



Laura Richard
Laura Richard, County Clerk
Fort Bend County Texas
Pages: 24 Fee: \$ 103.00

CERTIFICATION

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

I, the undersigned, pursuant to §202.006 of the Texas Property Code, do hereby certify, as follows:

- (1) I am an agent for Venetian Estates Property Owners Association, Inc. a Texas non-profit corporation;
- (2) An Instrument titled: **"VEPOA – Functions of the Architectural Control Committee and the Architectural Requirements"**, (updated 2017) is attached hereto;
- (3) The property affected by the said Instrument is described in Exhibit "A" attached hereto; and
- (4) The attached Instrument is a true and correct copy of the original.

IN WITNESS WHEREOF, I have subscribed my name on this 31 day of January, 2017.

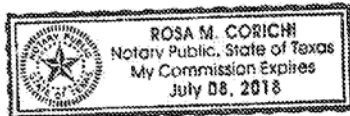
By: 

Luke P. Tollett, Agent for Venetian Estates Property Owners Association, Inc.

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

BEFORE ME, the undersigned authority, on the day personally appeared Luke P. Tollett, Agent for Venetian Estates Property Owners Association, Inc., and being by me first duly sworn, declared that he is the person who signed the foregoing document in his representative capacity and that the statements contained therein are true and correct.

Given under my hand and seal of office this the 31 day of January, 2017.




Notary Public, State of Texas

After recording return to:
HOLT & YOUNG, P.C.
9821 Katy Freeway, Ste. 350
Houston, Texas 77024

EXHIBIT "A"

Venetian Estates, Section One (1), an addition in Fort Bend County, Texas, according to the map or plat thereof recorded in the Map Records of Fort Bend County, Texas, under Volume 389, Page 150, along with any prior plats, replats, amendments or supplements thereto;

Venetian Estates, Section Two (2), an addition in Fort Bend County, Texas, according to the map or plat thereof recorded in the Map Records of Fort Bend County, Texas, under File No. 115788, replatted under Volume 402, Page 454, along with any prior plats, replats, amendments or supplements thereto;

Venetian Estates, Section Three (3), an addition in Fort Bend County, Texas, according to the map or plat thereof recorded in the Map Records of Fort Bend County, Texas, under Volume 6, Page 4, along with any prior plats, replats, amendments or supplements thereto;

Venetian Estates, Section Four (4), an addition in Fort Bend County, Texas, according to the map or plat thereof recorded in the Map Records of Fort Bend County, Texas, under Volume 6, Page 13, along with any prior plats, replats, amendments or supplements thereto;

VEPOA - FUNCTIONS OF THE ARCHITECTURAL CONTROL COMMITTEE AND THE ARCHITECTURAL REQUIREMENTS

TABLE OF CONTENTS

<u>PURPOSE</u>	<u>Page</u> 8-4
<u>SECTION 1 ARCHITECTURAL CONTROL COMMITTEE</u>	8-4
SECTION 1.01 DESIGNATION OF COMMITTEE	8-4
SECTION 1.02 FUNCTION OF THE ARCHITECTURAL CONTROL COMMITTEE	8-4
SECTION 1.03 APPLICATION PROCEDURES	8-5
A. General Procedures for Any Addition or Change	8-5
B. Procedures for Approval	8-5
C. Changes in Procedures	8-5
D. Charges	8-6
SECTION 1.04 DEFINITION OF “STRUCTURES” AND “IMPROVEMENTS”	8-6
SECTION 1.05 BASIS OF APPROVAL	8-6
SECTION 1.06 MINIMUM CONSTRUCTION STANDARDS	8-6
SECTION 1.07 VARIANCES	8-6
SECTION 1.08 FAILURE OF COMMITTEE TO ACT	8-7
SECTION 1.09 LIMITATION OF LIABILITY	8-7
SECTION 1.10 NO WARRANTY IMPLIED	8-7
SECTION 1.11 PROCEDURES FOR MONITORING ARCHITECTURAL COMPLIANCE & COMPLIANCE WITH THIS DECLARATION	8-7
A. Observation	8-7
B. Alleged Violations	8-7
SECTION 1.12 APPEALS	8-8
<u>SECTION 2 ARCHITECTURAL REQUIREMENTS</u>	8-8
SECTION 2.01 LOT USE	8-8
A. Residential Only	8-8
B. No Commercial	8-8
C. Temporary and Other Structures	8-8
D. Public Utilities	8-9
E. Water Wells	8-9
F. Mining	8-9
G. Garbage and Refuse Storage and Disposal	8-9
H. Storage of Improvement Materials (Building Materials)	8-10

	I. Easements	8-10
	J. Animals	8-10
	K. Out draining	8-10
	L. Signs	8-10
	M. Garage Sales	8-11
SECTION 2.02	LOT USE - VEHICLES AND UNSIGHTLY ARTICLES	8-11
	A. Storage	8-11
	B. Parking	8-11
	C. Repair	8-11
SECTION 2.03	MAIN DWELLING, TYPE, SIZE AND MATERIALS	8-11
	A. Type and Capacity	8-11
	B. Floor Area and Building Material Type	8-11
	C. Exterior Preparation	8-12
	D. Roofs	8-12
	E. Attached Structures	8-12
	F. Detached Structures	8-13
	G. Window Air Conditioners	8-13
SECTION 2.04	LOCATION OF IMPROVEMENTS UPON THE LOT	8-13
	A. General	8-13
	B. Combining Lots	8-13
SECTION 2.05	TEMPORARY PLAY EQUIPMENT	8-13
SECTION 2.06	SEMI-PERMANENT PLAY STRUCTURES	8-14
	A. General	8-14
	B. Basketball Goals	8-14
	C. Maintenance	8-14
SECTION 2.07	SATELLITE DISH, ANTENNAE, GENERATORS, AND SOLAR PANELS	8-14
	A. Satellite Dishes	8-14
	B. Television Antennae	8-14
	C. Federally Regulated Transceiver Devices	8-15
	D. Backup Generators	8-15
	E. Solar Panels	8-15
SECTION 2.08	FENCES, WALLS AND HEDGES	8-16
	A. Fences	8-16
	B. Hedges	8-17
	C. Sight Lines	8-17
SECTION 2.09	LANDSCAPING	8-17
SECTION 2.10	SWIMMING POOL AND OUTDOOR HOT TUB CONSTRUCTION	8-17
SECTION 2.11	STRUCTURAL TEAR-DOWNS AND DEMOLITION	8-17
SECTION 2.12	TRAFFIC AREAS (DRIVEWAYS, WALKWAYS, ETC.)	8-18
SECTION 2.13	MAIL BOX	8-18

SECTION 2.14	LAKEWARD STRUCTURES (PIERS, BULKHEADS)	8-18
	A. Required Bulkheads, General Specifications	8-18
	B. Bulkhead Maintenance	8-19
	C. Permitted Lakeward Structure	8-19
	1. Pier and Dock Materials	8-19
	2. Boat Ramp or Stairway	8-19
	3. Electrical Wiring	8-19
	4. Boat Slips or Other Excavation	8-19
	5. Floating Piers	8-19
	D. Waterway Liability and Waterway Obstructions	8-20
	1. Boat Mooring Posts	8-20
	2. Low and Hanging Limbs	8-20
	E. Dumping	8-20
	F. Water Pump	8-20
SECTION 2.15	LAKEBACK STRUCTURES	8-20
SECTION 2.16	WATER SPRINKLER SYSTEMS	8-20
SECTION 2.17	NOXIOUS OR OFFENSIVE ACTIVITY	8-21
SECTION 2.18	LIGHTING	8-21
SECTION 2.19	EXTERIOR SOUND DEVICES	8-21
SECTION 2.20	DISEASES AND INSECTS AND RODENTS	8-21
SECTION 2.21	CULINARY GARDENS AND COMPOSING STRUCTURES	8-21
SECTION 2.22	VACANT LOTS - MAINTENANCE AND APPEARANCE	8-21
SECTION 2.23	RULES OF THE LAKE	8-21
	A. Construction and Planting	8-21
	B. Boats	8-22
	C. Fishing	8-22
	D. Nuisance	8-22
	E. Notices	8-22
	F. Suspension and Termination	8-22

PURPOSE

The Architectural Control Committee has hereby submitted this document to the Venetian Estates Board of Trustees for Approval. The document attempts to clarify the functions of the Architectural Control Committee and the requirements, documented or otherwise, established since the early 1970's. New, recent requirements have been added that are consistent with the growth of the neighborhood in the 1990's and the gradual transformation occurring in the 2000's.

