No play structure shall be approved for construction on utility or drainage easements or in a manner that causes water to flow to an adjacent Lot. Play structures, playhouses, and fort style structures are limited to (i) a maximum overall height of eleven feet (11') excluding a canopy or twelve and one-half feet (12½') including a canopy, and (ii) an above ground grade platform maximum height of sixty-two inches (62"). The intent of this provision is to offer optimum private enjoyment of adjacent properties.

5.4 Patio Covers.

The standard, type, quality and color of the materials used in the construction of a patio cover must be harmonious with the standard, type, quality and color of the materials used in the construction of the residential dwelling; provided, however, that corrugated roofs for patio covers and aluminum patio covers shall not be permitted under any circumstances. If siding is used on a patio cover, it must be of the same type, quality, and color as the siding on the residential dwelling. Roofing materials on a patio cover shall conform to the provisions relating to roofing materials set forth in the Declaration and these Architectural Guidelines. Louvered or trellis style patio cover roofs are allowed only with the prior written approval of the Committee. Pressure treated wood may be stained or painted provided the color shall conform to the provisions relating to painting set forth in these Architectural Guidelines. Any patio cover which is not attached to the residential dwelling shall be subject to the provisions of these Architectural Guidelines relating to gazebos.

A patio cover shall not encroach on any utility or drainage easement, nor shall it violate the building setback line applicable to the residential dwelling on the Lot. A patio cover shall not impede or impair drainage or cause water to flow onto any adjacent Lot.

A patio cover must be adequately supported and constructed of sturdy materials so that the patio cover has no visible sagging or warping.

A patio cover which is attached to the residential dwelling shall be securely attached at a height not less than seven feet (7') nor more than twelve feet (12') from the ground. A patio cover which is attached to a detached garage or breezeway must be securely attached at a height below the eaves of the structure at a height of not less than seven feet (7') nor more than nine feet (9') from the ground. The roof of a patio cover shall have an attractive slope away from the residential dwelling at an angle, which does not exceed that of the roof on the residential dwelling.

The roof of a patio cover (other than arbor or trellis type) must be covered with shingles complying with the provisions of these Architectural Guidelines relating to roofing materials and slope set forth in Sections 5.9 and 5.15 of these Architectural Guidelines. In cases where it is not possible to have the required slope the Committee may approve a flat type roof with a modified

membrane type roofing material provided the color and appearance of such roofing closely matches the roofing of the residential dwelling.

If any portion of the patio cover has a peaked or cone-shaped roof, that portion of the patio cover must also comply with the provisions of these Architectural Guidelines relating to conical shaped (peaked roofed) gazebos, including size, location and height.

5.5 Patio Enclosures.

A "patio enclosure" is any patio cover which has exterior walls and/or screens (other than "sun rooms" as defined in these Architectural Guidelines). All structural components of a patio enclosure, including roofing materials, shall be subject to provisions of these Architectural Guidelines relating to patio covers. This section describes additional requirements for walls, screens and frames used to enclose a covered patio or deck.

The standard, type, quality and color of the materials used in the construction of a patio enclosure must be harmonious with the standard, type, quality and color of the materials used in the construction of the residential dwelling. Exterior walls of a patio enclosure shall be constructed of brick or siding which is of the same type, quality, and color as those of the residential dwelling on the Lot. Aluminum siding is not allowed. Patio enclosure screens must be the same color as existing window screens on the residential dwelling and must have adequate cross-member support to avoid sagging. The exterior color of doors, sills, beams, frames, or other visible supports must match the exterior colors of the residential dwelling or the color of existing window frames.

5.6 Decks.

All decks must be approved by the Committee with respect to location and the standard, type, color and quality of the materials used in construction. No deck shall be approved for construction on utility or drainage easements or in a manner that causes water to flow on an adjacent Lot. No deck shall be constructed more than two feet (2') above the ground. The location of a deck must comply with all applicable building setbacks.

5.7 Exterior Lighting.

5.7.1 Changes to Existing Lighting. Outside lighting may be replaced with a new fixture provided that the wattage of the new fixture does not exceed 150 watts. Existing gas lighting may be converted to an electric incandescent bulb provided that (a) the incandescent bulb is a clear glass type, (b) the wattage of the bulb does not exceed 100 watts, and (c) the lighting color is white. In no event shall the lighting illuminate beyond the boundaries of the Lot on which the lighting is located or be directed to shine in a manner which disturbs the occupants of an adjacent Lot.

