

ARCHITECTURAL GUIDELINES
FOR CIMARRON, SECTIONS ONE (1) THROUGH NINE (9)

The Board of Directors (the "Board of Directors") of Cimarron Community Improvement Association, Inc. (the "Association"), a Texas non-profit corporation and the Cimarron Architectural Control Committee (the "ACC"), do hereby certify that at a joint meeting duly called and held, the following resolutions and guidelines were unanimously made and adopted:

WHEREAS, the Association acting through its Board of Directors, wishes to exercise the authority granted to it by the provisions of the Declaration of Covenants, Conditions and Restrictions (the "Declaration") applicable to Cimarron, Sections One(1) through Nine(9) ("Cimarron"), to maintain the harmonious and architectural design of the subdivision in accordance with the provisions of the Declaration; and

WHEREAS, the Declaration expressly created an Architectural Control Committee for the specific purpose of approving building, additions or improvements on any lot; and

WHEREAS, by virtue of certain provisions of the Declaration and certain Assignments by First Mortgage Company of Texas, Inc. and by Cimarron Joint Venture, a joint venture of First General Realty Company, a division of First Mortgage Company of Texas, Inc., a Delaware Corporation and Stockbridge Development Corporation, a Texas Corporation (the "Declarant"), the Association now holds all authority granted to the Architectural Control Committee as it pertains to lots with existing structures located thereon; and

WHEREAS, the Declaration provides that no buildings, additions or improvements of any kind shall be erected or placed nor shall changes be made in the design thereof after original construction on any lot until the construction plans and specifications including, but not limited to, site layout, building location as to topography and grade elevation, building materials, colors and elevation, have been submitted to and approved in writing by the Association; and

WHEREAS, the Board of Directors and the ACC desire to establish procedures for the orderly review of construction plans and specifications, and the Board of Directors and ACC desire to establish guidelines with respect to the type, size, quality and color of exterior additions and improvements on lots in Cimarron, so that a harmonious exterior design within the subdivision is consistently maintained;

NOW, THEREFORE, the Board of Directors and the ACC hereby adopt the following procedures and guidelines relation to buildings, additions and improvements on lots within Cimarron. These procedures and guidelines are not intended to act as an amendment to the Declaration, but shall supplement the applicable restrictive covenants set for in the Declaration:

OVERVIEW

The Board of Directors and the ACC have established these architectural guidelines to assure uniform and fair interpretations of the Declaration and of these guidelines, and to assist the Architectural Control Committee in the exercise of its discretionary authority in approving or disapproving proposed buildings or improvements. The guidelines are intended to provide all lot owners in Cimarron with information relating to the type, color and quality and grade of materials which may be used in the construction of various kinds of improvements and the size and locations of such improvements, and information relating to the procedure utilized by the Association with respect to applications for proposed improvements.

These procedures and guidelines may be amended by the Board of Directors from time to time as it deems necessary and appropriate.

A.

Application Procedure

1. **Applications:** All Applications for approval to make any exterior changes, additions or improvements must be submitted to the ACC in writing by completing the application form currently in use by the ACC, a copy of which is attached hereto as Exhibit "A", or such form as may hereafter be adopted by the ACC. Plans and

specifications for any exterior change, addition or improvement should be attached to the application. All applications, additional information, or request for appeal shall be mailed or delivered to the office of the managing agent or the Association, not to members of the ACC or Board of Directors.

The ACC reserves the right to request any additional information it deems necessary to properly evaluate any application. In the event that the ACC requests additional information, the application shall be considered incomplete until such information is submitted to the ACC and the thirty (30) days requirement for approval of the application, as described in the Declaration, shall not begin until such information is received. In the event that the ACC requests additional information and the information is not received within thirty (30) days from the date of the request, the application shall be denied. However, the applicant may thereafter submit a new application with the requested information to the ACC for its review.

2. **ACC Decisions:** The ACC members shall consider each application for compliance with the restrictive covenants of the Declaration and with these guidelines. The decision of a majority of members to approve or disapprove an application shall be considered the decision of the ACC. All decisions of the ACC shall be confirmed by the signatures of a majority of ACC members.

ACC decisions shall be conveyed in writing by the managing agent of the Association to the applicant and shall include a statement of the conditions under which the application is approved, if any, or the primary reason(s) for disapproving the application.

