

GATTLING CREEK OWNERS' ASSOCIATION ARCHITECTURAL COMMITTEE BUILDING CONSTRUCTION PLANS AND SPECIFICATIONS

Below are some of the Articles and Sections from the Gattling Creek Owners' Association Covenants, Conditions, and Restrictions (CCRs) which pertain to buildings and structures, and are in no way meant to be a complete list of all of the Covenants, Conditions, and Restrictions.

Article III, Section 1

No mobile home or house trailer shall be placed, stored, or maintained permanently or temporarily on the Property on or off the streets except that any mobile home or house trailer owned by a contractor for the purpose of constructing a permanent residence or building thereon may be maintained on the Lot by such contractor only during the period of construction.

Article III, Section 2

No ready-built or modular homes or similar prefabricated structures shall be placed, stored or maintained permanently or temporarily on the Property on or off the streets unless the written permission of the Committee.

Article III, Section 3

No trailer camper, pickup camper, recreational vehicle with interior sleeping accommodations, or tent shall be placed, maintained, or used permanently or temporarily on the Property on or off the streets, except that an Owner may store a trailer camper, pickup camper, recreational vehicle, or tent on a Lot. However, any such storage shall be subject to the direction and control of the Committee as to location and concealment if the Committee should determine at any time that the location or concealment of any such camper, vehicle, or tent for storage purposes is inconsistent with the policies and guideline determined by the Committee pursuant to Section 7 of Article IV hereof. Notwithstanding the foregoing, tents may be used on a temporary and recreational basis by children only.

Article III, Section 4

Any dispute or question as to what constitutes a mobile home, house trailer, ready-built home, modular home, trailer camper, pickup camper, recreational vehicle, tent, or structure thereto, and the appropriate or inappropriate use thereof, shall be resolved conclusively by the determination of the Committee.

Article III, Section 5

All buildings and structures of whatever nature, other than water wells and pump houses, must be set back at least forty (40) feet from all roads and streets and at least twenty (20) feet from all roads and streets and at least twenty (20) feet from any other Lot on the side or in the rear of the Lot. However, an Owner may build or locate a building or structure less than twenty (20) feet from an adjoining Lot if the Owner secures the prior written consent of the Committee and the adjoining Owner in recordable form. Water wells and pump houses are not subject to these specific set back requirements, but Owners must obtain the approval of the Committee for the location of all water wells and pump houses.

Article III, Section 6

All privacy fences shall be a maximum of six feet in height and shall be limited to an area even with or behind the front of the residence, within ten (10) feet on each side of the residence and within forty (40) feet of the back of the residence. Any other fence on a lot shall be chain without any materials added that restrict vision, limited to four feet in height. All fences shall be subject to the approval of the Committee, and the Committee may control the final placement of all fences, taking into account any visual obstruction of any proposed fence, the location of other Lots and improvements, and the aesthetics that the Committee is attempting to achieve or maintain for the subdivision...

Article III, Section 9

All electrical wiring and all plumbing installations in any building or structure shall be installed in a good workmanlike manner and in compliance with all applicable rules and regulations of the Texas Department of Health or other regulatory authority. Electric service will be underground, where feasible, from the point of the main service supply in the service company's right of way to the house or structure in the subdivision. The Committee shall have authority to determine feasibility.

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Article III, Section 10

All residences shall be connected to either a city sewer system, if available, or permanent septic tank system for sewer disposal. Each septic tank system shall comply with the minimum standards required or recommended by the State of Texas, Concho County, and any regulatory authority with jurisdiction, and in the event of conflict among any such standards, the most stringent standards apply. Design standards for individual septic systems shall be based on percolation tests made by a registered sanitarian or other person approved by the Committee to determine requirements on each Lot prior to construction of any septic system.

Article III, Section 13

No antennas, towers, or other similar structures attached to a house, building, or other structure shall exceed a height of six feet above the roof line.

Article III, Section 14

No satellite dishes or antennas, tanks, or other large objects that usually or often stand alone and are separate from a house or other building shall be placed or constructed on any Lot without obtaining the approval of and complying with the requirements of the Committee regarding its' location and the need for visual barriers, if any.

Article III, Section 15

Garages and outbuildings shall be constructed from the same or similar materials as the main residence or building, and the approval of the Committee must be obtained prior to such construction.

Article III, Section 18

No multi-family dwelling shall be constructed on any Lot. No dwelling other than a single-family dwelling may be constructed on a Lot, and no more than one single-family dwelling may be constructed on a Lot without written consent of the Committee.

Article III, Section 23

No one-story residential building shall contain less than one thousand two hundred (1,200) square feet of living area, and no residential building with more than one story shall contain less than eight hundred (800) square feet of living area on the main floor.

Article III, Section 24

All residential buildings must be completed within a period of twelve (12) month following beginning of construction. For this purpose, the beginning of construction shall be deemed to be the pouring of concrete for the foundation of the residential building, and it shall be deemed to be completed at such time as all construction is finished, under lock, and fully habitable as a residential property. Failure to complete such construction within such time shall subject Owner to a penalty of not more than One Hundred Dollars (\$100) per diem for each day of delinquency for so long as it shall continue. Such penalty may be assessed at the sole discretion of the Committee after giving such Owner at least ten (10) days' written notice of its' intent to impose any such penalty, and such penalty shall be a personal liability of the Owner committing such default and shall be secured by a lien against the Lot, effective upon the Committee's filing of an affidavit, stating the existence of such penalty and lien, in the real estate records of Concho County, Texas.

Article IV, Section 4

In the event the Committee should fail to issue its' written ruling in response to an Owner's request within thirty (30) days from receipt of such request properly supported with adequate plans and specification and location data, then it shall be presumed that the Committee has approved such request.

Article IV, Section 5

In the even an Owner fails to submit a request properly accompanied with construction plans and specification and location data, but proceeds with the construction thereof, or proceeds with the construction following the disapproval of the Committee, or proceeds with the construction that is inconsistent with the plans and specification or location that have been approved by the Committee, or otherwise fails to comply with the construction requirements of this Declaration, the Committee shall have the right, at its' election, to secure injunctive relief against such construction or failure, including judicial relief requiring the removal of any such construction and compliance with any such construction requirements, by bringing suit thereon prior to the expiration of six (6) months following completion of any such construction or six (6) months following the failure to comply with any other construction requirement, whichever is later.

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SUBMISSION CHECKLIST

(Please be sure to include all of the following):

- Description of building request
- Date of building request
- Site Drawing of building request (main residence, accessory buildings, fences, etc.) which includes set-backs from each property line
- Complete and specific construction plans
- Complete and specific location information for each structure or fence
- Complete and specific list of type of materials to be used
- Square footage of main residence or accessory building
- Fence height, material, and location
- Dates of Construction (beginning and ending)
- Any other additional pertinent building information

Committee Approval Date: _____

Committee Disapproval Date: _____

Comments: _____
