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Townwest Homeowners Association, Inc.

Architectural Control Guidelines

Applicable to the following Real Property:

Townwest Section Once, a Subdivision in Fort Bend County, Texas according to the map or plat thereof recorded under Volume 15, Page 2 of the Map Records of Fort Bend County, Texas;

Townwest Section Two, a Subdivision in Fort Bend County, Texas according to the map or plat thereof recorded under Volume 20, Page 9 of the Map Records of Fort Bend County, Texas;

Townwest Section Three, a Subdivision in Fort Bend County, Texas according to the map or plat thereof recorded under Volume 18 , Page 12 of the Map Records of Fort Bend County, Texas;

Townwest Section Four, a Subdivision in Fort Bend County, Texas according to the map or plat thereof recorded under Volume 22, Page 54 of the Map Records of Fort Bend County, Texas.

TOWNEWEST HOMEOWNERS ASSOCIATION ARCHITECTURAL CONTROL GUIDELINES

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INTRODUCTION

All residents benefit from the proper planning and design of exterior alterations. The intent of design control is to assure residents that the standards of design quality will be maintained. This, in turn, protects property values and enhances overall environment.

This document is directed primarily at exterior alterations made to the homeowner's property. However, the Townwest Homeowners Association Board of Directors and the Architectural Control Committee (ACC) also review plans for all new construction which is subject to the Declaration of Covenants, Conditions and Restrictions.

ACC GENERAL OBJECTIVES

1. Establish and preserve a harmonious design for the community.
2. Protect the value of property in the community.
3. Develop and adopt policy guidelines for design review.
4. Increase the homeowner's awareness and understanding of the Deed Restrictions and Architectural Control Guidelines (ACC).
5. To create a balance between the homeowner's right to fair and equal treatment.
6. To assist homeowners in preparing acceptable ACC Applications.
7. Interface with the Deed Restriction Committee to identify and address deed restriction violations.
8. Review ACC applications for approval or disapproval.
9. Amend the Architectural Control (ACC) Guidelines to reflect changing conditions and/or technology
10. Review and respond to member input.

DEED RESTRICTION, ARCHITECTURAL GUIDELINES AND ASSESSMENTS

DEED RESTRICTIONS

Basic control for maintaining the quality of design in Townwest comes through the Declaration of Covenants, Conditions and Restrictions. This document is a part of every deed of homeownership. This declaration establishes the Townwest Homeowners Association, Inc. and the Architectural Control Committee as the governing body for maintaining quality of design.

ARCHITECTURAL CONTROL GUIDELINES

The Architectural Control Guidelines are supplemental to the deed restrictions and are enforced with equal gravity to ensure that the quality of design is maintained in the Townwest subdivision.

ASSESSMENTS

As provided for in the Declaration of Covenants, Conditions and Restrictions, all homeowners are required to pay an annual assessment. Applications for Home Improvements WILL NOT be approved when the annual assessment is delinquent.

CITY OF HOUSTON ANNEXATION

Should Townewest subdivision be annexed by the City of Houston, all exterior alterations which require permitting will become a part of the application package for Townewest subdivision. Approval of any project by the ACC does not waive the necessity of obtaining the required city building permits. Obtaining a city building permit does not waive the need for an ACC approval. The ACC Committee will not knowingly approve a project which is in violation of the city building code.

It is the homeowner's responsibility to obtain all permits. City of Houston authorities should be contacted prior to beginning any work in order to verify what procedures must be followed to obtain the required permits.

AMENDMENTS TO THE ARCHITECTURAL CONTROL GUIDELINES

These guidelines may be amended. It is anticipated that the changes made will probably be additive and will not involve substantive changes of existing guidelines. However, these too may be changed to reflect changing conditions in the subdivision and/or architectural design changes. The ACC will conduct periodic evaluations to determine if amendments are necessary. Changes must be approved by the Architectural Control Committee.

WHAT MUST HAVE ARCHITECTURAL CONTROL APPROVAL?

Article V, Paragraph 1 of the Declaration of Covenants, Conditions and Restrictions explicitly states that all exterior alterations require the approval of the Board of Directors or Architectural Control Committee;

"No building, fences, wall or other structures shall be commenced, erected or maintained upon the properties, nor shall any exterior addition to or change of alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Board of Directors of the Association, or by an Architectural Control Committee..."

This paragraph explicitly states that any changes to the exterior appearance of one's property must be approved by the Board of Directors or an Architectural Control Committee. Further, once a plan is approved, it must be abided by. It is important to understand that ACC approval is not limited to major alterations such as adding a room or deck to a residence, but includes such items as changes in color and material, etc. Approval is also required when an existing item is to be removed.

Each application is reviewed on an individual basis. There are not "automatic" approvals. For example, a homeowner who wishes to construct a deck identical to one already approved is still required to submit an application for approval.

