

THE ASSOCIATION OF WOODWIND LAKES HOMEOWNERS, INC.
ARCHITECTURAL GUIDELINES

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1. Definitions

The terms used in this document have the following meanings:

Association - The Association of Woodwind Lakes Homeowners, Inc. (Woodwind Lakes)

Architectural Control Committee (ACC) - The Architectural Control Committee for the Association

Declaration (Deed Restrictions) - The Declaration of Covenants, Conditions and Restrictions applicable to Woodwind Lakes.

Guidelines - Rules, standards and procedures established by Modifications Committee pertaining to the buildings, additions, or other improvements in Woodwind Lakes.

Woodwind Lakes - All sections of the Association of Woodwind Lakes Homeowners, Inc. subdivision to which the Declaration applies. This includes Sections 1, 2, 3 and 4 (The Village of Woodwind Lakes)

Overview

The purpose of architectural design review is to keep the community attractive for the enjoyment of residents and the protection of property and property values. The Declaration authorizes the Architectural Control Committee to establish rules, standards and procedures for the orderly development of the subdivision and requires homeowners to obtain written approval from the ACC for any buildings, additions or other exterior improvements to their property. This is to ensure that the improvements comply with the provisions of the declaration and the ACC guidelines. The ACC and Board have established these guidelines in accordance with the authority granted to them by the provisions of the declaration and certain grants made by the Declarant.

These guidelines have been established to assure uniform and fair application of the declaration and are intended to provide all lot owners in Woodwind Lakes with information about: the type, color, quality of materials which may be used in the construction of various kinds of improvements, the size and locations of such improvements and information about the procedures used by the ACC in reviewing application for proposed improvements.

The ACC reserves the authority to review and approve applications for buildings, additions or exterior improvements which are not explicitly described by these guidelines, and to consider additional guidelines in the review process whether published or not. These guidelines may be amended by the ACC as it deems necessary or appropriate.

2. Application Procedure

SUBMISSION. All applications for approval to make any exterior changes, additions or improvements must be submitted to the ACC in writing by completing the application form currently in use or such form as may hereafter be adopted by the ACC. Plans and specifications for any exterior change, addition or improvement should be attached to the application. All applications, additional information, or requests for appeal shall be mailed or delivered to the office of the managing agent of the Association, not to members of the ACC or Board of Directors.

The application should be supported by the following information:

- (a.) drawing(s) of the proposed structure showing the top, front, side, and rear exterior views; overall dimensions (length, width, height) for the structure; and the layout and dimensions of supporting structures (e.g. beams, rafters, trusses and etc.
- (b.) a copy of an official survey of the Lot showing location of easements, existing buildings and structures, and the proposed location of the improvement;
- (c.) a description of all materials used, including product name, model number, size, color, etc.
Color samples (e.g. "Paint chips") for all colors involved must be included
- (d.) Photographs are helpful particularly for tree removal applications

The ACC reserves the right to request additional information deemed by it to be necessary to properly evaluate the application. If the ACC requests additional information and such information is not submitted to the ACC by the applicant in a timely manner (so that the application may be approved or disapproved within THIRTY (30) days of its receipt), the application shall be denied. However, the applicant may thereafter submit a new application with the requested information to the ACC for its review.

ACC DECISIONS. ACC committee members shall consider each application for compliance with the Declaration and with these guidelines. The decision of a majority of members to approve or disapprove an application shall be considered the decision of the ACC. ACC decisions shall be conveyed in writing by the managing agent of the Association to the applicant and shall include a statement of the conditions under which the application is approved, if any, or the primary reason(s) for disapproving the application.

In accordance with the Declaration, any application that is not approved or disapproved within fifteen (15) days of the date of its receipt shall be deemed to have been automatically approved provided, however, that (a.) any such approval shall extend only to architectural guidelines and not to any of the use restrictions set forth in the Declaration and (b.) in no event shall non-action be deemed to constitute approval of an application for any change, addition, or improvement or any other item that would violate the restrictive covenants in the Declaration. Unless otherwise stated in the ACC's written response, all approved exterior changes, additions or improvements shall be completed within thirty (30) days of the date construction, installation or erection is commenced. If construction does not commence within 6 months, the approval shall no longer be effective.

BOARD OF DIRECTOR APPEALS. If the application is denied by the ACC, the applicant may within thirty (30) days submit an appeal to the Board of Directors. The Board of Directors shall review the appeal at one of its next two (2) meetings following the date upon which the appeal is received and notify the applicant of the Board's decision. All decisions of the Board of Directors shall be final.

STATUS OF APPLICATION DURING APPEAL. During the appeal period, the decision of the ACC on the original application shall remain in effect. Failure of the Board of Directors to respond to a request for reconsideration within thirty (30) days of the date of its receipt shall not automatically result in approval of the original application.

