

ARCHITECTURAL CONTROL STANDARDS

SPRING CREEK COURT HOMEOWNERS ASSOCIATION, INC.

Adopted by Board Resolution, November 16, 2011

Filed with Harris County Clerk of Court

A. Purpose and Objectives

The following Architectural Control Standards (hereinafter, "Standards") have been created and adopted by the Board of Directors of the Spring Creek Court Homeowners Association (hereinafter, "SCCHOA") to promote uniform control of modifications and maintenance of properties to support appreciation of real estate values in the Spring Creek Court Subdivision. These Standards were adopted by Board Resolution, and are intended to preserve the harmonious and aesthetically pleasing design of individual properties in Spring Creek Court, as well as the aesthetics, uniformity, and the natural setting and beauty of the whole subdivision. In practice, these Standards for Spring Creek Court aid homeowners in their plans for any improvements or modifications to their properties. The terms "Alteration" and "Application" are defined in section C below.

B. Architectural Control Committee (ACC)

The ACC is composed of the board members of the Spring Creek Court Homeowners Association (SCCHOA) and the Architectural Standards Committee (ASC) Chairman, which may also be a Board member. The ASC Chairman functions as the administrative and operations officer of the ACC. Composition and chairmanship of the ACC is defined by community volunteers elected at the annual meeting of homeowners.

The SCCHOA has jurisdiction over demolition, construction, modifications, and additions, made as Improvements on a Lot. The SCCHOA Board of Directors (the Board of Directors) shall have the final authority over all actions taken by the ACC.

C. Application/Approval Process

1. PRIOR TO COMMENCEMENT OF ANY DEMOLITION, CONSTRUCTION, MODIFICATION, OR ADDITION TO EXISTING IMPROVEMENTS (HEREINAFTER REFERRED TO AS "ALTERATIONS"), A WRITTEN APPLICATION (HEREINAFTER REFERRED TO AS "APPLICATION") MUST BE SUBMITTED TO THE ACC THROUGH THE ASC FOR REVIEW AND APPROVAL.

A non-refundable twenty-five dollar (\$25.00) application processing fee must accompany all ACC applications. Failure to submit the required processing fee will void the application process without notice.

ACC Application forms can be downloaded from the Association Web site at <http://www.springcreekcourthoa.org> or <http://www.scc-hoa.org> a web address that may be subsequently advertised by the Board. Examples of Alterations include, but are not limited to, modification to or construction or installation of sidewalks, driveways, parking lots, mail boxes, decks, patios, courtyards, swimming pools, exterior window treatment, walls, fences, exterior lights, landscaping involving masonry or stone, garages, demolition of any existing structure, new construction, exterior addition or any change or alteration thereof (including, without limitation, painting or staining of any exterior surface).

Completed Application with Supporting Documents and \$25 Application Processing Fee and \$1,000 Construction Damages Deposit (if applicable) Must Be Submitted and Approved by the Architectural Control Committee Prior To Commencement of any Property Improvement or Modification.

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2. All applicants must submit with their Application, a twenty-five dollar (\$25.00) processing fee, two copies of building plans, specifications, and a plot plan showing the location of the Alteration. For Alterations which will involve construction of a new Structure applicants shall submit, in addition to the aforementioned documents, two (2) copies of a detailed site plan and a copy of the survey. All pertinent information must be included, e.g., specifications, consent of encroachment, conformance with applicable city codes, as well as a mailing address and phone number. All Applications must be in writing on the prescribed form. The ACC or the Board will not respond to verbal requests. Applications should be submitted directly to the Association's management company as designated at the SCCHOA web site. Applicants may request verification of the Application receipt.

3. The ACC will respond in writing to all Applications with its determination to approve or disapprove. Upon approval or disapproval, one copy of the Application will be marked and returned. If an Application is not approved, the ACC will state in an explanatory letter why such approval was denied. If an applicant wishes to discuss or appeal a decision made by the ACC, the Chairman of the committee should be contacted for an appointment. No Architectural Control Committee member or Board member can approve his/her own alterations, modifications or improvements.

