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LAKES OF SAVANNAH SOUTH COMMUNITY ASSOCIATION, INC.

**RESIDENTIAL IMPROVEMENT GUIDELINES
FOR HOMEOWNERS**

WHEREAS, Savannah Development, Ltd, a Texas limited partnership ("Declarant") has set forth a Declaration for Covenants, Conditions and Restrictions ("the Declaration"), for Lakes of Savannah South Community Association, Inc. ("the Association"), and

WHEREAS the Declaration imposes beneficial restrictions on all properties within the jurisdiction of the Association or which have been added to the Association by annexation. The Declaration and annexations have been duly recorded in the Official Public Records of Real Property for Brazoria County, Texas, and

WHEREAS, a system of architectural control is created by the Declaration and is vested in the Lakes of Savannah South Architectural Review Committee (the "ARC") pursuant to Article VI, Section 1 of the Declaration, and said ARC has been appointed by Declarant in accordance with the provisions of Article VI, Section 1 for the purpose of reviewing all new construction any exterior addition or changes to existing lots or residences, and

WHEREAS, The ARC may from time to time recommend to the Board of Directors of the Association, and the Board may, in its sole discretion, adopt, promulgate, amend and repeal rules and regulations interpreting and implementing the provisions of Article VI of the Declaration, including adoption of detailed architectural guidelines and the imposition of a fee or charge for review of proposed improvements or modifications:

NOW THEREFORE, these Residential Improvement Guidelines For Homeowners are hereby set forth by the ARC and Board of Directors of the Association to outline design goals, design criteria and the design review process for exterior changes, additions, or improvement on any Properties that have been brought under the jurisdiction of the Association and such Properties that will be brought into the Association by pursuant to Article XI, Section 8 (b) of the Declaration.

A. DEFINITIONS:

Terms used in this document have the following meanings:

- "Application" Application for approval for exterior changes, additions, or improvements. Forms and names vary by Management Company.
- "Applicant" Owner or agent of Owner making application to the ARC for the purpose of making Improvements on a Lot.
- "Association" Lakes of Savannah South Community Association, Inc.
- "ARC" Architectural Review Committee appointed by the Board.
- "Board" Board of Directors of the Association.
- "The Community" Areas of Lakes of Savannah South that have been brought under the jurisdiction of the Association.

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“Declarant”	Savannah Development, Ltd., a Texas limited partnership.
“Declaration”	First Amended Declaration of Covenants, Conditions and Restrictions for Savannah Trace Section One recorded under Clerk’s File 2004026391 in the Official Records of Real Property in Brazoria County, Texas (“Official Records”), as amended.
“Improvement Guidelines” or “Guidelines”	These Residential Improvement Guidelines for Homeowners which set forth standards and procedures established by the ARC pertaining to Homeowner Improvements on any Lot within the Community.
“Improvements”	Exterior changes, additions, or improvement on a Lot or residence after initial construction of the homebuilder, pursuant to these Guidelines.
“Lot” or “Lots”	Platted property on any recorded subdivision map of the Community upon which there has been or may be constructed a single-family residence.
“Management Company”	Professional community management company in the employ of the Association.
“Owner” or “Homeowner”	Applicant applying for Homeowner Improvements subject to these Guidelines
“Supplementary Declarations”	Supplementary Declarations for that apply specifically other properties within Lakes of Savannah South that have been or will be annexed in to the Association and made subject to the Declaration.

B. PURPOSE OF IMPROVEMENT GUIDELINES:

These Guidelines are limited to the review and approval Homeowner Improvements on Lots in the Community. They do not address review and approval of any initial construction on Lots. Declarant has reserved and does reserve its exclusive right to approve all initial construction. Additionally, these Guidelines do not address any commercial properties within Lakes of Savannah South as such commercial ARC is also reserved by the Declarant.

These Guidelines are intended to provide all homeowners information about the type, color, quality and grade of material which may be used in construction of various kinds of Improvements; the size and location of such Improvements; and the procedure followed by the ARC for reviewing Applications for proposed Homeowner Improvements.

These Guidelines are intended to ensure consistency in decisions by the ARC and assist in expediting the decision process. The Guidelines are intended to augment and clarify the Declaration but not replace or override it. In cases where the Guidelines and the Declaration conflict, the Declaration shall govern. The Restrictions of Use in the Declaration may be revised only by a vote representing not less than two-thirds (2/3) of the votes in the Association.

These Guidelines may be amended by addition, deletion, or re-issuance at any time via recommendation by the ARC with approval from the Board.

C. PURPOSE OF COMMITTEE:

The purpose of the ARC is to review and evaluate Applications for Homeowner Improvements on Lots within the Community, in accordance with the Declaration and these Guidelines. The ARC also functions as a central architectural control for the Community, in order to enhance, insure and protect the attractiveness, beauty, and desirability of the community as a whole while, at the same time, permitting compatible distinctiveness of homes within the community. The ARC will also make recommendations to the Board regarding changes or clarifications to these Guidelines or the Declaration.

D. ARCHITECTURAL REVIEW PROCEDURES:

Plans and specifications for Improvements are to be approved in advance. No special consideration will be given in those instances when post-construction approval is requested.

1. General:

An item can come before the ARC as follows:

- a. A Property owner (or his/her representative) shall submit any Application for Improvement to the Management Company.
- b. An unapproved Improvement may come to the attention of the Board, ARC or the Management Company. The Management Company will send a letter to the Owner requesting an Application be submitted. If no Application is received within 30 days, the Management Company will report this to the Board, which will take appropriate action.
- c. If the unapproved Improvement appears to be a violation of the Declaration, the initial notification/ request to the Owner will be a registered letter.

2. Applications for Approval:

All Applications to make any Homeowner Improvements must be submitted to the Management Company in writing by completing the Application form(s) currently in use by the ARC, copies of which are attached herewith as Exhibits "A" and "B". The Management Company shall coordinate Application processing on behalf of the ARC.

Plans and specifications for any Improvement should be attached to the Application. For room additions, sunrooms, patio enclosures and patio covers, Applications must be accompanied by a detailed scale drawing or plans showing the three-dimensional relationship of the Improvement to the existing structure. Applications must also include a plot plan showing the location of the improvement 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, if applicable. Applications may be rejected for failure to provide any of these required items. The ARC reserves the right to require certified architectural and/or engineering drawings. All Applications, additional information, or requests for appeal shall be mailed or delivered to the office of the Management Company, not to members of the Board or ARC.

The ARC reserves the right to request any additional information it deems necessary to properly evaluate any Application. In the event that the ARC requests additional information, the Application shall be considered incomplete until such information is submitted to the ARC and the sixty (60) day requirement for approval of the Application, as described in the Declaration, shall not begin until such information is received. In the event that the ARC requests additional information and the information is not received within forty-five (45) 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 ARC for its review.

3. ARC Decisions:

ARC committee members shall consider each Application for compliance with the Declaration and these Guidelines. The decision of a majority of members to approve or disapprove an Application shall be considered the decision of the ARC.

ARC decisions shall be conveyed in writing by the Management Company 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 sixty (60) 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 these Guidelines and not to any of the Restrictions of Use 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, improvement, or any other item that would violate the Declaration. Unless otherwise stated in the ARC's written response, all approved exterior changes, additions or improvements shall be completed within forty-five (45) days of the date construction, installation, or erection is commenced.

4. Board Appeals:

In the event the ARC disapproves an Application, the applicant may submit a written appeal to the Management Company for review by the Board. The Board shall review the appeal at its next meeting 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 shall be final.

5. Status of Applications During Appeal:

During the appeal period, the decision of the ARC on the original Application shall remain in effect. Further, an appeal of a decision of the ARC 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 ARC or the Board within forty-five (45) days of the date of its receipt.

6. Permits:

- a. After ARC approval and before construction, Applicant must obtain the appropriate building permit for the Improvement on a Lot. ARC does not monitor the permit process nor does it guarantee that the permitting agencies will grant a permit for an Improvement that is approved by the ARC. Accordingly, all ARC approvals are contingent on permitting approval.
- b. Applicant is advised to obtain ARC approval before submitting for permit. The permitting agencies are separate from the ARC, and their approval does not equate to ARC approval.
- c. Windstorm Certification is typically required for all structures in Brazoria County.

