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ARCHITECTURAL GUIDELINES
KINGWOOD PLACE VILLAGE
COMMUNITY ASSOCIATION

Ret. Kingwood Association ✓✓
1102 Kingwood Dr. Suite 104
Kingwood, TX 77339

Revision June, 2009

April 1993

UNANIMOUS WRITTEN CONSENT FOR
THE KINGWOOD PLACE VILLAGE COMMUNITY ASSOCIATION

The Board of Directors (the "Board of Directors") of Kingwood Place Community Association, Inc. ("the Association"), a Texas non-profit corporation, do hereby unanimously consent to the following:

WHEREAS, the Association, acting through its Board of Directors, wishes to exercise the authority granted to it by the provisions of the Declaration of Covenants, Conditions and Restrictions (the "Declaration") applicable to Kingwood Place Village to maintain the harmonious and architectural design of the subdivision in accordance with the provisions of the Declaration; and *ll*

WHEREAS, the Declaration created an Architectural Review Committee (the "ARC") for the specific purpose of approving building, additions or improvements on any lot or commercial unit; and

WHEREAS, by virtue of certain provisions of the Declaration, the Association now holds all authority granted to the ARC; and

WHEREAS, the Declaration provides that no building, fence, wall, or other structure, additions or improvements of any kind shall be commenced, constructed, erected or maintained on any lot until the construction plans and specifications including, but not limited to, site layout, building location, building materials, colors and elevation, have been submitted to and approved in writing by the ARC; and

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

NOW, THEREFORE, the Board of Directors and the ARC hereby adopt the following procedures and guidelines relating to buildings, additions and improvements on lots in Kingwood Place Village. These procedures and guidelines shall supplement the applicable restrictive covenants set forth in the Declaration.

FILED FOR RECORD
8:00 AM

JAN 19 2010

David W. Myer
County Clerk, Harris County, Texas

ARCHITECTURAL GUIDELINES
KINGWOOD PLACE VILLAGE COMMUNITY ASSOCIATION

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I. OVERVIEW

The Kingwood Place Village Community Association Board of Directors and the Architectural Review Committee (ARC) have established these architectural guidelines in accordance with the authority granted to them by the provisions of the Declaration of Covenants, Conditions and Restrictions of the Kingwood Place Village Community Association. The guidelines are established to assure uniform and fair interpretation of the Declaration and of these guidelines. The guidelines are intended to provide all lot owners in Kingwood Place Village Community Association information about the type, color, quality, and grade of materials which may be used in the construction of various kinds of improvements, the size and locations of such improvements, and the procedure followed by the Association for reviewing applications for proposed improvements.

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

II. ARCHITECTURAL REVIEW PROCEDURES AND GUIDELINES

A.

Application Procedure

1. Applications. All applications for approval to make any exterior changes, additions, or improvements must be submitted to the Architectural Review Committee (ARC) in writing by completing the application form currently in use by the ARC, a copy of which is included in Section III, or such form as may be adopted by the ARC. Plans, specifications, and color samples for any exterior change, addition, or improvement should be attached to the application.

For repainting only, refer to Section 1 Painting for details of the application procedure. For room additions and sunrooms, applications must be accompanied by a detailed scale drawing or blueprint showing the three-dimensional relationship of the room addition or 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 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. 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 managing agent of the Association, not to members of the ARC or Board of Directors.

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 forty-five (45) 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.

2. ARC Decisions. ARC committee members shall consider each application for compliance with the restrictive covenants of the Declaration and with these guidelines. The decision of a majority of members to approve or disapprove an application shall be considered the decision of the ARC.

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

In accordance with the Declaration, any application that is not approved or disapproved within forty-five (45) days of the date of its receipt shall be deemed to have been automatically approved provided, however, that (i) any such approval shall extend only to architectural guidelines and not to any of the use restrictions set forth in the Declaration and (ii) in no event shall non-action be deemed to constitute approval of an application for any change, addition, or improvement, or any other item that would violate the restrictive covenants in the Declaration. Unless otherwise stated in the 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.