3. Exterior Lighting

Changes to Existing Lighting

Outside lighting which was installed at the time of original construction with the approval of the ACC may be replaced with a new fixture provided that the wattage of the new fixture does not exceed the wattage of the existing fixture or 150 watts, whichever is greater.

New Lighting

A. Outdoor Lighting

Outdoor lighting shall be permitted with the ACC's approval so long as the total wattage for all outdoor lights does not exceed 300 watts. All outdoor lighting shall be mounted behind the back plane of the house. No pole mounted outdoor lights (including sodium vapor and mercury vapor) shall be permitted. No outdoor light fixture shall be allowed above the eaves of the house or garage. Exceptions to mounting outdoor lighting behind the back plane of the house and/or allowing outdoor lighting above the eaves of the house or garage may be granted by the ACC if the design and location of the house and/or garage on the lot warrant an exception. No more than one (1) mercury vapor light of not more than 150 watts shall be permitted on any lot unless a cul-de-sac or corner lot. Sodium vapor Lights are permissible provided that each sodium vapor light does not exceed 70 watts.

B. Landscape lighting

Exterior landscape lighting shall be permitted with the ACC's approval so long as the Lighting is located within the flower beds, shrubs, and/or trees. Pole mounted landscape and/or decorative lighting shall also be permitted with ACC approval so long as (a) the pole does not extend more than eight (8) feet above the ground, (b) the light fixture is not situated more than six (6) feet above the ground, and (c) the light is neither sodium vapor nor mercury vapor."

C. Annoyances

All new lighting which is approved by the ACC shall be subject to a ninety (90) day trial period to assure the lighting is not objectionable to surrounding residents. The period shall commence on the date of installation of the lighting. If at the end of the ninety (90) days the ACC determines that the lighting is not unreasonable offensive or an annoyance to surrounding residents, the ACC's approval shall be final; otherwise the lighting must be removed or modified in accordance with the decision of the ACC. Directional lights or floodlights must be aimed so as not to shine in the windows of neighboring homes or oncoming vehicles.

D. Color

Decorative gas or electric lights must be black, brown or white depending on the color of the house and determination of suitable color will be the decision of the ACC.

4. Antennae and Satellite Dishes

A. Antennae - No exterior radio or television aerial wires or antenna may be installed on any portion of a residence or lot unless they are in compliance with any and all deed restrictions. ACC approval and FCC regulations.

B. Large Satellite Dishes - Large (greater than (39) inches in diameter to comply with FCC) satellite dishes may not be installed on any portion of a residence or lot.

C. Small Satellite Dishes - Small (less than (39) inches in diameter) satellite dishes must be installed at the rear portion of the lot so as not to be visible from the street provided there is a line of sight which will allow the dish to receive proper and consistent signals. In the instance where there is a reception problem, the dish must be: (a) located on the rear portion of the property (b) located behind the ridge line (c) on the side located on an eave. If on the eave, then should be painted to match. All antennae must be operable and used or removed.

5. Room Additions/Conversions

Room Additions - Detailed plans must be submitted to the ACC. Exterior materials and colors should match the residence. Room additions may not encroach into any utility easement. Size and shape of the addition will depend on the architectural style and layout of the home, size of lot, and how well the room addition integrates with the existing home. Roof additions must integrate with existing roof line and materials of construction so as to appear to have been part of the original home. Room additions generally should not exceed more than one third into the original rear yard.

Applications must be submitted prior to construction and include a detailed scale drawing or blueprint showing the three-dimensional relationship of the room to the existing structure, Applications must also include a plot plan showing the location of the addition in relation to all lot boundary lines, the residence, the easements and the building setback lines.

6. Garage Conversions, Carport Extensions and Driveways

All garages whether used for the storage of vehicles or not, must maintain the outward appearance of a garage complete with functioning doors. Driveways are not to be altered or removed. Front facing combined garage/carports may be permitted subject to ACC applications and review on houses where the front of the garage is setback from the front of the main dwelling structure a minimum of twenty-five feet (25'). No carports are permitted on dwellings with attached garages at the front of the dwelling. The roofs of garages and carports must be covered with shingles compatible with the existing dwelling roof and must be peaked, not flat and similar in construction to the main roofline and tie into the main roofline (flush with eaves) of a single-story dwelling or the wall of a two-story portion of the main structure.

7. Sunrooms

A sunroom is any room with glass enclosed walls or a glass ceiling. The ACC may reject any application to construct a sunroom on a lot on the basis of its overall design and conformity with existing structures and whether or not the proposed sunroom complies with the technical specification set forth below.

Applications must be submitted prior to construction and include a detailed scale drawing or blueprint showing the three-dimensional relationship of the sunroom to the existing structure. Applications must also include a plot plan showing the location of the sunroom in relation to all lot boundary lines, the residence, the easements and the building setback lines.

