

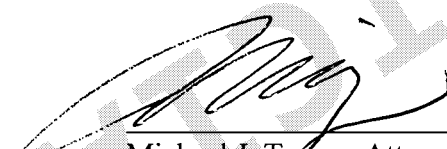
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AFFIDAVIT REGARDING AUTHENTICITY OF DOCUMENTS

STATE OF TEXAS }
 }
COUNTY OF HARRIS }
 } KNOW ALL MEN BY THESE PRESENTS:

THAT the foregoing and attached document is a true, correct and complete photocopy of original document which was adopted in connection with the operation and administration of the properties mentioned therein, the property owner's association mentioned therein, and all of the properties governed thereby. Such document constitutes a supplement to the Heritage Village Homeowners Association, Inc.'s "dedicatory instruments," as such term is defined within Section 202.001(1) of the Texas Property Code. The foregoing and attached documents are hereby filed/recorded in compliance with the mandate of Section 202.006 of the Texas Property Code.

All facts recited and statements made herein are true, correct and in all respects accurate."



Michael J. Treece, Attorney
for Heritage Village Homeowners Association, Inc.

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12.51

SUBSCRIBED AND SWORN TO BEFORE ME on this the 3rd day of June,
2016.


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Please Return to:

Treece Law Firm ✓✓
1020 Bay Area Blvd.
Suite 200
Houston, Texas 77058

RP-2016-267534

SUPPLEMENT TO DEDICATORY INSTRUMENT
FOR
HERITAGE VILLAGE HOMEOWNERS ASSOCIATION, INC.

STATE OF TEXAS }

COUNTY OF HARRIS }

DOCUMENTS GOVERNING THE FOLLOWING SUBDIVISIONS:

Heritage Village, Section One (1), plat recorded in Volume 313, Page 42 of the Map Records of Harris County, Texas;

Heritage Village, Section Two (2), plat recorded in Volume U366229, Film Code No. 443074 of the Map Records of Harris County, Texas;

Heritage Village, Section Three (3), plat recorded under Film Code No. 501122 of the Map Records of Harris County, Texas;

Heritage Village, Section Four (4), plat recorded under Film Code No. 511094 of the Map Records of Harris County, Texas;

Heritage Village, Section Five (5), plat recorded under Film Code No. 529112 of the Map Records of Harris County, Texas;

Heritage Village, Section Six (6), plat recorded under Film Code No. Y022965 of the Map Records of Harris County, Texas;

FILED OF RECORD IN COMPLIANCE WITH SECTION 202.006 OF THE TEXAS PROPERTY CODE, AS PART OF THE DEDICATORY INSTRUMENT GOVERNING THE ABOVE-LISTED SUBDIVISIONS

RP-2016-267534

I. OVERVIEW

The Board of Directors of the Association has established the following outline of architectural review guidelines in accordance with the authority granted to it by the Declarations and the Texas Property Code. The guidelines are established to assure a uniform and fair interpretation of the Declarations and the power of the Association related to architectural control and regulation of the appearance of the Subdivision. The Declaration remains in full force and effect and controls in the case of any conflicts with these guidelines. The guidelines are intended to provide all lot owners in the Subdivision with information relating to i) the design, color, location and grade of materials which may be used in the construction of various kinds of structures and improvements, ii) the size and location of such improvements and structures and iii) the procedure utilized by the Association with respect to applications for proposed improvements and structures and alterations thereto.

These procedures and guidelines may be amended by the Board of Directors of the Association from time to time as its deems necessary and appropriate as the needs of the Subdivision change.