MAINTENANCE

Property ownership includes the responsibility of maintenance of all structure and grounds which are a part of the property. This includes, but is not limited to, items such as mowing grass, removal of trash, and structural maintenance. Maintenance affects the visual character and economic values of the property and neighborhood; and, in some cases, safety.

(ACC) ARCHITECTURAL CONTROL COMMITTEE REVIEW CRITERIA

The ACC evaluates all application on an individual basis. Evaluation of the particular design proposal includes consideration of the characteristics of the residence type and the individual site, because what may be an acceptable design of an exterior in one instance may not be for another.

Design decisions made by the ACC in reviewing applications are not based on personal opinion or taste. Judgments of acceptable design are based on the following criteria, which represent in specific terms, the general standards of the Declaration of Covenants, and Restrictions as well as additional standards and guidelines as determined by the Townewest Board of Directors.

CONFORMANCE WITH RESTRICTIONS

All applications are reviewed to determine if the project is in conformance with Articles V, VII, VIII, and IX of the Declaration of Covenants, Conditions, and Restrictions.

VALIDITY OF CONCEPTS

the basic idea must be sound and appropriate to its surroundings.

DESIGN COMPATIBILITY

The proposed improvement must be compatible with the architectural characteristics of the applicant's residences, and the neighborhood. Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, colors and construction details.

LOCATION AND IMPACT ON NEIGHBORS

The proposed alteration should relate favorably to the landscape, the existing structure and the neighborhood. The primary concerns are access, view, sunlight, ventilation, and drainage. When a proposed alteration has possible impact on adjacent properties, it is suggested that the applicant discuss the proposal with the neighborhood prior to submitting an application.

SCALE

The size of the proposed alteration should relate well to adjacent structures and its surroundings.

COLOR

Color may be used to soften or intensify visual impact. Similar parts of the addition shall be the same color as the existing residence.

MATERIALS

Workmanship is a standard which is applied to all exterior alterations. The quality of work shall be equal of better than that of the existing structures and surrounding area. Any addition or modification which would meet these guidelines and standards, but which is erected in an unworkmanlike manner and which detracts from the overall appearance of the Townewest subdivision, shall be deemed to have been erected in contravention to the approval of the Board of Directors and the Board of Directors shall proceed as if a violation of Deed Restrictions had occurred.

TIMING

All modifications or additions to existing structures must be completed within (60) days from the date they are approved, unless otherwise specifically requested in writing by homeowner and agreed upon by the Architectural Control Committee and / or Board of Directors.

ITEMS NOT COVERED

Any architectural request not covered by these guidelines shall be reviewed on an individual basis.

HOW TO MAKE APPLICATION TO THE ARCHITECTURAL CONTROL COMMITTEE

Applications for exterior changes may be obtained from the Townwest Homeowners Association office. Completed applications should be set to the Association which will be forwarded to the Architectural Control Committee for review.

The ACC will only consider written requests for residential alterations. Requests shall be submitted on the approved ACC Request form. A sample application is included at the end of this manual which indicates the information required. Perhaps the most difficult part of the application is adequately describing the request. If the request is not clear, the ACC Committee may request additional information be provided and require the homeowner to resubmit a more clear application. If the application is rejected, the homeowner is free to request that the ACC Committee reconsider its position. The homeowner must submit a revised application to the ACC or appeal to the Board of Directors. The ACC review and appeal process is outlined at the end of the manual which diagrams the entire appeal process.

SITE PLAN

A site plan is most easily prepared by submitting a copy of the property plat. Proposed changes and existing alterations should be included, including dimensions and distances from adjacent property and residences.

MATERIAL AND COLOR

Samples of the materials and colors to be used and an indication of existing colors and materials must be provided. Where materials and/or colors are compatible, but different from those of the existing structures, samples or color chips must be submitted.

DRAWINGS AND PHOTOGRAPHS

A graphic description must be provided. This can be in the form of the manufacturer's literature, photographs, scaled freehand or mechanical drawings. These should be applicable to the type of alterations being done. The amount of detail described should be consistent with the complexity of the proposal. Relationships of major architectural features such as existing and proposed roof lines, window sizes and alignment, building heights, roof slopes, etc., shall be shown as they affect the applicant's residence.

EXTERIOR ADDITIONS:

1.0 ANTENNAS

1. Antennas shall be attached to the rear of the residence and will be allowed only if they do not exceed three (3) feet above the height of the ridge of the residence and are not visible from the street that the house faces or the side street if a corner lot.

2.0 ATTIC VENTILATIONS

1. Attic ventilators or other mechanical apparatus requiring penetration of the roof should be as small in size as functionally possible.
2. The should be located on the least visible side of the roof and not extend above the ridge line.
3. Vents shall be installed in accordance with the manufacturer's printed guidelines.