A sunroom may be added to the rear of the residence only. Applications for sunrooms on cul-de-sac lots and corner lots where the rear of the house faces a street or other community property will be considered on a case by case basis.

Supporting structural members must be of a color and shade similar to and harmonious with the exterior color of the residence. Glass may be tinted in a shade compatible with the exterior of the residence. No metallic or direct reflecting style of shade of tinting of the glass is permitted. Applicants may be required to submit actual samples of the glass with the proposed shading/tinting material applied for approval.

The floor of the sunroom must be of reinforced concrete construction with a 3" minimum thickness. Only a finished floor surface will be permitted. Only tempered glass, laminated, fully tempered glass or laminated heat-strengthened glass will be permitted for the panes. No fiberglass, Plexiglas, plastic, acrylic, mesh or other materials will be allowed. Glass must be a minimum of 3/16" thick if tempered glass or a minimum of 1/4" thick of laminated glass. Maximum width of glass between support trusses will be 36" measured center to center.

Support trusses must be constructed of aluminum alloys with electrostatically applied coloring/paint. No natural aluminum oxidation will be allowed. No wood, composite, steel, fiberglass or plastic trusses will be allowed. Trusses must be of structural box or I- beam construction. Round, oval or A"TA" shaped trusses will not be allowed. The roof of a sunroom must have a minimum pitch of 1" per 12" in projection. The sunroom may not project more than 20' measured from the rear facing plat of the dwelling. The sunroom may not project beyond either side-facing plat of the residence. A sunroom may not encroach on any existing setbacks or easements. The maximum height of the roof measured from the concrete floor may not exceed either 12' or the height of the eaves of the wall that the sunroom projects from whichever is lower.

All lighting shall be downward directing. All electrical plugs must be UL approved GFI type. Sunrooms may not have turbine type or forced fan ventilators installed. Natural draft convection flow panels that may be opened may be installed. Panels that open may not exceed 36" by 36" in size and must be at least 36" in any direction away from the adjoining opening panels. Sunrooms may not have exposed duct work inside or outside of them.

Exterior window coverings are not permitted. However interior coverings will be permitted, and there shall be no exterior covering of the sunroom glass allowed. The side of the window covering facing the exterior must be of a neutral, earth tone color, which must also blend with the home. If there are coverings on any window, then all windows must be covered with the exact same treatment. Colors and materials must be submitted to ACC for approval.

8. Outbuildings

Any type of building that exists on a lot and has two or more of the following: floor, walls, a permanent roof, is not attached to the residential dwelling or to a detached garage on the lot, shall be considered an outbuilding. Gazebos and children's play structures, as hereinafter defined, are subject to separate requirements as set forth herein below. Only one (1) outbuilding not exceeding one hundred (100) square feet and nine-feet (9') in height (measured from the ground shall be permitted on a lot. The standard type quality and color of the materials used in the construction of the outbuilding shall be harmonious with those of the main residence on the lot. No exterior portion of an outbuilding shall be made of metal, with the exception of pre-fabricated outbuildings intended for exterior storage, and the outbuilding must be in harmony with the color and type of materials used in the construction of the main structure. An outbuilding shall be located in the rear portion of the lot, but may not be located on any rear utility easement unless the outbuilding is moveable. Outbuilding locations must also conform to the building front and side setback restriction. No outbuilding may be located on a lot such that it impedes drainage from the lot or causes water to flow onto an adjacent lot. Further, if an outbuilding is to be constructed on a lot, the area of the lot where the outbuilding is placed must be enclosed by a six-foot, six-inch (6',6") fence, or such fence must also be proposed concurrent with the application for approval to construct the outbuilding. A fence approved in conjunction with an application to construct an outbuilding must be completed within thirty (30) days of the date that the outbuilding construction begins.

- A. Gazebos - For the purposes hereof, a gazebo shall be defined as a free standing, open framed structure with lattice-type walls, whose purpose should not be for any type of storage. These typically are circular or octagonal shaped structures.

Two types of gazebos are permitted:

- a) Conical shaped (peaked) roofed gazebos. These gazebos cannot exceed ten feet (10') in height (height measured from the ground) and the horizontal supports cannot exceed eight-feet (8') in height from the deck level.
- b) Flat lattice (arbor type) roofed gazebos. These cannot exceed ten-feet (10') in height (height measured from the ground) and the horizontal supports cannot exceed eight-feet (8') in height from the deck level.

For either structure, the footprint area is limited to one hundred (100) square feet (typically 10' by 10'). All gazebos must have a permanent roof with materials as set forth in these Guidelines. The materials used in the construction of the gazebo shall be harmonious with the standard, type, quality and color used in the construction of the main residence on the lot. Louvered or trellis style gazebo roofs may be allowed as long as the quality of materials is approved. Pressure treated wood may be stained, painted or covered by shingles. Water and electricity may be permitted upon approval and according to the national electrical code. All pipes and cables must be underground.