E. ARCHITECTURAL CONTROLS AND RESTRICTIONS OF USE:

Architectural Controls are addressed in Article VI of the Declaration. Restrictions of Use are addressed in Article IX of the Declaration. The following Guidelines supplement and clarify the Restrictions of Use, but may not override the Declaration. In cases where the Guidelines and the Declaration conflict, the Declaration shall govern.

1. General.

- a. Precedents: While the ARC will make every reasonable attempt to be fair and equitable, the ARC will not necessarily be bound by past decisions. The ARC reserves the right to disapprove Applications for Improvements that require a variance from the established Covenants if it believes that such changes are not in the best interest of the future of The Community, even if a precedent was set by an earlier decision of the ARC. From time to time, the ARC will make a decision that, in retrospect, is not in the best interests of the community. The ARC and the Board reserve the right to recognize such a situation and no longer permit its

use as a precedent. The same right applies if the ARC makes an error in allowing a change or addition to these Guidelines.

- b. Quality of Repairs and Improvements: Repairs and Improvements are required to be of equal or better quality than original construction. While there is no specific requirement for the Owner to apply to the ARC for such in-kind repairs, the quality of such work may come under the scope of the ARC's responsibilities if the repair is done in such a way as to detract from the appearance of the neighborhood.
- c. Easement Encroachments: It is not the responsibility of either the ARC or the Board to police encroachment into utility easement areas. If possible, the ARC will advise the Owner of a possible encroachment and recommend that the Owner seek approval or waiver from the appropriate utility company. However, the ARC will not be liable for any expense incurred by an Owner as a result of action by a utility company if such encroachment occurs, even if the ARC approved the change or addition without comment.

2. Building Materials

Restrictions of Use relative to Building Materials are covered in Article IX, Section 4 of the Declaration. The following Guidelines supplement and clarify the Restrictions of Use.

- a. Brick, Stucco, Stone and Cultured Stone: Brick, stucco, stone and cultured stone are the preferred building materials for siding the main residence or additions. The thickness, visible width, spacing and mortar of the brick, stone or cultured stone must be consistent with that of the original exterior and surrounding community. Each Application submitted to the ARC shall include a sample of the proposed material.
- b. Exterior Siding: When exterior siding is to be added or replaced on any existing structure or new improvement on the Lot, it must be of the same type, quality, size, and color as the existing siding on the main residence (unless all exterior siding is being replaced at one time). Only fiber-cement (*JamesHardie Hardiplank*[®] or equivalent) shall be used as exterior siding, and must be approved by the ARC. The following additional guidelines apply to replacement or additional exterior siding:
 - (i) Minimum of a 20-year warranty from a reputable manufacturer (warranty information should be submitted with the application);
 - (ii) Thickness, visible width, and spacing of siding must be consistent with that of the original exterior siding; each application submitted to the ARC shall specify the thickness, width and spacing of the existing and proposed siding, and shall include a sample of the proposed siding material;
 - (iii) Color of all siding (including siding that is not painted) must comply with the Guidelines for Painting as set forth herein; each application must include at least two (2) color samples of the proposed siding color. Siding with impregnated permanent color (*JamesHardie ColorPlus*[®] or similar) must be approved for color in the same manner as paint samples.
 - (iv) Must be installed and maintained to avoid sagging, waving, warping or irregular coloration; the ARC may require the homeowner (at homeowner's sole responsibility and expense) to repair or replace siding that fails to adhere to these Guidelines.
 - (v) Siding shall be installed over a high density polyethylene moisture barrier (*DuPont Tyvek*[®] or equivalent) to match original construction.

3. Roofing Shingles:

Restrictions of Use relative to Roofing Materials are covered in Article IX, Section 23 of the Declaration. The following Guidelines supplement and clarify the Restrictions of Use.

- a. All roofing materials must have a minimum 25-year warranty and be equal in appearance and quality to the existing roofing. A sample of the proposed shingle to be placed on any existing

roof, or any new improvement (Including outbuildings) must be attached to each application submitted to the ARC. Corrugated metal, corrugated aluminum, acrylics and such materials are not approvable for roofing.

- b. The ARC may maintain a chart depicting examples of the acceptable type, quality and color of roofing materials for homes and other Improvements within the Community. Each shingle shall be compared to the samples set forth on the roofing materials chart to assure that the proposed shingle is of an acceptable type and quality and that its color is harmonious with the color scheme established for the Community.
- c. The color of each roofing material must not only be an earthtone, but also an acceptable shade of an earthtone color.
- d. Underlayment material shall be minimum Type 30 felt for all composition roofs.
- e. Other shingle criteria are set forth pursuant the Board Resolution of Savannah South Community Association, Inc., attached herewith as Exhibit B.

4. Painting:

- a. Approval. No exterior surface of any house, garage, or other structure or Improvement on any Lot shall be painted or repainted without prior approval of the ARC. This applies to existing, as well as new construction, and whether the proposed colors are the same or different from the existing colors. Color samples or "paint chips" of the proposed exterior color(s) must be attached to each Application submitted to the ARC.
- b. Harmonious Colors. The proposed colors must be harmonious with each other and with the colors of exterior brick and roofing materials. The ARC may maintain a chart depicting examples of the acceptable shades of earthtone colors (i.e. shades of beige, brown, gray and white). The color samples or paint chips 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 community.
- c. Trim. Soffit, fascia board, window and door trim and rain gutters must also be an earthtone color; however, the shades of trim color may be deeper than the principal color of the dwelling or garage.
- d. 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-gray, rust or dark blue. Window hoods may also be painted in a coppertone metallic based paint. Only one accent color is permitted for any single residence. Exterior doors may be stained a natural wood color or may be painted to match the other accents, trim or main house color.

5. Decks and Patios.

- a. Decks are typically constructed from treated pine joists, beams and posts and decking planks of treated pine, cedar or synthetic wood material such as *Trex*®. The overall height of the deck, exclusive of railing, generally may not exceed two (2) feet in height. Where railing is installed it must meet local codes and may not be greater than forty-two inches (42") above the decking planks. Benches and tables may be incorporated into the deck itself. Patios may be constructed of slab-on-grade concrete, brick, stone, or other masonry material.
- b. While there is no maximum or minimum size for a deck or patio, no deck or patio shall impede drainage on the Lot or cause water to flow on an adjacent lot.

6. Patio Covers:

- a. 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 of the materials used in the construction of the main residence; provided, however, that corrugated roofs for patio covers

and aluminum patio covers shall not be permitted under any circumstances. If siding is used on patio covers, it must be of the same type, quality, and color as the siding on the main residence. Roofing materials on patio covers shall conform to the provisions relating to roofing materials set forth in the Declaration and these Guidelines. Louvered or trellis-style patio cover roofs may be allowed as long as the quality of materials is approved. Pressure treated wood may be stained or painted provided the color shall conform to the provisions relating to painting set forth in these Guidelines. Any patio cover, which is not attached to the house, shall be subject to the Guidelines set forth for outbuildings and restricted to eight (8) feet.

- b. The location of a patio cover must not encroach on any utility or drainage easement, nor shall it violate the building setback lines applicable to the residential dwelling on any Lot. Patio covers must not interfere with drainage or cause water to flow onto any adjacent lot.
- c. All patio covers must be adequately supported and constructed of sturdy materials so that the patio cover has no visible sagging or warping. This also applies to any lattice attached to the sides of the structure.
- d. Patio covers which are attached to the house shall be securely attached at a height not less than seven (7) feet nor more than twelve (12) feet from the ground. Patio covers which are attached to a detached garage or breezeway must be securely attached at a height below the eaves of each structure at a height of not less than seven (7) feet nor more than nine (9) feet from the ground. The patio cover roof shall provide an attractive slope away from the house at an angle which does not exceed that of the roof on the house.
- e. The roof of all patio covers (other than arbor or trellis type) must be covered with shingles meeting the roofing Guidelines set forth herein. Where the patio cover is gabled, the roof pitch should match the roof pitch of the portion of the home where the cover is attached. If the patio cover is not gabled, it should have a 3:12 slope.