In accordance with the Declaration, any application that is not approved or disapproved within thirty (30) days of the date of its receipt shall be deemed to have been automatically approved provided, however, that (i) any such approval shall extend only to architectural guidelines and not to any of the use restrictions set forth in the Declaration and (ii) in no event shall non-action be deemed to constitute approval of an application for any change, addition, or improvement or any other item that would violate the restrictive covenants in the Declaration.

Unless otherwise stated in the ACC's written response, all approved exterior changes, additions or improvements shall be completed within thirty (30) days of the date construction, installation or erection is commenced.

3. **DRC Appeals:** In the event that the ACC disapproves an application, the applicant may submit the original application to the Deed Restriction Committee ("the DRC") together with any additional information the applicant considers relevant to the original application.

The DRC shall consider each appeal of an ACC decision for compliance with the restrictive covenants of the Declaration and with these guidelines. The decision of the majority of members in attendance at a duly held DRC meeting shall be considered the decision of the DRC. If the decision of the DRC is to reverse a decision of the ACC, the reversal must be reviewed and approved by a designated representative of the Board before the decision is published and considered final. The Board may elect to review any decision before it is considered final.

Final DRC decisions shall be conveyed in writing by the managing agent of the Association to the applicant and shall include a statement of the conditions under which the application is approved, if any, or the primary reason(s) for disapproving the application.

4. **Board of Director Appeals:** In the event that the appeal is denied by the DRC, the applicant may submit a written appeal to the Board of Directors. The Board of Directors shall review the appeals at one of its next two meetings following the date upon which the request for appeal is received and notify the applicant of the Board's decision. All decisions of the Board of Directors shall be final.

5. **Status of Applications During Appeal:** During the appeal period, the decision of the ACC on the original application shall remain in effect. Further, an appeal of a decision of the ACC shall not be considered a new application resulting in approval of the original application if a response to request for reconsideration is not submitted by the DRC or the Board of Directors within thirty (30) days of its receipt.

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B.

General Guidelines

The ACC shall consider the following factors upon review of each application for an exterior change, addition or improvement:

1. Size and dimension
2. Color and harmony with existing structures and improvements.
3. Quality of materials.
4. Location (Note: The ACC may not grant permission to construct or place an improvement upon or across any utility easement; consent to encroach upon any utility easement must be obtained in writing from the owner or the easement; the ACC may grant permission to construct or place an improvement upon or across a drainage easement, provided that the ACC may revoke its consent if it determines that the improvement materially impedes or adversely affects drainage; in the event that the ACC revokes its consent, the homeowner shall bear the responsibility to remove the improvement at his sole cost and expense.)
5. Harmony and appeal of exterior design
6. Quality of construction
7. Elevation
8. The provisions of applicable statutes, ordinances, building codes and covenants, conditions and restrictions.

Provided, however, that the approval of an application shall not be construed as a warranty or representation by the ACC that the change, addition or improvement as proposed or as built, complies with any or all applicable statutes, ordinances or building codes or as a warranty or representation by the ACC of the fitness, design or adequacy of the proposed construction.

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C.

Fences

1. **Pickets**: All fences situated parallel to the front lot line or parallel to a side street adjacent to a corner lot shall be constructed with the pickets on the outside so that no posts or rails are visible from the street in front of the lot or from the side street.
2. **Gates**: All gates shall be constructed with materials consistent with either the fence material or the house material.
3. **Color**:
 - a. **Wood Fences**: No portion of a wood fence on a lot which is visible from the street in front of the lot, or if a corner lot, the street adjacent to the side of the lot may be painted. Portions of a fence which are not visible from a street may be painted a color which would be permissible as the principal exterior color of the dwelling on a lot (in accordance with Section I, Painting, of these guidelines) provided that the color is harmonious with the existing colors of the other improvement on the lot. Wood fences may be stained in acceptable earth tone colors. Each stain color sample submitted by a homeowner shall be compared to the colors and shades of colors set forth on the fence stain color chart to assure that each approved stain is harmonious with the color scheme established for the subdivision.
 - b. **Wrought Iron Fences**: Wrought iron fences must be black. The height, location and spacing of the bars of all wrought iron fences must be approved in writing by the ACC. Chain link and wire fences are not permitted.
4. **Setback Lines**: Fences may not be constructed on a lot forward of any applicable setback line, unless approved in writing by the ACC.
5. **Height**: Fences shall not exceed the height of six foot (6') from ground level.