SECTION 1 - ARCHITECTURAL CONTROL COMMITTEE

SECTION 1.01 DESIGNATION OF COMMITTEE

The Venetian Estates Property Owners Association (VEPOA) shall have an Architectural Control Committee (ACC) in accordance with the By-Laws of VEPOA, which shall consist of at least three (3) VEPOA Board of Trustees members who shall be appointed by the Board of Trustees of the Association. Any or all members of such committee may be removed by the President of the Board without cause. The Board of Trustees shall have the right and power at any time to create or fill vacancies on the Architectural Control Committee, by resolution adopted by a majority of the trustees at a meeting at which a quorum is present. These and other laws governing committees are found in Article 6 of the By-Laws of VEPOA.

SECTION 1.02 FUNCTION OF THE ARCHITECTURAL CONTROL COMMITTEE

No improvement, as that term hereinafter defined, shall be erected, constructed, placed, altered (by addition or deletion), maintained, or permitted to remain on any portion of the Properties of Venetian Estates until plans and specifications, in such form and detail as the Architectural Control Committee may deem necessary.

According to the published "Procedures for Approval", shall have been submitted to and approved in writing by such Committee. The demolition of existing improvements shall also be subject to "Procedures for Approval". The Architectural Control committee shall have the power to employ professional consultants to assist it in discharging its duties. The decision of the Architectural Control Committee shall be by majority vote of the committee and shall be binding on the applicant. In addition, the Architectural Control Committee shall be responsible for monitoring the compliance of all of the Lot Owners with the Venetian Estates Deed Restrictions and the provisions of the Declaration of Architectural Requirements. All actions or decisions of the Architectural Control Committee shall be final and binding subject only to Appeal by the Lot Owner or other party to the Board of Trustees as provided for in the By-Laws of VEPOA, Article 7, Section 7.

The Deed Restrictions and the Architectural Requirements of this Declaration and any further requirements, and issues published in "Procedures for Approval" provide further definition of standards specific to Venetian Estates which can exceed and/or augment the building codes and regulations of the City of Sugar Land as applicable to Venetian Estates. The Architectural Control Committee is thus charged with maintaining a good working relationship with the City and to be familiar with the applicable city codes and regulations. Where and if the Deed Restrictions and Architectural Requirements and the city codes and regulations conflict, it is the task of the Architectural Control Committee to resolve such conflicts.

The Architectural Control Committee is charged with developing and maintaining good relationships with organizations that have interests in properties adjacent to Venetian Estates to assure high standards.

To each new Lot Owner and upon request by any other Lot Owner, the Architectural Control Committee shall make available a copy of the Venetian Estates Deed Restrictions - Consolidation and a copy of this document, Functions of the Architectural Control Committee and the Architectural Requirements.

SECTION 1.03 APPLICATION PROCEDURES**A. General Procedures for any Addition or Change**

1. Each Property (Lot) Owner will submit proposal for any new improvement, addition, alteration, deletion of an existing improvement, or for any demolition of existing improvement to the Architectural Control Committee in writing, using a Request for Property Improvement Approval Form containing all the materials and information defined in the published "Procedures for Approval". The proposal must contain a description of the project, including the height, width, length, size, shape, materials, and location of the proposed improvement. Photographs or sketches of similar completed projects will aid in consideration. Where the alteration affects the existing drainage pattern, the proposed drainage pattern must be included. The Proposal should include a letter describing the proposed addition or alterations. The proposal shall be checked for specific conformance to the Restrictions and Architectural Requirements defined in Section 2 of this Declaration. Incomplete requests not in conformance will be returned for re-submission. In emergency situations, the Lot Owner should inform the ACC of its intentions to repair damage immediately and get an oral approval, then forms and descriptions may be later submitted.
2. Oral requests will be considered for emergencies only.
3. Each alteration or addition must be specifically approved. Approval is necessary even though the intended alteration or improvement is known to conform to the Declaration, or where it is known to be similar or substantially identical to an alteration or addition that has been previously approved.
4. The applicant shall be informed in writing of the decision. An Approval of the proposal is required before alteration or addition is commenced.
5. If a proposal is rejected, the reason(s) for disapproval shall be stated as part of the written decision.
6. The applicant may request reconsideration if new or additional information which might clarify the request or demonstrate its acceptability can be provided.
7. All plans and specifications submitted shall become the property of the Architectural Control Committee and will be retained for Committee files. All of the items submitted along with a copy of the Request for Property Improvement Approval form will be filed according to address, along with the written decision and a statement of action taken, if any.

B. Procedures for Approval

Upon request, the Architectural Control Committee shall make available to any person a copy of the "Procedures for Approval" which shall:

1. restate the provisions in Sections 1 and 2 as shown herein or as modified by the Committee;
2. define any other requirements, procedures, or construction standards adopted by the Committee;
3. state any fee structure as provided in Section 1.03. D. Charges herein, and;
4. include a Request for Property Improvement Approval Form.

C. Changes in Procedures

The Architectural Control Committee, subject to the approval of the Board of Trustees, may change the procedures and requirements defined in Sections 1 and 2 herein with the recording of such changes or new procedures in the monthly "Minutes of the Meeting" and subsequently making available to all Lot Owners upon request a copy of the new "Procedures for Approval".

D. Charges

The Architectural Control Committee shall have the right to establish reasonable minimal fees for, but not limited to, copying of materials, legal searches, special research, etc. Any fees established will be subject to the approval of the Board of Trustees and shall be recorded in the monthly "Minutes of the Meeting". A statement of any fees will be made in the published "Procedures for Approval".

SECTION 1.04 DEFINITION OF "STRUCTURES" AND "IMPROVEMENTS"

Structure(s) shall mean and include all buildings, parking areas and driveways, fences, walls, hedges, landscaping (mass plantings), swimming pools, hot tubs, mailbox enhancements, aerial structures, bulkheads, piers, solar energy projects, as defined herein.

Improvement(s) shall mean new additions and changes to structures included in the foregoing. Improvement(s) includes changes to building exterior shape and any new exterior construction. Improvement includes any and all later changes, major repairs, replacements, deletions, enhancements and demolition, to an existing improvement.

Improvement(s) does not include garden, shrub, or tree plantings or replacements. It does not include modifications, replacement, or repair, which does not change the exterior appearance of a structure.

SECTION 1.05 BASIS OF APPROVAL

Approval of plans and specifications shall be based, but not limited to: workmanship, materials, the adequacy of site dimensions, structural design, conformity and harmony of external design and location of neighboring structures and sites, relation of finished grades and elevations to neighboring sites, and conformity to both the specific and general intent of the Deed Restrictions and the Architectural Requirements.