4. The Deed Restrictions provide that if the ACC fails to approve or disapprove an Application within thirty (30) days of its submission, the Application will be considered a deemed approved. For the purpose of determining when this time period starts, the application review period begins on the date the ACC receives a *complete* Application with all required documentation consistent with the intent of Section C. 1. and 2. above. If additional information is required by the ACC, the 30-day application review period will commence upon receipt of the additional information. Submission of an incomplete Application or submission of an Application without documentation outlined in Section C1 and C2 shall be considered disapproved without any action by the ACC and without notice to the applicant. Submission of an incomplete Application or submission of an Application without documentation outlined in Section C1 and C2 shall not start the thirty (30) day time period for the ACC to respond. It is the applicant's sole responsibility to submit a complete Application, \$25 application processing fee and attach all required documentation. The time period for implementation of the proposed Alterations should allow for the time required to complete the approval process. The ACC will make every effort to respond in less than the allowed time. In the event the ACC fails to indicate its approval or disapproval within the 30 days after receipt of the required documents, the Application is deemed approved. However, failure to respond on the part of the ACC does not imply permission to encroach on an easement or building line or grant a variance to construct any item that is expressly prohibited by the Declaration of Covenants, Conditions and Restrictions for Spring Creek Court.

D. Compliance/Noncompliance

A homeowner is in non-compliance if: (1) the Alteration contradicts a provision of either the Deed Restrictions or these Standards; or (2) an Alteration is commenced without first filing an Application and obtaining approval from the ACC; or (3) the homeowner did not obtain the required permits from a government agency having jurisdiction over the project prior to the commencement of construction.

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Unapproved or prohibited Alterations must be removed or modified at the homeowner's expense. SCCHOA strongly suggests that all homeowners study the Deed Restrictions and these Architectural Control Standards. If there are any questions, the homeowner should contact the Board for clarification.

Failure of the SCCHOA or any owner to enforce a covenant or restriction herein contained shall in no event be deemed as waiving the right to do so thereafter. All Alterations are, during implementation and after completion, subject to inspection by the ACC.

E. Complaints Regarding a Violation

Homeowners are encouraged to help maintain the beauty of Spring Creek Court. To this end, all residents have an obligation to conform to the Deed Restrictions and these Standards, and to ensure non-complying Alterations are corrected. Should any homeowner have a complaint regarding a violation, notify the Association's Property Management Company in writing by letter or eMail. Responses to complaints will be in writing by either letter or eMail.

F. Controlling Documents

In the event of a conflict between these Standards and the Deed Restrictions filed with Harris County, the Deed Restrictions shall control.

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1.0 General

1.0 Replacement or additional wind turbine attic vents must be mounted in the rear portion of the roof so that they are not visible from the street in front of the Residential Unit. The vents must be a color that will blend with the shingle color, or be painted to match the shingle color.

1.1 Stucco and Hardiplank or their equivalents can be used in place of original wood siding, however it is not a substitute for original brick, brick veneer, stone, stone veneer, concrete, or other masonry type construction used in the original construction of the Residential Unit. Notwithstanding anything contained within these Standards, the exterior walls of all residences shall not be altered from the original building material.

1.2 Considerations for approval of an Application may also include such factors as structural integrity, architectural suitability, and aesthetic harmony with the subdivision as a whole.

2.0 Outbuildings

2.1 An "outbuilding" is defined as any Structure not designed for living that is not attached to the Residential Unit. This definition does not include bona fide additions to the Residential Unit or

Garage(s), but does include and is not limited to storage sheds, gazebos, lean-tos, swimming pool cabanas and playhouse/forts.

2.2 The materials and colors should match, blend, or otherwise be consistent with the general appearance of the Residential Unit.

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2.3 Storage sheds should have a peaked roof, no higher than six (6) feet from the ground to the highest point, and a maximum of five by eight (5x8) feet of floor space. The structure must be kept a minimum of five (5) feet off any property line and not visible from the street. Locations must also be far enough away from property-line fences to allow for drainage to occur entirely on the owner's Lot and to avoid creating a drainage problem on adjoining lots.