5.7.2 New Lighting.

- a. Security Lighting. Security lighting shall be permitted with the Committee's approval so long as the total wattage for all security lights does not exceed 300 watts and does not illuminate areas beyond the limits of the Lot. Lights which are dimmed shall be judged by their full wattage.

Incandescent, reflector, down-directed or flood lights are preferred over the radial light style of mercury vapor lights. All security lighting shall be mounted behind the back plane of the residential dwelling or garage. No pole mounted security lights or lights mounted upon fences, trees or structures shall be permitted. No security light fixture shall be allowed above the eaves of the residential dwelling or garage or more than ten feet (10') from the ground. Exceptions to mounting security lighting behind the back plane of the residential dwelling and/or allowing security lighting above the eaves of the residential dwelling or garage may be granted by the Committee if the design and location of the residential dwelling and/or garage on a Lot warrant an exception. No more than two (2) flood lights (not to exceed a total of 300 watts) or one (1) mercury vapor light of not more than 150 watts shall be permitted on any Lot; in no event may the lights illuminate beyond the limits of the Lot. Installation of all light fixtures must be approved by the Committee. Exceptions to the number of lights allowed may be granted only with respect to corner Lots and cul-de-sac Lots, if specifically requested, and then only at the discretion of the Committee. No sodium vapor lights or quartz lights will be permitted. All wiring must be installed within walls or otherwise in a manner so that the wiring is not visible from the exterior of the residential dwelling.

- b. Landscape Lighting. Exterior landscape lighting shall be permitted with the Committee's approval so long as the lighting is located within flower beds, shrubs and/or trees and all of the wiring is buried. All landscape lighting must be warm white or cool white in color, unless otherwise specifically approved by the Committee.
- c. Gas Lights. One (1) gas light per Lot shall be permitted with the Committee's approval; provided that the gas lighting color is white. The color of the pole and fixture must be black unless otherwise approved by the Committee.
- d. Holiday Decorations. Exterior Thanksgiving decorations may be installed November 10 of each year and must be removed by December 1 of each year. Exterior holiday decorations may be installed the day after Thanksgiving each year and must be removed by January 5 of the new year. Holiday decorations shall not be so excessive as to cause a nuisance to neighborhood residents. The Association shall have the sole and exclusive authority to decide if holiday decorations are causing a nuisance.

5.7.3 Annoyances. The Board reserves the right to require the removal or modification of any lighting which it reasonably determines to be an annoyance or nuisance to the occupants of any adjacent Lot.

5.8 Painting.

No exterior surface of a residential dwelling, garage, or other improvement on a Lot shall be painted or repainted without the prior approval of the Committee. This provision applies to existing, as well as new construction; provided that, if a residential dwelling, garage or other improvement on a Lot is repainted with the identical paint (meaning both the same color and paint manufacturer), and there is no change in the areas to which the particular paint is applied, the approval of the Committee shall not be required. Color samples or "paint chips" of the proposed exterior color(s) must be attached to each application submitted to the Committee. The Committee may maintain a chart depicting examples of the colors and shades for the exteriors of residential dwellings and other improvements on Lots within the Subdivision. The color samples or paint chips shall be compared to the colors and shades of colors set forth on the color chart to assure that each approved color is harmonious with the color scheme established for the Subdivision. The exterior color must not only be an earth tone or forest tone, but also an acceptable shade of an earth tone or forest tone color. Iridescent colors or tones considered by the Committee to be brilliant are not permitted. The following additional guidelines shall also apply:

