

**CUTTEN GREEN HOMEOWNERS ASSOCIATION, INC
ARCHITECTURAL REVIEW COMMITTEE
REVIEW GUIDELINES**

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The Architectural Review Committee (ARC) was created to enhance and maintain property values by requiring conformity to certain standards of construction, visual appeal, uniformity and design. The Covenants, Conditions and Restrictions provide that no exterior modifications to home or property shall commence until written approval is granted.
Procedure:

An "Application for Approval to Modify Home or Property" must be completed in its entirety and mailed to the address indicated at the top of the form. All pertinent information such as plans, specifications, building permits, locations indicated on a copy of the survey, etc. should be included with the application.

These forms are available from your management company. The ARC cannot respond to verbal requests for approval - all applications must be made in writing.

The ARC has thirty (30) days from the date of receipt of an application in which to respond. If additional information is required by the ARC, the application process will be

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extended accordingly. Plans for the implementation of the proposed improvement(s) should allow for the time required to complete the approval process.

If an application is not approved, the ARC will state in their letter why such approval was denied and what type of application changes, if any, would alter that decision. If an applicant wishes to appeal a decision made by the ARC, the request for appeal must be submitted to the Board of Directors for additional review. The appeal should be mailed to the address at the top of the application.

The following are guidelines adopted by the ARC to specify their standards, requirements and thought processes used in evaluating an application. These guidelines may be amended from time to time as the circumstances, conditions or opinions of the ARC dictate. It should be noted that each application is considered on its own merit and that the ARC may grant a variance from these guidelines and/or from certain provisions of the CCR'S.

It should also be noted that ARC approval is required prior to the placement, installation or construction of the improvement or change. If an improvement is made without ARC approval, the Board of Directors has the legal right to enforce its removal.

Please be aware that these guidelines may change from time to time, therefore homeowner must make sure they obtain an up-to-date copy. This reduces the possibility of homeowners following obsolete guidelines in their home improvements.

1. Outbuildings

1.1 An "outbuilding" is defined as any structure which is not attached to the main structure. This definition does not include bonafied additions to the main residence or garages, but does include storage sheds.

1.2 Materials should match those of the main residence in design and color, however, the ARC will approve small prefabricated metal or Rubbermaid storage buildings providing the color blends with the main residence.

1.3 It should have a peaked roof, no higher than eight feet (8') from the ground to the highest point, and a maximum of 10'x12' floor space. Structure must be kept a minimum of eight feet (8') off rear property line, unless granted variance due to configuration of individual lot and distance from side fence will be determined based on visibility from the street in front of the lot. At no time, however, will that distance from side fence be less than 3 feet, regardless of visibility. Location must also be far enough away from fence to allow for drainage to occur entirely on the owner's lot.

1.4 No storage building may be placed within the utility easement without a letter of Consent to encroach from the utility companies.

1.5 No storage building can be built up against any side or rear wall of home unless its maximum height is less than 6 feet and it is not visible above the fence. It must also comply with all the other requirements for proper construction, size and location.

1.6 If the storage building is less than 6', it may be placed in side yard provided 3' minimum is observed.

2. Play Structures

2.1 Play structure/fort must be no higher than twelve feet (12') maximum. If fort has a platform, then platform can be no higher than four feet (4') off ground and centered in backyard to protect neighbor's privacy.

2.2 If play structure has an awning, canvas is allowed, however color is limited to dark green or tan. Also the canvas must be kept in quality condition or its removal will be requested by the HOA.

3. Gazebos/Shade Arbors

3.1 Freestanding – must be at least six feet (6') away from house. Maximum height at peak of twelve feet (12') and must be a minimum of three feet (3') off side property lines and eight feet (8') off back fence or off the utility easement which ever is greater as indicated on the Lot Survey.

4. Basketball Goals

4.1 The basketball goal backboard and net must be maintained in excellent condition at all times. Backboard must be regulation size and color.

4.2 If the backboard is mounted onto the roof by use of a small, triangular mounting structure, the mounting structure must be painted to match the shingle color.

4.3 If the backboard is mounted on a pole, pole can be no larger than 6" diameter and must be regulation height. Pole must be located behind front building set back line, on exterior side of driveway.

4.4 If any complaints are received within 6 months after installation, the basketball goal will be subject to immediate removal.

4.5 All backboards must be either clear or white fiberglass.

5. Patio Covers

5.1 Should be constructed of materials which complement the main structure.

5.2 Prefab covers made of aluminum may be approved providing they are of an earth tone color - unfinished aluminum will not receive ARC approval. All metal must be painted.

5.3 If attached to house, must be integrated into existing roof line (flush with eaves), and if it is to be shingled, shingles must match roof. Entire patio cover and posts should be trimmed out to match house. Supports must be painted wood or metal columns. No pipe is allowed.