SECTION 1.06 MINIMUM CONSTRUCTION STANDARDS

The Architectural Control Committee may from time to time establish an outline of acceptable construction standards; provided, however, that such outline will serve as a requirement, and the Architectural Control Committee shall not be bound thereby. Such an outline shall be contained in the published "Procedures for Approval". Such an outline does not exempt the Lot Owner from conforming to construction standards as found in the codes and restrictions of the City of Sugar Land.

SECTION 1.07 VARIANCES

Anything contained in this Declaration to the contrary notwithstanding, the Architectural Control Committee is hereby authorized and empowered, at its sole and absolute discretion, to make and permit reasonable modifications of and deviations from any of the requirements of this Declaration relating to the type, kind, quantity or quality of the building materials to be used in the construction of any building or improvement on any Lot and of the size and location of any such building or improvement when,

in the judgment of the Committee such modifications and deviations in such improvements will be in harmony with existing structures and will not materially detract from the aesthetic appearance of the Subdivision and its improvements as a whole. The Architectural Control Committee shall require the submission to it of such documents and items (including as examples, but without limitation, written request for and description of the variances requested, plans, specifications, plot plans and samples of materials) as it shall deem appropriate, in connection with its consideration of a request for a variance. If the Architectural Control Committee shall approve such request for a variance, the Architectural Control Committee may evidence such approval, and grant its permission for such variance, only by written instrument, addressed to the Owner of the Lot(s) relative to which such variance has been requested, describing the applicable restrictive covenant(s) and the particular variance requested, expressing the decision of the Architectural Control Committee to permit the variance, describing (when applicable) the conditions on which the variance has been approved (including as examples, but without limitation, the type of alternate materials to be permitted, the alternate fence height

approved or specifying the location, plans and specifications applicable to an approved out building), and signed by a majority of the then members of the Architectural Control Committee. Any request for a variance must be approved or disapproved by written notice from the Architectural Control Committee within forty-five (45) days after said variance has been submitted to it.

SECTION 1.08 FAILURE OF COMMITTEE TO ACT

The Architectural Control Committee will make every effort to approve or disapprove variances and improvement proposals within forty-five (45) days after the application, along with all plans and specifications, have been submitted to it; and it will notify applicant in writing for delay or inaction. Failure of the Architectural Control Committee to approve or disapprove the application within such forty-five (45) day period shall not be construed by applicant as authority to permit any structure or improvement to be commenced, erected, placed, constructed, demolished, or maintained on any Lot in any manner inconsistent with any provision of this Declaration. If the application, plans, and/or specifications are not sufficiently complete or are otherwise inadequate, the Architectural Control Committee may reject them as being inadequate or may approve or disapprove part, conditionally or unconditionally, and reject the balance.

SECTION 1.09 LIMITATION OF LIABILITY

Neither the VEPOA, the Architectural Control Committee nor any of the members of such committee shall be liable in damages or otherwise to anyone submitting plans and specifications for approval or to any owner of land affected by this declaration by reason of mistake of judgment, negligence, malfeasance, or nonfeasance arising out of or in connection with the approval or disapproval, or failure to approve or to disapprove any plans and specifications.

SECTION 1.10 NO WARRANTY IMPLIED

The approval or lack of disapproval by the Architectural Control Committee shall not be deemed to constitute any warranty or representation by such Committee including, without limitation, any warranty or representation relating to fitness, design or adequacy of the proposed construction or compliance with applicable statutes, codes, and regulations.

SECTION 1.11 PROCEDURES FOR MONITORING ARCHITECTURAL COMPLIANCE AND COMPLIANCE WITH THIS DECLARATION

A. Observation

The Architectural Control Committee shall periodically survey the Lots for compliance with architectural standards and the provisions of this Declaration.

B. Alleged Violations

1. All reports of alleged violations should be submitted to the Architectural Control Committee.
2. The chairman will appoint one or more members to investigate the allegation. If it appears that there is a violation, the Architectural Control Committee will determine the appropriate disposition of the matter after the validity of the violation has been established. A personal meeting with the Lot Owner is then conducted, whereby the Lot Owner is informed of the violation and specific corrective recommendations are outlined. Where such personal meetings are negative or inconclusive, the Architectural Control Committee shall summarize the personal meeting by written letter to the Lot Owner. This informational letter shall contain a request of the Lot Owner to notify the Architectural Control Committee of intent and time frame for corrective action regarding the violation. If the request is ignored, is negative, or Lot Owner's intent for corrective action is unacceptable, and/or the time frame for corrective action is not satisfactory to the Architectural Control Committee, then the Committee may submit an action letter to the Lot Owner, with notice of violation, a statement of the necessary corrective action, and an expected response time for corrective action.

3. Should all meetings, informational, and action letters not produce a favorable response, then the Architectural Control Committee shall present the violation case to the Board of Trustees for disposition.

SECTION 1.12 APPEALS

Any Lot Owner directly affected by a decision of the Architectural Control Committee may appeal in writing to the Board of Trustees. Such appeal shall follow the Procedures for Appeal as established by the Board of Trustees, Article VII, Section 7 of the By-Laws of VEPOA.

SECTION 2 - ARCHITECTURAL REQUIREMENTS

The following Architectural Requirements are applicable to all Lots and all Lot-Owners of all sections of Venetian Estates. Requirements typically expand on the Deed Restrictions of Venetian Estates. Wherever this occurs the Deed Restrictions or context phrases, or partial context of the Deed Restrictions may be included with the Requirements. Such Deed Restrictions or context or partial context will be distinguished in *italics*.

These Architectural Requirements, in attempting to be more comprehensive for the Lot Owner may include restriction and requirements that are, in fact, included as well in the Code of City Ordinances, Sugar Land, Texas. However it is not to be construed that all applicable and binding city codes are included in these Requirements. Refer to the City of Sugar Land for current Codes; or refer to the ACC, which subscribes to a copy of the current set of Codes for VEPOA use.

SECTION 2.01 LOT USE

A. Residential Only

Each lot shall be used for single family residential purposes only. No building shall be erected, altered, placed or permitted to remain on any Lot other than one (1) single-family dwelling unit and a private garage with capacity as specified in Section 2.03. As used herein, the term "single family residential purpose" shall be deemed to prohibit specifically, but without limitation, the use of Lots for hospitals, duplex houses, apartment houses, multiple family houses of any kind. A garage shall not be used for primary residence.

B. No Commercial

No profession, business, or commercial activity shall be allowed on any Lot. No business or commercial structure of any kind or nature whatsoever shall be built on any portion of the property and no structure, facility, or area of any Lot shall be used for mechanical repair or construction work, manufacturing or production of any product except purely for such purposes as would be considered a hobby and not a primary business by the United States Internal Revenue Service, regardless of whether such hobby shall be done for purposes of profit. In any case, all hobby activities shall be carried out in a manner and/or in a facility keeping with the intent that said Lot be kept in a neat and presentable manner as further defined herein.

C. Temporary and other Structures

No structure of a temporary character, trailer, mobile home, modular or prefabricated home, shack, barn, or any other structure or building, other than the residence to be built thereon, shall be placed on any Lot, either temporarily or permanently and no residence house, garage or other structure appurtenant thereto, shall be moved upon any Lot from another location: EXCEPT for the following condition:

During the construction or major rebuild of a residence, the owner may request approval of the Architectural Control Committee to place certain temporary facilities on the Lot. Such facilities may include, but not necessarily be limited to, storage area, signs, portable toilet facilities, and/or whatever local, state, or federal laws stipulate during a construction.

D. Public Utilities

Electrical services shall run underground in conduit furnished by the owner to the electric poles or underground electrical service in the street right-of-way. Telephone service shall run underground in conduit furnished by the owner to the electric pole or underground telephone service in the street right-of-way. No outside electrical, or telephone, or cable service shall be placed overhead.