- 5.8.1 Harmonious Colors. The proposed colors must be harmonious with each other and with the colors of exterior brick and roofing materials.
- 5.8.2 Principal Colors of Dwellings. The principal color of the residential dwelling and garage situated on a Lot, including the garage door, must be a muted tone and should not be the same color as any adjacent or facing residential dwelling on a neighboring Lot. The Committee may approve similar paint colors on neighboring structures in cases where the brick or accent colors are substantially different from those of the neighboring structure.
- 5.8.3 Trim. Soffit, fascia board, window and door trim and rain gutters must also be an earth tone or forest tone color; however, the shades of trim color may be deeper than the principal color of the residential dwelling or garage.
- 5.8.4 Gutters. When rain gutters are painted, the paint color must match the color of the fascia board trim. When "maintenance-free" gutters are installed or replaced, the color must match (as closely as possible) the fascia board trim.
- 5.8.5 Accents. Shutters, window hoods, the side panels of doors and windows and the exterior surfaces of doors may be painted with the approval of the Committee (excluding garage doors), including trim colors. Unless otherwise approved by the Committee, the garage door color must match the primary color of the residential dwelling. Only one accent color is permitted per Lot. Exterior doors may be stained a natural wood color or may be painted to match the other accents, trim, or principal color of the residential dwelling.
- 5.8.6 Outbuildings. Any outbuilding which has a roof shall also be subject to these painting guidelines and shall be painted in a color to match the overall color of the residential dwelling.

5.8.7 Recommendations. Although not required for approval, the following are recommended:

- a. In most cases, it is more attractive to paint trim the same color as the principal color of the residential dwelling and to use a different color for accents.
- b. When a different color is used for trim, the color should be a moderately darker shade of the principal color and the accents should be painted to match the trim. Extreme color differences or use of more than two colors on a residential dwelling should be avoided.

5.9 Roofing Materials and Additions.

5.9.1 Materials. A sample of the proposed shingle to be placed on any existing roof or any new improvement must be attached to each application submitted to the Committee. All roofs must be constructed or covered by asphalt dimensional composition or fiberglass composition shingles with a minimum manufacturer's guarantee of twenty-five (25) years. The color of the shingles must be weathered wood. The roofs of all buildings shall contain a roof pitch of not less than five inches (5") per each lateral twelve inches (12") of roof. Roofs on attached porches may have a lesser pitch as may be determined by the Committee. Felt for all composition roofs must have a weight of at least 30 lbs.

5.9.2 Roofing Additions. No skylights, solar panels, roof ventilators or similar types of additions shall be permitted on the front of the roof ridge line and/or gable of a residential dwelling or other improvement. Skylights, solar panels, roof ventilators and the like are subject to approval by the Committee. No solar or other energy collection panel, equipment or device shall be permitted on the roof of a residential dwelling if visible from any street. All roof ventilators shall be located to the rear of the ridge line and/or gable of the residential dwelling or other improvement and shall not extend above the highest point of such structure. The Committee shall have the right to approve exceptions to the foregoing in cases where safety or energy conservation and heating/cooling efficiency require ventilators that, because of a particular roof design, cannot be screened from public view. The color of roofing additions must match existing roof vents (if any) or be harmonious with the color of roofing materials.

5.10 Birdhouses. Birdhouses shall be permitted without the approval of the Committee, subject to the following:

- a. Birdhouses may only be located in the rear yard of a Lot;
- b. No birdhouse shall be larger than two feet (2') in width, two feet (2') in length and two feet (2') in height;
- c. No more than one (1) birdhouse shall be permitted on a Lot;

- d. No birdhouse shall be situated higher than ten feet (10') above the ground; and
 - e. The materials used in the construction of a birdhouse and the color of a birdhouse must be approved by the Committee.
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5.11 Window and Door Awnings. Awnings which are visible from any street are not permitted. All awnings must be approved in writing by the Committee.

5.12 Antennae.

No exterior antennas, aerials, satellite dishes, or other apparatus for the reception of television, radio, satellite or other signals of any kind shall be placed, allowed, or maintained upon any Lot, which are visible from any street, Common Area or another Lot, unless it is impossible to receive an acceptable quality signal from any other location. In that event, the receiving device may be placed in the least visible location where reception of an acceptable quality signal is possible. The Board of Directors of the Association may require painting or screening of the receiving device, which painting or screening does not substantially interfere with an acceptable quality signal. In no event are the following devices permitted: (i) satellite dishes, which are larger than one (1) meter in diameter; (ii) broadcast antenna masts, which exceed the height of the center ridge of the roofline; or (iii) MMDS antenna masts, which exceed the height of twelve feet (12') above the center ridge of the roofline. No exterior antennas, aerials, satellite dishes, or other apparatus shall be permitted, placed, allowed or maintained upon any Lot, which transmit television, radio, satellite or other signals of any kind. This section is intended to be in compliance with the Telecommunications Act of 1996 (the "Act"), as the Act may be amended from time to time; this section shall be interpreted to be as restrictive as possible, while not violating the Act.

