

529-86-2296

COLONY CROSSING HOMEOWNERS ASSOCIATION, INC.

ARCHITECTURAL REVIEW COMMITTEE

GUIDELINES

DECEMBER 7, 1999

ARCHITECTURAL REVIEW COMMITTEE GUIDELINES

The Architectural Review Committee ("ARC") was created to enhance property values by requiring conformity to certain standards of construction, visual appeal, uniformity and design. Article III, Section 3.2, of the Declaration of Covenants, Conditions and Restrictions ("CC&Rs") provides that "No buildings , repairs, reconstruction, or other improvements, including driveways, sidewalks, drainage facilities, landscaping, fences, walks, fountains, statuary, outdoor lighting and signs, shall be commenced, constructed, erected, placed, rebuilt, painted or maintained in the Subdivision, nor shall any exterior addition to or alteration therein be made, unless and until the plans and specifications therefor, together with a site plan showing the location of all improvements (both existing improvements, if any, and the improvements covered by the plans and specifications) with reference to property lines, building lines and easements, have been submitted to and approved in writing by the Architectural Control Committee."

It is the general purpose of the ARC to approve or disapprove applications made to it for proposed alterations, additions or changes to be made to the exterior of the house and/or lot itself.

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PROCEDURE

A "Request for Home Improvement Approval Form" must be completed in its entirety and mailed to the address indicated on the form. All pertinent information such as plans, specifications, building permits, locations of the proposed improvements, and so on, must be indicated on a copy of the lot survey, and all of these items should be included with the application.

Request for Home Improvement Approval 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 extended accordingly. Plans for the implementation of the proposed improvement(s) should allow for the time required to complete the approval process. **No construction should begin prior to the approval.** Additionally, should your application be submitted after the fact of construction, the ARC is not required to provide approval, and the unapproved change is deemed to be a violation of the CC&RS. You may be required to remove said improvements.

If an application is not approved, the ARC will state in its letter why such approval was denied and what type of application changes, if any, would alter that decision. If an applicant wishes to discuss or appeal a decision made by the ARC, the Designated Representative should be contacted in writing.

Each owner is ultimately responsible for ensuring all improvements conform to the CC&Rs and other applicable guidelines. Failure by an owner to perform modifications and/or improvements in conformity with the CC&Rs and applicable guidelines subjects owner to the risk and expense of removal of each such non-complying improvement.

Note: The above general procedures pertaining to applications to the ARC do not apply to the installation of antennas, satellite dishes, and related masts. Please see Section 9 hereof for the special provisions which apply to antennas, satellite dishes, and related masts.

INTRODUCTION

The following are guidelines adopted by the ARC to specify standards, requirements and the process used in evaluating an application. The guidelines may be amended from time to time as the circumstances, conditions or opinions of the ARC determine. 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 CC&Rs to the extent written. The ARC has the right to deviate approval for a similar improvement based on the proximity of a property to a main boulevard or the visual relativity of the site to the overall development. As an example, a home located on the perimeter of the development may be permitted to have a certain styled storage building (differing in height), whereas on a main entry boulevard (and depending on the configuration of the lot), this same structure may not be approved due to the visible profile of the location. The intent is to maintain overall integrity within areas which may have higher visual impact.

It should also be noted that ARC approval is required prior to the 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.

Because guidelines may change from time to time, it is highly recommended that they not be published and distributed to the homeowners. Instead, they should be used by ARC members only for the processing of applications. This reduces the possibility of homeowners following obsolete guidelines in home improvement. However, the guidelines should be dated and a chronological book be maintained to evidence the process for review over time.

I. Outbuildings

1.1 An "outbuilding" is defined as any structure which is not attached to the main structure. This definition does not include bonafide additions to the main residences or garages wherein an actual opening to the main structure exists, but does not include storage sheds, gazebos, and playhouse/forts.

