



**INFORMATION  
PAMPHLET  
FOR  
HOMEOWNERS  
AND RESIDENTS**



**Published 1999**

**By the  
Architectural Control Committee  
Of Morningside Place  
Section One**

529-89-0172

Great care has been exercised in the preparation of this Information Pamphlet for Homeowners and Residents, but the Architectural Control Committee and the Homeowners Association of Morningside assumes no liability arising from errors or omissions contained within this pamphlet. Please let us know your comments for any future printings.

This pamphlet is dedicated to the volunteers who have given unselfishly to keep the Community of Morningside a neighborhood we can all be proud of.

**Contents**

	<b>Page</b>
Notice	3
Welcome Homeowners and Residents	4
Property Maintenance and Improvement	
Introduction	6
Objectives	6
General Provisions	6
Animals and Pets	7
Signs	7
Families	7
In-Home Office	8
Prohibition of Offensive Activities	8
Security Systems	8
Trash and Refuse	8
Basketball Goals	8
Vehicle Repairs	9
Vehicle Storage	9
Architectural Control Committee Review Guidelines	9
Index	11
Maintenance	19
Enforcement	19
Lot Maintenance	19
Structure Maintenance	20
Assessments	20

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**NOTICE**

WRITTEN APPROVAL FROM THE ARCHITECTURAL CONTROL COMMITTEE IS REQUIRED PRIOR TO THE CONSTRUCTION, PLACEMENT, ERECTION, ALTERATION, IMPROVEMENT AND MAINTENANCE OF BUILDINGS, STRUCTURES OR OTHER IMPROVEMENTS OF ANY KIND OR CHARACTER ON ANY PROPERTY IN MORNINGSIDE.

**WELCOME HOMEOWNERS AND RESIDENTS**

Welcome to Morningside Place Section One! We are 300 homeowners strong and still growing. We are proud to have you as a neighbor and/or property investor and look forward to meeting you personally.

Morningside is supported by you. Funds for the upkeep and maintenance are charged to each homeowner in the form of annual assessments and are due by January 31st of each year. The support of each and every resident is necessary and appreciated to keep Morningside attractive while maintaining and improving our current property values.

The Morningside Management Company is:

GIA Services  
13313 Southwest Freeway, Suite 265  
Houston, Texas 77478-3543  
281-242-2503

Please feel free to contact them if you have any questions, complaints or need information. They work directly with the Board of Directors, who currently meet once a month to discuss on-going general upkeep and maintenance of the neighborhood, including all recreation facilities and common grounds. We invite you to attend the Board meetings and become actively involved in your neighborhood. Please contact the Management Company for the time and place.

The Board of Directors consists of five homeowners in Morningside, who are elected to staggered three-year terms during the annual community association meeting. Notice of the date, time, and location for this meeting is mailed to all homeowners. Committees of volunteers have been formed to assist in the smooth operation of Morningside. If you have some time available, you may wish to become actively involved in the following committees:

**Recreation Committee:** established to assist in the upkeep, care and smooth operation of the swimming pools and playground.

**Newsletter Committee:** established to assist in the gathering and writing the information for The Morningside News, currently published quarterly and delivered to all homes and homeowners of Morningside.

**Architectural Control Committee:** established to assist in assuring the maintenance of the Morningside Community and reviewing applications for improvements of the properties in Morningside with relation to the Deed Restriction.

**Security Committee:** established to assist The Morningside Community in the local watch program, making Morningside a safer neighborhood.

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Additional committees may be formed if enough homeowners are interested in additional types of community projects or activities.

This pamphlet has been prepared with you in mind. We have included information pertaining to the maintenance and improvement of your personal property and the do's and don'ts involved. Please read this section carefully. It has been prepared in an easy to read language from the Deed Restrictions, which require approved applications on file with the management company before any maintenance, modification or improvement projects can be started.

Please remember that the Board of Directors (although elected) and committee members are all volunteers with families and jobs of their own. All matters concerning The Morningside Community, applications for improvement and requests for assistance will be handled ~~as expeditiously as possible.~~ Remember the Board of Directors and the committees sometimes meet only once a month, therefore, please allow three to four weeks for responses and/or completed applications for improvement to be processed. Emergency related applications will be given priority care and handled with as little delay as possible.