2.4 Any outbuilding placed on a concrete slab on top of a utility easement will require a letter from the utility consenting to the encroachment, as it will not be considered portable. If an outbuilding is on a utility easement, but is not on a slab and can be moved, the ACC will consider it as portable.

3.0 Basketball Goals

3.1 Basketball goals must be placed on the side of the driveway, as far to the rear of the property as possible. Basketball goals must be located so that errant or stray basketballs do not promote play in adjacent neighbors' yards.

3.2 The basketball goal backboard, net and post must be maintained in usable condition. Basketball goals not maintained will be required to be removed.

3.3 Only one basketball goal per lot will be permitted.

3.4 Basketball goals are not allowed to be placed in the street at any time.

3.5 Basketball goals may not be affixed to the front of the Residential Unit where the Residential Unit contains a garage as a part of the dwelling.

4.0 Patio Covers

4.1.1 Patio covers should be constructed of materials that complement the Residential Unit and must be integrated into the existing roof line and if attached must be flush with the eaves. Allowable construction materials include:

- a. Painted wood to match the trim of the Single Family Detached residence.
- b. Treated wood or naturally rot and insect resistant woods (such as cedar and redwood) may be used. Staining or painting may not be required. All other woods must be painted or stained to match the trim of the Residential Unit.
- c. Supports must be brick or painted wood. No pipe is allowed.

5.0 Carports

5.1 Carports are not permitted.

6.0 Additions to Buildings/Demolition and New Construction

6.1 Construction of an Addition to a Residential Unit is not permitted.

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7.0 Demolition and New Construction

7.1 The demolition of an existing structure must not physically impact the adjoining Lots.

7.2 If the Lot is to be left vacant for any period of time, it must be kept clean of all debris and the grass and weeds must be kept mowed and edged as a lawn.

7.3 The design of the new construction should be architecturally and esthetically compatible with the other Single Family Detached residences in the Spring Creek Court Subdivision.

7.4 Approval by ACC does not relieve the homeowner from the responsibility of obtaining required permits from governmental agencies having jurisdiction over the project. Any construction done without the required permits constitutes a violation of the approval of the homeowner's Application for the construction that was obtained from the ACC and will require the homeowner to re-file the Application and obtain approval from the ACC before construction continues.

7.5 Building materials placed on Lots prior to the commencement of any Alterations must be kept in a neat, clean, and orderly condition. No materials may be placed on the street or on the easement adjacent to the street.

7.6 If used for construction, trash dumpsters must be placed in the homeowner's driveway. All debris must be kept in the dumpster and not allowed to collect around it.

7.7 The construction site must be fenced off with warning fencing.

8.0 Exterior Painting

8.1 Exterior colors must be approved by the ACC, even if a homeowner intends to paint in accordance with an original color scheme. Color of brick used in the Single Family Detached residence and the color of neighboring Single Family Detached residences are considerations.

Extremely bold colors or patterns are prohibited. Painting of brick, stone or other masonry is not permitted.

8.2 Exterior paints and stains for each Residential Unit shall be selected to complement or harmonize with the colors of other materials with which they are used.

8.3 Trim colors should compliment the principle color of the Residential Unit and generally stay within the earth tone color family. Extremely bold colors or patterns are prohibited.

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8.4 Replacement front doors must be of a design similar to that which was original fitted to the Residential when originally constructed. Painted front doors and painted fencing are prohibited

9.0 Windows and Doors

9.1 The window frames, windows and doors must be of a style and color that is compatible with the exterior colors and general appearance of the Residential Unit.

9.2 All storm doors must be a full glass door. No screen doors are allowed as front doors.

9.3 Materials, colors and glazing patterns of windows that are visible from any street must complement the existing architectural theme of the Residential Unit and that of other dwellings in Spring Creek Court.

10.0 Decks

10.1 Construction materials should be compatible with the Residential Unit. Treated wood or naturally rot and insect resistant woods (such as cedar and redwood) may be used, in which case staining or painting may not be required. All other woods must be painted or stained to match the trim of the Residential Unit.