7. Patio Enclosures:

- a. A "patio enclosure" is any patio cover which has exterior walls and/or screens (other than "sunrooms" as defined elsewhere in these Guidelines).
- b. All structural components of patio enclosures, including roofing materials, shall be subject to the Guidelines set forth herein for "patio covers". This section describes additional requirements for walls, screens and frames used to enclose a covered patio or deck.
- c. The standard, type, quality and color of the materials used in the construction of a patio enclosure must be harmonious with the standard, type, quality and color of the materials used in the construction of the main residence. Exterior walls of a patio enclosure shall be constructed of brick or siding which is of the same type, quality, and color as those of the main residence on the Lot, and in accordance with Paragraph E.2 above. No visible part of the enclosure may be made of metal other than screens, frames, and storm doors. Patio enclosure screens must be the same color as existing window screens on the main dwelling and must have adequate cross-member support to avoid sagging. The exterior color of doors, sills, beams, frames, or other visible supports must match the exterior colors of the main dwelling or the color of existing window frames.

8. Sunrooms:

- a. A "sunroom" is any room with glass-enclosed walls or a glass ceiling. The ARC 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.
- b. 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.

- c. A sunroom may be added to the rear of the residence only. Applications for sunrooms on corner lots or lots where the rear of the house faces a street or other community property will be considered on a case-by-case basis.
- d. 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 the 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 the glass with the proposed shading/tinting material applied for approval.
- e. The floor of the sunroom must be of reinforced concrete slab construction with 3" minimum thickness. No other flooring material will be permitted.
- f. 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 glass or a minimum 1/4" thick if laminated glass. Maximum width of glass between support trusses will be 36" measured center-to-center.
- g. Support trusses (glazing bars) must be constructed of aluminum or aluminum alloys with electrostatically applied coloring/paint to a minimum withstand 100 M.P.H. wind and 25 lbs. per square foot or as dictated by Brazoria County and City of Pearland requirements. 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.
- h. The roof of a sunroom must have a minimum pitch of 1" per 12" of projection. The sunroom may not project more than twenty (20) feet measured from the rear facing plane of the residence. The sunroom may not project beyond either side-facing plane of the residence. A sunroom may not encroach on any existing setbacks or easements.
- i. Sunrooms are only permitted as ground structures. The maximum height of the roof, measured from the concrete floor, may not exceed either twelve (12) feet or the height of the eaves of the wall that the sunroom projects from, whichever is lower.
- j. All electrical installation (lights, ceiling fans and electrical outlets and low voltage speakers and controllers) shall be in accordance with the applicable version of the National Electric Code. If ceiling lighting is installed, it must be downward-directed, focused, low-wattage track lighting.
- k. Sunrooms may not have turbine-type or forced fan roof ventilators installed. Only 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.
- l. Sunrooms may not have exposed air conditioning or heating ductwork installed on the exterior thereof. Vents must be attached to the main residence. No ductwork shall be visible.
- m. 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, earth-tone color, which must also blend with the exterior color of the home. If there is covering on any one window, then all windows must be covered with the same treatment. Color and material samples of coverings may be required to be submitted for approval, at the discretion of the ARC.

9. Gazebos:

- a. A "gazebo" is a free-standing, open-framed structure. Gazebos are typically circular or octagonal-shaped structures, but may be irregularly shaped. Pergolas, arbors and similar freestanding structures are considered gazebos for all purposes in these Guidelines. The application for construction of a gazebo must include a plot plan showing the location of the

structure in relation to the property lines, building lines, easements, existing structures and existing or proposed fences. The gazebo must be ten (10) feet from any other improvement in the back yard.

- b. Gazebos must be predominately open, but may have railing or half walls not to exceed forty two inches (42") in height. Any open columns must be painted or stained. If the gazebo is painted it shall match or compliment the structure of the home. The ceiling of the gazebo may be open to the rafters or closed-in and finished. All materials must be consistent in quality and appearance to the structure of the home.
- c. The overall size of the gazebo shall not exceed one-hundred (100) square feet. The maximum overall height (including the flooring or decking) is limited to twelve (12) feet when measured from natural ground.
- d. Flooring may be concrete slab-on-grade or raised decking of wood or synthetic wood material such as *Trex*®. Flooring may be painted or stained, or tiled. If raised decking is used, it may not exceed eighteen inches (18") in height.
- e. All gazebos must have a permanent roof, the quality and color of which shall match the home on the Lot. A double roof is permitted and encouraged.
- f. All pipes and cables must be underground. Any electrical installation (lights, ceiling fans and electrical outlets and low voltage speakers and controllers) shall be in accordance with the applicable version of the National Electric Code.
- g. Gazebos must be located in the rear or side yard and minimum of six (6) feet from any property lines. No gazebo shall be located on a utility easement, impede drainage on the Lot, or cause water to flow onto an adjacent Lot.

10. Swimming Pools and Spas:

- a. A swimming pool is an in-ground structure which may or may not include a spa, diving board, slide or water features. These Guidelines do not limit the size or layout of the pool. However, any above ground pool is prohibited and any such pool installation must be professionally designed and is subject to all permitting ordinances in the City of Pearland.
- b. The Application for the construction of a swimming pool or spa must include a plot plan showing the proposed location of the swimming pool or spa in relation to the property lines, building lines, easements, existing structures and existing or proposed fences. Any trees that are to be removed or relocated must be noted. The Application shall also include a timetable for the construction.
- c. The pool and pool decking may not extend past any platted building line. The minimum side lot setback criteria for the pool and pool decking shall be consistent with Article IX, Section 5 of the Declaration. Minimum back lot setbacks shall be governed by the width of any back lot easements.
- d. The pool and pool decking may not encroach on any back lot or side lot easement including, without limitation, any easements on the subdivision plat, any easements granted by separate easement, or easements granted by deed.
- e. Construction of the pool and decking may not change the lot drainage in such a way as to direct water on to any other residential lot or open space.
- f. No swimming pool or spa shall be approved unless the area in which the pool is to be located is enclosed by a barrier or fence that is compliant with City of Pearland, "*City Code Article 11½, Sec. 7-25 – Fence Requirements for Pools, Permit, Penalties.*"
- g. Swimming pools and spas must also have an adequate drainage system according to the requirements of any governmental agency having jurisdiction or, in the event there is no governmental agency having jurisdiction, as deemed appropriate of the ARC. Under no

circumstances shall water from a swimming pool or spa be permitted to drain onto the surface of the Lot on which the swimming pool or spa is situated or onto any adjacent lot.

- h. 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 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 removed from the premises and legally disposed off-site by the pool contractor. Homeowner is responsible to the Association on this matter.
- h. The pool mechanical equipment may be placed within the side yard setback, but must be located within the fenced area of the home. The pool equipment may not be placed in such a way as to impede the three (3) foot wide side yard drainage easement.

11. Outbuildings:

Restrictions of Use relative to Outbuildings are covered in Article IX, Section 12 of the Declaration. The following Guidelines supplement and clarify the Restrictions of Use.

- a. Only one (1) outbuilding not exceeding one hundred (100) square feet and eight (8) feet in height shall be permitted on a Lot. The standard, type, quality and color of the materials used in the construction of the outbuilding shall be harmonious with those of the main residence.
- b. Building materials, including siding and roofing must be consistent with these Guidelines. Metal or vinyl buildings (except as noted below) are not approvable.
- c. Outbuildings must conform to the building front and side setback restrictions set forth in the Declaration. No outbuilding shall impede drainage from the Lot or cause water to flow onto an adjacent lot.
- d. The use of small, manufactured outbuildings of less than twenty (20) square feet and six (6) feet in height are approvable, provided they are not visible from any Public Exposure. Examples of such buildings are those manufactured by *Rubbermaid*[®].

12. Landscaping:

Restrictions of Use relative to Tree and Soil Removal and Landscaping are covered in Article IX, Sections 22 & 24 of the Declaration. The following Guidelines supplement and clarify the Restrictions of Use. Additionally, the Supplementary Declarations for a subdivision section may contain specific landscape requirements that are applicable to certain homesites.