5.4 At no time, however, shall a shingled roof be allowed with an unpainted frame. Frame will have to be painted to match trim of house whether treated or untreated wood is used.

5.5 Patio construction materials are as follows:

Painted aluminum (to match trim of house), or

Painted wood (to match trim of house), or

Natural pressure treated woods such as cedar, fir, redwood, may be used.

Treated pine must be painted or stained.

Fiberglass is not acceptable as a construction material.

All patio cover material, i.e., corrugated aluminum, metal, wood, lattice, must be completely framed in so that no raw edges of material are visible.

Patio Covers (cont.)

5.6 If canvas is used as roofing material on a patio cover, it must be an earth tone color and the structure must be located where it is not visible from the street. Also, the canvas must be kept in quality condition or its removal will be requested by the HOA. No blues or greens allowed for residential use.

5.7 Patio covers may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment.

5.8 Patio covers 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 (5') away from a side lot line, the ARC will require that it be guttered with downspouts if it is to be a solid cover.

6. Room Additions

6.1 Exterior materials and colors should match the house.

6.2 Detailed plans must be submitted to the ARC.

6.3 Room additions may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment.

6.4 On individual basis. Size and shape will depend on architectural style and layout of home, size of lot, and how well room addition integrates with existing home. Addition of a storage area will not qualify as a bonafied room addition and will not be permitted. Plans for room addition must show a room of reasonable size to constitute a legitimate request for a room addition. Roof of addition must integrate with existing roof line so as to appear to have been part of the original home. Room additions cannot exceed one-third of the remaining back yard, but may be denied for other reasons, i.e., structural integrity, architectural suitability, etc., even if it does only use one-third of the remaining yard.

6.5 Building permits are the responsibility of the homeowner.

7. Exterior Painting

7.1 A maximum of two (2) colors of paint shall be used on the exterior and must be harmonious with the overall character and aesthetics of the Community.

7.2 The color of neighboring homes will be taken into consideration along with the applicant's house brick features.

8. Storm Windows and Storm Doors

8.1 Providing the frames of these are of a color compatible with the exterior house colors, storm windows and full clear storm doors should receive ARC approval.

9. Decks

9.1 Decks may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment.

9.2 Decks should not be situated on the lot so that they may pose a problem to the effective drainage of the lot or neighboring lots.

9.3 Decks cannot be higher than 18".

9.4 Paint should match the house.

9.5 Only Exterior grade materials may be used.

10. Swimming Pools and Spas
 - 10.1 No pool or spa of any type may encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment. Decking also requires consent agreement. Consents must be received prior to approval.
 - 10.2 Homeowner is responsible for obtaining any and all permits required by Harris County and must comply with all applicable codes.
 - 10.3 Pool or Spa drainage lines must be brought out to the front of the property solely on the homeowner's property and must not encroach into a neighbor's property or HOA common property.
 - 10.4 No above ground pools are allowed.

11. Swimming Pool Enclosures
 - 11.1 Must not be placed in utility easement nor closer than five (5) feet to side property line.
 - 11.2 Maximum height of twelve (12) feet; maximum ground surface 1000 square feet or 25% of the back yard.
 - 11.3 Screen mesh material and metal framing must be dark in color.
 - 11.4 Frame construction material must be industry approved material for such structures.

12. Solar Panels
 - 12.1 The ARC will approve solar panels which are unobtrusive and which blend in with the roof shingle color.
 - 12.2 Parabolic solar collectors which are not mounted so as to be flush with the roof will not be approved.
 - 12.3 Solar panel frames should be bronze or black in color in order to best blend in with the shingles. All unfinished aluminum must be painted the color of the shingles.
 - 12.4 No solar panel should be mounted so that it extends above the roof line.
 - 12.5 The ARC would prefer to have solar panels mounted so that they are not visible from the fronting street.

13. Solar screens on windows.
 - 13.1 Colors and manufacturers must be acceptable to ARC.
 - 13.2 Solar film on windows must be non-reflective type.

14. Satellite Dishes
 - 14.1 If dish is of the new 18" DSS variety, the preferred placement is to the rear of the roof or home so that it can not be visible from a fronting or side street. If possible dish must be mounted at or below fence height for screening purposes.

15. Fence and Fence Extensions
 - 15.1 Case by case
 - 15.2 No side or rear fencing shall exceed eight feet (8').
 - 15.3 No painting, staining, or varnishing of fence. Clear wood sealant may be allowed.
 - 15.4 Fence extension requests should be submitted by both neighbors sharing the side lot line and fence, except in the case of a corner lot.

Fences (cont.)