1.2 The ARC will consider the following:

- a. The color should match/blend with the predominant exterior colors of the main residence;
- b. Materials should match those of the main residence in both size and color; however, the ARC will approve small prefabricated metal storage buildings, providing the color blends with the main residence;
- c. It should have a peaked roof, no higher than eight feet (8") from the ground to the highest point, and a maximum of 10'x 12' floor space. Structures must be placed and maintained a minimum of five feet (5') off the rear property line and the 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 the side fence be less than five feet (5'), regardless of visibility. Location must also be far enough away from the fence to allow for drainage to occur entirely on the owner's lot.
- d. A storage building placed on a concrete slab over a utility easement will require letters of Consent to Encroach, as it will not be considered portable. HL&P, Entex, and/or telephone companies may charge a fee for this consent letter. If a storage building is not on the utility easement, but on a slab, and can be moved, the ARC will consider it as portable.
- e. No storage building can be built up against any side or rear wall of a home unless its maximum height is less than six feet (6') and does not extend above the fence. It must also comply with all the other requirements for proper construction, size and location.
- f. If under six feet (6'), a storage structure may be placed in the side yard, provided a three foot (3') minimum setback is observed.
- g. A playhouse/fort must be no higher than 42" above ground and centered in platform, that platform can be no higher than 42" above ground and centered in the back yard to protect the neighbor's privacy. It shall also be placed so as not to be visible from the

fronting street.

- h. Gazebo - Freestanding - Must be at least six feet (6') away from the house. Must be reviewed on a case-by-case basis with a maximum height at peak of eleven feet (11') and must be five feet (5') off the side and back fence.

2. **Basketball Goals**

- 2.1 The basketball goal backboard, net and post must be maintained in excellent condition at all times.
- 2.2 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.
- 2.3 Rims must be ten feet (10') in height.
- 2.4 Backboard must be regulation size, and white in color or painted to match trim on home (subject to ARC approval).
- 2.5 Must be mounted on garage or placed on the side of driveway, recognizing a minimum setback to correspond with the building line.
- 2.6 If any complaints are received within six (6) months after installation, the basketball goal will be subject to immediate removal at the request of the ARC.
- 2.7 No temporary goals allowed.

3. **Patio Cover**

- 3.1 Should be constructed of materials which complement the main structure.

- 3.2 Prefab covers made of aluminum may be approved provided they are of earth tone color. Unfinished aluminum will not receive ARC approval. All metal must be painted and certain structures using fiberglass roofing and wood frame may be allowed to go unpainted provided treated wood is used.
- 3.3 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, treated wood or metal columns. No pipe is allowed.
- 3.4 At no time, however, shall a shingled roof be allowed with an unpainted frame. Frames will have to be painted to match trim of house whether treated or untreated wood is used.
- 3.5 Patio construction materials are as follows:
- a. Painted aluminum (to match trim of house);
 - b. Painted wood (to match trim of house);
 - c. Natural pressure treated wood such as cedar, fir, redwood may be used.
Treated pine must be painted or stained;
 - d. Fiberglass is acceptable, and earth tone colors such as tan, brown, beige, clear may be used. Green or yellow is not allowed. Edges of fiberglass must not be visible from surrounding properties or from any street.
 - e. If canvas is used as roofing material on a patio cover, it must be an earth tone color and the structure must be kept in quality condition or its removal will be requested.
- 3.6 Patio covers may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment.

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- 3.7 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 side lot line (and the cover is to be solid), the ARC will require that it be guttered with down spouts.
4. **Room Additions**
 - 4.1 Exterior materials and color should match the house as much as possible.
 - 4.2 Detailed plans must be submitted to the ARC.
 - 4.3 Room additions may not encroach into any utility easement unless the utility companies involved have provided written consent to such encroachment.
 - 4.4 Approvals shall be on an 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 shed will not qualify as a bonafide 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. The addition must be opened to the main structure and be serviced by central heating, air conditioning and electrical. All such improvements must be designed to building code standards. Room additions may be denied for other reasons (i.e., structural integrity, architectural suitability, etc.).
 - 4.5 Building permits as required by the applicable municipality (city, county, etc.) must be submitted with the "Request for Home Improvement Approval" form. In some instances, the ARC will grant approval with the provision that a copy of the permit must be received by the ARC within thirty (30) days of the approval letter.