3. Board of Director Appeals. In the event the ARC disapproves an application, the applicant may submit a written appeal to the Board of Directors. The Board of Directors shall review the appeal at one of its next two regularly -scheduled meetings following the date upon which the request for appeal is received, and notify the applicant of the Board's decision. All decisions of the Board of Directors shall be final.

4. 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. Therefore, an appeal cannot result in approval of the original application if a response to the appeal is not submitted by the ARC or the Board of Directors within forty-five (45) days of the date of its receipt.

B.
General Guidelines

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

1. Size and dimension.
2. Harmony with existing structures and improvements.
3. Quality of materials and construction.
4. Location (Note: The ARC may not grant permission to construct or place an improvement upon or across any utility easement. Consent to encroach upon any utility easement must be obtained in writing from the owner of the easement. The ARC may grant permission to construct or place an improvement upon or across a drainage easement, provided that the ARC may revoke its consent if it determines that the improvement materially impedes or adversely affects drainage. In the event that the ARC revokes its consent, the homeowner shall bear the responsibility to remove the improvement at his sole cost and expense.)
5. Color of exterior materials, their appropriateness within the neighborhood, and appropriateness with the existing structure.

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

C.
Fence

All fences shall be maintained in the color, location, and materials identical to the original fencing. Fencing may not be replaced, painted, sealed, or stained without ARC approval. Wood fencing must age, or turn gray, before it can be sealed.

The owner of a lot which there is a detached garages may install a gate system across the driveway; provided that, the gate system must be approved by the ARC and the gate shall not exceed six (6) feet in height, measured from the top surface of the driveway to the highest part of the gate.

D.

Pools

An application for the construction of a swimming pool, spa or Jacuzzi, collectively referred to as "pool", must include a plot plan showing the proposed location of the pool in relation to the property lines, easements, building lines, existing structures, and existing or proposed fences. The application shall also include a timetable for the construction of the pool, and indicate the direction for construction access on the plot plan.

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. Construction access to the pool area must be from the street in front of the home. Construction access will not be granted across landscape setbacks or greenbelts owned by the Kingwood Place Village Community Association. Further, no building materials shall be kept or stored in the street overnight. Excavated material shall either be used on-site or immediately removed from the premises by the pool contractor.

A pool to be constructed on a lot requires a permit issued by the City of Houston; a copy of the permit issued by the City is required to be provided to the ARC prior to the commencement of construction. There shall be no surface discharge on the lot or to an adjacent property. No swimming pool shall be constructed in a manner to impede drainage on a lot, or to cause water to flow on an adjacent lot.

No above ground pools are allowed.

E.

Outbuildings

1. General Rules. Any type of building that exists on a lot which has a floor and/or walls and/or a permanent roof, but is not attached to the residential dwelling, or, to a detached garage on the lot, shall be considered an outbuilding. Gazebos and children's play structures, as hereinafter defined, are subject to separate requirements as set forth in Subparagraph E.2 and "Section L. Children's Play Structures", respectively. Only one (1) outbuilding not exceeding ten feet (10') in length, ten feet (10') in width and eight feet (8') in height shall be permitted on a lot. The standard type, quality and color of the materials used in the construction of the outbuilding shall be harmonious with those of the main residence on the lot. No exterior portion of an outbuilding shall be made of metal.

An outbuilding shall be located in the rear portion of the lot, but may not be located on the rear utility easement unless the outbuilding is moveable and the appropriate approval has been received from the utility companies with the easements. Outbuilding locations must also conform to the building front and side setback

restrictions. Location of the outbuilding on a lot will be evaluated based on its orientation to surrounding properties and visibility from streets. No outbuilding shall impede drainage from the lot or cause water to flow onto an adjacent lot. A fence approved in conjunction with an application to construct an outbuilding must be completed within thirty (30) days of the date that the outbuilding construction begins.