Gazebos must be located a minimum of six-feet (6') or a minimum of the building set back line. If a gazebo is to be constructed on a lot, the rear portion of the lot must be enclosed within thirty (30) days of the date that the gazebo is constructed or erected. No gazebo shall impede drainage on the lot or cause water to flow onto an adjacent lot.

9. Patio Covers and Arbors

The standard, type, quality and color of the materials used in the construction of a patio cover must be harmonious with the standard, type, quality, and color of the materials used in the construction of the main residence. A patio cover must be integrated into existing roof line (flush with eaves) and shingles must match roof. Carpet may be approved if it is a solid color harmonious with the residence. The entire patio cover and posts should be trimmed out to match house. Posts must be painted to match trim of house. Patio covers may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment. Patio cover must be situated on the lot to provide drainage solely into the owner's lot. If a proposed patio cover location is less than five feet away from the side lot line the ACC will require that it be guttered with down spouts if it is a solid cover. Corrugated, galvanized or fiberglass roofs for patio covers or arbors shall not be permitted under any circumstances. Arbors need not be attached to the house. Arbors have beams but not roofing. A wood frame arbor may be allowed to remain unpainted, provided cedar, redwood or treated pine is used.

10. Awnings

Awnings which are visible from the street in front of the lot shall not be permitted. Awnings on the rear portion of the lot must be approved by the ACC. Color and materials are subject to approval by the ACC.

11. Decks

Detailed plans of all decks must be approved by the ACC with respect to location and the standard, type, color and quality of the materials used in construction. Appropriate fences may be required by the ACC if any portion of a proposed ground level deck would otherwise be visible from the street or an adjacent lot. No deck shall impede drainage on the lot or cause water to flow on an adjacent lot. No deck other than a second level balcony attached to the main residence shall be constructed more than eighteen-inches (18") above the ground. No deck may encroach into any utility easement without the prior consent of the utility company.

12. Paint, Trim and Siding

Paint Color: Samples or paint chips of the proposed exterior color of any new addition or improvement must be attached on each application submitted to the ACC. Further, the existing color of the main body of a house, garage or other improvement on a lot, as well as any trim or accent color, shall not be changed without first submitting an application with color samples of paint chips (for each color) to the ACC and receiving its prior written approval. The ACC has established and shall maintain a chart depicting the acceptable earth tone colors and shades of earth tone colors for the exteriors of homes and other improvements on lots within the subdivision.

Each color sample or paint chip shall be compared to the colors and shades of colors set forth on the color chart to assure that each approved color is harmonious with the color scheme established. Paint needs to be satin or semi-gloss; no flat or high gloss will be approved. Exterior paint must be maintained in good condition at all times.

In **Section 1, 2 and 3**, each exterior color must be not only an earth tone, but also an acceptable shade of an earth tone color. As used in these guidelines, "earth tone" shall mean an acceptable shade of beige, brown or gray as shown in the ACC's color chart.

In **Section 4** of Woodwind Lakes each exterior color must be not only an earth tone, but also an acceptable shade of an earth tone color. Section 4 residents may use any of the Section 1, 2, 3 colors or extra colors provided in the ACC's color chart.

MISCELLANEOUS for all Sections

Trim soffit, fascia board, shutters and window and door trim must also be an earth tone color; however, the shades of trim color shall accent the principal color of the dwelling. All garage doors, including metal, shall be painted the same color as the principal dwelling. No alternating colors (checkerboard) shall be allowed under any circumstances.

Materials of siding and trim for all sections Siding and trim must be replaced/repared or added with materials approved by the ACC. Acceptable materials are: wood siding or Hardi-Plank siding, as has always been the case. No plastic; metal or vinyl siding is allowed under any circumstances. Siding must have a wood grain texture and not be flat. Widths, thicknesses, materials and styles must be harmonious with the surrounding houses in the neighborhood.

13. Fencing

Height - The height of new fences on a lot must be six-foot, six-inches (6', 6") composed of a six-inch (6") rot board and six-foot (6') pickets. Section 4 homeowners who live on the perimeter of the community whose yard backs up to a main street, Philippine, Gessner, Mauna Loa, or Windfern, must replace fence segments facing the street with an eight-foot (8') fence made up of a twelve-inch (12") rot board and seven-foot (7') pickets. Homeowners who border or back up to community property or other communities must replace their back or side fence segment with an eight-foot (8') fence made up of a twelve-inch (12") rot board and seven-foot (7') pickets. Fences located on lots which make the perimeter of Woodwind Lakes (which may include brick and/or stone fences) must be attached to existing perimeter wall.

Gates - All gates shall be constructed with materials consistent with the fence material. See item 32 for Driveway Gates. Breezeway gate/fences may be four or six-foot (4' or 6') wooden fence without rot board, or four or six-foot (4' or 6') wrought iron.