5. **Exterior Painting**

- 5.1 Earth tone colors are most often used when homes are constructed. In general, an earth tone color should receive ARC approval.
- 5.2 Other earth tone blend colors will be considered. The color of neighboring homes will be taken into consideration, along with the applicant's house brick features.
- 5.3 Brick is not permitted to be painted due to the long-term maintenance, and based on predominant contemporary style of homes within the subdivision.

6. **Storm Windows and Store/Screen Doors**

Provided the frames of these are of a color compatible with the exterior house colors, storm windows and storm or screen doors should receive ARC approval.

7. **Decks**

- 7.1 Decks may not encroach into any utility easements unless the utility companies involved have granted their written consent to such encroachment.
- 7.2 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.
- 7.3 Decks cannot be higher than 48" above grade.
- 7.4 Paint or stain should match or compliment the house.
- 7.5 Second story decks will receive ARC approval on a case-by-case basis.

8. **Swimming Pools and Spa**

- 8.1 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. Pool decking which extends into an easement also requires a consent agreement. Consents must be received prior to approval. Note: The respective utility company may charge a fee for this consent letter.

- 8.2 Ideally, any pool or spa should be located at least five feet (5') from a side and rear lot line to maintain proper drainage on the lot. However, a minimum of three feet (3') will be allowed in certain instances.
- 8.3 Above ground pools will not be permitted.
- 8.4 Only those pools completely enclosed within a fenced area may be approved.
- 8.5 Pool pumps and other equipment must be screened within the fenced perimeter and not visible from the fronting street.
- 8.6 Pool enclosures will be reviewed on an individual basis and height should not exceed eight feet (8').

9. **Antenna and Satellite Dishes**

- 9.1 The following guidelines apply to antennas, satellite dishes, and any related masts:

CATEGORY1

Antenna or Satellite Dish in Excess of One Meter (39 inches), No antenna or satellite dish which exceeds one meter (39 inches) in diameter is permitted on any lot.

CATEGORY2

Antenna or Satellite Dish of One Meter (39 inches) or Less- and Other Antennas and Related Masts.

An antenna or satellite dish of one meter (39 inches) or less, and other antennas and related masts are permitted to be placed on a lot provided any such item must comply with all of the below set forth minimum conditions. Further, the Association must receive written notification at its then current address from the resident of the applicable lot, on or before the installation of any antenna, satellite dish and related mast provided for in Category 2. Such notification must include the type and color of antenna, satellite dish, and any related mast to be installed, and the method, manner, and site of installation. The site must be shown in a plot plan. As of the date hereof, the Association's address is:

c/o Planned Community Management, Inc.

15995 N. Barker's Landing, Suite 162

Houston, Texas 77079

If the resident of a lot proposes to install an antenna, satellite dish and any related mast from Category 2 in any manner whatsoever which does not strictly comply with the below set forth minimum conditions, such resident must submit an application to the ACC and obtain the written approval of the ACC prior to commencing such installation. In connection with the ACC's decision, the ACC shall consider such factors as it deems appropriate, in its reasonable discretion. The application to the ACC must be made on a form approved by the ACC and contain such information as may be required by the ACC, including a statement which specifically describes the manner in which it is proposed that such antenna, satellite dish and related mast will vary from such minimum conditions. The ACC shall endeavor to make its decision regarding the proposed antenna, satellite dish and any related mast on an expedited basis within seven (7) days after receipt by the ACC of the completed application and all information required therein. The granting of a variance from such minimum conditions shall in no way affect the resident's obligation to comply with all governmental laws and regulations and other regulations affecting the lot concerned.