3.0 AWNINGS & TRELIS WORK

1. Awnings and trellis work are not permitted on the front or sides of the residence.
2. All awnings and trellis work for the rear of the residence shall submit an ACC application for review and will be evaluated on an individual basis.

4.0 BIRD HOUSES

1. Bird houses will be reviewed on an individual basis.

5.0 CLOTHESLINES

1. Clotheslines are not permitted in Townewest HOA.

6.0 DECORATIVE LIGHTING

1. All exterior decorative lighting shall be removed within thirty (30) days following a holiday. An ACC application is not required.

7.0 DECORATIVE SHUTTERS

1. Decorative shutters that are added to the residence shall be compatible with the style of the residence and shall be of proper proportions to match the windows to which they relate.
2. Colors shall be compatible with the existing colors of the house and neighborhood.

8.0 DISPLAY OF RELIGIOUS ITEMS

1. A property owner or resident may display or attach one (1) or more religious items to each or any entry to their dwelling. Such items may include anything related to any faith that is motivated by the residence's sincere religious beliefs or tradition.
2. Individually or in combination with each other, the items at any entry may not exceed twenty-five (25) square inches (5x5) total in size.
3. The items may only be displayed on or attached to the entry door or frame and may not extend beyond the outside edge of the door frame.
4. To the extent allowed by the Texas state constitution and the United States constitution, any such displayed or affixed religious items may not:
 - a. Threaten public health or safety; or
 - b. Violate and law; or
 - c. Contain language, graphics or any display that is patently offensive to a passerby.
5. Approval for the Townewest Homeowners Association or the Townewest Homeowners Association Architectural Control Committee is not required for displaying religious items in compliance with these guidelines.
6. This policy does not apply to holiday decorations. Committee may removed items in violation of these guidelines.

9.0 DOG HOUSES & RUNS

1. Dog houses should be compatible with the applicant's house in color and material and be located in the back of the residence. The backyard shall be enclosed by a six (6) foot wooden privacy fence.
2. Chain link fences will be considered for a dog run, if the yard has a six (6) foot wooden privacy fence around it. Refer to the section pertaining to fences for fence requirements.

10.0 DRIVEWAYS AND / OR PARKING PADS

1. Only steel reinforced concrete materials will be approved. All driveways and/or parking pads require an ACC application to be submitted for review and approval prior to construction.
2. Where a driveway and/or parking pad is to be added, the driveway and/or parking pad must be placed within the setback and easement requirements.
3. The backyard must be enclosed by an approved fence. The fence must be constructed prior to or as a part of this construction application.

11.0 EXTERIOR LIGHTING

1. Applications for exterior lighting must include wattage, height of fixture above ground, and complete description of the fixture including materials and location of where it will be placed on the property.
2. No exterior lighting shall be directed outside of the applicant's property.
3. All proposed light fixtures must be compatible in style and scale with the applicant's residence. It is recommended that all proposed fixtures be as small in size as functionally possible, especially if the fixtures are proposed in place of the original fixtures.
4. Utility fixtures are not permitted.
5. Exterior lighting fixtures will be reviewed by the ACC Committee on an individual basis.

12.1 EXTERIOR PAINTING - CHANGING COLORS

1. The color and scheme to be used in painting a residence shall be consistent with the overall scheme of this subdivision.
2. Samples of the colors must be submitted with the ACC Request form for approval prior to any painting.
3. Color changes apply to doors, shutters, trim, roofing and other apparatus structures.
4. Applications must indicate area(s) to be painted, color chips, and if color is to be changed, the color of the existing brick must be noted.

12.2 EXTERIOR PAINTING - NO COLOR CHANGE

1. An application is not required if the original color is being used to repaint the residence.

13.0 FLAGS AND FLAGPOLES

1. These Guidelines apply to the display of ("Permitted Flags"):
 - a. The flag of the United States of America; and
 - b. The flag of the State of Texas; and
 - c. The official flag of any branch of the United States armed forces.
2. These Guidelines apply to any Permitted Flags listed below, but not limited to: also,
 - a. Flags for schools or sports teams or
 - b. Flags with seasonal, holiday, commemorative or nautical themes, or religious themes; or
 - d. Historical versions of flags permitted in Section 1 above.
3. Permitted Flags may be displayed subject to these guidelines. Advance written approval of the Townwest Homeowners Association Architectural Control Committee is required for any free-standing flagpole and any additional illumination associated with the display of Permitted Flags.