II. ARCHITECTURAL REVIEW PROCEDURES

- 2.1. Applications. All applications of approval to make any exterior changes, additions or improvements must be submitted to the Board in writing by completing the application form currently in use by the Association. The application form currently in use by the Association is attached as Exhibit "A" to these guidelines. Site plans and a schematic plan (as defined by Article VI, Section 3 of the Declarations) must accompany all applications for any exterior addition, change, alteration or improvement should be attached to the application. All applications, additional information, or request for appeal shall be mailed or delivered to the office of the managing agent of the Association, not to the Board.
- 2.2. Additional Information. The Board reserves the right to request any additional information it deems necessary to properly evaluate any application. In the event that the Board requests additional information, the application shall be considered incomplete and denied until such information is submitted to the Board, the time allowance for approval shall not begin until such information is received.
- 2.3. Board Decisions. The Board shall consider each application for compliance with the Declarations and with these guidelines. The decision of a majority of members to approve or disapprove an application shall be considered the decision of the Board. Board decisions shall be conveyed in writing by the Board or 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.
- 2.4 Automatic Approval. Subject to Section 2.02 above and as provided in Article VI, Section 3 of the Declarations, an application submitted prior to construction that is not approved or disapproved within 45 days of the date of its receipt shall be deemed to have been automatically approved provided, however, that any such approval shall extend only to compliance with these architectural review guidelines and 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 any of the terms in the Declarations.
- 2.5 Pre-Approval. Improvements made to lots which conform to the exact specifications set forth in the following sections shall be considered pre-approved by the Board and do not require an application: Sections 4.10 – Outdoor Carpeting; 4.13 – Antennas; 4.16 – Landscaping; 4.24 – Flagpoles; 4.25 – Window Coverings and 4.28 – Soft Water/Water Filtration Systems.
- 2.6 Right to Hearing. Any owner whose application has been denied by the Board shall have the right to request a hearing before the Board to reconsider the application. A request for a hearing before the Board shall not be considered another application and all applications previously denied by the Board shall remain denied until specifically approved in writing by the Board. Owners may also request a hearing before the Board if they have reason to believe another Owner has violated the guidelines in effect at the time structure or improvement was installed or altered.
- 2.7 Completion Deadline. Unless otherwise stated in the Board's written response or in these guidelines, all approved exterior changes, additions or improvements shall be completed within sixty (60) days of the date construction, installation or erection is commenced, unless an extension is otherwise approved by the Board.

III. GENERAL GUIDELINES

- 3.1. Board Approval Guidelines. The Board shall consider the following factors upon the review of each application for an exterior addition, change, or alteration:
- a. conformity and harmony of external design and location in relation to surrounding structures and topography;
 - b. quality of workmanship materials;

- c. dimension, shape, height, and location;
 - d. harmony and appeal of exterior design;
 - e. structural, mechanical, electrical, and plumbing details;
 - f. nature, kind, type, and color of materials; and
 - g. such other factors as the Board may deem appropriate.
- 3.2 Maintenance of Improvements. All improvements and structures must be maintained at all times by the Owner of the lot in a good, attractive and neat condition, as determined by the Board.
- 3.3 Prior Written Approval. Unless otherwise specifically provided in these guidelines, all changes, alterations and replacements of residential dwellings, improvements, and other structures must receive prior written approval from the Board.
- 3.4 No Warranty. The approval of an application shall not be construed as a warranty or representation by the Board that the change, addition or improvement, as proposed or as built, complies with any or all applicable statutes, ordinances or building codes, or as a warranty or representation by the Board of the fitness, design or adequacy of the proposed construction.
- 3.5 Grandfather Clause. Buildings and other improvements erected prior to the date these guidelines were adopted by the Board, which buildings and improvements were either (i) previously approved by the ACC or the Board and/or (ii) are in compliance with the Declarations and the previous Architectural Review Guidelines, shall be deemed to be in compliance with these guidelines. From and after the date these guidelines are adopted by the Board, all new buildings and improvements and any alterations thereto must comply with these guidelines.

IV. SPECIFIC GUIDELINES

- 4.1 Swimming Pools/Spas.
- 4.1.1 Only in-ground pools will be allowed.
 - 4.1.2 All applications for the construction of a swimming pool/spa must include a plot plan showing the proposed location of the pool/spa in relation to the property lines, building lines, existing structures and existing fences.