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## PROPERTY MAINTENANCE AND IMPROVEMENT

### I. INTRODUCTION

#### A. PURPOSE

The purpose of this pamphlet is to provide homeowners of Morningside, a set of guidelines for maintenance and improvements of your home. These guidelines are in "plain language" interpretation of the Covenants, Conditions, and Restrictions, a copy of which every homeowner should have received at closing. The homeowner is responsible for providing a copy of the pamphlet to tenants if their property is rented or leased. This interpretation was compiled by members of the Architectural Control Committee who are duly appointed by the Board of Directors, with guidance of the previously constituted Architectural Control Committee, identified in the Declaration of Covenants, Conditions and Restrictions. Committee membership will be for one year, or until such time as they may resign, be removed and be replaced by a subsequent member(s) duly appointed by the Board of Directors.

#### B. OBJECTIVES

The objectives of this committee are to keep Morningside an attractive neighborhood for the enjoyment of its residents and for the protection of its property owners. In doing so, the committee has prepared the attached list of items and the guidelines the committee will use to evaluate requests for improvements or alterations to property affecting these items.

### II. GENERAL PROVISIONS

The General Provisions provide rules and guidelines for the safe enjoyment and habitability for the residents of Morningside. It is incumbent upon all residents and homeowners to abide by these guidelines to ensure that the quality of life and property values are maintained in a manner suitable to the communities in which we live.

In accordance with the Declaration of Covenants, Conditions and Restrictions, the Architectural Control Committee is authorized and empowered, at its sole and absolute discretion, to make and permit reasonable modifications of and deviations from certain requirements of the Declaration of Covenants, Conditions and Restrictions. These modifications or deviations may relate to the type, kind, quantity or quality of the building materials to be used in the construction of any building or improvement when, in the sole and final judgement and opinion of the Committee such modifications and deviations in such improvements will be in harmony with existing structures and will not materially detract from the aesthetic appearance of the Subdivision and its improvements as a whole.



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A. ANIMALS AND PETS

No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any lot except that dogs, cats, or other common household pets (not to exceed a total of two) adult animals may be kept provided that they are not kept for commercial or breeding purposes. Pets must be kept within the confines of the property and be on a leash or led when being exercised or walked. Pet owners will refrain from allowing pets to defecate or urinate on the property of others. If the pet defecates on the property of another, it is the responsibility of the pet owner to clean it up. This is just plain "Good Neighbor" policy.

B. SIGNS

No sign, poster, advertisement, billboard or advertising structure of any kind may be erected or maintained on any lot except the following:

For Sale or Lease Signs - One sign advertising the lot for sale or lease is permitted within Morningside. The sign shall not exceed five square feet in area, or be less than two square feet in area, and must be professionally manufactured exclusively for the purpose of advertising the sale or lease of real estate property. No signs, billboards, posters, or other advertising devices of any character shall be permitted.

Home Security Signs - Only one sign will be allowed for a front entrance. For visible rear entrances, one sign shall be allowed. The residential security sign must be a professionally constructed sign of permanent materials and the maximum size shall not exceed 12 inches in the largest dimensions. The color of the sign may be the security company's colors. The sign and stake shall not exceed 15 inches above ground when installed and be placed not more than five feet from the foundation of the home. Security signs are not permitted to be posted on the residential unit, garages, patios, walls, or fences. Security system decals shall be allowed when the maximum size does not exceed six inches in their largest dimension and no more than two are in public view.

Yard of the Month Sign - Sign should not exceed five (5) feet square in total size.

Garage Sale Sign - Sign should not exceed four (4) foot square which should be black on a white background referring to the Annual Garage Sale. The signs may be posted three days prior and removed the day of the sale.

C. FAMILIES

Single family homes must be occupied by single families only. No sub-lessors, renters or tenants may occupy the residence in conjunction with the primary owner or lessee. Individual family members of the same family may reside in one's home, such as parents, children, in-laws, nieces, nephews, grandchildren, etc., provided the property is capable of accommodating the total number of persons.

#### D. IN-HOME OFFICES

May be allowed providing no annoyance to neighbors is apparent. Signs and advertisements of any kind are not allowed. Commercial telephone and address listings are not allowed. Truck traffic or increased vehicular or foot traffic is not permitted. No employees are allowed at the premises. All night or late night operations, if discernible, are not allowed. No illegal activities or activities violating public policy are allowed.