Pickets - All fences visible from the front street or from a front private drive or visible from a side street adjacent to a corner lot shall be constructed with the pickets on the outside so that no posts or rails are visible from the respective street or private drive. All pickets on any fence must be of the same width and thickness for the entire property, consisting of either four-inches or six-inches in width.

Segments between lots – Fence segments between lots can be submitted by both owners sharing the side lot line and fence. If both owners do not submit the request, the ACC will examine the effect of the proposed fence segment on both owners. Segments between lots can be single sided, double sided or constructed with alternate facing picket panels (good neighbor fencing).

Color and Materials

Wooden Fences - All wooden fences shall be constructed using No.2 or better Western Red Cedar pickets. The pickets may be left unstained or stained with either Behr #DP533 Cedar Natural Tone, Behr wood finish #501 Cedar Natural Tone, or Olympic #716 Cedar Natural Tone. Wooden fence pickets must conform to the surrounding/connecting fences, e.g., treated pine may be used for fence structural frame and rot boards, but not for pickets.

Maintenance of Fences - All fences shall be properly maintained and portions replaced as originally constructed or approved to correct rot, mold or disrepair other than natural weathering of wood.

Wrought Iron Fences - Wrought iron appearing fences on residential lots along the perimeter of lakes must be maintained or replaced with same material. Wrought iron fences must be black, or as otherwise approved by the ACC. The height, location and spacing of the bars of all wrought iron fences must be approved in writing by the ACC. The object of lake fencing is to maintain a consistent height from one property to the next. If a fence crosses a ditch or gully, the depth of the fence at that point should be extended.

Chain Link and Wire Fences - Chain link and wire fences are not permitted, except to enclose a dog kennel and only if the chain link or wire fence is not visible from ground level of any lot or street. All installations of chain link or wire fences must be approved by the ACC prior to installation.

Other Fences - Fences of any material other than that listed above must be approved by the ACC.

Setback Lines - Fences may not be constructed on a lot forward of any applicable setback line, unless approved in writing by the ACC.

14. Swimming Pool, Spa, and Jacuzzi

No swimming pool, spa or Jacuzzi shall be approved unless the area in which the swimming pool, spa or Jacuzzi is to be located is either enclosed by a minimum six-foot, six-inch (6', 6") wood fence constructed of wood in harmony with adjacent fence lines, or four-foot (4 ') wrought iron style fence constructed with materials approved by the ACC with a maximum of three-inches (3") between each bar. During construction, the swimming pool, spa or Jacuzzi area shall be enclosed with a temporary fence or barrier, unless a fence already exists. If a portion of an existing fence is removed during construction a temporary fence or barrier must be erected to fully enclose the area in which construction is taking place. Excavated material shall either be used on site or immediately removed from the premises by the pool contractor and shall not effect drainage. Further, no building materials shall be kept or stored on the street overnight.

The construction of all pools, spas or Jacuzzi must be in compliance with the National Electrical Codes and include the installation of a ground fault circuit interrupter. There shall be no surface discharge on the lot or to an adjacent property. No swimming pool, spa or Jacuzzi shall be constructed in a manner to impede drainage on a lot or to cause water to flow on an adjacent lot. Generally, swimming pools, spas or Jacuzzi should be located at least five-feet (5') from a side or rear lot line to maintain proper drainage. All installation must be in accordance with the setback requirements of the appropriate Covenants subject to any applicable utility or other easements. Swimming pools, spas and Jacuzzi should not encroach into any utility easement without the prior written consent of the utility company. No swimming pools may be enclosed with screens.

In Ground - An application for the construction of a swimming pool, spa or Jacuzzi must include a plot plan showing the proposed location of the swimming pool, spa or Jacuzzi in relation to the property lines, building lines, existing structures, drainage and existing or proposed fence. The application shall also include a timetable for the construction of the swimming pool, spa or Jacuzzi.

Above Ground - Above ground swimming pools are not acceptable and are considered inconsistent with the neighborhood look and feel.

Each homeowner is responsible for following all state and local regulations regarding swimming pools and spas.

15. Children's Play Apparatus

For the purposes hereof, a children's play apparatus shall mean any type of children's swing set, play set, climbing structure, slide or raised play set. One (1) children's play apparatus is allowed per each residential lot. Play apparatuses will be located no closer than six-feet (6") from any property or minimum set back line. The maximum dimension for height is twelve and a half feet (12.5') total. The tarpaulin for a shade area must be solid green or beige or have a wooden shade. Wind-socks or streamers attached to the structure will not be permitted. No play apparatus shall be approved for construction on utility

easements, or in a location which may impede the drainage on the lot or cause water to flow to an adjacent lot.

16. Children's Play Structures

For purposes hereof, a children's play structure shall mean any type of children's playhouse, clubhouse, or play fort. The same guidelines for play apparatus shall be applicable to play structures. No play structures or tree-houses shall be situated in any tree. No more than one structure or apparatus will be permitted.

