

Property Owners Association of Deer Trail Architectural Control Committee Construction Guidelines

Dear Property Owner, Welcome to the Deer Trail Community. This is the Architectural Control Committee for Small projects and Improvements Application package.

All forms must be completely and accurately filled out. All POA dues, fees, or outstanding balance must be paid in full, and any Deed Restriction violations cured prior to beginning the application process.

There will be an application fee of \$50.00 payable to IMC for each application.

(Note: application will not be required when repairing homes, structures if maintaining same materials and colors.)

Architectural Control Committee (“ACC”) approval of an owner’s plans for a proposed project is only an expression of opinion by the ACC that the terms and provisions of the covenants and restrictions for Deer Trail have been complied with (if the building and/or other improvements are erected in accordance with the plans and specifications as approved) and that the proposed work is in harmony with the external design, color, type, and appearance of exterior surfaces and landscaping of existing and proposed structures and with other lots within the neighborhood, as well as throughout the Deer Trail neighborhood, with such factors and aesthetic considerations to be determined by the good faith judgment of the ACC.

Topography and finished grade elevation must be taken into consideration during construction. It is the responsibility of the applicant to ensure that any drainage issues or proposed elevations and drainage plans have been evaluated and prepared by a licensed professional engineer and certified as being adequate for the drainage of the lot and for the protection of surrounding lots and structures.

The Deer Trail Architectural Control Committee (“ACC”), Deer Trail Board of directors, or representatives of the Deer Trail Board of Directors assume no responsibility with regard to design or construction, including the civil, structural, mechanical, plumbing, or electrical design, methods of construction, technical suitability of materials, or compliance with requirements of any government authority. It is the responsibility of the owner and contractor employed by the owner to determine that a proposed improvement is structurally and mechanically sound, that it is otherwise safe, and that it is designed and constructed in compliance with applicable building codes, fire codes, or other laws or regulations and sound construction practices. It is the property owner’s responsibility to ensure that all construction and improvements made to the property comply with the Declaration of Covenants, Conditions and Restrictions for Deer Trail in the Section where their property is located, and with all construction regulations and specifications, and any amendments thereto, imposed by the Property Owners Association of Deer Trail or the Architectural Control Committee. Any errors in, or omissions from, the documents submitted to the ACC are the responsibility of the entity or person submitting the documents, and the ACC has no obligation to check for errors in or omissions from any such documents, or to determine whether such documents comply with County codes and regulations, FHA, or VA regulations, state statutes or the common law, whether the same relate to lot lines, building lines, easements or other issue. Any failure of the property owner, or property owner’s general contractor/builder to comply with the Declaration of Covenants, Conditions and Restrictions of Deer Trail for the Section where their property is located, and with all construction regulations and

specifications, and any amendments thereto, imposed by Property Owners Association of Deer Trail or the Architectural Control Committee may result in forfeiture of all applicable construction or improvement deposits paid by the property owner to the IMC/Property Owners Association.

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The ACC as a committee, the individual ACC members, the POA Board of Directors, the POA management staff, and the POA shall not be liable for damages or otherwise to anyone submitting plans to the ACC for approval, or to any builder, or to any third party because of the approval or disapproval of any improvement, and/or by reason of mistake in judgment arising out of any action of the ACC with respect to any submission. The Declaration of Covenants, Conditions and Restrictions for Deer Trail provide that members of the ACC exercising any prerogative of approval or disapproval shall not incur any liability by reason of member's good faith exercise of his/her prerogative and opinion.

By signing below, you agree that you have carefully read and reviewed the Deed Restrictions applicable to the described property and the Construction Regulations and Specifications and state that the improvements will be made in strict compliance with these documents and the plans submitted. The property owner grants Deer Trail Board of Directors or any representative of Deer Trail Board of Directors full access to the site of construction or improvement for the sole purpose of ensuring that the project is executed in accordance with the submitted plans and specifications as defined in the Declaration of Covenants, Conditions and Restrictions of Deer Trail.

Construction Guidelines

CULVERTS: Prior to any construction, and after lot clearing, each home site must have the permanent driveway culvert(s) set with the proper amount of over base to prevent erosion and damage to ditches. Culverts shall otherwise conform to the applicable rules and regulations of Montgomery County relating to the size and manner of installation of such culverts.

Contact Montgomery County Precinct 4 Commissioner for culverts. 936-521-8919

http://www.mctx.org/dept/--commissioners/commissioner_precinct_4/request_for_service.html

DRIVEWAYS: Driveways are to be constructed of crushed concrete, limestone, iron ore gravel, or concrete and shall be at least ten feet wide (eighteen feet wide at street) extending from street to owner's residence.