6. **Maintenance of Fences:** All fences which are painted and stained shall be properly maintained to prevent cracking, chipping, fading or mildewing, and shall be maintained by the owner of the lot upon which the fence is located.

D.

Swimming Pools

An application for the construction of a swimming pool, spa or Jacuzzi must include a plot plan showing the proposed location of the swimming pool, spa or Jacuzzi in relation to the property lines, building lines, existing structures and existing or proposed fences. The application shall also include a timetable for the construction of the pool, spa or jacuzzi. No swimming pool, spa or jacuzzi shall be approved unless the area in which the pool is to be located is either enclosed by a six foot (6') fence constructed of wood or wrought iron with a maximum of three inches (3") between each bar or such a fence proposed to be constructed in conjunction with the swimming pool. During construction, the pool area shall be enclosed with a temporary fence or barrier, unless a fence already exists. If a portion of an existing fence is removed during construction, a temporary fence or barrier must be erected to fully enclose the area in which the construction is taking place. Further, no building materials shall be kept or stored in the street overnight. Excavated material shall either be used on site or immediately removed from the premises by the pool contractor. The construction of all swimming pools must be in compliance with the national electrical code and include the installation of a ground fault circuit interrupter. There shall be no surface discharge on the lot or to an adjacent property. No swimming pools may be enclosed with screens. No swimming pool, spa or jacuzzi shall be constructed in a manner to impede drainage on a lot or to cause water to flow on an adjacent lot.

E.

Outbuildings

1. **General Rules:** Any type of building that exists on a lot which has a floor and/or walls and/ or a permanent roof, but is not attached to the residential dwelling or to a detached garage on the

lot, shall be considered an outbuilding. Gazebos and children's play structures are hereinafter defined and are subject to separate requirements as set forth in subparagraphs E.2 and E.3, respectively. Only one (1) outbuilding not exceeding ten feet (10') in length, ten feet (10') in width and eight feet (8') in height shall be permitted on a lot. The standard, type, quality and color of the materials used in the construction of an outbuilding shall be harmonious with those of the main residence on the lot. No exterior portion of an outbuilding shall be made of metal, with the exception of the roof if the proposed roofing material conforms to the provisions relation to roofing materials set forth in Article V, Section 18 of the Declaration and Section J of these guidelines and is otherwise compatible with the color and type of materials used in the construction of the remainder of the outbuilding. An outbuilding shall be located in the rear portion of the lot, but may not be located on the rear utility easement unless the outbuilding is moveable. No outbuilding may be located on a lot such that it impedes drainage from the lot or causes water to flow onto an adjacent lot. Further, if an outbuilding is to be constructed on a lot, the rear portion of the lot must be enclosed with a six foot (6') fence or such a fence must also be proposed concurrent with the application for approval to construct the outbuilding. A fence approved in conjunction with an application for approval to construct an outbuilding must be completed within thirty (30) days of the date that the outbuilding construction begins.

2. **Gazebos:** For the purpose hereof, a gazebo shall be defined as a free standing, open framed structure with lattice-type walls, whose purpose should not be for any type of storage. These typically are circular or octagonal shaped structures. There are two approved types of gazebos:
 - a. Conical shaped (peaked roof) gazebos. These gazebos cannot exceed twelve feet (12') in height (height measured from the ground) and the horizontal supports cannot exceed eight feet (8') from the deck level.

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

For both structures, the footprint area is limited to one hundred (100) square feet (typically 10' by 10'). All gazebos must have a permanent roof with materials as set forth in Article V, Section 18, of the Declaration and Section J of these Guidelines. The materials used in construction of the gazebo shall be harmonious with the standard, type, quality and color used in the construction of the main residence on the lot. Louvered or trellis style gazebo roofs may be allowed as long as the quality of materials is approved. Pressure treated wood may be stained, painted or covered by shingles. Water and electricity may be permitted upon approval and according to the national electrical code. All pipes and cables must be underground. Gazebos must be located a minimum of six feet (6') from all rear and side property lines. Further, if a gazebo is to be constructed on a lot, the rear portion must be proposed in conjunction with the application for approval to construct the gazebo. A fence approved in conjunction with the application for the approval to construct a gazebo must be completed within thirty (30) days of the date the gazebo is constructed or erected. No gazebo shall impede drainage on the lot or cause water to flow onto an adjacent lot.