Each Lot Owner shall, at his own cost, furnish, install, own and maintain (all in accordance with the requirements of local governing authorities and the national Electric Code) the underground service cable and appurtenances from the point of the electric company's metering on customer's structure to the point of attachment of such cable (such point of attachment to be designated by the electric company) to electric company's installed transformers or energized secondary junction boxes. The electric company furnishing service shall make the necessary electrical connection at said point of attachment and at the meter. In addition, each Lot Owner shall, at his own cost, furnish, install, own and maintain a meter loop (in accordance with the then current standards and specifications of the electric company furnishing service) for the location and installation of the meter of the electric company furnishing services to the residence constructed on such Owner's Lot.

Natural gas service shall terminate behind the building line with meters set to the side of the structures served thereby.

No individual sewage-disposal system shall be permitted on any Lot.

E. Water Wells

The drilling of water wells upon any Lot is prohibited.

F. Mining

No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any Lot, nor shall any wells, tanks, tunnels, mineral excavation, or shafts be permitted upon or in any Lot. No derrick or other structure designed for the use of boring for oil or natural gas shall be erected, maintained, or permitted upon any Lot.

G. Garbage and Refuse Storage and Disposal

All Lots and Common Areas shall at all times be kept in a healthful, sanitary and attractive condition. No Lot or any part of the Common Areas shall be used or maintained as a dumping ground for garbage, trash, junk or other waste matter. All trash, garbage, or waste matter shall be kept in adequate containers constructed of metal, plastic or masonry materials that are well secured. Recycling bins approved by the city shall be used for disposal of appropriate products. All such containers shall be maintained in a clean and sanitary condition and screened from public view except as necessary for garbage pick-up on the city easement adjacent to and contiguous with the owner's Lot. No Lot shall be used for open storage of any materials whatsoever, where storage is visible from the street, except building materials to be used in the construction of improvements as later described herein.

No incinerators shall be used on any Lot, nor shall any refuse be disposed of by burning within the subdivision.

Common Areas are defined as all properties owned or maintained by VEPOA including Venetian and Estates Lakes, water well property, easements, and as all properties owned by the city and state, including the vicinity of the dam, easements and street rights-of-way.

H. Storage of Improvement Materials (Building Materials)

No materials intended for improvements (building materials, dirt, etc.) shall be placed or stored upon any Lot until the Low Owner commences improvements. Upon commencement of improvement, such materials may be maintained thereon for a period of up to thirty (30) days. After such time, any building material residual shall either be removed from the Lot or be placed out of sight from the street, lake view, and view from adjoining properties.

All improvement materials shall be placed within the property lines of the Lot or parcel of land upon which the improvements are to be erected. Improvement materials shall not be placed on the street.

I. Easements

Easements for utilities and drainage facilities are reserved as shown and provided for on the recorded plat and no structure of any kind shall be erected upon any of said easements. Typically drainage easements exist within ten (10) feet of the side property lines of the Lot. Furthermore, there exists a utilities aerial easement that is five (5) feet wide from a plane twenty (20) feet above the ground upward located adjacent to all easements shown in the recorded plat.

J. Animals

No animals, livestock or poultry of any kind shall be raised, bred or kept on any Lot, except dogs cats, and other household pets of the domestic variety, provided they are not kept, bred or maintained for commercial purpose, and provided that no more than two (2) dogs are kept.

Poisonous or otherwise dangerous reptiles, insects or animals are strictly prohibited as pets. Wildlife, including waterfowl, rabbits, nutria or other animals are prohibited as pets.

All dogs shall be kept in a fenced area or secured by chain or leash, and will not be allowed to roam or run about at large. All dogs and cats shall wear a collar at all times exhibiting a current rabies vaccination tag.

Nothing herein contained shall be construed to permit the keeping of animals or pets to become a nuisance or be obnoxious to the occupants or owners of neighboring properties or to occupants of passing lake water craft, or to become a hazard to the health, welfare and well-being of the community, and all animal owners are responsible for any property damage, mess, injury, and disturbance their pet(s) may cause or inflict. Said determination shall rest completely with the Architectural Control Committee at their discretion.

K. Outdraining

The storm water and roof drains will be drained to the waterway and not to the sanitary sewer. All dwelling and garage plumbing fixtures, including such items as water softener, shall be connected to the sanitary sewer system. Swimming pool fixtures and overflow shall be drained to the waterway as stipulated by city code. Use utmost care in using swimming pool chemicals and in creating discharges, so to minimize toxicity of the waterways and adjacent properties.

L. Signs

No signs to the public view are permitted on any Lot except a sale or rent sign that advertises the property for sale or rent. No more than one (1) professional sign is permitted. Such signs shall be less than five square feet in area.

M. Garage Sales

Garage (or yard) sales are permitted, provided they comply with city permission and city ordinances, and provided that the intent of the owner(s) is that of selling off excessive household items only. Garage sales for purpose of selling commercial products are not permitted.

SECTION 2.02 LOT USE - VEHICLES AND UNSIGHTLY ARTICLES

A. Storage

No article deemed to be unsightly by the Architectural Control Committee shall be permitted to remain on any Lot so as to be visible from adjoining property, from lake view or from public streets. Without limiting the generality of the foregoing, golf carts, graders, tractors, wagons, motorcycles, motor scooters, and garden maintenance equipment shall be kept at all times stored behind the building line of the residence or garage and screened from public view, either within a garage or behind a fence suitable to the Architectural Control Committee, except when in actual use. Buses, non lake-use boats, trailers, recreational vehicles, and trucks (other than pickups) shall be permitted only if they are garaged.

B. Parking

Passenger automobiles, passenger vans, motorcycles, or pickup trucks that are not in operating condition, not having current license plates and inspection stickers, that are not in daily use as motor vehicles on the streets and highways of the State of Texas, may not be parked on the Lot driveways or on street rights-of-way. No vehicle of any type shall be parked on the street in front of a Lot or Common Areas for a period in excess of forth-eight (48) hours. Trucks (other than pickups), and buses are not permitted to be parked overnight on street rights of ways.

A motor home of a party visiting a resident may be parked in the driveway within the front building line for a period not to exceed seven (7) days provided a permit is secured from the Architectural Control Committee.

Lot-owners may request the city to have any abandoned, disabled, or junk vehicles removed from street rights of way.

C. Repair

No repair work, dismantling, or assembling of motor vehicles or other machinery or equipment shall be done or permitted on any street, driveway, or any portion of the Common Areas. No repair work shall be performed on automobiles or other vehicles in driveways or visible from the street, except such work that is of a temporary nature. Any regularly recurring repair or dismantling work shall take place within a garage or other structure screened from public view.

SECTION 2.03 MAIN DWELLING, TYPE, SIZE AND MATERIALS

A. Type and Capacity

No building shall be erected, altered, placed or permitted to remain on any Lot other than one (1) single family dwelling unit not to exceed two (2) stories in height having an attached or detached private garage for not more than three (3) cars. Maximum roof height shall be thirty-eight (38) feet from natural grade. Natural grade shall be determined from the highest natural point on the Lot designated on the Lot-Owner's topographic survey.

B. Floor Area and Building Material Type

The ground living area of the main structure, exclusive of open porches and garages, shall be not less than 2,000 square feet for a one (1) story dwelling or not less than 1,500 square feet for two (2) story dwelling.

The ground level of all dwellings shall not be less than seventy-five (75%) percent masonry construction exclusive of window and door openings. Exterior building materials must be approved by the Architectural Control Committee. The Committee may elect to list approved or disapproved materials in the current "Procedures for Approval".