15.6 No fence may extend so as to encroach across the front building line.

15.7 If both neighbors do not concur as to a proposed fence extension, the ARC will examine the effect the fence extension will have on both properties. If one party will suffer detrimentally from the extension (i.e., will totally enclose a bay window) the ARC will reject the application.

15.8 Replacement or repairs of fence must be made with materials and construction details as used in original fence.

16. Decorations

16.1 On front lawns of lots and on any portion of a lot visible from any street, there shall be no decorative appurtenances placed, such as sculptures, birdbaths, birdhouses, fountains, benches, swings or other decorative embellishments unless such specific items have been approved in writing by the ARC on a case by case basis (see 22 below regarding Bird Baths).

16.2 Benches and gates will be reviewed on an individual basis.

17. Exterior Lighting

17.1 Additional exterior lighting should not be of a wattage or lumen count which will affect neighboring homes.

17.2 Directional lights or floodlights must be aimed so as not to shine in the windows of neighboring homes.

17.3 Landscape lighting must be placed within the plant beds (not grass) and preferably screened with plants. They may not exceed ten (10") inches in height. Only white lights are allowed.

17.4 Security, mercury vapor, or fluorescent lights, must be attached to the front of the house, preferably garage. Mercury vapor, fluorescent, and sodium halide are not permitted in back or side yard.

17.5 Yard lights may be gas or electric. Single lamp only. Maximum height 6'. May be in front or back. Gas or electric lights must be black, brown or white, depending on color of house and determination of suitable color will be the decision of the ARC.

18. Mailboxes

18.1 Mailboxes must be harmonious with the overall character and aesthetics of the community.

19. Outdoor Carpeting

20.1 No outdoor carpeting will be allowed which is visible from the street.

20. Landscaping

23.1 Proper landscape border materials are required.

21. Antennas

24.1 Back side of house, lower than roof line and must not be visible from the street.

24.2 If lot backs onto vacant property and can be seen from entrance to subdivision or adjacent road, screening will be required.

24.3 Not allowed on corner lot if visible from front or Side Street, regardless of screening.

22. Driveway Wrought Iron Gates

22.1 Gate may not be placed forward of the front edge of the home.

22.2 Only black wrought iron gates are allowed

23. Driveway Extensions/Sidewalks

23.1 Driveway width extensions can extend no nearer to side property line than 3 feet and 5 feet in certain instances.

23.2 Driveway extensions must meet driveway code utilizing concrete and rebar.

24. Garage Conversions and Carports

24.1 Conversions are not allowed

24.2 Carports are not allowed.

25. Window Air Conditioners

25.1 No window or wall type air conditioning units shall be visible from any street.

26. Greenhouses

26.1 The only greenhouse subject to ACC approval will be those constructed of clear glass or plexi-glass panels. No fiberglass will be allowed.

27. Flag Poles

27.1 Permitted flags would be: flag of the United States, flag of the State of Texas, the official flag of any branch of the United States armed forces.

27.2 These guidelines do not apply to any flags other than the permitted flags listed above including, but not limited to:

27.3 Flags for schools, sports teams, businesses or foreign countries or flags with marketing, seasonal, historical, commemorative, nautical, political or religious themes or historical versions of the permitted flags first listed.

27.4 Advance written approval of the Cutten Green architectural authority is required for any free standing flagpole and any additional illumination associated with the display of permitted flags.

27.5 Permitted flags must be displayed from a pole attached to a structure (such as house or tree) or to a free standing pole. Permitted flags may not be draped over or directly attached to structures. Example, a permitted flag may not be laid across a fence or stapled to a garage door.

27.6 Permitted flags shall be no larger than three (3) feet by five (5) feet in size.

27.7 Only one permitted flag may be displayed on a flagpole attached to a structure. Up to two permitted flags may be displayed on an approved free standing flagpole that is at least fourteen (14) feet tall.

27.8 Flagpoles must be constructed of permanent, long lasting materials with an appropriate finish that is harmonious with the dwelling.

27.9 A flagpole attached to a structure may be up to six feet(6) long and must be securely attached with a bracket with an angle of 30 to 45 degrees down from vertical. The flagpole must be attached in such a manner as to not damage the structure. One attached flagpole is allowed on any portion of a structure facing a street and one attached flagpole is allowed on the rear or backyard portion of a structure. Brackets which accommodate multiple flagpoles are not allowed.

27.10 Free-standing flagpoles may be up to twenty feet (20) tall, including any ornamental caps. Free-standing flagpoles must be permanently installed in the ground according to manufacturer's instructions. One free-standing flagpole is allowed in the portion of the owner's property between the main residential dwelling and any street and one free- standing flagpole is allowed in the rear or backyard portion of a property.