- a. Required Yard Trees. Yard Trees are required for the front yard of every Lot within the Community, and must match the Builder's original installation and be of an acceptable species. Replacement Trees must have a minimum two and one-half inch (2½") caliper width measured six inches (6") above the ground. Yard Trees may not be removed from the front yard locations. Dead or missing Yard Trees must be replaced in the designated front yard locations.
- b. Required Street Trees. Street Trees are required for every Lot within the Community, planted between the curb and sidewalk. Street Trees must container-grown Live Oaks measuring two (2) inches in caliper when measured twelve (12) inches above grade. Trees must have a minimum height of eight (8) feet and a minimum spread of five (5) feet. Dead or missing Street trees must be replaced in the designed front yard locations. No variance or exception will be made for this Guideline.
- c. Accent Trees. The supplemental planting of additional trees in the front and back yards is encouraged. The supplemental or "Accent Trees" can include a wide variety of trees including conifers, palms, or other hardwoods. Accent Trees must be common nursery stock with a minimum of ten (10) gallon container. While the location of the Accent Trees is not specified, they may not be planted in such a way as to impose on an adjacent residence. The planting of

- trees within the side setback is discouraged. Accent trees may not be used to replace the required yard Trees.
- d. Palm Trees. Palm trees are very common along the Texas gulf coast and a wide variety of indigenous and imported species are approvable for landscape in yards, subject to ARC approval. Queen Palms and Mexican Fan Palms are not approvable for front yards and are not recommended for back yards. Palm trees should be incorporated into landscaping as an accent to the overall landscape plan and should complement, rather than dominate the landscaping on the Lot. Palm trees must be kept trimmed and neat, and free from dead fronds and dried seed pods. Palm trees may not be used to replace the required Yard Trees or Street Trees.
 - e. Trash Trees. The planting and/or propagation of "trash trees" is discouraged. Trash trees are trees that are weak wooded, weak branched, disease and insect prone and/or messy. Common trash trees are the Chinese tallow, Mimosa, Blackjack Willow, Cottonwood and Hackberry.
 - f. Other Landscape Additions. The addition of shrubs, decorative grasses, ground cover and flowering plants is encouraged. In general, such plantings are acceptable without a formal review by the ARC. Exceptions are landscaping that is, or will, act as a non-compliant fence, items that obstruct access to a vital community service (such as a fire hydrant), items that obstruct visibility causing a hazard to vehicular or pedestrian traffic, items that create a hazardous condition or any item that generates a complaint from a resident of the community. These Guidelines apply both to items that create a non-acceptable condition upon installation and items that grow to become non-acceptable.
 - g. Irrigation Systems. Any irrigation system (sprinkler system) that is connected to a public or private potable water supply must be connected through a backflow prevention method approved by the Texas Commission on Environmental Quality ("TCEQ"). Where required by local municipalities the design and installation of any irrigation system must be by licensed irrigator. Any installation must comply with Chapter 344 of the Texas Administrative Code. Irrigation systems must be placed entirely within the Lot and not encroach upon any community open area or neighboring Lot. Care must be taken to prevent overspray onto neighboring Lot. Location of any improvement within an easement or street right-of-way is at the owner's risk and subject to removal.
 - h. Hardscape and Edging. Landscape timbers or railroad ties are not permissible within the portion of the yard visible from any street. The use of rock, stone, colored concrete, *Windsor Stone*[®] or brick as edging or retaining walls for planting beds is permissible, however the location and color of the edging is subject to ARC approval. No edging or retaining walls may exceed eighteen inches (18") in height, unless in the case of replacing the retaining wall from the original construction.
 - i. Back Yard Landscaping. Back yard landscaping does not need to be submitted to the ARC for approval, provided each Homeowner follows the general guidelines set forth as follows. Decks, Patio Covers, Pools, Spas and other such back yard fixtures will still required ARC review and approval as provided elsewhere in this document.
 - (i) No plantings may intrude into neighboring yards. An example would be trees planted on the property line that overhang adjacent properties or the installation of a plant species that may spread onto neighboring yards.
 - (ii) The back yard may not be graded or planted such way as to impede drainage on the Lot or cause water to flow on an adjacent lot.
 - j. Mulching. Mulching of landscape beds and tree rings is required on an annual basis. Mulch must be pine bark mulch or hardwood mulch. Red mulch or other colored mulch should be avoided. Mulching is a maintenance item and does not require ARC approval.

13. Fencing:

Restrictions of Use relative to Fencing are covered in Article IX, Section 15 of the Declaration. . Additionally, the Supplementary Declarations for a subdivision section may contain specific landscape requirements that are applicable to certain Lots. The following Guidelines supplement and clarify the Restrictions of Use.

a. Location:

- (i) On interior lots, fences should be set back approximately fifteen (15) feet from the front of the home. Air condition units and public utility meters should be in front of the fence. In no case may a fence be constructed closer than five (5) feet from the front of the home.
- (ii) On corner lots, side yard fences must be set back from the side property line a minimum of one-half (½) of the side building line setback shown on the plat. The side lot fence should conceal any air conditioning units located on the side-street side of the lot. In no case may a fence be constructed closer than five (5) feet from the front of the home.

b. Materials.

Fencing may be either wood or steel ornamental (i.e. tubular steel or "wrought iron"), based on the original application. Notwithstanding, the breezeway fence of a detached garage may be either wood or tubular steel. Fences of wire or chain link are prohibited.

c. Wood Fence Construction.

- (i) Pickets must be cedar to match original construction. Pressure treated pine is not an acceptable material. All pickets must be 1" x 6" nominal. In cases where the original fence material is capped, any replacement fence must also be capped. Fence pickets shall be secured to the fence posts and rails with hot-dipped galvanized nails or other non-corrodible method.
- (ii) Structural materials (rails and posts) may be either cedar or pressure treated pine. Rot boards of cedar or pressure treated pine may be used provided the overall height of the fence matches original construction. Posts must be buried a minimum of two (2) feet in the ground with a minimum of five (5) feet exposure, plumbed vertical and anchored in a concrete pack.
- (iii) Wooden fences facing the front street, along any side street, rear street property line or greenbelt shall be constructed with all pickets on the outside so that no posts or rails are visible from the street.
- (iv) All other wooden fences must be constructed in the manner described above or must be constructed in panels (each of which is 6 to 8 feet in length) erected in a "good neighbor" fashion so that posts and rails are exposed only on alternate panels when viewed from either side of the fence.
- (v) The use of a "rot board" (typically a 1" x 6" pressure treated board) below the pickets is approved and encouraged.

d. Steel Ornamental Fence Construction:

- (i) Where steel ornamental fencing is part of the original construction for the home, any replacement fence must match the size, type, quality and location of the original construction.
- (ii) Where steel ornamental fencing is used to replace existing wood fencing of a detached garage, fencing may be of varying heights, colors and styles. Fencing must be durable, and pickets must at least one-half inch (½") in diameter and spaced no greater than four and one-half inches (4½") on center. Posts must be at least one and one-half inches (1½") square. Two or three rails are required.

e. Color:

- (i) Wood Fences: No portion of a wood fence on a lot which is visible from any street may be painted or stained. Portions of a fence which are not visible from any street may be stained in acceptable earthtone colors of brown, beige or gray. The ARC may maintain a chart depicting examples of earthtone colors and shades of earthtone colors for stains on wood fences. 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 Community.
- (ii) Steel Ornamental Fences: Steel ornamental fences, with the exception of breezeway fences, must be painted flat black. Breezeway fences on detached garages may be flat black or an acceptable shade of earthtone, as described in the previous paragraph.

f. Height: Fences are generally limited to six (6) feet in height, unless special considerations warrant taller fences which must be approved by the ARC. The use of a rot board will increase the overall height of an approvable fence by approximately six inches (6").

g. Gates:

All gates shall be constructed with the same materials as the fence. The hinges and latches used on the gate should be of the same style and quality of those used throughout the Community. The ARC shall consider driveway gates on homes with detached garages on a case by case basis.