#### E. PROHIBITION OF OFFENSIVE ACTIVITIES

No activity, shall be carried on any lot which is not related to single family residential purposes. No offensive activity of any sort shall be permitted. Radios, televisions, record, disc, tape players, sound, voice and instrument amplifiers, and stereo systems are for the listening pleasure of the resident, and should not result in an annoyance for the neighbors.

#### F. SECURITY SYSTEMS

Security Systems are recommended for personal and property security. Alarms, sirens, horns, and the like may be installed inside the house to indicate intrusion. No horn or sounding device will be mounted on the outside of any edifice or in any location in public view. Unlawful entry alarm while the owner is absent should be transmitted electronically to the police or security company depending on the type of system installed.

#### G. TRASH AND REFUSE

Trash and Refuse (i.e., lawn clippings, tree limbs, newspapers, trash bags, trash containers, etc.) must be stored out of public view inside the dwelling, or garage, until the schedule day of collection. For this purpose, public view is defined as being visible from public property. On the scheduled day of collection, trash and refuse shall not be placed out for collection prior to 7:00 p.m. the day before collection due to the possibility of animals rummaging through it. All containers for trash and refuse pickup (i.e., trash barrels, garbage cans, recycling bins, etc.) shall be returned to storage out of public view no later than 7:00 p.m. the day of collection. Spilled trash will be picked up by the resident and not left in public view. Note that heavy trash day pickup is only one day per week, Friday.

#### H. BASKETBALL GOALS

Portable basketball goals are allowed. Basketball goals may only be utilized between the hours of 9 a.m. and 9 p.m. The storage of basketball goals must not be viewed from the street. If any complaints are received, the basketball goal is subject to immediate removal at the request of the ACC. Playing basketball in the street is not allowed.

**I. VEHICLE REPAIRS**

No repair work shall be conducted on any vehicle while located on the property and within the confines of the subdivision whether in the yard, driveway or street.

**J. VEHICLE STORAGE**

Vehicles should be housed inside garages or on driveways so as not to impede sidewalks. They may be parked in the street for short periods, not to exceed eight hours. Exceptions to this are social functions involving many cars, or construction type activity at the home, which is temporary in nature. With the exception of personally owned pickup trucks, all other trucks, tractors, semi-trucks, buses, trailers, flatbeds, delivery vans, or other commercial vehicles are not permitted except for discharge or pickup.

1. Boat trailers, motor homes, boats, travel trailers, truck trailers, inoperative automobiles, campers or other vehicles of any kind are to be stored no more than forty-eight (48) hours in the public street, right-of-way or driveways. Permanent and semi-permanent storage of such items and vehicles must be screened from public view within the confines of the garage.
2. **No vehicles are to be parked on the grass.**
3. Non-motorized vehicles such as machinery or equipment must be concealed from public view.

**III. ARCHITECTURAL CONTROL COMMITTEE REVIEW GUIDELINES**

The Architectural Control Committee (ACC) was created to enhance property values by requiring conformity to certain standards of construction, visual appeal, uniformity and design. The Covenants, Conditions and Restrictions provide that "No building, fence, wall, structure, improvement, exterior appurtenance, or exterior corporeal hereditament, except landscaping (landscaping defined as "living plants, trees, shrubs, flowers, etc., and utilization of non-living material necessary for growth; i.e., bark, mulch, etc. Trellises, window boxes, arbors, and permanent brick borders must have Architectural Control Committee approval. Landscape timbers and bricks without mortar do not need Architectural Control Committee approval unless they exceed a height of one foot. Any exterior addition to or change or alteration, other than landscaping made to the Lot, improvement, or appurtenance until the construction plans and specifications describing the nature, kind, shape, height, materials; and a plot plan showing the location of the same, have been approved in "writing" is prohibited.

It is the general purpose of the ACC 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. Landscaping does not require ACC approval if it is seasonal planting in already established flower beds. Guidelines for every ACC request is not addressed in this pamphlet. Other request will be reviewed on an individual basis and the guidelines will be

updated accordingly.