17. Basketball Goals

Basketball goals should be mounted either (a) on the garage wall or roof with the backboard parallel to the automobile entrance, or (b) on a rigid steel or aluminum pole. Mounting supports may be of wood, steel, or aluminum. Support bracing must be either black or a color to match the shingles. Poles must either be black or a color in harmony with the color of the residence. Wooden poles shall be permitted. For roof-mounted basketball goals, the backboard supports must be firmly attached to the structure.

All goals must be a minimum of ten-feet (10') behind the front building line of the dwelling on the lot that extends from the front of the house or garage parallel to the street. (Further description of properties able to apply for basketball goals is available in the declaration). All goals must not be within ten-feet (10') of the adjoining neighbor's amenities (air conditioning unit, shrubbery, gas meter, etc.) Unless properly protected (i.e., by fence or shrubbery) or unless the written consent of the neighbor is obtained and all such installations require ACC approval. An application for: approval to erect a basketball goal must include either a plot plan or a scale drawing depicting the location of the goal and its relationship to the adjoining neighbor's property. In the case of a pole-mounted goal, the plan or drawing should include the neighbor's amenities and a neighbor's written consent if applicable.

The homeowner must maintain the basketball goal in its original approved condition (including rim and net). If lighting is provided for the basketball area, it must comply with the lighting guidelines in this document. A good neighbor policy concerning noise and disturbing the peace must be followed. Use of temporary portable basketball goals is permitted but must not be located at a street curb due to the car traffic/pedestrian hazard created by play in a public street.

18. Air Conditioning Equipment

No window or through-the-wall air conditioning units shall be permitted on any portion of the primary residence with the exception of the rear portion of the garage and not visible from any street or Common Property. No exterior ventilating or air treatment equipment shall be permitted unless no part of such equipment can be seen from any street, sidewalk or path in any part of the subdivision and installation thereof shall require the prior written approval of the ACC.

19. Window Replacement and Solar Film/Solar Screens

- If not replacing all windows in one area (front, sides, back, top and bottom), then replacement window or windows must reflect the pattern of the window it is replacing.
- If replacing all windows in one area (front, sides, back, top and bottom), the windows may be replaced with clear panes or panes with mullions.
- All windows in one area (front, sides, back), must be the same style. The front and side facing the street of corner houses must be the same style.

- If replacing all windows, they may be clear panes, panes with mullions, or panes with mullions in the front and clear panes on the sides and back.
- Effective October 1, 2016, solar screens over windows with mullions, must contain mullions. All solar screens or films in one area (front, sides, back, top and bottom) must be the same style. Windows on corner houses must have similar treatment for front and side windows facing the street. Screens and films must not be mixed on a side of a house. All windows on a side must be the same style.

20. Storm Windows and Screen Doors

The frames of storm windows and screen doors should be of a color compatible with the exterior of the residence, and if the building has painted aluminum window frames, the color of the storm window/door must be painted in harmony with the residence. All glass and screens must be properly maintained at all times.

21. Window Treatments and Displays

No displays, signs, flags, paper, or aluminum foil shall be in any window which is visible from any street in the subdivision. Other window treatments such as draperies, shutters, shades, mini-blinds in windows that can be seen from the street should conform to the type, quality and color as used by the majority of the residents in the subdivision.

22. Birdhouses

Birdhouses shall be permitted subject to the prior approval of the ACC and the following:

- (a.) A birdhouse shall not be visible from the street in front of the lot;
- (b.) No birdhouse shall be larger than two-feet (2') in width, two-feet (2') in length and two-feet (2') in height.
- (c.) No more than two (2) birdhouses shall be permitted on a lot;
- (d.) No birdhouse shall be situated higher than ten-feet (10') above the ground;
- (e.) Birdhouses shall not be closer than six-feet (6') to any property line or minimum set back line.

23. Mail Boxes

All sections use communal mailboxes. Application for the installation of individual mailboxes shall be disapproved unless based upon medical necessity and with agreement by the local postmaster representing the United States Postal Service. Medical documentation and agreement with the USPS must be included with the ACC application prior to installation. The mailboxes belong to the U.S. Post Office. **If a mailbox is in bad condition please contact the post office and not the HOA or Graham Management.**

24. Burglar Bars

Burglar bars or other barriers designed to restrict access to window, doors, porches and other areas of the residence from the outside may not be installed without the prior approval of the ACC. The minimum requirements for approval for such bars and barriers are that (a.) they must be installed inside the window or door, and (b.) they must blend with the structure and color of the house so as not to be readily visible from the street.

25. Outdoor Carpeting

Outdoor carpeting may only be installed on porch areas (not sidewalks or walkways) which are not visible from the front street or visible from the front private drive or visible from a side street adjacent to a corner lot. Only earth tone colors in shades of brown are acceptable. Specifically, no green, red or blue carpet is allowed.