(13.0 FLAGS AND FLAGPOLES CONTINUED)

4. Permitted Flags must be displayed in a respectful manner in accordance with the current relevant federal, state or military code.
5. Permitted Flags must be displayed from a pole attached to a structure or to a free-standing pole. Permitted Flags may not be draped over or directly attached to structures. For example, a Permitted Flag may not be laid across a fence or stapled to a garage door.
6. Permitted Flags shall not be no longer than three (3') foot by five (5') foot in size.
7. Only Permitted Flags may be displayed on a flagpole attached to a structure. Up to two (2) Permitted Flags may be displayed on an approved free-standing flagpole that is at least fourteen (14') foot tall.
8. Freestanding flagpoles must be constructed of permanent, long lasting materials with an appropriate finish that is harmonious with the dwelling.
9. A flagpole attached to a structure may be up to six (6') feet long and must be securely attached with a bracket with an angle of thirty (30) to forty-five (45) degrees down from vertical. The flagpole must be attached in such a manner as to not damage the structure. One (1) attached flagpole is permitted on any portion of a structure facing a street and one (1) flagpole is permitted on the rear or backyard portion of a structure. Brackets which accommodate multiple flagpoles are not permitted.
10. Free-standing flagpoles may be up to twenty (20') feet tall, including any ornamental caps. Free-standing flagpoles must be permanently installed in the ground according to manufacturer's instructions. One (1) free-standing flagpole is permitted in the portion of the owner's property between the main residential dwelling and any street and one (1) free-standing flagpole is permitted in the rear or backyard portion of a property.
11. Free-standing flagpoles may NOT be installed in any location described below:
 - a. In any location other than the Owner's property; or
 - b. Within a ground utility easement or encroaching into an aerial easement; or
 - c. Beyond the side or rear setback lines (for example, on a lot with a thirty (30') foot front setback line, a flagpole may NOT be installed closer than fifteen (15') feet from the front property line); or
 - d. Closer to a dwelling on a adjacent lot than the height of the flagpole (for example, a twenty (20') foot flagpole cannot be installed closer than twenty (20') feet from an adjacent house).
12. Lighting may be installed to illuminate Permitted Flags if they will be displayed at night and if existing ambient lighting does not provide proper illumination. Flag lighting must:
 - a. Be ground mounted in the vicinity of the flag; and
 - b. Utilize a fixture that screens the bulb and directs light in the intended direction with minimal spillover; and
 - c. Point towards the flag and face the main structure on the property or to the center of the property if there is no structure; and
 - d. Provide illumination not to exceed the equivalent of a sixty (60) watt incandescent bulb.
13. Flagpoles must not generate unreasonable noise levels which would disturb the quiet enjoyment of other residents. Each flagpole owner should take steps to reduce noise levels by using vinyl or plastic snap hooks, installing snap hook covers or securing a loose halyard (rope) around the flagpole with a flagpole clasp.
14. Freestanding flagpoles are permitted solely for the purpose of displaying Permitted Flags named in Section 1.
15. All flag and flagpoles must be maintained in good condition. Deteriorated flags must be removed and promptly replaced, as well as unsafe flagpoles,

14.0 FENCES

1. No fence shall be placed or be permitted to remain on any lots nearer to the street or streets adjoining such lot than is permitted for the main residence on such lot. Fences shall be six (6') feet in height and constructed of solid pickets of cedar, pine, redwood or other wooded material. Fence may include twelve (12") inch rot wood. Posts may be of any of the above materials or other approved materials. Posts must be placed with a minimum of one-half (1/2) sack of concrete. Gates must match design, color, material, and height with the top being straight (not rounded) and flush with the fence. If adjoining properties are constructing fences, both parties shall submit an ACC Request form.
2. Fences shall be "natural" in color. Staining fences and posts which are visible from the street the house faces or the side street, if a corner lot, it is not permitted.
3. When ACC Request is submitted, it must include a site plan (copy of plat) showing the relationship to adjacent property lines, residences, and area to be enclosed, fence material, dimensions from the property lines, a drawing to reflect area to be enclosed, and any additional pertinent information which would be helpful in evaluating the request.

15.0 GARAGES

1. The addition of detached garages and carports to accommodate motor vehicles are not permitted as an addition to an existing property with a residential structure that has a garage.

16.0 GREENHOUSES

1. Attached greenhouses shall be located at the rear of the residence and must comply with all requirements governing room additions. Side yard location will be evaluated on an individual basis for those residences which have side yard patio plans, which may make the addition of an attached greenhouse possible.
2. Detached greenhouses shall conform to guidelines established for outbuildings.

17.0 GUTTERS AND DOWNSPOUTS

1. Gutters must be painted the same color as the residence or the trim thereon, and shall be kept in good repair.
2. Gutters shall NOT adversely affect drainage on adjacent property.

18.0 HOUSE NUMBERS

1. House numbers shall be legible but should be of a size which is appropriate for the applicant's residence. House numbers must be displayed on the curb or home.