#### PROCEDURES

A "REQUEST FOR HOME IMPROVEMENT APPROVAL FORM" 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 ACC cannot respond to verbal requests for approval. All applications must be made in writing.

The ACC has thirty days from the date of receipt of an application in which to respond. If additional information is required by the ACC, the application process will be extended accordingly. Plans for the implementation of the proposed improvements should allow for the time required to complete the approval process.

If an application is not approved, the ACC 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 discuss or appeal a decision made by the ACC, the Designated Representative should be contacted at 281-242-2503.

#### GUIDELINES

The following are guidelines adopted by the ACC to specify their standards, requirements and thought process used in evaluating an application. These guidelines will be amended from time to time as the circumstances, conditions or opinions of the ACC dictate. It should be noted that each application is considered on its own merit and that the ACC may grant a variance from these guidelines and/or from certain provisions of the Covenants, Conditions, and Restrictions. It should also be noted that ACC approval is required prior to the installation or construction of the improvement or change. **If an improvement is made without ACC approval, the Board of Directors has the legal right to enforce its removal.** Should the homeowner refuse to comply, the Homeowners Association may institute legal action with the homeowner being liable for the Association's attorney fees.

Index

1. Outbuildings
2. Patio Covers
3. Room Additlons
4. Exterior Paintings
5. Storm Windows/Doors/Screens
6. Decks
7. Spas
8. Solar Panels/Screens/Film
9. Satellite Dishes
10. Fence/Fence Extension
11. Decorations
12. Exterior Lighting
13. Window and Door Security/Burglar Bars
14. Landscaping
15. Antennas
16. Doors
17. Garage Conversions/Carports
18. Window Air Conditioners
19. Clothes Lines
20. Recreation or Play Equipment
21. Barbecue Pits
22. Dog House/Runs

## 1. Outbuildings

1.1. An "outbuilding" is defined as any structure which is not attached to the main structure. This definition does not qualify as a bonafide addition to the main residence or garage, but does include storage sheds, and gazebos.

1.2. The ACC will consider the following:

1.2.1. The colors should match/blend with the predominant exterior colors of the main entrance.

1.2.2. Materials should match those of the main residence in both size and color, however, the ACC WILL APPROVE small prefabricated metal storage buildings providing the color blends with the main residence.

1.2.3. It should have a peaked roof, no higher than eight feet (8') from the ground to the highest point, and a maximum of 10 x 12 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 of fence will be determined based on visibility from the street in front of the lot. Location must also be far enough away from the fence to allow for drainage to occur entirely on the owner's lot.

1.2.4. Storage building placed on a concrete slab on top of a utility easement will require letters of Consent to Encroach as it will not be considered portable. HL&P currently charges \$125.00 for this consent letter. If a storage building is not on the utility easement, but on a slab, and can be moved, the ACC will consider it as portable.

1.2.5. No storage building can be built up against any side or rear wall of home.

1.2.6. If under 6', may be placed in side yard provided 3' minimum is observed and the drainage will occur entirely on the owner's lot.

1.2.7. Gazebo - Freestanding - Must be at least 6 feet away from the house. Case by case review with a maximum height at peak a of 9' and must be 3' off side and 8' off the back fence.

## 2. Patio Covers

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

2.2. 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 wooden or metal columns. No pipe is allowed.

529-89-0184

2.3. 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.

2.4. Patio construction materials are as follows:

2.4.1. Painted wood (to match trim of house)

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

2.4.3. Treated pine must be painted or stained.

2.4.4. Fiberglass is not acceptable as a constructional material. All patio material, i.e., wood, lattice, must be completely framed in so that no raw edges of material are visible.

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

2.4.6. 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 inside a side lot line, the ACC will require that it be guttered with downspouts if it is to be solid cover.

### 3. Room Additions

3.1. Exterior materials and colors should match the house.

3.2. Detailed plans must be submitted to the ACC.

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

3.4. On individual basis, the 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 bonafide 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.

3.5. Building permits are the responsibility of the homeowner.

#### 4. Exterior Painting

4.1. Earthtone colors were most often used when home were constructed. In general, an earth tone color should receive ACC approval.

4.2. Other earthtone blend colors will be considered. The color of neighboring homes will be taken into consideration along with the applicant's house brick features.