C. Exterior Preparation

All exterior surfaces exclusive of masonry, window and door openings, shall be of a material suitable to exposure to weather without undue deterioration. Masonry materials used on the exterior requiring painting or other protective coatings shall be maintained so that said paint or other protective coating remains intact with uniform coloring.

D. Roofs

1. New and replacement roofing requires the approval of the Architectural Control Committee. The roof of any dwelling or garage shall be constructed of, or covered with, but not limited to, (1) composition shingles (with a stated minimum 30 year warranty or longer), (2) clay or concrete composite tiles, (3) standing seam materials, or (4) other materials comparable in quality, weight and color to wood shingles and clay or concrete composite tiles. Shingles, tiles or steel roofs shall be in earth tones or neutral in color complimentary to the home's exterior color scheme. The decision of comparable, approved roofing materials shall rest exclusively with the Architectural Control Committee. Any other type of roofing material shall be permitted only at the sole discretion of the Architectural Control Committee. Roofing samples or brochures shall be submitted with any roofing application.
2. Roofing or re-roofing with wood shingles is not permitted.
3. Roof overlaying is not recommended by the Architectural Control Committee. If overlaying is requested by the Lot-Owner, then the Architectural Control Committee may permit no more than one overlay. The weight burden of extra overlays may contribute to structural stresses resulting in roof sags.
4. As long as the roofing material matches the existing roof, minor or emergency repairs do not require specific Architectural Control Committee approval.
5. Exposed Metal Roof accessories: All exposed metal roof accessories including stack vents, flashing, attic ventilators, wind turbines, chimney caps, skylight curbs, solar collector frames, etc. shall match or blend with the color of the roofing or trim.

E. Attached Structures (such as Garages, Porches, Sun Decks, Sun Rooms, Carports, etc.)

1. Each dwelling shall have a private and enclosed garage for not less than two (2) nor more than three (3) cars. The door heights of a garage must not exceed ten (10') feet. Garage doors must be wood, fiberglass or metal and must be painted or stained to match or be compatible with the colors of the home. Carports and porte-cocheres are not be used in lieu of enclosed garages. Carports and porte-cocheres shall shelter not more than two vehicles and the building materials used must match or be compatible with the main dwelling.
2. The addition of garages, porches, covered sun-decks, sun-rooms, porte-cocheres, and carports requires the approval of the Architectural Control Committee. Such structures shall be within the locations as specified below in Section 2.04 "Location of Improvements Upon the Lot". Such structures will be architecturally similar, match or be compatible both in style, color and materials with the main dwelling. They shall have roof lines similar to the main dwelling and shall be structurally integrated to the main dwelling. Roofing materials shall be similar or complementary to the main dwelling.
3. Screened in structures are generally discouraged, but permissible if the Lot-Owner can show that the proposed screening will be architecturally pleasing to public view, look professional, and be highly

maintainable. Sheet metal and/or aluminum is not permitted as the primary material for these type structures, unless the Lot Owner can conclusively show aesthetic and architectural benefit.

G. Detached Structures (such as Gazebos, Pavilions, Green Houses, Storage Sheds and Other Outbuildings)

No detached structures such as gazebos, pavilions, green houses, storage sheds, and other outbuildings are permitted to be erected, placed, or be permitted to remain on any Lot.

H. Window Air Conditioners

Erection of window air conditioners requires approval by the Architectural Control Committee. Window air conditioner units shall be erected no higher than six feet from grade level, and the externally exposed part of the unit shall not be visible to public view. Window air conditioners are defined as self-contained units that require installation in a structure wall or window opening.

SECTION 2.04 LOCATION OF IMPROVEMENTS UPON THE LOT

A. General

No building structures or fences shall be located on any Lot nearer to the front Lot line or nearer to a side street, where present, than the minimum setback line as shown on the recorded plats for Venetian Estates. No building structure shall be located nearer than ten (10) feet to any interior property line, except for roof overhang which shall not encroach more than three (3) feet beyond this minimum building setback line. No building or other structure except a fence and except "lake-back structures" (such as described in Section 2.15, Lake-Back Structures) shall be located near than forty (40) feet from the lot line bordering on water frontage.

It is recommended that Lot Owners contemplating building to rear of Lot have a survey conducted, as some Lots may extend beyond the bulkhead.

B. Combining Lots

The following is a Deed Restriction applying to Section 2 only, but the Requirements extend it uniformly:

It is permissible that one (1) residence may be constructed on more than one (1) Lot as shown on the plat of Venetian Estates, dated March 18, 1960. Specifically, one (1) residence may be located upon one and one-half (1-1/2) Lots, or two (2) Lots, provided that no more than one (1) residence shall be constructed on any one (1) Lot. In the event a residence is situated upon a Lot and a portion of an adjoining Lot which is owned by the same owner, then no building shall be located nearer than ten (10) feet to any interior property ownership line, except for roof overhang which shall not encroach more than three (3) feet beyond the minimum building setback line. This is to expressly provide that the building location restriction will apply to the ownership property line, rather than to each particular side Lot as shown on the plat of Venetian Estates, dated March 18, 1960, in the event of construction of one (1) residence upon more than one (1) Lot. No change is made in the building location line from the front Lot lines or the side street lines as shown on said plat and in these Restrictions. Any easements and utilities shall be moved at the expense of the owner.

SECTION 2.05 TEMPORARY PLAY EQUIPMENT

Temporary children's play equipment such as sandboxes, temporary swimming pools having a depth of less than twenty-four (24) inches, playhouse, and tents under four (4) feet in height shall not require approval of the Architectural Control Committee provided that such equipment is within the locations as specified in "Locations of improvements on Lot" and furthermore shall be in rear of the Lot, not visible from the street.

SECTION 2.06 SEMI-PERMANENT PLAY STRUCTURES**A. General**

Semi-Permanent play structures require the approval of the Architectural Control Committee.

All materials must be earth tone and harmonious with the residence; this includes paints, stains, siding, and roofing. Treated wood, galvanized screws and ring shank nails are recommended. No metal siding or scrap materials are permitted. Manufactured kits are recommended. If the owner elects to design and construct his own, then a drawing, list of materials and specifications must be submitted. If a manufactured kit is to be used, then submit a copy of the brochure.

The structure shall be within the locations as specified in "Section 2.15 LAKEBACK STRUCTURES" or Section 2.04" Locations of Improvements on Lot not visible from the street. It is recommended that the height of the structure be less than fence height. If taller than fence height, then the maximum height of the structure is eight (8) feet. Additionally if the structure is above fence height, permission must be obtained from the adjacent neighbors who are able to view the structure from their property.

The structure shall be within the locations as specified in "Locations of Improvements on Lot" and furthermore shall be in the rear of the Lot, not visible from the street. It is recommended that the height of the structure be less than fence height. If taller than fence height, then the maximum height of the structure is eight (8) feet. Additionally if the structure is above fence height, permission must be obtained from any neighbors who are able to view the structure from their property.

B. Basketball Goals

Goals visible from the street are discouraged. If a goal must be placed in front yard, then it should be located within the front building set-back line. It is recommended that a basketball goal consist of translucent material for backboard, with post no larger than three (3) inches in diameter, and that the post's surface be prepared to blend in with the surrounding area. If the goal is placed beyond the front building setback line, then translucent backboard material is required.

C. Maintenance

If a permanent play structure is not maintained, this may be cause for removal.

SECTION 2.07 SATELLITE DISHES, ANTENNAE, GENERATORS AND SOLAR PANELS

The installation of satellite dish, antennae, or federally regulated transmitting/receiving equipment requires approval of the Architectural Control Committee, as to type, configuration, and location on the Lot before installation. Dishes and antennas shall be located behind the center building line of the Lot and within the rear and side set-back lines and locations as specified in "Locations of Improvements on Lot".