MININIUM CONDITIONS

In addition to the foregoing requirements, no antenna, satellite dish, or any related mast, including its base and anchoring structure, shall be erected, constructed, placed, or permitted to remain on any lot unless such installation strictly complies with the following minimum conditions (however, each Minimum Condition shall not apply if it unreasonably delays installation of the applicable antenna, satellite dish, and any related mast, or unreasonably increases the cost of such items or their installation, or precludes reception of an acceptable quality signal):

- a. The antenna, satellite dish and any mast must be located to the rear one-half (1/2) of the lot and must serve only improvements on the particular lot in which it is located.
- b. To the extent feasible, the antenna, satellite dish and any mast, including its base and anchoring structure, shall not extend above the roofline of the house located on the lot and shall not be visible from the frontage street or any adjoining street.
- c. To the extent feasible, no antenna, satellite dish or mast shall be constructed or placed or permitted to remain on any utility easement or other easement or right-of-way located on any lot.
- d. The antenna, satellite dish and any mast must be securely mounted to a base, so as to be able to withstand the effects of high winds or other extraordinary weather conditions; however, no guy wires or similar mounting apparatus will be allowed.
- e. No advertising slogans, logos, banners, signs or any other printing or illustration whatsoever shall be permitted upon or be attached to the antenna, satellite dish or mast.
- f. No satellite dish or antenna shall ever be used for the transmission of any signal whatsoever and said antenna or satellite dish shall be for the purpose of receiving only normal signals through airwaves for television viewing purposes only.
- g. No antenna or satellite dish shall be permitted to cause any distortion or interference whatsoever with respect to any other electronic device in the subdivision.

- h. The antenna, satellite dish and any mast shall be one solid color only, either white or black or shades of either brown, gray or tan.
- i. Each lot shall be permitted to have no more than one antenna or satellite dish and any related mast, as applicable, or each category of the following categories of video programming providers, to-wit: direct broadcast satellites, multi-channel multi-point distribution (wireless cable) providers, and television broadcast stations.
- j. Any antenna, satellite dish, or mast installed hereunder shall be installed and secured in a manner that complies with all applicable laws and regulations and manufacturer's instructions.
- k. If any provision of this Section 9 is ruled invalid, the remaining provisions of this Section 9 shall remain in full force and effect.

10. **Fence and Fence Extensions**

- 10.1 Approvals shall be on an individual basis.
- 10.2 No side or rear fence shall be higher than eight feet (8') in height. Fence extension requests must be submitted jointly by both owners sharing the side lot line and fence, except in the case of a corner lot.
- 10.3 No chain link type of fence is permitted.
- 10.4 No fence may extend so as to encroach in front of a building line.
- 10.5 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 has the right to deny the application.

- 10.6 Replacements or repairs of a fence must be made with similar materials and construction details as used in original fence.
 - 10.7 Fencing shall be uniform throughout the development. Wrought iron may be used in areas or decorative use in sections across driveways or where used across a building line so long as there are no items (storage or otherwise) visible from a fronting street.
 - 10.8 Fences will be installed picket side out to the street.
 - 10.9 No split rail fences or decorative fencing is permitted.
11. **Decorations**
- 11.1 There shall be no permanent decorative appurtenances (such as sculptures, birdbaths, birdhouses, fountains or other decorative embellishments) placed on the front lawn of any portion of a lot visible from any street.
 - 11.2 Benches, burglar bars and gates will be reviewed on an individual basis.
 - 11.3 House numbers may be placed on the house or mailbox, but not any type of free-standing structure in the front yard.
 - 11.4 Christmas decorations, including lighting, may not be placed on the house or in the front yard prior to Thanksgiving Day, and must be removed no later than January 31. All other seasonal decorations shall be limited to a maximum thirty (30) day period.
12. **Exterior Lighting**
- 12.1 Additional exterior lighting shall be of a wattage or lumen count which will not adversely affect neighboring homes.
 - 12.2 Directional lights or floodlights must be aimed so as not to shine in the windows of neighboring homes.
 - 12.3 Low voltage landscape lighting should receive ARC approval.

- 12.4 Security, mercury vapor, or fluorescent lights may be attached to the front of the house, garage or rear of dwelling provided it in no way creates a nuisance for other surrounding owners. Mercury vapors, fluorescent, and sodium halite may be permitted as long as it no way shines onto adjacent property.
- 12.5 Yard lights may be gas or electric. Single lamp only and maximum height of six feet (6'). May be in front or back. Gas or electric lights must be black or brown, depending on color of house and the color shall be approved by ARC.