14. Exterior Lighting:

The addition of exterior lighting, including ground-level lighting, stand-alone lamp posts and lighting mounted on a home or approved structure must be compatible with the general tone and design of the neighborhood and be located inconspicuously. In all cases, lighting fixtures must adhere to the "eight (8) foot maximum height" rule. Residents are encouraged to consult with affected neighbors prior to installing or changing exterior lighting. Wattage of exterior light should be kept to a minimum because excessive wattage can create a nuisance to neighbors.

- a. 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 ARC may be replaced with a new fixture provided that the wattage of the new fixture is comparable to the wattage of the existing fixture.
- b. Security Lighting: Security lighting shall be mounted behind the back plane of the home and below the eaves of the home. No pole mounted lights will be permitted. Mercury vapor/sodium vapor lights, which are considered incompatible with the neighborhood, are not permitted. Any security lighting must be shielded to cut-off light pollution from adjacent residences.
- c. Low Voltage Lighting: Low voltage Landscape lighting is permitted as long as the lighting fixtures are located in flower beds, shrubs, and similar landscaping. Tree mounted landscape lighting will be permitted as long as the fixture is not mounted higher than eight (8) feet above ground level. Flood lighting (except for seasonal decorations) is not allowed in landscape beds or trees.
- d. Post Lamps: No more than one (1) post lamp shall be permitted in any front yard, subject to ARC approval. The post lamp may be on a switch, timer or photocell and must be a minimum of five (5) feet behind the front property line. The lamps must have tops to prevent light pollution and must be dark bronze or black in color. The use of gas post lamps is permitted subject to these Guidelines.
- g. Annoyances: All new lighting which is approved by the ARC shall be subject to a 90 day trial period after installation to assure that the lighting is not objectionable to surrounding residents. The 90 day period will commence on the date of installation. If, at the end of the 90 day period, the ARC determines that the lighting is unreasonably offensive or an annoyance to surrounding neighbors, the lighting will be required to be modified or be removed in accordance with the ARC's decision.

15. Garages:

Restrictions of Use relative to Garages are covered in Article IX, Section 1 of the Declaration. The following Guidelines supplement and clarify the Restrictions of Use.

- a. All residences in the Community must have attached or detached garages for not less than two nor more than three midsize vehicles.
- b. No alteration or modification of a garage shall be permitted that would preclude the parking of two vehicles within the garage. The conversion of a garage to a family room, or similar modification, is not permitted.
- c. Two car garages are to have two side-by-side doors or one double garage door. Three car garages may be detached, split hook, or front load. Front load three-car garages are to be constructed with one double door and one single door.

16. Driveways and sidewalks:

- a. Replacement driveways and sidewalks must be to the same quality, line, grade and location as the original driveway for the residence. Additional sidewalks are subject to ARC approval.
- b. Driveways and sidewalks may be paved with concrete or other masonry materials which relate to the architecture of the residence. The masonry material must be compatible, not only with the home, but with any other walkways or terraces on the Lot. Materials such as textured concrete, stamped concrete, colored concrete, interlocking pavers, brick border pavers, and cut stone shall be permitted with the ARC's approval.
- c. The maximum driveway width for homes with attached garages is eighteen feet (18') at the front property line. The maximum driveway width for homes with detached garages is twelve feet (12') at the front property line, extending to the building line. The ARC may consider driveway borders of patterned concrete or interlocking pavers on a case by case basis.

17. Basketball Goals & Hoops:

Restrictions of Use relative to basketball goals are detailed in Article IX, Section 13 of the Declaration. The following Guidelines supplement and clarify the Restrictions of Use.

- a. Type and Quality: Basketball goals must be free-standing units mounted on a rigid steel or aluminum pole. Goals on the garage or home structure are not permitted. The backboard material must be fiberglass or safety glass. The color must be clear (safety glass), gray or white with the exception of the white, black, orange or red manufacturer's outline markings. The rim should be of heavy gauge steel and white, black or orange in color. The net must be maintained in good condition as determined by the ARC. The pole must have a manufacturer's weather resistant finish or be painted black or white.
- b. Location: Basketball goals must be installed in the front yard adjacent to the driveway behind the 25' front building line, or in rear (back) yards subject to setback and easement restrictions. Care should be taken to minimize any effect on neighboring properties.
- c. Restrictions: A pole-mounted goal may not be installed within ten (10) feet of an adjacent homeowner's amenities (air conditioning unit, shrubbery, gas meter, driveway, etc.) unless properly protected by fence or shrubbery. 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. Goals installed near a lot boundary line must include with the Application a letter stating that the owner will remove the goal if requested by the Board.
- d. Revocation: The Board may revoke its approval and require removal of any basketball goal which it reasonably determines to be a nuisance to the neighbors. Applicant is encouraged to discuss the planned basketball goal with their neighbor.
- e. Portable Basketball Goals: The use of portable basketball goals is discouraged by the ARC for aesthetic and practical reasons. If used, portable basketball goals and must be stored out

of view from any street in the Community when not in use. Portable basketball goals are not approvable for permanent installation and any portable basketball goal left out over 48 hours will be considered a violation. Additionally, portable basketball goals may not be utilized within any common area or public right of way (including greenbelts, sidewalks, streets, or cul-de-sacs).

18. Play Structures:

Restrictions of Use relative to the height and size of children's play structures are detailed in Article IX, Section 13 of the Declaration. The following Guidelines supplement and clarify the Restrictions of Use.

- a. For the purpose of these Guidelines, a children's play structure shall mean any type of play set, climbing structure, play fort, slide, or swing set and shall be restricted to the fenced portion of the Lot.
- b. The play structure shall not exceed twelve (12) feet in height and shall not be located closer than five (5) feet to any property line. No play structure shall be located on a utility easement, impede the drainage on the Lot, or cause water to flow to any adjacent lot.
- c. Multi-color tarps, windsocks, or streamers attached to the play structure are not allowed.

19. Antennae:

Restrictions of Use relative to Antennae are covered in Article IX, Section 16 of the Declaration. The following Guidelines supplement and clarify the Restrictions of Use.

- a. Direct Broadcast Satellite (DBS) Dishes (e.g. "Direct TV," "Dish Network") for digital TV or satellite internet, are permissible for roof mount or direct mount on the side of homes within Lakes of Savannah South, subject to the following installation guidelines:
 - (i) Dishes cannot exceed forty inches (40") in diameter or width.
 - (ii) The location must be approved by the ARC. Preferable mounting locations are on the back of the home below the roof peak, so as to not be readily visible from the street.
 - (iii) The dish must be kept in good repair, and removed if no longer in use.
- b. Satellite dish antennas greater than forty inches (40") in diameter, as well as outside antenna for TV reception, amateur radio operation, microwave transmission or reception, and short/long wave transmission or reception are prohibited.

20. Signs:

Restrictions of Use on Signs, Advertisements and Billboards are detailed in Article IX, Section 21 of the Declaration. The following Guidelines supplement and/or provide variances the Restrictions of Use, as permitted under Article VI, Section 5 of the Declaration.

- a. Home Security Signs. No signs shall be permitted on any lot except for a limited number of small, inconspicuous, discretely placed signs for the purpose of warning of the presence of a home security system. Each sign shall be from a professional security company and should not exceed one (1) square foot in area. One (1) sign shall be allowed in the front yard and one (1) shall be allowed within the rear, fenced in portion of the lot. Each sign may be mounted on a stake or a wall of the house or garage. If stake mounted, the top of the sign shall not exceed two feet (2') from the ground level when installed and must be no further than three feet (3') away from the house or garage. Signs must be of an acceptable color which is harmonious with the surrounding structure and landscaping.
- b. Other Types:
 - (i) Open house. One (1) temporary open house sign is allowed in front of the residence on the day of open house only. Size: no more than six square feet (6') overall.

- (ii) School Organization. One (1) temporary school activity sign is allowed in the planting beds of a residence not farther than three feet (3') from the outside wall of the house, unless otherwise noted and approved by the ARC. Maximum Size Allowed: 42" in height and 18" in width.
- (iii) Yard of the Month. One (1) yard of the month sign supplied by the Association is allowed in the planting bed of the residence not farther than three feet (3') from outside wall of house.
- (iv) Election Signs. During political elections, one (1) temporary election for each candidate supported may be placed in the front yard of each residence no more than 45 days before the election and must be removed within 48 hours after the election.