19.0 LANDSCAPING

1. Trellis, window boxes, arbors and permanent brick borders (with mortar) must have ACC approval.
2. Landscape timbers and bricks without mortar do not need ACC approval unless they exceed two (2') feet in height.
3. Must complement style and architecture of home and conform to color scheme of immediate neighborhood to be approved.
4. Living plants, trees, shrubs, flowers, etc and utilization of non-living material necessary for growth (bark mulch, etc), do not require ACC approval.
5. No hedge in excess of three (3') feet in height shall be erected or maintained nearer to the front Lot line than the plane of the front exterior wall of the residential structure on such Lot. No side or rear fence, wall, or hedge shall be more than eight (8') feet high.

(19.0 LANDSCAPING CONTINUED)

6. No object or thing (including landscaping and plants) which obstructs site (sight) lines at elevations between two (2') feet and eight (8') feet above the roadways within the triangular area formed by the intersecting street property lines and a line connecting them at points ten (10') feet from the intersection of the street property lines or extension thereof shall be placed, planted or permitted to remain on any corner lots.
7. All dead trees, shrubs, flowers, plants, etc. must be removed immediately.

20.0 MAILBOXES

1. Mailboxes are a functional necessity which are located in a highly visible location requiring a straight forward design mounted on simple wood or metal posts.
2. Any changes to the mailbox structure must be approved by the ACC Committee or Board of Directors.
3. Mailboxes must be painted, if needed, and maintained in a manner so as to detract from the overall appearance of the property or of the neighborhood.

21.0 PATIO COVERS

1. Patio covers must only be constructed above a patio or deck.
2. Patio covers must not extend beyond the horizontal run of the eaves and shall not exceed more than eight (8') feet in height above the deck or patio.
3. Materials should have natural weathering qualities such as brick, wood, stone and concrete.
4. All requests for patio covers must be submitted with an ACC Request.

22.0 PLAY EQUIPMENT

1. Play equipment, forts and other elevated platform structure shall not exceed an overall height of nine (9') feet.
2. Structures and equipment shall be placed only in the rear yard within three (3') feet of the side property line, fence or other structures and within five (5') feet from the rear property line. No structure shall be constructed before or at the same time that the play equipment is placed.
3. Consideration will be given to lot size, equipment size, design and the amount of visual screen, etc.
4. An approved fence shall be constructed before or at the same time that the play equipment is placed.

23.0 PATIOS AND GROUND LEVEL DECKS

1. Patios and decks provide a means for ground level extensions of indoor residential space with less visual impact than second story decks. When patio schemes include other exterior changes such as fencing, decks, lights, planting, etc. other appropriate sections of these guidelines should be consulted, as required prior to application.
2. Patios and decks shall be located in the rear yard. Side yard locations will be evaluated on an individual basis for those residences which have side yard patio plans.
3. Materials should have natural weathering qualities such as bricks, wood, stone and concrete.
4. An approved fence shall be constructed before or at the same time that the patio or deck is constructed.
5. Decks or patios shall not encroach upon any setback line or utility easement.
6. Any alterations which may affect established drainage patterns must be considered and proper corrective measures taken to ensure that water does not flow to adjacent property.

24.0 PORCHES

1. Porches placed on the rear or side of a residence shall be considered an addition and shall be governed by that section. Enclosures to porches shall be considered on an individual basis.

25.0 RAIN HARVESTING SYSTEMS

1. Rainwater Recovery Systems may be installed with advance written approval of the Townwest Homeowners Association 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 System may encroach on adjacent properties or common areas.
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 area. Screening may be accomplished by:
 - a. Placement behind a solid fence, a structure or vegetation; or
 - b. By buying the tanks or barrels; or
 - c. By placing equipment in an outbuilding otherwise approved by the Townwest Homeowners Association Architectural Control Committee.
4. A rain barrel (harvesting system) may be placed in a location that is visible from public view room any street or common area only if the configuration of the guttering system on the structure precludes screening as described above with the following restrictions:
 - a. The barrel must not exceed fifty-five (55) gallons; and the barrel must be installed in close proximity to the structure on a level base with the guttering downspout leading directly to the barrel inlet at a substantially vertical angle; and
 - b. The barrel must be fully painted in a single color to blend with the adjacent home or or vegetation; and
 - c. Any hose attached to the barrel discharge must be neatly coiled and stored behind or beside the rain barrel in the least visible position when not in use.
5. Overflow lines from the Systems must not be directed onto or adversely affect adjacent properties or common areas.
6. Inlets, ports, vents and other openings must be sealed or protected with mesh to prevent children, animals and debris from entering the barrels, tanks, or other storage devices. Open top storage containers are prohibited, however, where space allows and where appropriate, Townwest Homeowners Association Architectural Control Committee approved ponds may be used for water storage.
7. Harvested water must be used and not allowed to become stagnant or a threat to health.
8. All Systems must be maintained an remain in good repair. Unused Systems should be drained and disconnected from the gutters. Any unused Systems in public view from any street or common area.