- 4.1.3 Pools and spas must be completely enclosed by a perimeter fence as defined in Section 4.5 of these guidelines and all gates must be self-closing and self-latching.
- 4.1.4 The application must include a timetable for construction. During construction, the construction area must be barricaded and equipment and supplies are not permitted in the street.
- 4.1.5 Pool pumps and equipment must be screened behind a fence and not be visible from the fronting street.
- 4.1.6 Utility easements and lot lines specified by plats must be observed.
- 4.1.7 Unless otherwise approved by the ACC, pools and spas must not be closer to the rear lot line than ten feet (10'), nor to the side lot line than five feet (5').

4.2 Patio Covers.

- 4.2.1 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. Colors will be approved on a case-by-case basis.
- 4.2.2 The location of the structure must be clearly depicted on a plot plan showing the proposed location.

4.3 Birdhouses.

- 4.3.1 Birdhouses shall not be supported by any perimeter fence.
- 4.3.2 Maximum dimensions for birdhouses shall be two feet (2') in width, two feet (2') in length and two feet (2') in height.
- 4.3.3 No birdhouse shall be mounted on a pole exceeding twelve feet (12') in height.
- 4.3.4 The materials, color and construction of the birdhouse must be harmonious with the main residence and other improvements on the lot.

4.4 Portable or Permanent Basketball Goals.

- 4.4.1 Unless otherwise approved by the ACC, the backboard, rims, and net shall be maintained at all times with the colors and styles as

originally purchased. The net, pole and all mounting supports must be maintained in an attractive condition.

- 4.4.2 With the exception of maintenance and repair addressed in Section 4.1, a basketball goal shall not be modified in any respect nor shall the location be changed from that approved by the ACC.
- 4.4.3 All basketball goals must be erected or placed behind the building set back line of the lot or erected or placed not closer to the street than half the distance from the front of the garage to the street. Provided, however, in the case of residences with an attached garage, basketball goals must not be closer to the street than half the distance from the front of the garage to the street; this also applies to detached garages on corner lots.
- 4.4.4 Portable basketball goals may not be supported by stacking items on its base (i.e., concrete blocks, tires, bricks, etc.).
- 4.4.5 Portable basketball goals may not be stored in the street, in a cul-de-sac nor on any median; nor may they be stored lying down on the front or side lot of any property.

4.5 Fences.

- 4.5.1 All picket fences situated parallel to the front lot line or parallel to 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 street in front of the lot or from the side street. Pickets must be made of wood, and a minimum of six feet (6') high, and a six inch (6") rot board with the exception of gates/fences connecting house and garage, which can be a minimum of four feet (4') high.
- 4.5.2 No chain link fencing permitted.
- 4.5.3 Materials must be raw wood (natural cedar or similar type wood product), color-harmonious masonry, or black (or color harmonious) wrought iron.
- 4.5.4 No painting, colored staining or colored varnishing of fences is allowed without ACC approval.
- 4.5.5 No fence may extend forward of the front building line.

4.6 Painted Concrete.

4.6.1 Concrete that is visible from the street may not be painted or stained, unless approved by the ACC.

4.7 Screen Doors/Solar Screens/Storm Doors/Windows.

4.7.1 Must be color compatible with the exterior of the main residence.

4.7.2 Storm doors/windows will be acceptable, provided they are compatible with the color of the exterior of the house and are recessed within door closing.

4.8 Yard Decorations.

4.8.1 Decorative appurtenances, such as sculptures, birdbaths, birdhouses, fountains, benches, swings or other decorative embellishments placed on any portion of a lot visible from the street must be approved.

4.8.2 Excessive seasonal yard decorations must be approved. (Excessive is defined as that which causes traffic congestion.)

4.9 Burglar Bars.

4.9.1 Unless otherwise approved by the ACC, burglar bars must not be installed so as to be in public view. Burglar bars must be installed inside a residence and screened at all times by shades, shutters, curtains, blinds or other suitable window coverings.