2. Gazebos. For the purpose of these ARC guidelines, a gazebo shall be defined as a free-standing, open-framed structure with or without lattice-type walls, whose purpose should not be for any type of storage. These typically are circular or octagonal shaped structures.

For gazebo structures, the maximum footprint area is one-hundred (100) square feet (typically 10' by 10'). Maximum gazebo wall height is eight feet (8') and maximum height of 10 feet overall. All gazebos must have a permanent roof with materials as set forth in Section J of these Guidelines. The quality and color of gazebo roofing shall match that of the main residence on the lot. All pipes and cables must be underground. Gazebos must be located in the rear or side yard and a minimum of six feet (6') from all 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.

F.

Patio Covers

The standard, type, quality and color of the materials used in the construction of a patio cover must be harmonious with the standard, type, quality and color of the materials used in the construction of the main residence. Roofing materials on patio covers shall conform to the provisions relating to roofing materials set forth in Section K of these guidelines.

G.

Decks

All decks must be approved by the ARC with respect to location and the standard, type, color and quality of the materials used in construction. No deck shall impede drainage on the lot or cause water to flow on an adjacent lot. No deck other than a second level balcony attached to the main residence shall be constructed more than three feet (3') above the ground.

H.

Exterior Lighting

1. Changes to Existing Lighting. Outside lighting which was installed at the time of original construction or which was installed after original construction with the approval of the ARC may be replaced with a new fixture provided that the wattage of the *new* fixture

does not exceed the wattage of the existing fixture or 150 watts, if lumen the equivalent of, whichever is greater. Existing gas lighting may be converted to an electric incandescent bulb provided that (a) the incandescent bulb is a clear glass type, and (b) the lighting color is white.

2. New Lighting.

- A. Security Lighting. Security lighting shall be permitted with the ARC's approval so long as the total wattage for all security lights does not exceed 300 watts or equivalent to lumen. All security lighting shall be mounted behind the back plane of the house. No pole-mounted security lights (including sodium vapor and mercury vapor) shall be permitted. No security light fixture shall be allowed above the eaves of the house or garage. Exceptions to mounting security lighting behind the back plane of the house and/or allowing security lighting above the eaves of the house or garage may be granted by the ARC if the design and location of the house and/or garage on a lot warrant an exception. No more than one (1) mercury vapor light of not more than 150 watts or equivalent to lumen shall be permitted on any lot unless a cul-de-sac or corner lot. Sodium vapor lights are permissible provided that each sodium vapor light does not exceed 70 watts or equivalent to lumen.
- B. Landscape Lighting. Exterior landscape lighting -shall be permitted with the ARC's approval so long as the lighting is located within flower beds, shrubs, and/or trees. Pole-mounted landscape and/or decorative lighting shall also be permitted with ARC approval so long as (i) the pole does not extend more than seven feet (7') above the ground, (ii) the light fixture is not situated more than six feet (6') above the ground, and (iii) the light is neither sodium vapor nor mercury vapor.
- C. Gas Lights. Two (2) gas lights per lot shall be permitted with the ARC's approval; provided that the gas lighting color is white.
- D. Annoyances. All new lighting which is approved by the ARC shall be subject to a ninety (90) day trial period after installation to assure that the lighting is not objectionable to surrounding residents. The ninety (90) day period shall commence on the date of the ARC's written approval of the lighting. If, at the end of the ninety (90) day period, the ARC determines that the lighting is not unreasonably offensive or an annoyance to surrounding residents, the ARC's approval shall be final; otherwise, the lighting shall be removed or modified in accordance with the decision of the ARC.

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I.
Painting

Repainting the exterior color of the main body or trim of a house, garage, front door, shutters, garage doors, or other improvement on a lot, whether to the same as the original paint color or to a different color, requires ARC approval. Two (2) color samples or paint chips of each color shall be submitted. Application to repaint the exterior to the same color as the original paint color shall not be, unreasonably denied.

Paint colors shall be in harmony with the immediate neighborhood and shall not draw significant attention to a particular building as determined by the ARC.