21. Miscellaneous:

Restrictions of Use on Birdhouses, Flagpoles and Weathervanes are detailed in Article IX, Section 24 (e.) of the Declaration. The following Guidelines supplement and/or provide variances to the Restrictions of Use, as permitted under Article VI, Section 5 of the Declaration.

- a. Birdhouses. Birdhouses shall be permitted subject to the prior approval of the ARC. No birdhouse shall be situated higher than eight feet (8') above the ground and no more than two (2) birdhouses shall be permitted on a lot. The materials used in the construction of each birdhouse and the color of each birdhouse must be harmonious with the home and other improvements on the Lot. Any birdhouse must be within the fenced area of the Lot.
- b. Rain Gutters. Rain gutters may be plastic or aluminum items, and must be painted a color compatible with the home on which they are installed. Application should be made showing the extent of guttering and location of downspouts. Downspouts may not be directed toward any adjacent Lot or open space.
- c. Awnings.
Awnings visible from the front street or side street shall not be permitted. Awnings on the rear portion of a Lot must be approved by the ARC.
- d. Solar Screens.
 - (i) All solar screens must be approved by the ARC.
 - (ii) Solar screens are restricted to black, dark brown, or dark gray and must be constructed and installed to professional standards.
 - (iii) Solar screens may be permitted in the front of the home if they are constructed with grids that match the window-lites of the windows being covered, so as to not distract from the architectural harmony of the home. If solar screens are installed on the front of the home, all windows on the front must have solar screens.
- e. Emergency and Disaster Reaction: Disasters such as fire and weather may cause significant construction and repair activity to take place. Temporary repairs or structures (those that are present for no longer than 6 months during reconstruction) will be acceptable under such a condition. Reconstruction in the form that existed before the disaster will be acceptable without approval by the ARC.

Temporary protective action in the event of certain weather conditions, such as hurricane warnings, will not require approval of the ARC. All such installations must be completely removed and the property restored to its original condition within 15 days of the passing of the emergency. This rule specifically applies to, but is not limited to, the boarding of windows and doors during a hurricane threat.
- f. Burglar Bars. The use of burglar bars on the exterior of any window or doors is prohibited.
- g. Holiday Decorations: Holiday decorations are permitted and will not require approval. Decorations may be installed no sooner than 30 days prior to the holiday and must be removed

within 15 days after the holiday for which they are intended. The ARC reserves the right to require the removal of decorations that either generate complaints or are deemed offensive.

22. Board Policy Resolution:

Chapter 202 of The Texas Property Code was amended effective September 1, 2011. Pursuant to the amendments, the Association has filed a Board Policy Resolution ("Resolution") dated November 22, 2011 and recorded under Clerk's File No. 2011049479 in the Official Records of Real Property for Brazoria County. Such Resolution (attached herewith as Exhibit C) sets forth the following policies:

- a. Policy Regarding Solar Energy Devices.
- b. Policy Regarding Certain Roofing Materials.
- c. Policy Regarding Rain Barrels and Rainwater Harvesting Systems.
- d. Policy Regarding Display of Certain Religions Items.
- e. Policy Regarding Display of Flags.

These Improvement Guidelines are effective upon recordation in the Official Records, and supersede any Improvement Guidelines which may have previously been in effect for The Community.

Approved and adopted by the Board of Directors and Architectural Review Committee for Lakes of Savannah South Community Association, Inc. on December 23, 2011.

**LAKES OF SAVANNAH SOUTH
COMMUNITY ASSOCIATION, INC.**
a Texas non-profit corporation

By: Keith Schoonover
Keith Schoonover, President

THE STATE OF TEXAS §
 §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on December 28, 2011, by Keith Schoonover, President of Lakes of Savannah South Community Association, Inc.

Monica D. Vega Duffield
Notary Public, State of Texas

↓
WHEN RECORDED, RETURN TO:
Friendswood Development Company
550 Greens Parkway, Suite 100
Houston, TX 77067
Attn: Monica Vega-Duffield

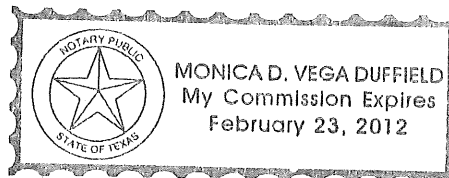


EXHIBIT "A"

LAKES OF SAVANNAH SOUTH CAI

REQUEST FOR HOME IMPROVEMENT APPROVAL

In an effort to provide and protect each individual Homeowner's rights and values, it is required that any Homeowner or group of owners considering improvements and/or changes to their home or property, submit a REQUEST FOR HOME IMPROVEMENT APPROVAL to the Architectural Review Committee for planned improvements and/or changes. **A \$25 administrative fee (made payable to AMI) is required and your application will not be processed until the check has been received.** If any change is made that has not been approved, the Association has the right to ask the Homeowner to remove the improvement(s) and/or change(s) from the property.

Please fill out this form in COMPLETE detail. DATE: _____

Name of Owner _____

Current Mailing Address: _____

Address Where Construction is to be performed: _____

Community Name: _____ Email: _____

Home Telephone: _____ Business Telephone: _____

=====
Type of improvement/change proposed: _____

I. Painting:
Color of Brick _____
Color to be used for: (include samples for each area)

Main portion of house _____
(Including Garage Doors)

Trim _____
(Soffit, Fascia Boards, Window Trim)

Accents _____
(Shutters, Window Hoods, Doors)

II. Basketball Goal:
Must submit:
1. Lot survey with location of the basketball goal indicated
2. Description
a. Color of net, pole/base and backboard

III. Structures:
IF YOU ARE BUILDING A STRUCTURE WITH WALLS AND A ROOF, YOU MUST INCLUDE AN ELEVATION DRAWING SHOWING THE DIMENSIONS OF THE STRUCTURE, ESPECIALLY THE HEIGHT.

Must submit:

1. Lot survey with the location of the structure indicated
2. Type of materials to be used
3. Dimensions of structure, i.e., height, width and length
4. Samples of roofing material and paint

IV. Other:

1. Include brochure/photos
2. Lot survey if being installed in your yard (sprinkler system/lighting)
3. Material sample

Please sign:

I understand that the Association's Architectural Review Committee will act on this request as quickly as possible and contact me regarding their decision. I agree not to begin property improvements/changes until the Architectural Review Committee notifies me of their approval.

I understand and agree that it is the duty of the Owner and any contractor or consultant employed by the Owner to determine that the proposed improvement is structurally, mechanically, and otherwise safe, and that it is designed and will be constructed in accordance with the Covenants and Restrictions applicable to the Lot. I agree that neither the Association, or any Director, Officer, Committee, Managing Agent, or member or employee thereof (the "Indemnified Parties"), shall be liable for damages or otherwise because of the approval or non-approval of this application or any facet thereof. I hereby release, indemnify and hold harmless the Indemnified Parties harmless from any claim, liability, damage, suit and attorney's fees arising out of any action or omission of any of the Indemnified Parties with regard to this application and in regard to the design plan review, construction or inspection of the proposed improvements, including any claims, liability, damages, suits and attorney's fees resulting from the negligent acts of one or more of the Indemnified Parties.

Signature of Homeowner

Proposed Construction Start Date

Proposed Completion Date

RETURN TO:
ASSOCIATION MANAGEMENT, INC.
5295 HOLLISTER ST.
HOUSTON, TEXAS 77040-6205

PLEASE NOTE: THE ARCHITECTURAL REVIEW COMMITTEE HAS THIRTY (30) DAYS FROM THE DATE THE APPLICATION IS RECEIVED TO REVIEW APPLICATIONS

EXHIBIT "B"

LAKES OF SAVANNAH SOUTH CAI ARCHITECTURAL APPROVAL SWIMMING POOL

Please complete and submit with Request for Home Improvement Approval form

DETAILS MUST BE SPECIFIED ON A SITE SURVEY AND ATTACHED TO THIS APPLICATION. THE SITE SURVEY MUST INDICATE THE LOCATION OF ALL EQUIPMENT, LOCATION OF THE SWIMMING POOL, LOCATION OF ALL DRAIN LINES, LOCATION OF SEWERS AND BACKWASH, AND THE AREA WHERE YOUR CONTRACTOR WILL ACCESS YOUR PROPERTY. **A \$1500.00 DEPOSIT IS REQUIRED AND YOUR APPLICATION WILL NOT BE PROCESSED UNTIL THE DEPOSIT IS RECEIVED.** THE *CHECK WILL BE DEPOSITED* PENDING INSPECTION OF THE SURROUNDING COMMON AREAS AFTER COMPLETION OF THE POOL. THE COST OF ANY DAMAGE TO THE COMMON AREAS OR PROPERTY OF OTHERS WILL BE DEDUCTED FROM THE DEPOSIT. CONSTRUCTION THAT IS NOT IN TANDEM WITH THE APPROVED PLAN MAY CAUSE FORFEITURE OF THE DEPOSIT.