5.13 Garage Conversions. No garage on a Lot shall be converted to living space.

5.14 Basketball Goals. A basketball goal shall not be installed or erected on a Lot without the prior approval of the Committee. A basketball goal is subject to the following:

- a. A basketball goal must be mounted either on the garage wall or roof with the backboard parallel to the automobile entrance; or on a rigid steel or aluminum pole (no wooden poles).
- b. The backboard material must be fiberglass or safety glass. The color must be clear (safety glass), gray or white with the exception of the white, black, orange or red manufacturer's outline markings. The rim should be of heavy gauge steel and red, black or orange in color. The net must be maintained in good condition as determined by the Committee.
- c. The backboard supports must be firmly attached to the structure, using either lag bolts into underlying support members (garage studs or trusses) or threaded bolts and nuts through the structure's roof or wall. Nails, by themselves, are not permitted. Mounting supports may be of wood, steel, or aluminum. Supports must be painted with a color that complies with the provisions of these Architectural Guidelines relating to painting.

- d. All pole-mounted basketball goals must be located behind the front building line. A pole mounted goal shall not be located within ten feet (10') of an adjacent Lot Owner's amenities (air conditioning unit, shrubbery, gas meter, driveway, etc.) unless properly protected (i.e., by fence or shrubbery), as determined by the Committee. The pole must have a manufacturer's weather resistant finish and be painted black or gray.
- e. An application for approval of a permanent basketball goal should include a detailed sketch of the goal's proximity and relationship to the adjacent Lot and, in pole mounted cases, include a description of the amenities on the adjacent Lot.
- f. Applications must include the following:
 - i) Roof or Wall-Mounted Goals: A photograph or detailed sketch showing the proposed location of the goal on the garage.
 - ii) Pole-Mounted Goals: A copy of the Lot survey showing the exact location of the proposed goal relative to the front of the residential dwelling, Lot lines, and easements.
 - iii) Goals Located Near a Lot Boundary Line: Photographs showing the exposed side of the adjacent Lot and an indication of the distance between the proposed goal and the nearest amenities on the adjacent Lot.
- g. The basketball goal, rim and net must be maintained at all times or the basketball goal must be removed.
- h. The Board may revoke its approval and require removal of any basketball goal which it reasonably determines to be an annoyance or nuisance to the occupants of any surrounding residents.
- i. A portable basketball goal must comply with the provisions of subsections d, g and h of this Section 5.14 these Architectural Guidelines applicable to permanent basketball goals. A portable basketball goal shall not be located in a street or for use from a street or sidewalk for any length of time.
- j. Basketball courts and basketball goals are prohibited from being placed in rear yards of Lots.

5.15 Sunrooms. A sunroom is any room with glass-enclosed walls or a glass ceiling. The Committee may reject an application to construct a sunroom on a Lot on the basis of its overall design and conformity with existing structures regardless of whether or not the proposed sunroom complies with the technical specifications set forth below.

- a. Applications must be accompanied by a detailed scale drawing or blueprint showing the three (3) dimensional relationship of the sunroom to

the existing structure. Applications must also include a plot plan showing the location of the sunroom in relation to all Lot boundary lines, the residential dwelling, easements and building setback lines. Applications must also include a detailed material list and the name, address, and business phone number of the contractor or installer. Applications may be rejected for failure to provide any of these required items.