J.
Roofing Materials and Additions

1. Materials. A sample of the proposed shingle to be placed on any existing roof or any new improvement must be attached to each application submitted to the ARC. Roofing material must have a minimum manufacturer's warranty of 25 years. Shingle colors shall be earth tone and harmonious with the neighborhood. Shingle colors shall be comparable to:

Elk weatherwood, cool weatherwood, barkwood

Timberline weatherwood, barkwood or pewter gray

Owens Brownwood, driftwood or estate gray

Ridge vents are highly encouraged. No corrugated roofing materials shall be permitted on any building or structures.

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

K.
Sunrooms and Room Additions

1. Sunrooms. 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 appropriate technical specifications.

- A. Applications for sunrooms on cul-de-sac lots *and* corner lots where the rear or side of the house faces a street or other community property and the sunroom will be visible from the street or other community property will be considered on a case-by-case basis.

- B. Any wood or brick on the exterior must match the exterior color of the residence. Glass may 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. Metal may be bronze anodized aluminum.
- C. The floor of the sunroom must be of reinforced concrete slab construction. No other structural flooring material will be permitted,
- D. Any electrical plug outlet installed within the sunroom must be of the UL Approved Ground Fault Interrupt (GFI) type.
- E. Sunrooms may not have turbine-type roof ventilators. Forced fan roof ventilators are allowed if they are not visible from any surrounding street. Natural draft/convection flow panels that open may be installed.
- F. Sunrooms may not have exposed air conditioning or heating ductwork installed within or to them.

2. Room Additions. A room addition is any expansion to the original building, whether any occupied space, or not. The ARC may reject any application to construct a room addition on a lot on the basis of its overall design and conformity with existing structures, regardless of whether or not the proposed room addition complies with the appropriate technical specifications.

- A. Applications for room additions will be evaluated on a case-by-case basis. The ARC will consider the relationship of the addition to the original building and to adjacent buildings, including views to and from adjacent buildings and visibility of the addition from the streets.
- B. Any exterior materials must match with the existing exterior building, including, but not limited to, brick, wood, roofing materials, windows, and doors.

L.

Children's Play Structures

For the purposes of these ARC guidelines, a children's play structure shall mean any type of children's swing sets, play sets, climbing structure, slides, or raised play sets. A maximum of one (1) children's play structure is allowed on a residential lot. The maximum dimensions for each play structure are ten feet (10') in width by fifteen feet (15') in length by ten foot (10') in height.

The play structure may have no more than two (2) vertical columns with a single horizontal beam between them extending to no more than ten feet (10') in height. The sole permitted purpose of these extended columns is to support a tarpaulin for a shade area. Tarpaulin colors will only be approved if harmonious with the color of the residential dwelling. Wind-socks or steamers attached to the structure will not be permitted.

Play structures must be located behind the front and/or side building setback lines of the dwelling or garage. Play structures will only be allowed if the rear and/or side of the lot is enclosed with a six foot (6') fence, or if such a fence is applied for concurrent with the play structure application. A fence approved in conjunction with a play structure application must be completed within thirty (30) days of the date the play structure construction is begun.

No play structure may be located closer than six feet (6') to any side property line or eight feet (8') to any rear property line. Additionally, any play structure with support members and a tarpaulin above the eight foot (8') height must be located at least ten feet (10') from the side or rear property line if the adjoining lot is a residential lot. No play structure shall be approved for construction on utility easements, or may impede the drainage on the lot or cause water to flow to an adjacent lot.

M. Basketball Goals

Basketball goals should be mounted either (a) on the garage wall or roof with the backboard parallel to the automobile entrance, (b) on the garage-to-house breezeway cover, or (c) on a rigid steel or aluminum pole. Wooden poles shall not be permitted.