- A. Name, phone number and address of pool contractor: _____

- B. Equipment Location (Pump, filter, etc.) _____
- C. Backwash to Sewer _____
- D. Easement Lines _____
- E. Will Any Trees be Removed? ____ Yes ____ No
- F. Existing 6' Fence with Self-Latching Gate? ____ Yes ____ No
- G. Material and Color of Deck _____
- H. Pool Drain – Recirculates Back to Pool? ____ Yes ____ No
- I. Area Drains to Street? ____ Yes ____ No (This will drain rainwater only.)
- J. Access (cannot be through or across common area and MUST be indicated on site plan) _____
- K. Distance from edge of pool to each lot line or easement _____
- L. Type of coping _____
- M. Type of Filter _____
- N. Fence Work to be Done _____
- O. All Equipment, Deck, Coping and Pool is Below 6' Fence That Surrounds Backyard.
Yes ____ No ____
- P. Height of Slide/Waterfountain/Waterfall/Sheer Decent: _____
- Q. Location of Backwash _____
- R. Location of Sewer _____

EXHIBIT "C"

Doc# 2011049479

BOARD POLICY RESOLUTION OF SAVANNAH SOUTH COMMUNITY ASSOCIATION, INC.

DATED: Nov. 22, 2011

WHEREAS, Savannah South Community Association, Inc., is a Texas Non-Profit Corporation governed by the Texas Property Code, and more specifically Chapter 202-211; and,

WHEREAS, Savannah South Community Association, Inc. is, as of the date of the ratification and filing of this document, still under the "Declarant Control" phase as described in the Association's governing documents. Thus, during the Declarant Control period, the Declarant board, in its sole discretion, retains all rights to approve or deny any item contained within this policy to the extent it does not conflict with applicable law;

WHEREAS, Savannah South Community Association, Inc., is given authority to appoint committees as deemed appropriate in carrying out the purposes of the Board of Directors, as authorized under Article V of the By-Laws for Savannah South Community Association, Inc.;

WHEREAS, Savannah South Community Association, Inc., is given authority to promulgate a Policy to regulate the installation, use and display of Solar Energy Devices as authorized under Texas Property Code § 202, *et seq.* as well as by Article III, Section B of the By-Laws for Savannah South Community Association, Inc.;

WHEREAS, Savannah South Community Association, Inc., is given authority to promulgate a Policy to regulate the installation, use and display of certain Roofing Materials, as authorized under Texas Property Code § 202, *et seq.* as well as by Article III, Section B of the By-Laws for Savannah South Community Association, Inc.;

WHEREAS, Savannah South Community Association, Inc., is given authority to promulgate a Policy to regulate the installation, use and display of certain Rainwater Harvesting System(s), as authorized under Texas Property Code § 202, *et seq.* as well as by Article III, Section B of the By-Laws for Savannah South Community Association, Inc.;

WHEREAS, Savannah South Community Association, Inc., is given authority to promulgate a Policy to regulate the installation, use and display of certain Flags, as authorized under Texas Property Code § 202, *et seq.* as well as by Article III, Section B of the By-Laws for Savannah South Community Association, Inc.;

WHEREAS, Savannah South Community Association, Inc., is given authority to promulgate a Policy to regulate the installation, use and display of certain Religious Items, as authorized under Texas Property Code § 202, *et seq.* as well as by Article III, Section B of the By-Laws for Savannah South Community Association, Inc.;

Said Policy Regarding the aforementioned items and improvements stating as follows:

I. POLICY REGARDING SOLAR ENERGY DEVICES

1. A "Solar Energy Device" has the meaning assigned by Section 171.107 of the Texas Tax Code.
2. Subject to the restrictions below, a property owner within Savannah South Community Association, Inc. may, at their own cost, install, maintain and utilize one or more Solar Energy Device(s) for the purpose of providing heating or cooling or to produce electrical or mechanical power by collecting and transferring solar-generated energy.
3. Restrictions on Installation, Maintenance and Use of Solar Energy Devices
 - a. No owner may install, maintain or use a Solar Energy Device that, as determined by a court of competent jurisdiction, threatens the public health or safety, or violates a law.
 - b. No owner may install a Solar Energy Device on the property owned or maintained by Savannah South Community Association, Inc., including but not limited to general common elements or limited common elements.
 - c. No owner may install a Solar Energy Device on the property owned in common by the members of Savannah South Community Association, Inc., including but not limited to general common elements or limited common elements.
 - d. A Solar Energy Device installed upon the owner's own property may only be installed:
 - i. On the roof of the owner's home; or
 - ii. In a fenced yard or patio owned and maintained by the property owner.
 - e. Roof-mounted Solar Energy Devices must not:
 - i. Extend higher than or beyond the roofline;
 - ii. Fail to conform to the slope of the roof;
 - iii. Include a top edge that is not parallel to the roofline;
 - iv. Include a frame, support bracket or visible piping or wiring in a color other than silver, bronze or black
 - f. Solar Energy Devices located in a fenced yard or patio owned or maintained by the property owner must not:

- i. Extend beyond or above the fence line;
- g. No Solar Energy Device, regardless of location or type, may void material warranties, as installed.
- h. Owner must submit an ARC application to Savannah South Community Association, Inc. prior to the installation, maintenance or use of any Solar Energy Device, regardless of location or type. Procedures for approval will conform with those procedures already in place pursuant to Article VI of Declaration of Covenants, Conditions and Restrictions.
- i. Savannah South Community Association, Inc. retains the right to withhold approval of any Solar Energy Device if, in the written opinion of Savannah South Community Association, Inc., the placement of the device as proposed by the property owner constitutes a condition that substantially interferes with the use and enjoyment of land by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities. Savannah South Community Association, Inc. shall be the sole arbiter to determine whether a proposed Solar Energy Device constitutes such a condition, save and except that the written approval of all homeowners adjacent to the proposed Device shall create a rebuttable presumption that such a condition does not exist.

II. POLICY REGARDING CERTAIN ROOFING MATERIALS

1. An Owner who has already sought and received ARC approval to install shingles on the roof of their home, pursuant to Article VI of Declaration of Covenants, Conditions and Restrictions, and who chooses to install specialized shingles designed primarily (1) to be wind resistant; (2) provide heating and cooling efficiencies greater than those provided by customary shingles; (3) provide solar generation capabilities, may install said specialty shingles, subject to the following restrictions:
 - a. The color and appearance of the shingles must be submitted to the ARC for approval, to ensure that said shingles resemble the shingles used or otherwise authorized by Savannah South Community Association, Inc. for use in the subdivision;
 - b. The shingles must be of equal or superior quality and durability to standard roofing shingles otherwise authorized by Savannah South Community Association, Inc. for use in the subdivision;
 - c. The shingles must, within the determination of Savannah South Community Association, Inc., match the aesthetics of properties adjacent to Owner's property;

- d. No owner may install specialized shingles on the property owned or maintained by Savannah South Community Association, Inc., including but not limited to general common elements or limited common elements.
- e. No owner may install specialized shingles on the property owned in common by the members of Savannah South Community Association, Inc., including but not limited to general common elements or limited common elements.
- f. Owner must submit an ARC application to Savannah South Community Association, Inc. prior to the installation, maintenance or use of any Specialized shingles, regardless of location or type. Procedures for approval will conform with those procedures already in place pursuant to Article VI of Declaration of Covenants, Conditions and Restrictions.
- g. Savannah South Community Association, Inc. retains the right to withhold approval of any Specialized shingles if, in the written opinion of Savannah South Community Association, Inc., the placement of the device as proposed by the property owner constitutes a condition that substantially interferes with the use and enjoyment of land by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities. Savannah South Community Association, Inc. shall be the sole arbiter to determine whether a proposed Specialized shingles constitutes such a condition.