#### 5. Storm Windows and Storm/Screen Doors

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

#### 6. Decks

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

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

6.3. Decks cannot be higher than 18".

6.4. Paint should match the house.

6.5. Only Exterior grade materials may be used.

#### 7. Spas

7.1. Spas may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment. Decking also requires agreement. Consents must be received prior to approval. NOTE: HL&P currently charges \$125 for this consent letter.

7.2. Ideally, a spa should be located at least five feet (5') from a side and rear lot line to maintain proper drainage on lot. However, a minimum of 3 feet will be allowed in certain instances.

#### 8. Solar Panels/Screens/Film

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

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



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8.3. Solar panel frames should be bronze or black in color in order to best blend in with the shingles. All unfurnished aluminum must be painted the color of the shingles.

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

8.5. The ACC would prefer to have solar panels mounted so that they are not visible from the street front.

8.6. Solar screens allowed on windows.

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

8.8. Solar film must be non-reflective type.

#### 9. Satellite Dishes

9.1. If dish is of the new 18" DSS variety, it cannot be visible from the front of the street. If possible dish must be mounted at or below fence height for screening purposes. The larger varieties (up to 39") should be screened from public view.

#### 10. Fence and Fence Extensions

10.1. Planting of shrub, trees, flowers, etc. on corner lot fences line is prohibited except approval by ACC on case by case basis.

10.2. No higher than 8' and granted on limited basis only. Consents from all affected neighbors must be submitted in order to be considered for height extension.

10.3. No painting, staining, or varnishing of fence.

10.4. Cedar only.

10.5. Fence extension requests should be submitted by both neighbors sharing the side lot line and fence, except in the case of a corner lot.

10.6. No fence may extend more than 12' from the front building line with both sides of the fence extended.

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

10.8. Replacement or repairs of fence must be made with similar materials and

construction details as used in original fence.

10.9. Waterfront fence construction: galvanized, wrought iron only, height six feet (6'), color black, column width four inches (4"), center gate four feet (4') wide, and no ornamentation.

10.10. Waterfront fence must not be covered with plants, wire, etc.

## 11. Decorations

11.1. None of these items shall be approved for placement in public view including the waterfront and front yard:

- birdbaths
- birdhouses
- bug lights
- lawn art, i.e., wind operated figures and/or meters, signs
- lawn chairs, i.e., plastic or aluminum folding chairs and chaise lounges (allowed for the waterfront)
- sculptures, i.e., sculptured pots, statues, animal likenesses, or any other ornamental figures
- water features, fountains, ponds
- wind chimes

11.2. The following items need not be approved (unless the suggested maximum is exceeded) and must conform to the following guidelines:

Pots/planters/baskets (hanging or otherwise)

- maximum of five (5) per household in any combination, to be displayed in public view
- ceramic, cement or plastic in construction no larger than 24" in any dimension
- must match exterior colors of house or be earthtones (shades of brown)
- must contain live, healthy plants
- must not be suspended from trees

11.3. House numbers may be placed on house, but not on any type of freestanding structure in front yard.

## 12. Exterior Lighting

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

12.2. Low voltage landscape lighting, white in color only, should receive ACC approval.

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12.3. 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.

### 13. Window and Door Security

13.1. The installation of metal grills, burglar bars, or storm shutters on the exterior of any window or door which is visible from public view will be prohibited. Any such window or door security must be installed on the inside of a home and be screened at all times by shades, curtains, blinds, or other suitable covering material. Metal front door gates will be permitted provided the gate encloses an enclave area and is consistent with the architectural style of the home.

### 14. Landscaping

14.1. Timbers, bricks, stones, (use native Texan stone), flowerbed borders, landscape lights, trellises and sprinklers.

14.2. Must complement style and architecture of home and conform to color scheme of immediate neighboring.

14.3. Shrubs taller than four (4) feet are considered as trees. Two trees are allowed for the front yard and three for the backyard depending on the size of the lot.

14.3.1. No hedges shall be erected or maintained nearer to the front line than the plane of the front exterior wall of the residential structure on such lot. The height of the hedges should not exceed four (4) feet.

14.4. No artificial plants allowed.

14.5. Yards visible to the public including waterfront property shall be solid sod if not in planting beds. Seeding or sprigging front or side lawns is not allowed.