The pole must have a manufacturer's weather resistant finish and be either black or in a color consistent with the ARC's house painting guidelines under "Section I. Painting". An application for approval to erect a basketball goal must include either a plot plan or a scaled drawing depicting the location of the goal and its relationship to the adjoining neighbor's property. In the case of a pole mounted goal, the plan or drawing is to include the layout of the neighbor's house and yard items (air conditioning unit, shrubbery, gas meter, etc.) and a neighbor's written consent, if applicable according to the paragraph below. The homeowner must maintain the basketball goal in its original approved condition (including rim and net). If lighting is provided for the basketball area, it must comply with existing security lighting guidelines. A good neighbor policy concerning noise and disturbing the peace must be followed.

The backboard material must be fiberglass or safety glass. The color must be clear (safety glass) or white with the exception of manufacturer's outline markings. The rim must be of heavy gauge steel and orange in color. The net must be a white nylon. The backboard supports must be firmly attached to the structure. Nails, by themselves, are not permitted. Mounting supports may be of wood, steel, or aluminum, but they must be painted an acceptable color as outlined in Section I. Painting, of these guidelines.

All goals must be a minimum of ten feet (10') behind the front building *line* of the dwelling on the lot that extends from the front of the house or garage parallel to the street. If the front/side building line is defined by the garage, then the goal must be at least twenty feet (20') from the curb line. A pole mounted goal must not be within ten feet (10') of the adjoining neighbor's house or yard items unless properly protected (i.e., by fence or shrubbery), or unless the written consent of the neighbor is obtained. No pole mounted goals will be allowed along the neighbor's adjoining side of a driveway if a neighbor's first story house window(s) are exposed.

N.

Miscellaneous

1. Birdhouses. A birdhouse shall not be visible from the street in front of the lot and shall not be larger than two feet (2') in width, two feet (2') in length and two feet (2') in height. 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. Pole height shall not exceed twenty feet (20').

2. Awnings. Awnings visible from a front or side street shall not be permitted. Awnings on the rear portion of a lot must be approved by the ARC. Color and materials are subject to approval by the ARC.

3. Garage Doors. Replacement of garage doors must be approved by the ARC. New doors shall be harmonious in color and design with the elevation of the house.

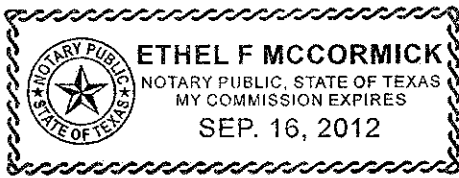
4. Satellite Dish Antennae. Satellite dish antennae may be approved by the ARC only if the following minimum requirements are met:

- A. Each satellite dish antenna shall be situated in the back portion of the lot so that it is not visible from any point in the street in front of the lot or, if a corner lot, any point in the side street. The *rear* portion of the lot must be enclosed with a six foot (6') fence or such a fence must be proposed in conjunction with the application for approval to erect the satellite dish antenna.
- B. No portion of a satellite dish antenna may extend more than six feet (6') above the ground at any time.
- C. No portion of a satellite dish antenna may be situated upon an easement.
- D. The color of a satellite dish antenna shall be harmonious with the color of the house and improvements on the lot. As a condition of approval, the ARC may require additional screening through landscaping. No cable or wiring shall be visible from the street in front of the lot or any side street.

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME the undersigned notary public, on this day personally appeared Reagan Postille, Secretary of Kingwood Place Village Community Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purpose and in the capacity therein expressed.

SUBSCRIBED AND SWORN TO BEFORE ME on this the 20 day of October, 2009, to certify which witness my hand and official seal.



Ethel F McCormick
Notary Public – State of Texas

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS UNLAWFUL AND UNENFORCEABLE UNDER FEDERAL LAW.
THE STATE OF TEXAS
COUNTY OF HARRIS
I hereby certify that this instrument was FILED in the county Register on the date and at the stamped herein of and was duly recorded in the public records of said Property of Harris County Texas on

JAN 19 2010



Angela Ryznar
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. All blackouts, additions and changes were present at the time the instrument was filed and recorded.

069-94-0528