III. POLICY REGARDING RAIN BARRELS AND RAINWATER HARVESTING SYSTEMS

- 1. An Owner who has already sought and received ARC approval to install a Rain Barrel or other approved Rainwater Harvesting System on their property, pursuant to Article VI of Declaration of Covenants, Conditions and Restrictions may install said Rain Barrel or other approved Rainwater Harvesting System, subject to the following restrictions:
 - a. No owner may install, maintain or use a Rain barrel or other approved rainwater harvesting system that, as determined by a court of competent jurisdiction, threatens the public health or safety, or violates a law.
 - b. No owner may install a Rain barrel or other approved rainwater harvesting system on the property owned or maintained by Savannah South Community Association, Inc., including but not limited to general common elements or limited common elements.
 - c. No owner may install a Rain barrel or other approved rainwater harvesting system on the property owned in common by the members of Savannah South Community Association, Inc., including but not limited to general common elements or limited common elements.

- d. A Rain barrel or other approved rainwater harvesting system may be installed in a fully-enclosed and fenced yard or patio owned and maintained by the property owner.
- e. Rain barrel or other approved rainwater harvesting systems located in a fenced yard or patio owned or maintained by the property owner must not:
 - i. Extend beyond or above the fence line;
 - ii. Be located between the front of the Owner's property and an adjoining or adjacent street;
- f. A Rain barrel or other approved rainwater harvesting system may only be installed at the side of a house, or in a location visible from a street, another lot or a common area subject to the following requirements:
 - i. Reasonably sufficient area on the owner's property exists in which to install the rain barrel or other approved rainwater harvesting device. Savannah South Community Association, Inc. shall be the sole arbiter to determine whether reasonably sufficient area exists on the owner's property;
 - ii. Any rain barrel or other approved rainwater harvesting device must be of a color consistent with the color scheme of the property;
 - iii. No rain barrel or other approved rainwater harvesting device may display language or other content that is not typically displayed by such a device or system as it is manufactured;
- g. No Rain barrel or other approved rainwater harvesting system, regardless of location or type, may void material warranties, as installed.
- h. Owner must submit an ARC application to Savannah South Community Association, Inc. prior to the installation, maintenance or use of any Rain barrel or other approved rainwater harvesting system, regardless of location or type. Procedures for approval will conform with those procedures already in place pursuant to Article VI of Declaration of Covenants, Conditions and Restrictions.
- i. Savannah South Community Association, Inc. retains the right to withhold approval of any Rain barrel or other approved rainwater harvesting system if, in the written opinion of Savannah South Community Association, Inc., the placement of the device as proposed by the property owner constitutes a condition that substantially interferes with the use and enjoyment of land by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities. Savannah South Community Association, Inc. shall be the sole arbiter to

determine whether a proposed Rain barrel or other approved rainwater harvesting system constitutes such a condition.

IV. POLICY REGARDING DISPLAY OF CERTAIN RELIGIONS ITEMS

1. An Owner may display certain religions items on the entry to owner's property subject to the following restrictions:
 - a. Any religious item displayed must be motivated by the owner or resident's sincere religious belief;
 - b. No displayed religious item may:
 - i. Threaten the public health or safety in any manner whatsoever;
 - ii. Violate any Federal, state or local laws;
 - iii. Contain language, graphics, or depictions that are patently offensive to a passerby;
 - iv. Be displayed in any location other than the entry door or door frame of the property;
 - v. Extend past the outer edge of the door frame of the owner's or resident's dwelling;
 - vi. Exceed a total area of twenty-five (25) square inches.
 - c. Savannah South Community Association, Inc. reserves the right to remove any item so displayed that, in the judgment of Savannah South Community Association, Inc. violates one or more of the restrictions included herein. Savannah South Community Association, Inc. shall be the sole arbiter to determine whether such a violation exists.

V. POLICY REGARDING DISPLAY OF FLAGS

1. An Owner may display certain (1) the flag of the United States of America; (2) the flag of the State of Texas; or (3) an official flag or replica flag of any branch of the United States armed forces on their property, subject to the following restrictions:

General Restrictions

- a. In addition to the requirements set forth herein below, display of the flag of the United States of America must conform with the requirements under the United States Code, Sections 5-10;

- b. In addition to the requirements set forth herein below, display of the flag of the State of Texas must conform with the requirements under the Texas Government Code Section 3100.
- c. Only one (1) freestanding flagpole or mounted flagpole bracket may be utilized by any owner or resident, per residence. No more than one (1) flag of the approved types delineated above may be displayed simultaneously.
- d. No flag may be displayed or maintained in any manner other than on a freestanding flagpole, or via a mounted flagpole bracket.
- e. All displayed flags, flagpoles and flagpole brackets must be maintained in good condition. In the event that any displayed flag, flagpole or flagpole bracket which is not, in the judgment of Savannah South Community Association, Inc. maintained in good condition, owner shall be responsible for repairing, replacing or removing said displayed flag, flagpole or flagpole bracket, upon written request of Savannah South Community Association, Inc. Savannah South Community Association, Inc. shall be the sole arbiter to determine whether such a condition exists;
- f. No displayed flags shall exceed three (3) feet in height, and five (5) feet in length;
- g. No owner may install a Flag on the property owned or maintained by Savannah South Community Association, Inc., including but not limited to general common elements or limited common elements, with the exception of a wholly enclosed, fenced yard or patio area.
- h. No owner may install a Flag on the property owned in common by the members of Savannah South Community Association, Inc., including but not limited to general common elements or limited common elements, with the exception of a wholly enclosed, fenced yard or patio area.

Restrictions on Freestanding Flags

- a. No flagpole located in or on an owner's property may exceed twenty (20) feet in height;
- b. Any flagpole located in or on an owner's property must be constructed of a permanent, long-lasting material, with a finish appropriate to the material used in the construction of the flagpole, and harmonious with the dwelling;
- c. No flagpole located in or on an owner's property may be located outside the applicable building setback lines for that lot;

- d. If lights are used to illuminate the flag during evening hours, said lights must be directed in such a manner, and utilized at an intensity that does not substantially interfere with the use and enjoyment of other owners or residents by causing unreasonable discomfort or annoyance to other persons of ordinary sensibilities. Savannah South Community Association, Inc. shall be the sole arbiter to determine whether such a condition exists.
- e. No flagpole halyard, flagpole snap-hooks or other fastening devices shall be allowed to generate noise of an intensity or frequency so as to substantially interfere with the use and enjoyment of other owners or residents by causing unreasonable discomfort or annoyance to other persons of ordinary sensibilities. Savannah South Community Association, Inc. shall be the sole arbiter to determine whether such a condition exists.
- f. An owner or resident may be required to utilize flagpole snap-hook covers to eliminate flagpole noise at the request of Savannah South Community Association, Inc.

Restrictions on Flags Displayed in Flagpole Brackets

- a. No flagpole mounted in a flagpole bracket may exceed five (5) feet in length.
- b. If applicable, no flag displayed from a mounted flagpole bracket may extend beyond the airspace created by the boundaries of a fenced yard or patio area.
- c. No mounted flagpole bracket may be affixed to any portion of the general or limited common elements.

THEREFORE, BE IT RESOLVED THAT, Savannah South Community Association, Inc. adopts a uniform Policy to apply to all Unit Owners within Savannah South Community Association, Inc.;

BE IT FURTHER RESOLVED THAT, the Policy approved by this resolution touch and concern all Lots within Savannah South Community Association, Inc., and shall run with the land to all subsequent owners of said Lots;

The Board of Directors of Savannah South Community Association, Inc. Hereby memorializes in its minutes its formal resolution providing a uniform Policy for all Lots within Savannah South Community Association, Inc.

Doc# 2012004075
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COUNTY CLERK
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