4.10 Outdoor Carpeting.

4.10.1 Outdoor carpeting can only be installed in back yards and must not be visible from the fronting street.

4.11 Swing Sets/Play Forts/Playhouses.

4.11.1 All applications for construction of swing sets, play areas, and play houses must include a plot plan showing the proposed location in relation to the property lines, building lines, existing structures and fences.

4.11.2 Not to exceed twelve feet (10') in height, with the deck height not to exceed five feet (5').

- 4.11.3 Must be made of weatherproof wood, metal or aluminum. If the material is painted, the color must be harmonious with the color of the main residence or landscaping.
- 4.11.4 Roofs must be a single color, that color being harmonious with the surrounding improvements in the area.
- 4.11.5 Structure must be maintained and located in rear or side yards behind a fence, which encloses the yard constructed in accordance with the specifications in Section 4.5.
- 4.11.6 Unless otherwise approved by the ACC, structure must not be closer to the rear and side lot lines than ten feet (10').

4.12 Awnings.

- 4.12.1 Awnings, which are visible from the street, shall not be permitted. Awnings on the rear portion of a lot must be one (1) color and harmonious with the color of the main residence.

4.13 Antennas.

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

4.14 Mailboxes.

4.14.1 Only U.S. postal approved and installed mailboxes are acceptable in the areas designated by the U.S. Postal Service.

4.15 Driveways and Sidewalks.

4.15.1 Driveways shall be a minimum of ten feet (10') in width. Any changes or additions to driveways must be approved by the ACC.

4.15.2 The cracks between cement driveway sections shall be kept free of vegetation.

4.15.3 An improved walkway or sidewalk must be a minimum of four feet (4') in width from the front door of residence to the curb or private driveway.

4.16 Landscaping.

4.16.1 Landscaping must be maintained in an orderly and attractive conditions at all times.

4.16.2 Landscaping must compliment the style and architecture of the home and be proportionate in scale and height to the structure to create complement.

4.16.3 Landscaping must not interfere with the sight lines for vehicular traffic, especially on corner lots.

4.16.4 Landscaping shall not interfere with the natural drainage of the lots or neighboring lots.

4.17 Outbuildings/Storage Sheds/Gazebos/Decks/Patios.

4.17.1 An outbuilding is any structure that is not attached to the main residence, except for detached garages. This includes, but is not limited to, all storage sheds, gazebos and spas, etc.

4.17.2 All applications for the construction of an outbuilding, storage shed, gazebo, deck or patio must include a plot plan showing the proposed location of the improvement in relation to the property lines, building lines, existing structures and existing fences.

4.17.3 The standard, type, quality and color of the materials used in construction shall match or be harmonious with the standard, type,

quality and color of the materials used in construction of the main residence on the lot.

4.17.4 Outbuildings shall not exceed eight feet (8') in height, with a maximum floor space of ten feet (10') long by ten feet (10') wide. All outbuildings shall be constructed on a concrete slab so as to become part of the real property.

4.17.5 Metal and/or portable storage outbuildings are not allowed.

4.17.6 Outbuildings shall be maintained in good condition at all times.

4.17.7 All outbuildings must be located in the rear yard and be enclosed by a fence meeting the specifications set forth in Section 4.5 of these guidelines and must not be visible from the street.

4.17.8 Outbuildings shall not be placed within existing easements, unless the utility companies involved have granted their written consent to such encroachment, and a copy of said consent is provided to the ACC. In any case, unless the ACC agrees otherwise all outbuildings shall be placed on the lot so as not to be visible from the street in front of the lot and may not be closer to the rear lot line than ten feet (10'), nor to the side lot line than five feet (5') or aligned with the side wall of residence structure, whichever is greater.

4.17.9 Outbuildings shall not interfere with the natural drainage of the lot or neighboring lots.

4.18 Exterior Lighting.

4.18.1 Exterior lighting shall be white or yellow light, and shall not be of an intensity that causes annoyance to neighboring residences.

4.18.2 For yard light poles, the maximum acceptable height is six feet (6'), and the pole must be black, brown, white, or a color that is harmonious with the existing residence.