- 3. **Children's Play Structure:** For the purpose hereof, a children's play structure shall mean any type of children's swingsets, play sets, climbing structure, slides, or raised play sets. A maximum of two (2) children's play structures are allowed on a residential lot. The maximum dimensions for each play structure are ten feet (10') in width by fifteen feet (15') in length by eight feet (8') in height. The play structure may have no more than two (2) vertical beams with a single horizontal support member between them extending the eight foot (8') height restrictions of the play structure. The sole permitted purpose of these extending beams is to support a tarpaulin for a shade area. The beams and their accompanying horizontal cross member may not exceed ten feet (10') in height, measured from the ground. Tarpaulin colors will only be approved if

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harmonious with the color of the residential dwelling. Wind-socks or streamers attached to the structure will not be permitted. Play structures must be located behind the front and/or side building setback lines of the dwelling or garage. Play structures will only be allowed if the rear and/or side of the lot is enclosed with a six foot (6') fence, or if such a fence is applied for concurrent with the play structure application must be completed within thirty (30) days of the date the play structure construction is to begin. No play structure may be located closer than six feet (6') to any property line. Additionally, any play structure with support members and a tarpaulin above the eight foot (8') height must be located at least ten feet (10') from the property line if the adjoining lot is a residential lot. No play structure shall be approved for construction on utility easements, or may impede the drainage on the lot or cause water to flow to an adjacent lot.

F.
Patio Covers

The standard type, quality and color of the materials used in the construction of a patio cover must be harmonious with the standard type, quality and color used in the construction of the main residence; provided, however, that corrugated roofs or patio covers shall not be permitted under any circumstances. Roofing materials on patio covers shall conform to the provisions relating to roofing materials set forth in Article V, Section 18 of the Declaration and Section J of these guidelines.

G.
Decks

All decks must be approved by the ACC with respect to location and the standard type, color and quality of the materials used in construction. Appropriate fences may be required by the ACC if any portion of a proposed deck would otherwise be visible from the street or an adjacent lot. No deck shall impede drainage on the lot or cause water to flow on an adjacent lot. No deck other than a second level balcony attached to the main residence shall be constructed more than three feet (3') above the ground.

H.

Exterior Lighting

1. **Changes to Existing Lighting.** Outside lighting which was installed at the time of original construction or which was installed after original construction with the approval of the ACC may be replaced with a new fixture provided that the wattage of the new fixture does not exceed the wattage of the existing fixture or 150 watts, whichever is greater. Existing gas lighting may be converted to an electric incandescent bulb provided that (a) the incandescent bulb is a clear glass type, (b) the wattage of the bulb does not exceed 100 watts, and (c) the lighting color is white.

2. **New Lighting:**

a. **Security Lighting.** Security lighting shall be permitted with the ACC's approval so long as the total wattage for all security lights does not exceed 300 watts. All security lighting shall be mounted behind the back plane of the house. No pole mounted security lights (including sodium vapor and mercury vapor) shall be permitted. No security light fixture shall be allowed above the eaves of the house or garage. Exceptions to mounting security lighting behind the back plane of the house and/or allowing security lighting above the eaves of the house or garage may be granted by the ACC if the design and location of the house and/or garage on a lot warrant an exception. No more than one (10 mercury vapor light of not more than 150 watts shall be permitted on any lot unless a cul-de-sac or corner lot. Sodium vapor lights are permissible provided that each sodium vapor light does not exceed 70 watts.

b. **Landscape Lighting.** Exterior lighting shall be permitted with the ACC's approval so long as the lighting is located within the flowerbeds, shrubs and/or trees. Pole mounted landscape and/or

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decorative lighting shall also be permitted with ACC approval so long as (i) the pole does not extend more than seven feet (7') above the ground, (ii) the light fixture is not situated more than six feet (6') above the ground, and (iii) the light is neither sodium vapor nor mercury vapor.

- c. **Gas Lights**. Two (2) gas lights per lot shall be permitted with the ACC's approval, provided that the gas lighting color is white.
- d. **Annoyances**. All new lighting which is approved by the ACC shall be subject to a ninety (90) day trial period to assure that the lighting is not objectionable to surrounding residents. The ninety (90) day period shall commence on the date of the ACC's written approval of the lighting. If, at the end of the ninety (90) day period, the ACC determines that the lighting is not unreasonably offensive or an annoyance to surrounding residents, the ACC's approval shall be final; otherwise, the lighting shall be removed or modified in accordance with the decision of the ACC.