14.6. Trees and landscaping that are diseased or dead shall be removed and replaced promptly. All removed trees with a caliper greater than four (4) inches shall be replaced with a tree of no less than three (3) inches in caliper.

14.7. Plant species from the following are recommended. Any plant species not specified on this approved plant palette may be considered on an individual basis.

14.7.1. Shade Trees - Chinese Elm, Green Ash, Live Oak, Pecan, Red Maple, Red Oak, Sycamore, Tulip Poplar, Willow Oak, Water Oak.

14.7.2. Ornamental Trees - Crape Myrtle, Deodar Cedar, Dogwood, Flowering Pear, Magnolia, Redbud, Riverbirch, Savannah Holy.

14.7.3. Shrubs - Adelia, Aspidistra, Azalea, Dwarf Crape, Myrtle, Holly,

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Indian Hawthorn, Ligustrum, Nadian, Photinia, Pittosporum, Oleanders, Spires, Xylosma.

14.7.4. Groundcovers, Border Plants and Vines - Asian Jasmine, Boxwood, Caroline Jasmine, Confederate Jasmine, Dwarf Yaupon, Liriope, Monkey Grass

14.7.5. Seasonal Color - Begonia, Caladium, Calendula, Daylily, Dianthus, Geranium, Gerbera, Hibiscus, Impatiens, Lantana, Marigold, Mexican Heather, Pansy, Periwinkle, Petunia, Portulaca, Purslane, Rose, Salvia, Zinnia.

#### 15. Antennas

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

#### 16. Doors

16.1. Front entries should incorporate solid core doors not less than six feet eight inches (6'8") in height. The doors shall be painted no more than one color of the residence. (See section on painting for additional information and requirements.)

#### 17. Garage Conversions/Carports

17.1. Garages are for storage of vehicles. No conversions or carports allowed.

17.2. No social activities utilizing barbecue pits, pool tables or recreational equipment allowed in garage.

17.3. Outside social activities in the backyard only.

#### 18. Window Air Conditions

18.1. Must have ACC approval, not be visible from street and be below fence line.

#### 19. Clotheslines

19.1. Shall not be displayed where they can be seen from street and prohibited on waterfront. Clothesline must be below the height of the fence ACC approval required.

#### 20. Recreational/Play Equipment

20.1. Shall be located in the rear yard within setbacks established for the lot. They shall be screened from street to the maximum extent possible by permanent structures such as the house, garage or fencing. Play structures shall be constructed of materials resistant to rust or decay and should be either painted to

match the color scheme of the home or allowed to attain a natural weathered finish that is harmonious with surrounding fences.

#### 21. Barbecue Pits

21.1. May be installed at the rear of the house, not visible from the street. Must be of brick and/or iron construction to match the exterior brick.

#### 22. Dog Houses and Runs

22.1. May be erected provided the yard is fenced and the doghouse and run is lower than the fence height.

### IV. MAINTENANCE

#### A. ENFORCEMENT

The property owners of all lots shall be responsible at all times to keep them in a sanitary, healthful and attractive manner. In the event of default on the part of the property owner of any lot regarding the following requirements, written notice will be sent to the property owner and occupant. Such default continuing after ten (10) days written notice thereof, the Architectural Control Committee or its duly authorized representative may without liability or consent of the owner or occupant (in trespass or otherwise) enter upon their lot to remove such garbage, trash, rubbish, mow, weed, edge, trim trees, trim shrubs, as necessary to secure compliance with the restrictions. The property owner will be charged for the cost of such work to return the lot to a sanitary, healthful and attractive manner. The property owner is required to pay immediately upon receipt of a statement for the work performed. In the event the property owner fails to pay such statement, the amount will be added to the annual maintenance charge and may be collected by the Association exercising remedies available for collection of the maintenance charge.

#### B. LOT MAINTENANCE

In no event may a lot be used for storage of materials and equipment except for normal residential requirements or incident to construction of approved improvements. Lawns shall be kept mowed to a reasonable height and should be kept weed free. Mowing should be uniform and conform to the usual standards of visual appeal. Lawns should be edged. Flower gardens or plots must be edged or have a border device such as plastic edging, bricks, blocks, etc. Whatever materials are used must enhance the beauty and visual appeal of the house and yard. Hedges, bushes, trees, and shrubs, etc., must be kept trimmed, neat and shall not be permitted to overrun the house and yard. Curbs and drives are to be kept weed free.