4.19 Room Additions to Home or Garage.

4.19.1 All room additions require detailed design and construction plans and must include a lot survey showing the exact location.

4.19.2 The standard, type, quality and color of materials used in construction shall be harmonious with the standard, type, quality and color of the materials used in construction of the main

residence on the lot. Shingles, siding bricks and paint utilized shall match that of the residence. All such improvements must be to building code standards, and must be architecturally compatible with the original and neighboring homes.

4.19.3 Room additions shall not be placed within existing easements or encroach over any building setback line.

4.19.4 No second story additions may have windows or doors that allow sight into neighbors rear or side yards.

4.20 Exterior Paint.

4.20.1 A color sample or "paint chip" of the proposed exterior color of any new addition or improvement must be attached to each application submitted to the ACC.

4.20.2 The existing exterior color of a main residence, garage or other improvement on a lot shall not be repainted with a different color, without first submitting an application with a color sample or paint chip to the ACC and receiving prior written approval.

4.21 Siding/Gutters.

4.21.1 The standard, type and quality of the materials used shall be harmonious with the standard, type and quality of the materials of the main residence on the lot throughout the subdivision.

4.21.2 Siding must be painted to match the existing siding of the main residence on the lot.

4.21.3 Gutters must be painted to match the existing color of the main residence on the lot and must be installed to prevent water shed across or onto any other lot.

4.21.4 Gutters must be periodically cleaned and shall be kept in an orderly and attractive condition at all times.

4.22 Roofing/Sky Lights/Solar Panels.

4.22.1 All roofing must be composite or tile.

4.22.2 If a roof is to be replaced with a different colored shingle, a sample of the proposed shingle must be attached to an application submitted to the ACC.

4.22.3 No skylights, solar panels or similar types of additions shall be placed on a roof slope so that they are visible from a street or the common area.

4.23 Wall and Window Unit A/C.

4.23.1 Wall and window unit A/Cs are prohibited.

4.24 Flagpoles.

4.24.1 A bracket mount to front wall of residence is permitted for temporary display of a flag.

4.24.2 Permanent flagpoles will not be allowed in front or side yards. Pole may be located to the rear of the residence positioned as not to be visible from the fronting street and may not exceed ten feet (10') in height.

4.25 Window Coverings.

4.25.1 Mirrored or reflective window coverings will not be allowed.

4.25.2 Permanent interior window treatments that are visible from the street must be in place with three (3) months after establishing residence.

4.26 Garages.

4.26.1 Garages as built by the builder for the use of vehicles must be capable of housing a minimum of two (2) full size vehicles at all times.

4.26.2 Improvements over a garage are subject to the same ACC requirements as room additions in Section 4.19.

4.27 Carports.

4.27.1 Carports will not be allowed.

4.27.2 Porte-cocheres are allowed but are subject to the same ACC review and approval requirements as room additions.

4.28 Soft Water/Water Filter Systems.

4.28.1 Water systems such as soft water or treatment systems must be installed out of sight from the fronting street and screened from public view.

4.29 Tree Removal.

4.29.1 No tree shall be removed from any lot without ACC approval, except as may be reasonably necessary for construction or to remove a dead or diseased tree.

This consent is executed pursuant to Article 9.10 of the Texas Non-Profit Corporation Act, which authorizes the taking of action by the Board of Directors by unanimous consent without a meeting.

**BOARD OF DIRECTORS FOR
HERITAGE VILLAGE
HOMEOWNERS ASSOCIATION, INC.**

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RP-2016-267534

RECORDER'S MEMORANDUM:

At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

RP-2016-267534

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FILED FOR RECORD
8:00 AM

JUN 21 2016

Stan Stewart
County Clerk, Harris County, Texas

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.
THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me, and was duly RECORDED, in the Official Public Records of Real Property of Harris County, Texas

JUN 21 2016



Stan Stewart
COUNTY CLERK
HARRIS COUNTY, TEXAS