I.
Painting

At least two (2) color samples or "paint chips" of the proposed exterior color of any new addition or improvement must be attached to each application submitted to the ACC. Further, the existing exterior color of the main body of a house, garage or other improvement on a lot as well as any trim or accent color shall not be changed without first submitting an application with at least two (2) color samples or paint chips to the ACC and receiving its written approval. The ACC has established and shall maintain a chart depicting the acceptable earthtone colors and shades of earthtone colors for the exterior of homes and other improvements on lots with the subdivision. Each color sample of paint chip shall be compared to the colors and shades of colors set forth on the color chart to assure that each approved color is harmonious with the color scheme established for the subdivision. Each exterior color must not only be an earthtone, but also an acceptable shade of an earthtone color. As used in these guidelines, "earthtone" shall mean acceptable shades of beige, brown,

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gray and white as shown on the ACC's color chart. The following guidelines shall also apply:

1. **Principal Colors of Dwellings.** The principal color of the dwelling and garage situated on a lot, including the garage door, must be a muted earthtone.
2. **Trim.** Soffit, fascia board and window and door trim must also be an earthtone color; however, the shades of trim color may be deeper than the principal color of the dwelling or garage.
3. **Accents.** Shutters, window hoods, the side panels of doors and windows and the exterior surfaces of doors may be painted any acceptable earthtone color, including trim colors and certain acceptable shades of dark green, black, blue-grey, rust or dark blue. Window hoods may also be painted in a coppertone metallic based paint.
4. **Victorian Homes.** The principle color of a Victorian home may be any acceptable earthtone or acceptable pastel shades of yellow, blue or green.

J.

Roofing Materials and Additions

J.1

Materials. A sample of the proposed shingle to be placed on any existing roof or any new improvement must be attached to each application submitted to the ACC. The ACC has established and shall maintain a chart depicting the acceptable type, quality and color of roofing materials for homes and other improvements with the subdivision. Each shingle shall be compared to the samples set forth on the roofing materials chart to assure that each approved shingle is acceptable type and quality and that its color is harmonious with the color scheme established for

the subdivision. The color of each roofing material must not only be an earthtone, but also, an acceptable shade of an earthtone color. Fiberglass or composition asphalt shingles shall be limited to the following types and grades unless otherwise approved in writing b the ACC.

a. Minimum 300 lb. per square, 30 year warranty;

(i) Elk "Prestique" approximately 320 lb. per square.

(ii) GAF "Timberline" approximately 300 lb. per square, 30 year warranty.

(iii) Genstar "Architect 80", approximately 300 lb. per square, in the Barnwood or Driftwood colors, 30 year warranty.

(iv) Owens Corning Oakridge in acceptable colors, 30 year warranty.

(v) Such other type of fiberglass or composition shingle of equal or superior quality as may be approved in writing by the ACC.

b. Minimum 220 lb. per square, 20 year warranty:

(i) Elk "Prestique II", approximately 240 lbs. per square in the Weatherwood, Hickory or Barkwood colors, 25 year warranty.

(ii) Elk Fiberglass "Sunseal", approximately 225 lb. per square, in the Chestnut, Bark Blend,

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- Weathered Bend or Sable Blend colors, 25 year warranty.
- (iii) Genstar "Fiberscreen Brigade", approximately 220 lbs. per square, in the Weather Blend or Barnwood colors, 20 year warranty.
- (iv) Gerogia Pacific "Valiant Fiberglass", approximately 235 lb. per square, in the Weatherwood color, 30 year warranty.
- (v) Owens Corning Oakridge II in acceptable colors, 25 year warranty.
- (vi) Such other type of fiberglass or composition shingle of equal or superior quality as may be approved in writing by the ACC.

c. Felt for all composition roofs must have a weight of at least 30 lbs.

2. Roofing Additions. No skylights, solar panels or similar types of additions shall be permitted on the front of the roof ridge line and/or gable of a structure.

J.2

Roofs

1. All buildings shall be roofed with composition shingles unless otherwise approved in writing by the ACC. Wood shingles are specifically prohibited.

2. Composition shingles must weigh at least 230 pounds per square and have a stated warranty of at least 25 years. Shingles must have a laminated design. Three-tab shingles are specifically prohibited except for use as a starter and cap rows.