Yards shall not be used repositories for junk, trash, garbage, rubbish, discarded appliances, or any other unsightly objects which may present a safety, fire or health hazard.

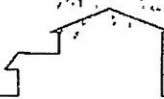
#### C. STRUCTURE MAINTENANCE

In addition to maintaining the grass, shrubs, trees, and other items mentioned above, all structures must be adequately maintained. Houses must be kept in good repair and painted when needed.

#### V. ASSESSMENTS

Any assessments not paid within thirty (30) days after the date shall bear interest from the due date at the rate of ten (10%) percent-per-annum. The Association may bring an action of law against the owner personally obligated to pay the same, or foreclose the lien against the property. No owner may waive or otherwise escape liability for the assessments provided for herein by non-use of the common areas, if any, or by abandonment of his lot.

The annual and special assessments, including special maintenance violation assessments, together with interest, costs and reasonable attorney's fees, shall be charged on the land and shall be a continuing lien on the property against which each such assessment is made. Each such assessment, together with interest, costs, and reasonable attorney's fees, shall also be the personal obligation of the person who was the owner of such property at the time when the assessments fell due.



## Home Improvement Request

COMMUNITY \_\_\_\_\_

All exterior modifications to your property must be approved in advance by the Architectural Control Committee. The ACC will review your request to make sure that the improvement will be done in a professional, sound manner and will fit in with the aesthetics of the community. Please provide as much detail as possible so that the ACC can properly understand your request. Without a complete description of your request, the form will have to be returned for more information. After you've filled out this form, please return it to the address shown above. Thank you for your cooperation and concern for your community.

OWNER NAME \_\_\_\_\_

PROPERTY ADDRESS \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_

PHONE (home) \_\_\_\_\_ (office) \_\_\_\_\_

DESCRIBE THE IMPROVEMENT (you must be specific — attach a sketch, drawing or photo)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

LOCATION OF THE IMPROVEMENT (attach a plot plan or sketch of location on property)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

MATERIALS TO BE USED (attach sample, if appropriate)

Paint (paint chips required) \_\_\_\_\_

Lumber (type/grade) \_\_\_\_\_

Brick (type/color) \_\_\_\_\_

Cement \_\_\_\_\_

Pipe \_\_\_\_\_

.critical \_\_\_\_\_

Other \_\_\_\_\_

(over)

OTHER COMMENTS

529-89-0193

PLANNED START DATE \_\_\_\_\_ EXPECTED COMPLETION DATE \_\_\_\_\_

According to the Deed Restrictions, the Architectural Control Committee has up to 30 days after receipt of this application to make a decision, so please submit the request far enough ahead of time. For your own protection, make sure you don't start the improvement until you have received proper approval. The more detail you provide about your improvement, the easier it will be to understand what you plan to do and to make a decision.

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

----- Please Do Not Write Below Line -----

Account Number \_\_\_\_\_ VREF # \_\_\_\_\_

Date Received \_\_\_\_\_

Date Sent to ACC \_\_\_\_\_

Date of ACC Decision \_\_\_\_\_

Date Returned to Homeowner \_\_\_\_\_

COMMENTS CONCERNING REQUEST

FILED  
1999 DEC 29 PM 1:37  
COUNTY CLERK  
HARRIS COUNTY TEXAS

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, REPAIR, 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 on \_\_\_\_\_

APPROVED with the following restrictions, if any:

DEC 29 1999

DISAPPROVED for the following reasons:



*Barbara A. Highman*  
COUNTY CLERK  
HARRIS COUNTY TEXAS

RECORDER'S MEMORANDUM

AT THE TIME OF RECORDATION, THIS INSTRUMENT WAS FOUND TO BE INADEQUATE FOR THE BEST PHOTOGRAPHIC REPRODUCTION BECAUSE OF ILLEGIBILITY, CARBON OR PHOTO COPY, DISCOLORED PAPER, ETC.

Review Signature and Date: \_\_\_\_\_

Acc Signature and Date: \_\_\_\_\_