- b. A sunroom may be added to the rear of the residential dwelling only. Applications for sunrooms on Lake Lots, Lots that are on cul-de-sac Lots and corner Lots where the rear of the residential dwelling faces a street or other community property will be considered on a case-by-case basis.
- c. Supporting structural members must be of a color and shade similar to and harmonious with the exterior color of the residential dwelling. Glass must be tinted in a shade compatible with the exterior of the residential dwelling. No metallic or direct reflecting style shading/tinting of the glass will be permitted. Applicants may be required to submit actual samples of the glass with the proposed shading/tinting material applied for approval.
- d. The floor of the sunroom must be of reinforced concrete slab construction with three inch (3") minimum thickness. No other flooring material will be permitted.
- e. Only safety glass will be permitted for the panes. No fiberglass, plexiglass, plastic, acrylic, mesh, or other materials will be allowed. Safety glass must be a minimum 3/16" thick if tempered glass or a minimum 1/4" thick if laminated glass. Maximum width of glass between support trusses will be three feet (3') measured center-to-center.
- f. Support trusses (glazing bars) must be constructed of aluminum or aluminum alloys with electrostatically applied coloring/paint to withstand 100 m.p.h. wind and 25 lbs. per square foot. No natural aluminum oxidation coloring will be allowed. No wood, composite, steel, fiberglass, or plastic trusses will be allowed. Trusses must be of structural box or I-beam construction. Round, oval, or "T" shaped trusses will not be allowed.
- g. The roof of a sunroom must have a minimum pitch of one inch (1") per twelve inches (12") of projection. The sunroom may not project more than twenty feet (20') measured from the rear facing plane of the residential dwelling. The sunroom may not project beyond either side-facing plane of the residential dwelling. A sunroom may not encroach on any existing setbacks or easements.
- h. Sunrooms are only permitted as ground structures. The maximum height of the roof, measured from the concrete floor, may not exceed either twelve feet (12') or the height of the eaves of the wall that the sunroom projects from, whichever is lower.
- i. If ceiling lighting is installed, it must be downward-directed, focused, low-wattage track lighting. Any electrical plug outlet installed within the

trusses/glazing supports must be of the UL approved Ground Fault Interrupt (GFI) type.

- j. Sunrooms may not have turbine-type or forced fan roof ventilators installed. Only natural draft/convection flow panels that open may be installed. ~~Panels that open may not exceed 36" x 36" in size and must be at least three feet (3') in any direction away from adjoining opening panels.~~
- k. Sunrooms may not have exposed air conditioning or heating ductwork installed on the exterior thereof. Vents must be attached to the residential dwelling. No ductwork shall be visible.
- l. Window coverings are not required. However, only interior coverings will be permitted; there shall be no exterior covering of the sunroom glass allowed. The side of the window covering facing the exterior must be of a neutral, earth-tone color or forest tone, which must also blend with the exterior color of the residential dwelling. If there is covering on any one (1) window, then all windows must be covered with the same treatment. Color and material samples of coverings may be required to be submitted for approval, at the discretion of the Committee.

5.16 **Signs.**

5.16.1 For Sale Signs. No more than one (1) "For Sale" sign, not to exceed five (5) square feet is allowed.

5.16.2 Home Security Signs. No home security signs shall be permitted on any Lot except for a limited number of small, inconspicuous, discretely placed signs for the purpose of warning of the presence of a home security system. Each sign shall be from a professional security company and shall not exceed one (1) square foot in area. One (1) sign shall be allowed in the front yard and one (1) shall be allowed within the rear yard of the Lot. Each sign may be mounted on a stake. If stake mounted, the top of the sign shall not exceed two feet (2') from the ground level when installed and must be no further than three feet (3') away from the residential dwelling or garage. Home security signs must be an acceptable color which is harmonious with the surrounding structure and landscaping. Acceptable colors for security signs include earth tones, white, black, or dark shades of red, blue or green. The text and overall appearance of the signs must be acceptable and must primarily provide a security warning without prominent advertising of any business. Signs must be maintained in good condition and the Association may require removal of signs which have deteriorated. In addition to (or instead of) signs, home security warning decals may be displayed on first floor windows or doors, provided that each decal is not larger than three inches (3") wide by four inches (4") tall. Not more than one (1) decal may be displayed per window or door; provided the decals do not otherwise violate these Architectural Guidelines.