26.0 RECREATION EQUIPMENT

1. Basketball backboards may be secured directly to the residential structure on a hip roof above the garage or on the gable above the garage. The backboard shall be of regulation size and height and not encroach upon the building setback line of the lot.
2. Backboards shall be painted the same color as the residence or residence trim or may be basic white.
3. Freestanding basketball goals will only be permitted if mounted on removable break-a-way poles. Location of such will be considered on an individual basis.
4. Other recreational equipment not specifically addressed will be evaluated on an individual basis. All basketball goals must be kept in good repair.

27.0 RE-ROOFING

1. All buildings shall be roofed with composition shingles unless otherwise approved in writing by the Townwest Homeowners Association Architectural Control Committee shingles are specifically prohibited for safety reasons.
2. Composition shingles must weigh at least two hundred thirty (230) pounds per square and have a stated warranty of at least twenty-five (25) years. Shingles must have a laminated design.
3. Roof shingles must be dark brown or of dark grey tones or light brown or light grey. Blue, green, red and white colors are prohibited.
4. Roof overlays are prohibited. Prior to roofing, all existing materials must be removed down to clean decking. Any damaged or deteriorated decking must be replaced.
5. Ridge vents are encouraged, to improve ventilation, reduce attic temperature and reduce cooling costs, but are not required.
6. All roof protrusions such as vents, roof jacks, must be painted to match the shingles.
7. Subject to Section 8 below and with advance written approval from the Townwest Homeowners Association Architectural Control Committee, an owner may install shingles ("Alternative Shingles") which are designed primarily to:
 - a. Be wind and hail resistant; or
 - b. Provide heating or cooling efficiencies greater than traditional composition shingles;
 - c. Or Provide solar energy capture capabilities.
8. Once installed, any such Alternative Shingles must:
 - a. Resemble the shingles used or authorized to be used on other structures within the Association; and
 - b. Be more durable than and of equal or superior quality to the shingles used or authorized to be used on other structures within the Association; and
 - c. Match the aesthetics of properties surrounding the owner's property.
9. All roof colors must be muted (not vivid) greys, browns, beiges, or black.
10. The roof color must blend or accent the applicant's brick color and paint color.
11. Roofing materials other than composite asphalt shingles may be used, such as aluminum, however, these must have the appearance of composite shingles in order to remain consistent with the neighborhood.

28.0 ROOM ADDITIONS

1. Major features of the residence such as horizontal and vertical lines, projections and trim details should be reflected in the room additional design.
2. The room addition shall be referenced with dimensions to the property lines, easements, setback lines and existing structures.
3. Roof shingles shall be of uniform design and color on all portions of the entire roof.
4. The addition to any residence shall not reduce to less than fifty-one (51%) percent the amount of brick veneer around the outside perimeter of the ground floor of the residence.
5. All requests for room additions to existing residences will be reviewed on an individual basis.

29.0 SATELLITE DISHES

1. Small satellite dishes attached to the residence shall not protrude beyond the eaves, ridge or gable of the roof.
2. The dish must be installed at the rear of the residence.
3. Small satellite dishes shall be reviewed on an individual basis only.
4. Large satellite dishes are prohibited in Townwest.

30.0 SECOND STORY DECKS

1. Decks are an extension of the residence and thus have significant impact on its appearance.
2. Decks are to be located at the rear of the residence.
3. Decks shall be compatible in materials and color with the residence. In many cases, wood left to weather naturally is an acceptable option.
4. Decks shall not extend beyond the horizontal line of the eaves, be placed within three (3') feet of the side property line, fence or other structure, or encroach upon any easement.
5. Approval of other exterior door locations which are a part of the deck application are contingent upon completion of the deck.
6. Modification to existing decks shall provide continuity in detailing such as material, color and the design of railings and trim.
7. Second story deck applications will be evaluated on an individual basis.

31.0 SIGNS

1. With the exception of signs advertising the sale or rental of a property, no sign shall be erected on any lot.
2. One (1) sign of not more than five (5) square feet advertising the property for sale or rent will be the only sign permitted on the residential lots.