13. **Mailboxes**

- 13.1 Changes or improvements made to mailboxes will require ARC approval.
- 13.2 Replacement of the original post should receive ARC approval. If the post is to be painted or stained, a paint sample must be included with the application. The ARC will consider the effect a painted or stained post will have on the street - if the proposed color will not readily blend in with the surrounding materials, that portion of the application will be denied.
- 13.3 Bricked mailbox stands should receive approval provided the brick matches the house, the stand is appropriate in size and design, and will meet U.S. Post Office requirements. A specific sketch should be included with the application.

14. **Wind Turbines**

Wind turbines preferably should either be a color which will blend with the shingle color, instead of unfinished aluminum, or be painted to match the shingle color, and positioned on the rear slope of the roof structure so as not to be visible from fronting street.

15. **Outdoor Carpeting**

- 15.1 Can only be installed on porch area - no walkways, etc.

- 15.2 Earth tone colors acceptable.
 - 15.3 Green or blue carpet is not allowed.
 - 15.4 Visibility from street will be considered.
16. **Burglar Bars**
- 16.1 Acceptable provided they are in harmony with the house.
 - 16.2 Painted to match exterior trim.
17. **Birdhouse**
- 17.1 Maximum preferred height is twelve feet (12').
 - 17.2 Mounted on 1-1/2'diameter metal pipe painted white or black, or 4 x 4 treated wood.
 - 17.3 Must be placed toward the middle of back yard and not visible from the fronting street.
18. **Landscaping**
- 18.1 Timbers, bricks, stone (use native Texas stone), flowerbed borders, landscape lights, trellises and sprinklers may be approved subject to ARC review.
 - 18.2 Must compliment style and architecture of home and conform to color scheme of immediate neighborhood.
 - 18.3 Landscaping may not be attached to the fence of any adjacent property.
 - 18.4 Landscaping may not be installed in such a manner as to change the topography or drainage of the lot which may cause water to spread across any other lot.
 - 18.5 No hedge, wall or fence in excess of three feet (3') in height shall be placed nearer to the front lot line than the walls of the dwelling existing on the lot.
19. **Swing Sets**
- 19.1 Maximum height of eight feet (8').
 - 19.2 Location will be considered for neighbors' privacy.

19.3 May not be visible from fronting street.

20. **Driveway Extensions/Sidewalks**

20.1 Reviewed on an individual basis.

20.2 No closer than three feet (3') to property line and must be parallel to curb. Driveway extensions can extend no nearer to side property line than three feet (3') and five feet (5') in certain instances, unless otherwise approved.

20.3 All sidewalks in the side yard must be no greater than 48" wide.

21. **Garage Conversions, Carports, Detached Garages**

21.1 Conversions to living area are not permitted and all garages must be capable of housing a minimum of two (2) cars at all times. All garage doors shall be operational.

21.3 Driveways can never be removed from the front yard, even if alternate garage is built.

22. **Window Air Conditioners**

Must not be visible from street.

23. **Window Shades/Awnings/Shutters**

23.1 Canvas awnings will not be permitted to be installed on windows to reduce solar exposure unless they are on the back side of the house on an interior lot and not visible from the street. On corner lots that back onto a street, canvas awnings will not be permitted. When allowed, they must be earth tone colors, and must be kept in excellent condition at all times or will be subject to immediate removal upon notification.

- 23.2 Awnings will still be allowed for use on playhouses and patio covers, provided they also comply with the aforementioned requirements for proper location, color and maintenance.
- 23.3 Metal and wooden slat-type shades may be allowed by the ARC if they are deemed necessary in reduction of solar exposure and installation on appropriate windows will be determined by ARC. At no time, however, will they be allowed on windows on the front of the homes.

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 or

DEC 28 1999



Beverly B. Hoffman
 COUNTY CLERK
 HARRIS COUNTY TEXAS

Beverly B. Hoffman
 COUNTY CLERK
 HARRIS COUNTY TEXAS
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RECORDER'S MEMORANDUM
 AT THE TIME OF RECORDATION, THIS INSTRUMENT WAS FOUND TO BE INADEQUATE FOR THE BEST PHOTOGRAPHIC REPRODUCTION BECAUSE OF ILEGIBILITY, CARBON OR PHOTO COPY, DISCOLORED PAPER, ETC.