A. Satellite Dishes

One satellite dish less than twenty (20) inches in diameter is permitted on a Lot. Satellite dishes shall not be visible to public view.

B. Television Antennae

One television antenna is permitted on a lot. The maximum antenna height is limited to five (5) feet over the house roof ridge line. Stand-alone antenna towers are not permitted, meaning that any antenna shall be attached to a building structure or a tree. Antenna size is limited to the dimensions noted below:

1. Mast height does not exceed five (5) feet.

2. Boom does not exceed 190 inches.
3. Radiators, director, and driver elements must not exceed sixty (60) inches in any direction.

C. Federally Regulated Transceiver Devices

Such equipment and their antennae may be installed and used by operators licensed by the Federal Communications Commission (FCC), MARS, or any other United States of America governmental agency. Stand-alone antenna towers are not permitted, meaning that any antenna shall be attached to a building structure or a tree.

D. Backup Generators

1. Homeowners who desire a backup generator must submit an application to VEPOA for approval prior to installation. A permit from the City of Sugar Land is also required but not need to be submitted. The application must accompany a plot plan or site survey of the property with dimensions, lot lines, building lines and set-backs, indicating the primary residence, adjacent residences or structures and the location of the proposed generator. Plantings or screening shall be installed around the generator in order to shield it from the public view. Details showing landscaping and screening must also be incorporated into the drawing(s).
2. Backup Generator Location: A specific location should be chosen on the side or rear of the homeowner's residence based on the size and location of the property and taking into consideration the potential impact on safety, neighbors, aesthetics and noise. Backup generators may not be placed in the front of the home, nor may it be placed within the 40 foot lake-set-back line. Homeowners may not locate the backup generator in close proximity to a neighbor's residence where it would constitute a nuisance.
3. The generator fuel must be natural gas. Permanent backup generators may not be fueled by gasoline, diesel or propane.
4. Backup generators shall not exceed 22 KW and the noise level emitted by the generator during operation must not exceed 70 dB at 20 feet. Backup generators may only be utilized during periods of power outage and not as an adjunct or permanent substitute to the power provided by the local utility company. Backup generators may also require periodic or automatic performance testing by the manufacturer. Any performance testing required must occur no more than once per week, between 9 AM and 5 PM, Monday thru Friday and for no longer than 15 minutes per occurrence.

E. Solar Panels

Solar panels are permitted to the extent required by 202.010 of the Texas Property Code. Specifically,

1. The Lot Owner shall first apply to and receive written approval from the Architectural Control Committee prior to installation of any solar panels or other solar items (collectively "Solar Panels") permitted by 202.010.
2. Solar Panels shall be located in a fenced-in yard or patio or on the roof of the house or other approved structure, not visible from the front of the structure, and in a location approved by the Architectural Control Committee.
3. Solar Panels shall be located entirely on the property of the Lot Owner erecting the panels and shall not be located on any other lot, property or common area.
4. When mounted on a structure, no Solar Panel may be higher or wider than the roof-line of the structure it is mounted on.

5. When mounted on a structure, the top edge of all Solar Panels shall be parallel with the roof-line and shall conform to the slope of the roof-line.
6. If located in a fenced-in yard or patio, the Solar Panels shall be lower than the fence line of the yard or patio.
7. Solar Panels shall not cause an unreasonable or disproportionate visual impact on neighboring lots. If the Solar Panels would “substantially interfere with the use and enjoyment of land causing the unreasonable discomfort or annoyance to persons of ordinary sensibilities” it will not be allowed unless all adjoining lot owner’s give their written approval. The ACC will decide what is an unreasonable or disproportionate visual impact on neighboring lots and will inform the Lot Owner of what changes must be made to correct any unreasonable or disproportionate visual impact.
8. Solar Panel frames, brackets, wires and pipes shall be a shade of silver, bronze or black.
9. Ground mounted systems shall be screened on the sides.

SECTION 2.08 FENCES, WALLS AND HEDGES

A. Fences and Walls

Installation and demolition of fences requires Architectural Control Committee approval. Any proposed new fence or wall, replacement fence or wall or new location will require a survey.

1. Location:
 - a. Fencing along the front of the house facing the street cannot extend beyond the most forward portion of the house.
 - b. All fencing will be constructed in such a way as to not inhibit the natural drainage of water to the lake or to the street, depending on the Section.
2. Height:
 - a. Maximum finished height of any fence shall not exceed 6 feet above natural grade.
 - b. Maximum finished height within 40’ of the water’s edge and along the water’s edge shall not exceed 4 feet above natural grade
3. Materials:
 - a. Where wood fencing is approved in the neighborhood, all internal privacy fencing must be two or three rail, No. 1 cedar, No. 2 cedar or treated lumber, 1x4 or 1x6 vertical notched or capped.
 - b. Composite materials that mimic the look and color of weathered cedar may be considered. Alternative fencing materials must be submitted to the Architectural Control Committee for approval. These applications will be handled on a case by case basis and approval or non-approval shall be at the sole discretion of the Architectural Control Committee.
 - c. Metal, Wrought Iron and Aluminum Fencing:
 - i. The top of all metal picket design must be approved by the Architectural Control Committee.
 - ii. Lots backing onto a lake are restricted to the use of metal fencing, maximum 4 foot tall along and within 40’ of the water’s edge. It must be see-through so as to not block a neighbors’ view of the lake.
 - iii. Metal fencing must be vertical and black in color
 - d. Chain link fencing is not permitted except where used to repair an existing chain link fence.
 - e. No replacement or repair of chain link fences will be permitted on fences facing the street.
 - f. For street side fences, the finished side of any wood fence must face the street.
4. Swimming Pool and Hot-Tub Safety Fences:
 - a. All private swimming pool fences must meet city codes.

- b. Any temporary safety fencing for child protection shall be of a type specifically designed for that purpose, that can easily be removed, and that is see-through.

B. Hedges

A hedge shall be defined as a row of bushes, shrubs or trees that, at natural maturity, may exceed three (3) feet in height and have sufficiently dense foliage as to present a visual and physical barrier in the same manner as a fence.

C. Sight Lines

No fence, wall, hedge, or shrub planting which creates a traffic hazard or obstructs sight elevations between two feet and six feet above the roadways (in the sole opinion of the ACC) shall be placed or permitted to remain in any corner Lot within the triangular area formed by the street easement lines and a line connecting them at points 25 feet from the intersection of the street easement lines, or in the case of a rounded property corner from the intersection of the street lines extended. The same sight limitations shall apply on any Lot within ten (10) feet from the intersection of a street property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain within such distance of such intersections unless the foliage line is maintained at a sufficient height to prevent obstruction of such sight lines.

SECTION 2.09 LANDSCAPING

Following completion of construction or remodeling, the lawn areas surrounding the building(s) shall be cleaned of all debris, and construction materials pertaining to work remaining shall be stored within the garage or out of view from the street or the lake. The lawn areas will be shaped and smoothed to remove the scarifications of construction and to provide acceptable seed bed for grass and within three (3) months of occupancy the Owner shall complete the installation of grass (seed or sod) and shrubbery.

No trees or shrubs shall be planted in street right-of-ways except with the approval of the Architectural Control Committee.

Major landscaping or mass planting projects require the approval of the Architectural Control Committee. The primary intent of the approval requirement is to assure that (1) the project design does not obstruct water outdrainage, and (2) the project will be completed within thirty (30) days of arrival of construction materials.