3. Roof shingles must be dark brown or dark gray tones or light brown or light gray. Blue, green red and white colors are not allowed.

4. Roof overlays are not allowed. Prior to roofing, all existing materials must be removed down to clean decking. Any damaged or deteriorated decking must be replaced.

5. Ridge vent 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 ACC, an owner may install shingles ("Alternate Shingles") which are designed primarily to:

- a. be wind and hail resistant; or
- b. provide heating or cooling efficiencies greater than traditional composition shingles; or
- c. 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, or 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.

K.

Miscellaneous

1. **Birdhouses** Birdhouses shall be permitted subject to the prior approval of the ACC and the following:
 - a. A birdhouse shall not be visible from the street in front of the lot.
 - b. No birdhouse shall be larger than two feet (2') in width, two feet (2') in length and two feet (2') in height.
 - c. No more than two (2) birdhouses shall be permitted on a lot.
 - d. No birdhouse shall be situated higher than ten feet (10') above the ground.
 - e. The materials used in the construction of each birdhouse and the color of each birdhouse must be harmonious with the home and other improvements of the lot.
2. **Awnings**. Awnings which are visible from the street in front of the lot shall not be permitted. Awnings on the rear portion of a lot must be approved by the ACC.
3. **Satellite Dish Antennae**. Satellite dish antennae shall be approved by the ACC only if the following minimum requirements are met:
 - a. Each satellite dish antenna shall be situated in the back portion of the lot so that it is not visible from any point in the street in front of the lot, or if a corner lot, any point in the

side street. The rear portion of the lot must be enclosed with a six foot (6') fence or such a fence must be proposed in conjunction with application for approval to erect the satellite dish antenna.

- b. No portion of a satellite dish antenna may extend more than eight feet (8') above the ground at any time.
 - c. No portion of a satellite dish antenna may be situated upon an easement.
 - d. The color of a satellite dish antenna shall be harmonious with the color of the house and improvement on the lot. As a condition of approval, the ACC may require additional screening through landscaping. No cable or wiring shall be visible from the street in front of the lot or any side street.
4. **Garage Conversions.** An originally constructed garage may be converted into a family room only if a replacement garage capable of storing not less than two (2) vehicles is constructed on the lot. The replacement garage, as well as any exterior changes to an originally constructed garage, must be approved in writing by the ACC. Unless otherwise approved by the ACC, each garage. Whether used for storage of vehicles or not, must maintain the outward appearance of a garage.
5. **Carports.** No carports shall be allowed upon any property unless otherwise approved by the ACC.
6. **Basketball Goals.** Basketball goals must be mounted either (a) on the garage wall or roof with the backboard parallel to the automobile entrance, (b) on the garage to house breezeway cover or (c) on a rigid steel or aluminum pole. Wooden poles shall not be permitted. The backboard material must be

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fiberglass, graphite or safety glass. The color must be clear (safety glass) or white with the exception of manufacturer's outline markings. The rim must be of heavy gauge steel and orange or black in color. The net must be a white nylon. The backboard supports must be firmly attached to the structure. Nails, by themselves, are not permitted. Mounting supports may be of wood, steel, or aluminum, but they must be painted an acceptable color as outlined in Section 1, Painting, of these guidelines. All goals must be a minimum of ten feet (10') behind the front building line of the dwelling on the lot that extends from the front of the house or garage parallel to the street. If the front/side building line is defined by the garage, the then goal must be at least twenty feet (20') from the curb line. A pole mounted goal must not be within ten feet (10') of the adjoining neighbor's amenities (air conditioning unit, shrubbery, gas meter, etc.) unless properly protected (i.e. by fence or shrubbery) unless the written consent of the neighbor is obtained. No pole mounted goals will be allowed along the neighbor's adjoining side of a driveway if a neighbor's first story house window(s) are exposed. The pole must have a manufacturer's weather resistant finish and be either black or in a color consistent with the ACC's house painting guidelines under Trim (Section 1.2). An application for approval to erect a basketball goal must include either a plot plan or a to scale drawing depicting the location of the goal and its relationship to the adjoining neighbor's property. In the case of a pole mounted goal, the plan or drawing should include the neighbor's amenities and a neighbor's written consent if applicable. The homeowner must maintain the basketball goal in its original approved condition (including rim and net). If lighting is provided for the basketball area, it must comply with existing security lighting guidelines. A good neighbor policy concerning noise and disturbing the peace must be followed.