32.0 SOLAR COLLECTORS

1. These guidelines apply to solar energy devices ("Devices") as defined in Section 171.107(a) of the Texas Tax Code. A solar energy device means a system or series of mechanism designed p primarily to provide heating or cooling or to produce electrical of mechanical power by collecting and transferring solar-generated energy. The term includes a mechanical or chemical device that has he ability to store solar-generated energy for use in heating or cooling or in the production of power.
2. Such devices may only be installed with advance written approval of the Townewest Home-Owners Association Architectural Control Committee subject to these guidelines.
3. Any such device must be installed on land or structures owned by the property owner. No portion of the devices may encroach on adjacent properties or common areas.
4. Such devices may only be installed in the following locations:
 - a. On the roof of the main residential dwelling; or
 - b. On the roof of any other approved structure; or
 - c. Within a fenced yard or patio.
5. For devices mounted on a roof, the device must:
 - a. Have no portion of the device higher than the roof section to which it is attached; and have no portion of the device extend beyond the perimeter boundary of the roof section to which it is attached; and
 - b. Conform to the slope of the roof; and
 - c. Be aligned so the top edge of the device is parallel to the roof ridge line for the roof section to which it is installed; and
 - d. Have a frame, brackets and visible piping or wiring that is a color to match the roof shingles or a silver, bronze or black tone commonly available in the marketplace; and
 - e. Be located in a position on the roof which is least visible from any street or common area, so long as such location does not reduce estimated annual energy production more than 10% over alternative roof locations (as determined by a public ally available modeling tool provided by the National Renewable Energy Laboratory-www.nrel.gov. or equivalent entity).

(32.0 SOLAR COLLECTORS CONTINUED)

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6. For devices located in a fenced yard or patio, no portion of the device may extend above the top 6 of the fence. If the fence is not a solid fence which blocks view of the device, the Association may require the device be placed in a location behind a structure or otherwise require visual screening. The Association may consider installation of devices on properties without a fenced yard if there is adequate screening from public view from any street or common area.
7. All devices must be installed in compliance with manufacturer's instructions and in a manner which does not void material warranties. Licensed craftsmen must be used where required by law. Permits must be obtained where required by law.
8. Installed devices may not:
 - a. Threaten public health or safety; or
 - b. Violate any law; or
 - c. Substantially interfere with the use and enjoyment of land by causing unreasonable discomfort or annoyance to any adjoining property owner.
9. All devices must be maintained in good repair. Unused or inoperable devices must be removed.
10. The ACC will approve solar panels which are unobstructive and which blend in with the roof shingle color.
11. Parabolic solar collectors which are not mounted so as to be flush with the roof will not be approved.
12. Solar panel frames should be bronze or black in color or to best blend with the shingles. All unfinished aluminum must be painted the color of the shingles.
13. No solar panel should be mounted so that it extends above the roof line.
14. The ACC would prefer to have solar panels mounted on the front of the roof of a house rather than mounted on stands to the side or back of the roof.
15. Solar screens whose colors blend with the colors of the house are allowed on windows.
16. Colors and manufacturers must be acceptable to ACC for both screens and panels.
17. Solar films must be non-reflective type.

33.0 STORM & SCREEN WINDOWS AND DOORS

1. Rising energy costs have encouraged homeowners to take measures to conserve energy through the installation of these devices.
2. Energy conserving measures; however, should and can be done without compromising the visual quality of the neighborhood.
3. Storm door and screen doors are permitted on the front and rear doors provided that they are maintained to compliment the rest of the residence. Doors should be straight forward without ornamentation such as scallops and imitation hinges and should be compatible with the color of the residence, trim and brick.
4. Storm window frame shall be compatible with the color of the trim and brick.
5. Reflective solar film shall be permitted only as long as it remains in good repair and the color does not distract from the neighborhood.

34.0 STORAGE BUILDINGS (OUTBUILDINGS)

1. Well designed and sited storage sheds can enhance individual property by concealing many cluttered objects such as gardening tools, trash cans, bicycles, etc.
2. Storage shall only be permitted in the backyard. Views from other properties and the street shall always be considered.
3. An approved fence must be constructed before or at the same time that the storage shed is constructed.
4. No storage shed shall be placed within three (3') feet of the side property line, fence or other structure, or five (5') feet from the rear property line. No building shall be placed so as to encroach upon any dedicated easement.
5. Storage shed may not be placed closer than sixty (60') feet to the front property line.

(34.0 STORAGE BUILDINGS (OUTBUILDINGS) CONTINUED)

6. The width of any building shall be limited so that established drainage pattern will be interrupted.
7. Sheds must be of a size which is appropriate for the size of the property and which are architecturally compatible with the residence.
8. The color of the building shall be in harmony with the existing colors of the residence and the surrounding neighborhood.
9. Construction of all storage buildings require an ACC Request form and the approval of the Townewest Homeowners Association Architectural Control Committee and will be reviewed on an individual basis.

35.0 SWIMMING POOLS, SPAS & SAUNAS

1. This section of the ACC Guidelines is directed toward all pools, spas and saunas, whether below or above ground. The homeowner must consider safety within the pool areas as well as the impact of the increased noise levels on the adjacent property.
2. Pools, spas, and saunas are only permitted in the backyard.
3. The well of the pool and/or spa shall not be located closer than three (3') feet to the side property line, fence or other structure and remain outside of any easements. Pools, spas and saunas shall not be located any closer than sixty (60') feet to the front property line.
4. The pool, spa and/or sauna and any mechanical equipment must be protected by a six (6') foot wooden privacy fence. Fences and gates must conform to the portion of these guidelines pertaining to fencing. Approval of the fence will be considered part of the pool, spa and/or sauna application and must be contingent upon completion of the pool, spa or sauna.