27.11 Free-standing flagpoles may not be installed in any location described below:

- a. Any location other than owner's property.
- b. within a ground utility easement or encroaching into an aerial easement
- c. Beyond the side or rear setback lines (for example, on a lot with a 10' side setback line, a flagpole may not be installed closer than 10' from the side property line)
- d. Beyond half the distance of the front setback line (for example, on a lot with a 30' front setback line, a flagpole may not be installed closer than 15' from the front property line)
- e. Closer to a dwelling on an adjacent lot than the height of the flagpole (for example, a 20' flagpole cannot be installed closer than 20' from an adjacent house)

27.12 Lighting may be installed to illuminate permitted flags if they will be displayed at night and if existing ambient lighting does not provide illumination. Flag lighting must:

- a. be ground mounted in the vicinity of the flag
- b. utilize a fixture that screens the bulb and directs light in the intended direction with minimal spillover
- c. points towards the flag and face the main structure on the property or to the center of the property if there is no structure
- d. provide illumination not to exceed the equivalent of a 60 watt incandescent bulb

27.13 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.

27.14 Flagpoles are allowed solely for the purpose of displaying permitted flags. If a flagpole is no longer used on a daily basis, it must be removed.

27.15 All flags and flagpoles must be maintained in good condition. Deteriorated flags must be removed and promptly replaced. Deteriorated or structurally unsafe flagpoles

must be promptly repaired, replaced or removed. If flags become faded or ripped, they need to be replaced promptly.

Display of Certain Religious Items

28.1 Religious items may be displayed or attached to each entry or any entry of dwelling.

28.2 Individually or in combination with each other, the ^{items} ~~times~~ at any entry may not exceed twenty five (25) square inches total in size.

28.3 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.

28.4 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;
- b. or violate any law; or
- c. contain language, graphics or any display that is patently offensive to a passerby.

28.5 Approval from the Association is not required for displaying religious items in compliance with these guidelines.

28.6 The Association may remove any items displayed in violation of these guidelines.

Rainwater Recovery Systems

29.1 Rainwater Recovery Systems may be installed with advance written approval of the Association subject to these guidelines.

29.2 All such systems must be installed on land owned by Property owner. No portion of the Systems may encroach on adjacent properties or common areas.

29.3 Other than gutters and downspouts conventionally attached to a dwelling or appurtenant structure, all components of the Systems, such as tanks, barrel, fillers, 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. placements behind a solid fence, a structure or vegetation; or
- b. by burying the tanks or barrels; or
- c. by placing equipment in an outbuilding otherwise approved by the Association.

29.4 A rain barrel may be placed in a location visible from public view from 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;
- b. 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
- c. the barrel must be fully painted in a single color to blend with the adjacent home or vegetation; and
- d. 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.

29.5 Overflow lines from the Systems must not be directed onto or adversely affect adjacent properties or common area.

29.6 Inlets, ports, vents and other openings must be sealed or protected with mesh to prevent children, animal and debris from entering the barrels, tanks or other storage devices. Open top storage containers are not allowed, however, where space allows and where appropriate, Association approved ponds may be used for water storage.

29.7 Harvested water must be used and not allowed to become stagnant or a threat or health hazard.

29.8 All systems must be maintained in good repair. Unused Systems should be drained and disconnected from the gutters. Any unused systems in public view must be removed from public view from any street or common area.

Approved and adopted by the Board on this 30th day of December, 2011.

Henry J. Casoff
Board Member

Donald S. [Signature]
Board Member

[Signature]
Board Member

[Signature]
Board Member

Norma Battista
Board Member

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SECRETARY'S CERTIFICATE OF FILING

I, Janie Saenz, certify that:

I am the duly qualified and acting secretary of Cutten Green Homeowners Association, Inc., a duly organized and existing Texas non-profit corporation.

The attached instruments are true copies of unrecorded Dedicatory Instruments, as that term is defined by Section 202.001 of the Texas Property Code, pertaining to Cutten Green Homeowners Association, Inc..

The attached instruments are being presented for recording in the Official Public Records of Real Property of Harris County, Texas, pursuant to Section 202.006 of the Texas Property Code.

Dated: 2/13/2012

Janie Saenz
Janie Saenz, Secretary
Cutten Green Homeowners Association, Inc.

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THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

This instrument was acknowledged before me on the 13th day of February, 2012, by Janie Saenz, Secretary of Cutten Green Homeowners Association, Inc., a Texas non-profit corporation, on behalf of said corporation.

Carolyn Beechly
Notary Public in and for The State of Texas

AFTER RECORDING, RETURN TO:

Bartley & Spears, P.C.
14811 St. Mary's Lane, Suite 270
Houston, Texas 77079



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Official Public Records of
HARRIS COUNTY
STAN STANART
COUNTY CLERK
Fees 60.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

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.



Stan Stanart
COUNTY CLERK
HARRIS COUNTY, TEXAS