7. **Sunrooms**. A sunroom is any room with glass-enclosed walls or a glass ceiling. The ACC may reject any application to construct a sunroom on a lot on the basis of its overall design and conformity with

existing structures regardless of whether or not the proposed sunroom complies with the technical specifications set forth below.

- a. Applications must be accompanied by a detailed scale drawing or blueprint showing the three dimensional relationship of the sunroom to the existing structure. Applications must also include a plot plan showing the location of the sunroom in relation to all lot boundary lines, the residence, the easements and the building setback lines. Applications must also include a detailed material list and include the name, address, and business phone number of the contractor or installer. Applications may be rejected for failure to provide any of these required items.
- b. A sunroom may be added to the rear of the residence only. Applications for sunrooms on cul-de-sac or other community property will be considered on a case-by-case basis.
- c. Supporting structural members must be of a color and shade similar to and harmonious with the exterior color of the residence. Glass must be tinted in a shade compatible with exterior of the residence. No metallic or direct reflecting style shading/tinting of the glass will be permitted. Applicants may be required to submit actual samples of glass with the proposed shading/tinting materials applied for approval.
- d. The floor of the sunroom must be of reinforce concrete slab construction with 3" minimum thickness. No other flooring material will be permitted.
- e. Only safety glass will be permitted for the panes. No fiberglass, plexiglass, plastic, acrylic, mesh or other materials will be allowed. Safety glass must be a minimum 3/16" thick if tempered or a minimum 1/4" thick if laminated

glass. Maximum width of glass between support trussed will be 36" measured center-to-center.

- f. Support trusses (glazing bars) must be constructed of aluminum or aluminum alloys with electrostatically applied coloring/paint. No natural aluminum oxidation coloring will be allowed. No wood, composite, steel, fiberglass, or plastic trusses will be allowed. Trusses must be of structural box or I-beam construction. Round, oval or "T" shaped trusses will not be allowed.
- g. The roof of a sunroom must have a minimum pitch of 1" per 12" of projection. The sunroom may not project more than 20' measured from the rear facing plane of the residence. A sunroom may not encroach on any existing setbacks or easements.
- h. Sunrooms are only permitted as ground structures. The maximum height of the roof, measured from the concrete floor, may not exceed either 12' or the height of the eaves of the wall that the sunroom projects from, whichever is lower.
- i. If the ceiling lighting is installed it must be downward-directed, focused, low-wattage track lighting. Any electrical plug outlet installed within the trusses/glazing supports must be of the UL approved Ground Fault Interrupt (GFI) type.
- j. Sunrooms may not have turbine or force fan roof ventilators installed. Natural draft/convection flow panels that open may be installed. Panels that open may not exceed 36" x 36" in size and must be at least 36" in any direction away from adjoining opening panels.
- k. Sunrooms may not have exposed air conditioning or heating ductwork installed with or to them.
- l. Window coverings are not required. However, only interior coverings will be permitted; there shall be no exterior covering of the sunroom glass allowed. The side of the window covering facing the exterior must be of a neutral earthtone

color, which must also blend with exterior of the home. If there are coverings on any one window, then all windows must be covered, and with the exact same treatment. Color and material samples may be required for approval, at the discretion of the ACC.

8. **Mailboxes** Mailboxes must be approved by the ACC with respect to size, type and quality of materials and harmony of design and color with existing structures. All mailboxes must also comply with all applicable U.S. Postal regulations or restrictions.

9. **Storm Doors and Windows** Storm doors and windows must be approved by the ACC with respect to type and quality of materials and harmony of design and color with existing structures.

10. **Garage Doors** Garage doors must be of wood or 24-gauge steel construction, and must be maintained in a current state of repair, maintenance and painting so as not to be unsightly as determined by the ACC.

11. **Rainwater Harvesting Systems:** Rainwater Recovery Systems may be installed with advance written approval of the ACC subject to these guidelines;

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

b. 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:

(i) placement behind a solid fence, a structure or vegetation; or

(ii) by burying the tanks or barrels; or

(iii) by placing equipment in an outbuilding otherwise approved by the ACC.

c. 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:

1. the barrel must not exceed 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

2. the barrel must be fully painted in a single color to blend with the adjacent home or vegetation; and

2. 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.

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

e. 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 not allowed, however, where space allows and where appropriate, ACC approved ponds may be used for water storage.