5.16.3 Political Signs. Notwithstanding the provisions in the Declaration, due to a change in the law, the following restrictions apply to signs advertising a

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

5.17 Solar Screens, Window Tint. The color of any solar screens or window tint must be harmonious with that of the residential dwelling. The frames of the screens must match the color of the window frames of the residential dwelling, or must match the color of the solar screen material. If any window is covered, all of the windows on the same side of the building must also be covered. The width of the screen frames must match individual window size (i.e. double-width screens are not allowed). Frames should have appropriate cross-member support to prevent sagging. Window tint shall be harmonious, shall not be reflective and must be maintained to prevent peeling, cracking, or irregular discoloration.

5.18 Landscaping.

5.18.1 General. To ensure the compatibility of all landscaping in the Subdivision, all landscaping must be approved by the Committee except for:

- a. shrubs and/or ground cover chosen from Exhibit "A" to the Declaration in rear or side yards that is not visible from any other Lot or Common Area; and
- b. perennials and annual planting chosen from Exhibit "A" to the Declaration.

The landscaping requirements set forth in the Declaration for each Lot must be properly maintained at all times on each Lot and replaced as necessary upon death or disease to the specifications set forth in the Declaration.

5.18.2 Trees. Trees may not be removed from a Lot without prior Committee approval, except to remove dead or diseased trees or to provide room for an improvement that has been approved by the Committee. When tree removal is required for the construction of an improvement, it must be disclosed in the application for that particular improvement. When trees are removed for any reason, the Owner must also remove the stump, fill any resulting hole with dirt, and cover the hole with sod. Trees required by the Declaration must be replaced.

5.18.3 Topiaries.

- a. For the purposes of these Architectural Guidelines, a "topiary" shall mean a plant or shrub that has been trimmed or formed into a fantastic shape, and includes any ornamental structure composed of or covered with living plant material.
- b. Topiaries require Committee approval.
- c. Approved topiaries must be maintained so that only living plant material of natural color is exposed.
- d. Decorative lights on or within a topiary are prohibited.
- e. Topiaries must be planted in or placed on the ground; they may not be suspended from trees or other structures and may not be mounted on a pole or other visible structure.
- f. Topiaries may not be located on any utility or drainage easements.
- g. The Committee and/or the Board reserves the right to require the removal or relocation of any topiary (approved or not) which it reasonably determines to be incompatible with the appearance of the Subdivision or which is not properly maintained.

5.19 Skateboard Ramps. Permanent skateboard ramps are not allowed. Temporary skateboard ramps must be stored out of view when not in use and may never be used in the street or on sidewalks.

5.20 Soccer Goals. Permanent soccer goals are not allowed. Temporary soccer goals must be stored out of view when not in use and may never be used in the street or on sidewalks.

5.21 Exterior Siding. The exterior siding proposed to be used on any existing structure or new improvement on the Lot other than the residential dwelling, must be compatible with the type, quality, size, and color of the siding on the residential dwelling. All siding is subject to the approval of the Committee; provided that, aluminum, steel, or other metal siding is not acceptable. The following additional guidelines apply to exterior siding:

- a. minimum of a 20-year warranty from a reputable manufacturer (warranty information should be submitted with the application);
- b. thickness, visible width, and spacing of siding must be consistent with that of the original exterior siding; each application submitted to the Committee shall specify the thickness, width and spacing of the existing and proposed siding, and shall include a sample of the proposed siding material;
- c. color of all siding (including siding that is not painted) must comply with the provisions of these Architectural Guidelines relating to painting and each application must include at least two (2) color samples of the proposed siding color;

- d. must be installed and maintained to avoid sagging, waving, warping or irregular coloration; the Board may require the Owner (at the Owner's sole responsibility and expense) to repair or replace siding that fails to adhere to these Architectural Guidelines.

The exterior of the residential dwellings must comply with the provisions of the Declaration.

5.22 Flag Poles. The Association encourages its residents to display the American flag at appropriate times. However, flag poles are considered an architectural improvement, and therefore, require Committee approval and compliance with the provisions of the Declaration. Flags shall not be used to advertise or promote any product, service or commercial enterprise.

Each Lot may have not more than two (2) removable, wall-mounted flag poles or masts, which must be securely attached to the residential dwelling or garage. The pole or mast may not exceed three feet (3') in length. The pole or mast must be removed whenever the flag is not being displayed.