SECTION 2.10 SWIMMING POOL AND OUTDOOR HOT TUB CONSTRUCTION

- A. Swimming pools and outdoor hot-tubs require the approval of the Architectural Control Committee. Only below ground swimming pools are permitted. Pumps, tanks and accessories must be hidden from public view. No construction access shall be allowed through any adjacent lot, landscape reserve or property without the written consent of the owner of that property. Swimming pools and hot-tubs shall be within the locations as specified in "Section 2.04. Locations of Improvements upon the Lot" except as follows:

1. No swimming pool, hot-tub or related structure may be constructed nearer than ten (10) feet to any interior property line.
2. A swimming pool, hot tub or related structure may be constructed in the forty (40) foot "lake-back structure lot line bordering on water frontage" as described in Section 2.15 or on any certified plat or Lot survey, but no nearer to any water-front bulkhead than fifteen (15') feet.
3. No Swimming pool, hot-tub or related structure may obstruct neighbor's lake view. Berms or buildup of the Lot grade around the immediate area of pool or hot-tub must not impede water out-drainage as specified in "Easements" nor shall they obstruct neighbor's view. Refer also to "Swimming Pool/Hot Tub Fencing" and to "Out drainage". Rock, waterfalls or slides shall not exceed 6' in height, they shall be finished in the back and blend with the main dwelling or be completely screened with landscaping.

SECTION 2.11 STRUCTURAL TEAR-DOWNS AND DEMOLITION

Structural tear downs or demolition of main dwellings and/or garages, in whole or in part, require the approval by the Architectural Control Committee. The primary requirements for approval are: (1) to assure that the project does not obstruct water out drainage; (2) to determine that the project will be completed in timely manner; (3) that all manner of safety procedures and methods are employed to assure health and safety of neighbors; (4) to review how all salvage materials are to be moved away from the Lot; and, (5) to know in detail and in advance the resultant state of the Lot.

SECTION 2.12 TRAFFIC AREAS (DRIVEWAYS, WALKWAYS, ETC.)

All paved driveways and walkway areas of the Lot shall be maintained in a neat and presentable manner free of major cracks, shifts, breakage, and/or potholes.

The parking of motor vehicles is not permitted on un-paved areas of the Lot. Traffic of any vehicle through or upon un-paved areas of the Lot is not permitted.

SECTION 2.13 MAILBOX

Each residence shall have one (1) mailbox located adjacent to the street that faces the front of the house. Enclosures, such as brick masonry, or other enhancements are permitted to be placed around the mailbox, provided that such enclosure or enhancement does not exceed fifty (50) inches in width, thirty (30) inches in depth and five (5) feet in height. Sufficient concrete footings are required under massive enclosures, so that the entire mailbox structure will be resistant to settling and listing.

Mailboxes, whether mounted plainly, placed in flowering beds, or enclosed as described above shall be maintained in fully repaired, neat, and presentable manner.

SECTION 2.14 LAKEWARD STRUCTURES (PIERS & BULKHEADS)

The term "Lakeward" for purposes of these requirements is defined as that area that extends from a Lot line bordering on water frontage to the area over the lake itself. The Architectural Control Committee is responsible for the approval and rejection of plans and specifications for the construction, alteration, and repair of bulkheads. Any new or replaced or modified lakeward structures require approval of the Architectural Control Committee. For those Lot owners who border Eldridge Lake, additional approval from the Gulf Coast Water Authority is recommended.

A. Required Bulkheads, General Specifications

Each Lot that has water frontage is required to have a bulkhead bordering the water frontage at or near the property Lot line. Bulkheads must be constructed and maintained in good repair in order to preserve the waterline and prevent slippage of land into the lake. The bulkhead shall be constructed of treated wood, natural stone or concrete. Concrete is discouraged because it is more costly to repair. Metal, vinyl, PVC or corrugated metal bulkhead material is not permitted. If using wood then it is recommended that all pilings, walers, bulkhead wall, anchor posts, dock beams, and joists must be treated for "freshwater immersion." Purchased wood of this type should contain stapled certification labels at one end of the wood.

Anchor posts (deadmen) are required in the construction of bulkheads to alleviate listing of the bulkhead as it ages. Anchor posts must be positioned no more than eight (8) feet apart and no less than eight (8) feet from the bulkhead and no less than six (6) feet from any lake erosion boundary. This implies at that anchor posts can be tied to two pilings. One anchor post per piling is recommended. Anchor posts are typically six (6) feet long; and are typically driven vertically to a depth such that top of anchor post is lower than the height of the bulkhead retaining wall. Horizontal anchor posts may be used; check with the ACC. The use of auger type ground anchors as substitution for anchor posts are prohibited.

Bulkhead pilings shall be no more than four (4) feet apart. Pilings shall be at least six (6) x six (6) inches square, or at least six (6) inches in diameter. Pilings shall be driven or drilled a minimum of two (2) feet into the lake bottom. Pilings are to be secured to anchor posts with five-eighths (5/8) inch minimum diameter rebar, or with one quarter (1.4) inch minimum diameter cable. All cable shall be protective coated against corrosion.

Top and bottom walers are to be 2x8 or larger. All hardware (nails, nuts, bolts, washers, lag screws, etc.) shall be stainless steel or hot dip galvanized material.

Bulkhead walls should be driven a minimum of twelve (12) inches into the lake bottom.

Bulkhead height shall be sixteen (16) to eighteen (18) inches above flood gate level. A double layer bulkhead retaining wall is recommended. Unless this retaining wall can be shown to be watertight, special erosion preventive fabrics are required to be placed behind the bulkhead retaining wall of wooden bulkheads. Such fabrics must be rated for ground burial. The Lot grade behind the bulkhead retaining wall must be within two (2) inches from the top of the bulkhead. Sand or gravel is recommended for use immediately behind the bulkhead.

Clay fill is not recommended in this area because of its tendency to expand when wet, putting additional pressure on the bulkhead.

B. Bulkhead Maintenance

It is the Lot Owner's responsibility to maintain the quality of the bulkhead, and to inspect and replenish areas of grade settling or erosion. Excessive erosion and or listing of bulkheads warrant immediate corrective bulkhead repairs or replacement.

C. Permitted Lakeward Structures

No structure of any kind is permitted that extends lakeward beyond the bulkhead, except one (1) pier or dock having a maximum width of twelve (12) feet extending into the waterway. Maximum length is twenty 20 feet along the lake shore. Maximum dimensions of pier include allowances for any railing and seating rests. Pier floor deck height shall be no more than six (6) inches over bulkhead height.

1. Pier and Dock Materials: Piers shall be constructed using treated wood whether of the 'freshwater immersion' or the 'ground contact' type. Posts secured to the pier for purposes of support pier lighting and other apparatus shall not be higher than eight (8) feet above the pier deck. Deck boards shall be treated lumber or exterior quality composite deck boards. New pier and pier replacement require approval of the Architectural Control Committee. It is the lot owner's responsibility to maintain the quality of the pier. If the structure is not maintained, this may be cause for removal. Composite materials that simulate the look and color of wood may be considered.
2. Boat Ramp or Stairway: A boat ramp is permissible provided that it is integrated as part of the pier. The maximum width of a boat ramp is four (4) feet. The total integration of both pier and ramp and stairway shall not exceed the 20 x 12 feet maximum dimensions as stated in section 2.14.C.1 above. Stand-alone boat ramps are not permitted.
3. Electrical Wiring: All electrical wiring associated with a pier or bulkhead or placed near water frontage shall be water resistant, ground fault protected and suited for wet areas. In particular, high voltage wiring shall be above water line and shall not be susceptible to being contacted with water craft.
4. Boat Slips or Other Excavation: Boat slips or other excavation which passes through the Lot line bordering on water is prohibited.
5. Floating Piers: Floating piers are prohibited.