36.0 WINDMILLS

1. Windmills are not permitted in Townewest subdivision.

37.0 WINDOW AIR CONDITIONING UNITS

1. Window air conditioners will be permitted only at the rear of the residence.
2. Window air conditioners must not be visible from the street which the residence faces or the side street, if a corner lot.

APPENDIX

"No structure or a temporary character, whether trailer, basement, tent, shack, garage, barn or other outbuilding shall be maintained or used on any lot at any time as a residence or for any other purpose, with the exception of lawn storage or children's playhouses which have received ACC approval:"

Since this statement has a large impact on what is and is not allowed in Townewest Homeowners Association, Inc., its definition has been recorded here to make sure the ACC fully understands and enforces it.

In order to understand this statement, the keys words must first be understood.

Webster's Third International Dictionary defines these as follows:

Structure - something constructed or built; esp; a building of imposing size; edifice.

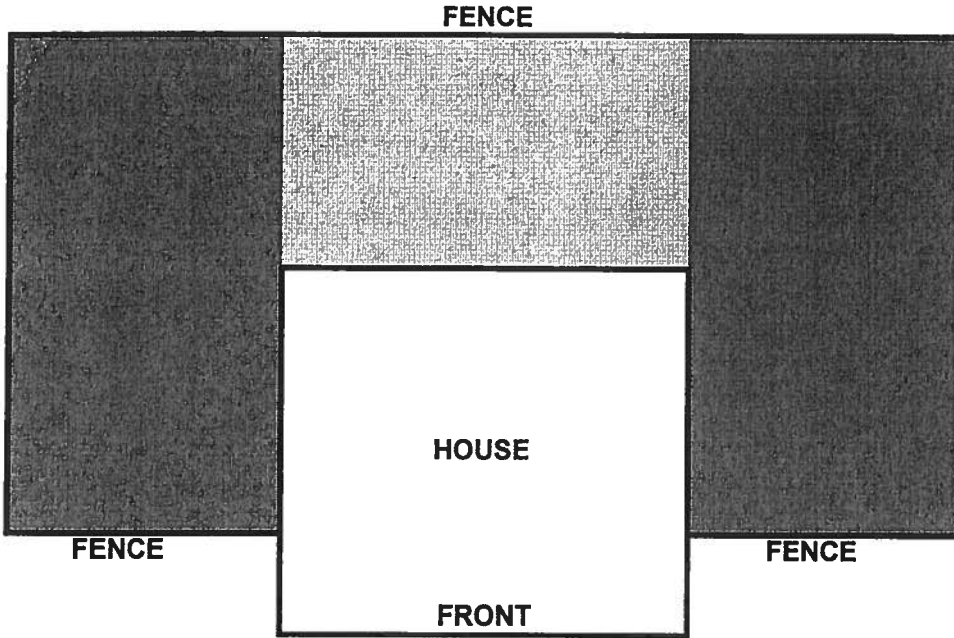
Temporary - existing or continuing for a limited time

Outbuilding - a detached building, subordinate and an accessory to a main building.


Building - a constructed edifice designed to stand more or less permanently, covering a space of land, usually covered by a roof and more or less completely enclosed by walls, and servicing as a dwelling, storehouse, factory, shelter for animals, or other useful structure- distinguished from structures not designed for occupancy (as fences or monuments) and from structures not intended for use in one place (as boats or trailers) even though subject to occupancy

SIDE WALLS OF THE HOUSE

When an improvement's guidelines talks about extending past at the left or right walls of the house, it means the following:



LEGEND:  Extends past the left or right walls of the house

 Does not extend past the left or right walls of the house

Whereas the Townwest Homeowners Association, Inc. approved the foregoing ACC Guidelines on February 14th, 2013.

Executed By: 
Secretary Printed Name:
PRESIDENT

AS PER ORIGINAL

THE STATE OF TEXAS

§

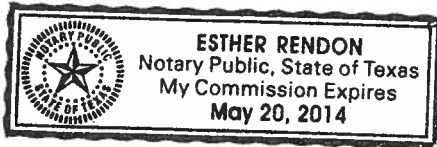
COUNTY OF Fort Bend

§

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BEFORE ME, the undersigned authority, on this day personally appeared Robert Goerz, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledge to me that (s)he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL this 14th day of February, 2013.



NOTARY PUBLIC, STATE OF TEXAS

My Commission Expires: 5-20-2014

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS



Dianne Nilson, County Clerk
Fort Bend County, Texas

May 22, 2014 11:28:00 AM

FEE: \$83.00 JE
MISC

2014052361