5.23 Structures on Lake and Reserve Lots.

5.23.1 General. Special restrictions as contained in the Declaration regarding Lake and Reserve Lots which must be adhered to at all times.

5.23.2 Open Air Structures. All Lots which are Lake or Reserve Lots will be allowed to maintain an open-air structure on the said Lot so long as the structure is placed at least twenty feet (20') away from the back/rear Lot line. (Examples would include play structures, gazebos or arbors.) The determination as to what shall be considered an open-air or acceptable structure shall be at the discretion of the Board of Directors and will be considered on a case-by-case basis.

5.23.3 Swimming Pools. Ground swimming pools are not considered to be an above ground structure and are permitted on Lake or Reserve Lots and may be placed up to the rear/back lot line so long as placement is not in an easement and all other requirements set forth in the applicable Declaration.

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ADOPTED on the date set forth opposite each name to become effective upon recording in the Official Public Records of Real Property of Montgomery County, Texas.

PROPERTY OWNERS ASSOCIATION OF LEGENDS RANCH

ARCHITECTURAL CONTROL COMMITTEE

Date: 11/11/2008

Al P. Brende
Al P. Brende

Date: 11/11/2008

B.J. Weidenfeld
B.J. Weidenfeld

Date: 11/11/2008

Linda Houston
Linda Houston

BOARD OF DIRECTORS

Date: 11/11/2008

Al P. Brende
Al P. Brende

Date: 11/11/2008

B.J. Weidenfeld
B.J. Weidenfeld

Date: 11/11/2008

Linda Houston
Linda Houston

Date: 11/11/2008

Kelley Lovette
Kelley Lovette

Date: 11/11/2008

Greg Grant
Greg Grant

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

BEFORE ME, the undersigned Notary Public, on this day personally appeared Al P. Brende, as a Member of the Architectural Control Committee and the Board of Directors of Property Owners Association of Legends Ranch, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacities stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 11th day of November, 2008.

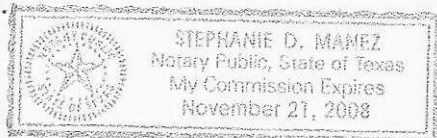


Stephanie D. Maniez
Notary Public in and for the State of Texas

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

BEFORE ME, the undersigned Notary Public, on this day personally appeared B.J. Weidenfeld, as a Member of the Architectural Control Committee and the Board of Directors of Property Owners Association of Legends Ranch, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed and in the capacities stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 11th day of November, 2008.



Stephanie D. Maniez
Notary Public in and for the State of Texas

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

BEFORE ME, the undersigned Notary Public, on this day personally appeared Linda Houston, as a Member of the Architectural Control Committee, and the Board of Directors of Property Owners Association of Legends Ranch, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed and in the capacity stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 11th day of November, 2008.

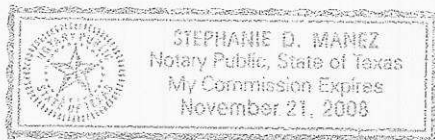


Stephanie D. Maniez
Notary Public in and for the State of Texas

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

BEFORE ME, the undersigned Notary Public, on this day personally appeared Kelley Lovette, as a Member of the Board of Directors of Property Owners Association of Legends Ranch, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed and in the capacity stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 14th day of November 2008.

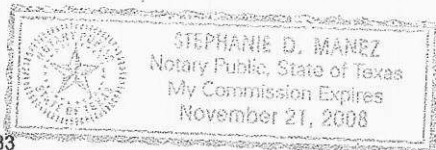


Stephanie D. Maniez
Notary Public in and for the State of Texas

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

BEFORE ME, the undersigned Notary Public, on this day personally appeared Greg Grant a Member of the Board of Directors of Property Owners Association of Legends Ranch, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 14th day of November 2008.



Stephanie D. Maniez
Notary Public in and for the State of Texas

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FILED FOR RECORD

2008 NOV 25 AM 10:29

Mark Turnbull
COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF MONTGOMERY

I hereby certify this instrument was filed in File Number Sequence on the date and at the time stamped herein by me and was duly RECORDED in the Official Public Records of Real Property at Montgomery County, Texas.

NOV 25 2008



Mark Turnbull
County Clerk
Montgomery County, Texas