D. Waterway Liability and Waterway Obstructions

VEPOA shall not be held liable for claims arising from use of waterways. Lot owners shall not be held liable for claims arising from the use of said waterways, except for claims involving items herein called Waterway Obstructions as listed below. The Lot Owner related to such Waterway Obstruction(s) shall be expressly liable in the event of accidents or mishaps arising from same.

1. Boat Mooring Posts: Boat mooring posts or any other posts not part of the bulkhead or a pier, or residuals from torn down piers or deteriorated piers, are considered Water Obstructions and are expressly prohibited. A Lot-Owner's approved pier is not considered a Waterway Obstruction.
2. Low and Hanging Limbs: Low and overhanging trees and limbs less than twelve (12) feet over water level as well as fallen branches into the lake from nearby trees are considered Water Obstructions and are expressly prohibited.

E. Dumping

Dumping or filling of any material into the lake beyond the Lot line bordering on water is prohibited.

F. Water Pump

The addition of a water pump and plumbing at the bulkhead or pier for removing water from Lake Venice requires approval of the Architectural Control Committee. For those Lots bordering on Eldridge Lake and Estates Lake, additional approval from the Gulf Coast Water Authority is recommended. Only electrical water pumps are permitted. Water pump and water pump plumbing equipment shall be maintained in fully repaired, neat, and presentable manner, otherwise this may be cause for removal. Camouflaging of water pump equipment is encouraged.

1.

SECTION 2.15 LAKEBACK STRUCTURES

Lakeback pertains to a Lot bordering on water frontage. It is defined as that area nearer than forty (40) feet

from the Lot line bordering on water frontage. Lakeback structures can encompass landscaping structures, fences, etc. Landscape structures are permitted provided that they do not exceed five (5) feet in height and provided that they do not obstruct neighbors' lake view. (Fence descriptions are covered in "Fences, Walls and hedges". Water pump facilities are described in "Lakeward Structures". For further reference, see "Locations of Improvements on Lot".)

Special, tall standing structures such as semi-permanent play structures, bird houses, security lighting poles, and flagpoles are permissible within this area, but they require architectural approval. Such structures shall be maintained and be presentable; otherwise, this may be cause for removal.

For those lots bordering on Eldridge Lake, note that the Gulf Coast Water Authority claims a 25 foot easement on the Lots bordering Eldridge Lake beginning from the Lot line bordering on water frontage extending Lakeback.

SECTION 2.16 WATER SPRINKLER SYSTEMS

All water sprinkler systems shall have provisions for using the city water service, even though lake water may be intended for prime water source.

All water sprinkler water circuits shall be below ground. Sprinkler heads shall be hidden from view during period of non-use, except those heads located in flower beds or shrubbery.

Water circuit distribution valves are permitted to be above ground, provided that they are well hidden from the street and from view of adjacent Lots. Sprinkler systems shall abide by all city ordinances. Back-flow

prevention valves are required to be installed between the city water service and the distribution valves manifold.

SECTION 2.17 NOXIOUS OR OFFENSIVE ACTIVITY

No noxious or offensive activity shall be permitted upon any Lot, nor shall anything be done thereon which may be or may become any annoyance to other property owners.

SECTION 2.18 LIGHTING

Decorative, recreation (fishing) or security lighting is permissible on any Lot as long as such lighting is approved by the Architectural Control Committee and does not constitute an annoyance to adjacent Lot Owners. All-night duration lighting in backyard, on bulkheads and/or piers is discouraged, but is permissible as long as such lighting does not constitute an annoyance to adjacent Lot Owners.

SECTION 2.19 EXTERIOR SOUND DEVICES

No exterior speakers, horn, whistle, bell or other sound device, except security devices used exclusively for security purposes, shall be located, used, or placed upon a Lot.

SECTION 2.20 DISEASES, INSECTS AND RODENTS

No owner shall permit anything or conditions to exist upon any Lot that shall breed, or harbor plant disease, noxious insects and rodents.

SECTION 2.21 CULINARY GARDENS AND COMPOSTING STRUCTURES

Any culinary garden(s) and any composting structure(s) placed on a Lot shall be within the locations specified in "Locations of Improvements on Lot" and furthermore shall be in the rear of the Lot, not visible from the street. All such gardens and composting structures shall be maintained in a neat and presentable manner. Complaints from neighbors can be cause for removal.

SECTION 2.22 VACANT LOTS - MAINTENANCE AND APPEARANCE

Vacant Lots shall have bulkheads maintained in good condition and be neat in appearance. Trees, grass, or other landscaping on the Lot shall be regularly serviced and be neat in appearance the same as with occupied Lots; otherwise, the Architectural Control Committee will notify the City that the Lot requires attention.

SECTION 2.23 RULES OF THE LAKE

Per the Deed Restrictions and per conveyance of rights by the Gulf Coast Water Authority the RULES OF THE LAKE for Lot Owners extends to three lakes: Venetian Lake, Estates Lake and Eldridge Lake (hereinafter referred to as "lake").

The VEPOA extends the privilege of lake use to a Lot owner member in good standing and to their guest(s). A Lot Owner member includes the Lot Owners immediate family. Guests shall be accompanied by members in good standing when using the lake. Lake use by Lot Owner members not in good standing is prohibited and considered trespass of the lake. A member not in good standing shall not be a "guest" as used herein.

A. Construction and Planting

No construction or planting of any vegetation shall be allowed within the boundaries of the waterways beyond the lot lines as shown on the dedication plat, and in no event beyond the existing common boundaries of the waterways. No artificial fishing habitats shall be constructed in the Lake except those commissioned by the VEPOA.

B. Boats

1. Watercraft stored or used on the lake must be kept in a well-maintained and operable condition. Watercraft that are inoperable, sinking, listing or in disrepair must be immediately repaired or removed from the lake.
2. No watercraft may be propelled by means of internal combustion engines either inboard or outboard, except on a limited basis by VEPOA's designee for safety or lake maintenance.
3. Watercraft may not be longer than 24 feet in length.
4. Houseboats are not allowed.
5. The lake is a "No Wake" Zone, i.e. watercraft may not produce a wash or wake that will cause discomfort, hazard, injury or damage to person, vessels or property.
6. Watercraft operated between ½ hour after sunset and sunrise (non-daylight hours) must use running lights strong enough to be visible from other boats and from the shorelines. They may not use spotlights which would disturb residents in their homes.
7. Boats and other watercraft are required to have current Venetian Estates boat stickers affixed where easily identifiable. Stickers are available from the block captains.

C. Fishing

Members in good standing are permitted to fish in the lake or from the shoreline. Trotlines are to be set no farther than five feet into the lake from the resident's property line and must be parallel to that line. The use of nets and bottle fishing in the lake is prohibited, except for the limited purpose of conducting fisheries survey reports commissioned by VEPOA.

D. Nuisance

No noxious or offensive activity shall be permitted upon the lake, nor shall anything be done thereon which may be or may become an annoyance to other persons using the lake.

Any action or use of the lake, not herein specifically mentioned, but which is deemed by the Board of Trustees, in its sole discretion, to be injurious to the lake, hazardous use of the lake, or detrimental to the mutual benefit of the members of the Association shall be prohibited.

E. Notices

Members are required to observe all notices issued by the VEPOA regarding use of the lakes. These may include, but not limited to, lake maintenance advisories, fish limit or size requirements, lake chemistry advisories, etc.

F. Suspension and Termination

The VEPOA Board of Trustees shall have the right to suspend or terminate, the right of access to and use of the lake, and such member's family and guests, who, in the opinion of the Board of Trustees, fails to faithfully comply with each and every one of these Rules and Regulations.