12. **Flags.** These guidelines apply to the display of ("Permitted Flags"):

12.1 the flag of the United States; and

12.2 the flag of the State of Texas; and

12.3 the official flag of any branch of the United States armed forces.

These guidelines do not apply to any flags other than the Permitted Flags listed in Section 12 above including, but not limited to:

a. flags for schools, sports teams, businesses or foreign countries; and

b. flags with marketing, seasonal, historical, commemorative, nautical, political or religious themes; or

c. historical versions of flags permitted in Section 12 above.

Permitted Flags may be displayed subject to these guidelines, Advance written approval of the ACC is required for any free-standing flagpole and any additional illumination associated with the display of Permitted Flags.

Permitted Flags must be displayed in a respectful manner in accordance with the current relevant federal, state or military code.

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.

Permitted Flags shall be no larger than three foot (3') by five foot (5') in size.

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 feet (14") tall.

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

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 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 on a structure. Brackets which accommodate multiple flagpoles are not allowed.

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.

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 10' side setback line, a flagpole may not be installed closer than 10' from the side property line); or

d. beyond half the distance of the front setback line (for example, on a lot with a 30' setback line, a flagpole may not be installed closer than 15' from the front property line); or

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).

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 a 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

e. provide illumination not to exceed the equivalent of a 60 watt incandescent bulb.

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.

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.

All flag and flagpoles must be maintained in good condition. Deteriorated flags must be removed and promptly repaired, replace or removed. Deteriorated or structurally unsafe flagpoles must be promptly repaired, replaced or removed.

13. Display of Religious Items: A property owner or resident may display or attach one or more religious items to each or any entry to their dwelling. Such items may include anything related to faith that is motivated by the resident's sincere religious belief or tradition.

Individually or in combination with each other, the items at any entry may not exceed 25 square inches total in size.

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.

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

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

14. **Solar Energy Devices, Solar Panels and Films:** 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 mechanisms designed primarily to provide heating or cooling or to produce electrical or mechanical power by collecting and transferring solar-generated energy. The term includes a mechanical or chemical device that has the ability to store solar-generated energy for use in heating or cooling or in the production of power.

Such Devices may only be installed with advance written approval of the ACC subject to these guidelines:

Any such Device must be installed on land or structures owned by the property owner. No portion of the Devices may encroach or adjacent properties or common areas.

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.

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

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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 attached; 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 alley available modeling tool provided by the National Renewable Laboratory [www.nrel.gov] or equivalent entity)

For Devices located in a fenced yard or patio, no portion of the Device may extend above the top 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.

All Devices must be installed in compliance with manufacturer's instruction 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.

Installed Devices may not:

a. threaten public health or safety; or

b. violate any lawn; or

c. substantially interfere with the use and enjoyment of land by causing unreasonable discomfort or annoyance to any adjoining property owner.

All Devices must be maintained in good repair. Unused or inoperable Devices must be removed.

The ACC will approve solar panels which are unobtrusive and which blend in with the roof shingle color.

Parabolic solar collectors which are not mounted so as to be flush with the roof will not be approved.

No solar panel should be mounted so that it extends above the roof line.

The ACC would prefer to have solar panels mounted on the front roof of a house rather than mounted on stands to the side or back roof.

Solar screens whose colors blend with the colors of the house are allowed on windows.

No solar panel should be mounted so that it extends above the roof line.

Colors and manufacturers must be acceptable to ACC for both screens and panels.

Solar film must be non-reflective type.

Satellite Dishes: "No Satellite dish of any kind which is visible from any ground location off of the Lot shall be maintained on any portion of any Lot unless such satellite dish is adequately screened from view" (Art III Sec 15)

The ACC believes any screening other than the lot's fence would look worse than the satellite dish itself, therefore the maximum height of the satellite dish is six (6') feet to eliminate the need for additional screening.

Must not be placed on any utility easement without consent-to-encroach letter.

Executed on the dated set forth opposite each name set forth below to be effective on _____.

BOARD OF DIRECTORS

Cimarron Community
Improvement Association,
Inc.

RECORDER'S MEMORANDUM:

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

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FILED FOR RECORD
8:00 AM

SEP 20 2013

Stan Stewart
County Clerk, Harris County, Texas

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

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

SEP 20 2013



Stan Stewart
COUNTY CLERK
HARRIS COUNTY, TEXAS