26. Chimneys

All chimneys shall be fully enclosed structures, i.e. no bare stove pipes are permitted. All chimneys constructed on the exterior of the house shall be constructed to match the first-floor exterior finish, and they must have uniform exterior finished from top to bottom.

27. Decorative Appurtenances (Adornment or decoration)

No statue, fountain, tree swing, benches/yard furniture, yard ornament or other temporary or permanent outdoor decoration shall be installed on any part of any lot visible from the street without the prior written approval of the ACC. A display of the United States flag on or near patriotic holidays and reasonable seasonal ornamentation shall be permitted during the appropriate season. The placement of any object in the yard, on the structure of the home or any other structure that is visible from the street or path that is not specifically allowed by the Deed Restriction or Architectural Guidelines must be approved by the Architectural Control Committee.

With respect to Christmas lighting and ornamentation, same shall be installed no earlier than the Friday after Thanksgiving and completely removed no later than the last (15th) day of January of the following year. Identifying house numbers may be placed on the residence, but not on any type of freestanding structure in the front yard.

28. Roofing

All roof vents and jacks must be painted to match the shingles. For any shingle, not on the approved list you must submit a 12"x 12" actual sample shingle representative of the entire roof. Contact Graham Management on where to drop off the shingle sample. Approval must be secured before the work may begin.

Sections 1, 2 or 3 roofs shall be covered with high definition asphalt or composition shingles equal to or better than:

- GAF/Timberline Natural Shadows or HD in Weathered Wood
- Certain Teed Landmark in Weathered Wood,
- Owens-Corning Duration in Driftwood,
- Tamko Classic Heritage in Weathered Wood, or
- Atlas Pinnacle Pristine Weathered Shadow or Weathered Wood.

Sections 4 roofs shall be covered with asphalt or composition shingles equal to or better than:

- GAF Royal Sovereign in Weathered Gray,
- Certain Teed XT 25 in Weathered Wood,
- Owens-Corning Supreme AR in Weathered Wood,
- Tamko Elite Glass Shield in Weathered Wood, or
- Any listed for Sections 1, 2, or 3.

29. Flags and Flagpoles

In accordance with The Texas Property Code - Section 202.111, residents may display the following:

- The flag of the United States of America displayed in accordance with Title 4 U.S.C. Sections 5-15.
- The flag of the State of Texas displayed in accordance with Chapter 3100 of the Texas Government Code.
- An official replica flag of any branch of the United States armed forces.

A flagpole, whether attached to a dwelling or freestanding, must be a commercially available product constructed of nonferrous metal materials with a finish appropriate to the materials used in the construction of the flagpole and harmonious to the dwelling.

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

Flags and flagpoles must be maintained in good condition; flags and flagpoles that are deteriorating or represent an unsafe condition must be repaired, replaced or removed.

Flagpoles are limited to one per lot, not to exceed twenty-feet (20') in height. Flagpoles over eight feet in length or height shall be a minimum of 2 inches in diameter. Flagpoles exceeding sixteen feet (16') in height shall be a minimum of three-inches (3") in diameter at the base.

The size of the flag must be proportionate to the height of the flagpole. Maximum flag size for flagpoles up to 16 feet is 3 feet by 5 feet. Maximum flag size of flagpoles over 16 feet and up to 20 feet is 4 feet by six feet. A maximum of two flags per pole is allowed.

The size, location and intensity of lights used to illuminate a displayed flag must be approved in advance by the Association's Architectural Review Committee.

The external halyard of the flagpole must be secured to abate any noise.

Residents can only place a flagpole or flag on their property and no other property.

All applications must be approved by the Association's Architectural Review Committee prior to the commencement of the installation.

30. Permitted Sign and Religious Display

No sign, emblem, or banner of any kind may be kept or placed upon any Lot, or mounted, painted or attached to any Single-Family Residence, fence, or other improvement upon such Lot so as to be visible from public viewing EXCEPT the following:

- a.) **For Sale/Lease Signs.** An Owner may erect one (1) sign on his lot, not exceeding 2' X 3' in area, fastened only to a stake in the ground and extending not more than three (3) feet above the surface of such Lot advertising the property for sale or lease.