DRAINAGE EASEMENTS: Builder/Contractor or Owner will not alter the elevations/designs of drainage ditches and hereby accepts the responsibility to correct any inadvertent changes to such areas at his/her own expense.

STREET ADDRESS: Owner or Builder shall post and maintain street address sign for duration.

PORTABLE TOILET: Owner or builder shall provide a portable toilet for construction personnel working on any project lasting longer than five (5) days if no alternate restroom facilities are available.

TRASH DISPOSAL: Owner or builder shall provide onsite trash container for all construction debris. No burning of debris or construction materials is permitted.

CEMENT/GUNITE TRUCK WASHOUT: Texas Department of Environmental Quality prohibits discharge of concrete mixtures directly onto the ground. Chutes and hoses of cement and trucks shall be washed out into designated plastic-lined cement boxes ONLY. Hardened cement shall be disposed of in a roll-off box/trash container.

DEBRIS FENCE: Owner or builder shall provide onsite debris fencing (orange fence) to contain construction trash and prevent materials from blowing onto adjacent properties.

SILT FENCE: Owner or builder shall provide a perimeter of silt fence to retain sediment in place where soil is being disturbed by the construction processes and to protect ditches, adjacent properties, or retention ditches.

WORK HOURS and NOISE: Construction is permitted between the hours of 7:00am to 7:00pm Monday through Saturday. Sunday construction hours are from 9:00am to 5:00pm. Complaints from neighboring property owners

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will be taken seriously. The owner and builder will be notified of the nuisance violation, and may be fined accordingly.

DELIVERY and TRANSPORTATION: Delivery vehicles and other construction traffic shall travel on dedicated roads ONLY. Contractors shall obey posted speed limits; maintain lane control, use extreme care when passing residents' driveways and mailboxes. Construction vehicles may not cross or park on other lots or common areas within the subdivision.

FINAL SITE CLEANING: When construction is completed, Owner and Builder are responsible for full and complete site clean-up, which includes trash pick-up, construction debris removal, sign removal, BROOM CLEAN full street frontage of lot and driveway. All landscaping containers and pallets, excess mulch and gravel shall be removed.

The ACC has thirty (30) calendar days from date of receipt of a complete application to respond.

If additional information is required by the ACC, the thirty (30) day processing period commences upon receipt of the requested information. It is the owner's responsibility to ensure that scheduling for implementation of the proposed construction project allows for the full ACC approval period. Deer Trail ACC applications remain valid for one (1) year.

Please Submit the Following:

Elevation Drawing/ Blueprints

Lot Survey with Improvements drawn to scale

Samples of Exterior Materials with exact colors

Any additional information for this improvement

Blueprints, Samples, & Etc Submitted to ACC will not be returned

I HAVE READ AND FULLY UNDERSTAND THIS DOCUMENT AND AGREE TO ABIDE BY ALL
CONTENTS THERETO.

Deer Trail Legal Description: Section_____Block_____Lot_____Address_____

Property Owner(s):_____Address: _____

Signature: _____Phone Number: _____

Builder/ Contractor: _____Address: _____

Signature: _____Phone Number: _____

Property Owners Association of Deer Trail Architectural Control Committee Construction Guidelines

Construction Application:

Deer Trail Legal Description:

Section _____ Block _____ Lot _____ Address _____

Required for All Applications:

Building Line Setbacks (in feet): Front: _____ Back: _____ Rt. side: _____ Left side: _____

Address: _____

Property owner(s): _____

Phone Number: _____ Email: _____

Builder/ Contractor: _____

Address: _____

Contact Person(s): _____

Phone Number: _____ Email: _____

Project: _____

Exterior Materials & Finishes _____

Exterior Colors (paint, trim and/or Brick): _____

Description of Improvement/Addition: _____

Start Date of Construction: _____ Projected Completion Date: _____

Construction/Projects must be completed within 12 months

I HAVE READ THE DEER TRAIL PROPERTY OWNERS ASSOCIATION DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS. I UNDERSTAND THAT AS A MEMBER OF THE DEER TRAIL PROPERTY OWNERS ASSOCIATION, I AM REQUIRED TO ABIDE BY THESE RESTRICTIONS, COVENANTS, AND ARCHITECTURAL CONTROL & CONSTRUCTION STANDARDS. I UNDERSTAND THE ARCHITECTURAL CONTROL COMMITTEE HAS UP TO THIRTY DAYS TO REVIEW THIS APPLICATION. I UNDERSTAND THAT IF I MAKE ANY CHANGES OR ALTERATIONS TO THE PLANS SUBMITTED I WILL HAVE TO RE-SUBMIT THOSE CHANGES FOR PRIOR APPROVAL.

Owners Signature: _____ Date: _____