- b.) **Political Signs.** Political signs may be erected upon a Lot by the Owner of such Lot advocating the election of one or more political candidates or the sponsorship of a political party, issue or proposal scheduled to appear on a ballot, provided that such signs shall not be erected more than ninety (90) days in advance of the election to which they pertain and shall be removed within ten (10) days after such election. Signs must be located in the yard between the sidewalk and the main structure. Signs are prohibited on the public right of way. No signs are permitted on the Common Property of the Subdivision except signs authorized by the Board of Directors which display rules and information pertaining to the use of the areas.
- c.) **School Spirit Signs.** Signs celebrating school activities (football, band, cheerleader, etc.) of one or more children residing in the Single-Family Residence and the school they attend shall be permitted so long as the sign is not more than 36" X 36" or equivalent size. There shall be no more than one sign for each child under the age of eighteen (18) years of age, residing in the Single-Family Residence. Banners are not permitted. Signs must be constructed of non-plastic materials and maintained to original appearance.
- d.) **Security Signs/Stickers.** Signs or stickers provided to an Owner by a commercial security or alarm company providing service to a Single-Family Residence shall be permitted so long as the sign is not more than 12" X 12" or the sticker is no more than 4" X 4". There shall be no more than one sign per Lot and stickers on no more than thirty (30) percent of the windows and one on the front door or front entry area.
- e.) **Garage Sale Signs.** Signs promoting periodic community garage sales sanctioned by and purchased from the Association are allowed. Signs can only be displayed on the day of the community garage sale.
- f.) **Yard of the Month Signs.** Signs noting Yard of the Month as chosen by the Association's Grounds Committee are allowed.
- g.) **Religious Signs.** Signs and Displays are allowed in accordance with Texas Statute 202-018, to wit:
1. The display must be motivated by the Owner's or Resident's "sincere religious belief."
 2. The religious item cannot threaten public health or safety.
 3. The religious item cannot violate the law.
 4. The religious item cannot contain language, graphics or other display that is patently offensive to a passerby.
 5. The religious item must be located on the entry door or entry door frame and cannot extend past the outer edge of the door frame or the entry.
 6. The maximum space allotted to a religious item or combination of religious items shall be no more than 25 square inches.
 7. The Association may remove any item that does not conform to the Statute.

31. Rainwater Recovery Systems

1. Rainwater Recovery Systems may be installed with advance written approval of the Architectural Control Committee subject to these guidelines.
2. All such Systems must be installed on land owned by the property owner. No portion of the Systems may encroach on adjacent properties or Common Property.
3. Other than gutters and downspouts conventionally attached to a dwelling or appurtenant structure all components of the Systems, such as tanks, barrels, filters, pumps, motors, pressure tanks, pipes and hoses, must be substantially screened from public view from any street or Common Property. Screening may be accomplished by:
 - a) placement behind a solid fence, a structure or vegetation; or
 - b) by burying the tanks or barrels; or
 - c) placing equipment in an outbuilding otherwise approved by the Architectural Control Committee.
4. Overflow lines from the Systems must not be directed onto or adversely affect adjacent properties or Common Property.
5. Inlets, pots, vents and other openings must be sealed or protected with mesh to prevent children, animals and debris from entering the barrels, tanks or the storage devices. Open top storage containers are not allowed.
6. Harvested water must be used periodically and not allowed to become stagnant or a threat to health.
7. All Systems must be maintained in good repair.

32. Driveway Gates

This provision is effective for Exterior Improvement Application Forms submitted on or after September 1, 2013.

Ornamental iron driveway gates not to exceed eight feet in height may be approved on homes that have garages located to the rear of the residence. Detailed drawings of the design of the gate including the direction of gate swing must be submitted along with the ACC application and survey documents with location details. All gates shall be painted black. It is preferred that the gate opens away from the street. In no case shall the gate post be located closer to the street than the front corner of the house closest to the driveway. The gate or gate swing shall not extend into the building line setback (marked BL on the plat) at any time whether it is in the open or closed position. If the gate must open toward the street, the gate must be setback a minimum of twenty feet plus the length of the gate swing from the inboard side of the sidewalk (this is to allow a vehicle to enter the driveway while the gate is opening without blocking the sidewalk or the street). Dual gates (saloon style) reduce the gate swing by half.

33. Sidewalk Maintenance

All sidewalks on private property are the responsibility of the homeowner. The homeowner is responsible for repair and maintenance of sidewalks in order to prevent tripping hazards. Sidewalk panels should be even one panel to the next. Panels uneven by **1/2 inch or more are considered tripping hazards**. Hazardous sidewalks are subject to a fine for deed restrictions violation.

“Harris County Precinct 4 only makes repairs to sidewalks if the damage is in conjunction with storm sewer failure. Meanwhile, if the damage is not a result of the storm sewer system but is the result of tree roots or a water line leak, either the homeowner or the local municipal utility district (MUD #261) is responsible for the needed repairs.”

34. Street lights and tree trimming

All tree branches should be trimmed as to not block the street lights from clearly illuminating the sidewalks and streets at nightfall or early morning. **The lights poles should illuminate 45 feet to 50 feet on the ground on each side of the light poles**. This policy is to keep residents safe on their early morning or evening walks in our community. Also during the fall and winter months our school children will have lights while waiting on their school buses. Failure to keep tree branches clear away from street lights is a violation and subject to a fine