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

10.3 Decks should not be situated such that they do not interfere with the effective drainage of the property or adversely affect drainage of a neighboring lot.

10.4 The floor of a deck higher than twelve (12") inches above the ground is not permitted.

11.0 Swimming Pools and Spas

11.1 No pool or spa of any type, including any associated decking may encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment.

11.2 Any pool or spa should be located at least five (5) feet from any side or rear property-line to assure proper drainage on the Lot. The pool must meet all building-line and easement restrictions on the recorded plat and in the Deed Restrictions. Pools should not be situated such that they interfere with the effective drainage of the property or adversely affect drainage of a neighboring Lot.

11.3 All private swimming pools and spas shall be completely enclosed by a safety fence when access to a pool is unencumbered

11.4 Above-ground pools are not permitted.

11.5 Pools are to be drained to the street and into the storm drain system.

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12.0 Solar Panels/Screens/Film

12.1 Only solar panels which are unobtrusive and which blend in with the roof shingle color will be approved. Exterior materials and colors should match the Residential Unit as much as possible.

12.2 No solar panel should be mounted so that it extends above the roofline.

12.3 Solar screens are allowed on windows only if they blend with the brick and roof color. Attachment of solar window screening is preferred on the inside of the windows.

12.4 Solar window film is strictly prohibited.

13.0 Flag Poles/Antennas

13.1 Permanently affixed flagpoles are prohibited. Bracket mounted flags placed near the front entry of the Residential Unit are permitted. The display of flags that are offensive is strictly prohibited.

13.2 Freestanding antennas or satellite dishes are not permitted.

14.0 Fences, Fence Extensions, Walls and Hedges

14.1 Any fence or wall shall be no greater than eight (8) feet in height and shall be no nearer to the front property line of the Lot which it serves than the building line which is closest.

14.2 Any hedge intended for the purposes of privacy and/or security planted along a property line is subject to the approval of the ACC. The hedge shall be no higher than eight (8) feet and is subject to the same location limitations as fences and walls. The hedge must be maintained and trimmed so that it does not exceed the maximum height limit nor encroach upon the neighboring Lot.

14.3 Fence materials and style should be selected to complement or harmonize with the Residential Unit. Any painting, staining or varnishing of the fence must be approved by the ACC. Chain link fence is strictly prohibited.

14.4 No fence, wall or hedge may extend so as to encroach across the recorded front building line and may not extend beyond the actual front building line of the Residential Unit.

14.5 Repair of fences, walls or hedges must be made with similar materials and construction details as used in original fence, wall or hedge.

14.6 Gates and gate covers shall be full wooden panels to match the trim of the Residential Unit or existing fence. No chicken wire, barbwire, chain link or lattice is permitted. Wrought iron and simulated iron gates are permitted, but shall be painted black.

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15.0 Exterior Lighting

15.1 Exterior lighting should not be of a wattage or lumen count that will affect neighboring Residential Units.

15.2 Exterior decorative lights, security lights or floodlights must be aimed or shielded so as not to shine onto a neighboring property or interfere with vehicle operators.

15.3 Low voltage landscape lighting requires approval by the ACC.

15.4 Exterior lights must not impair the overall aesthetic appeal.

16.0 Landscaping

16.1 Landscaping (defined as living plants, trees, shrubs, flowers, etc. and utilization of nonliving material necessary for growth, e.g., bark, mulch, etc.) is generally not subject to ACC review. However, in circumstances wherein such landscaping is intended to accomplish a structural object, such as a property-line hedge or a visual barrier, such hedge or visual barrier is subject to approval by the ACC.

16.2 All lawns must be kept mowed, edged, and in an attractive condition on a weekly basis. Failure to maintain a lawn could result in the exercise of the Spring Creek Courts Homeowners Association's right to mow and edge the lawn and charge all costs back to the Owner. In the event a homeowner has been served notice of a continued delinquency with regard to lawn maintenance and the Board elects to mow and edge, the Board is under no obligation to contract a low-bid contractor.

16.4 Trellises, arbors and permanent brick borders visible from the street, must be approved by the ACC. Window boxes are not permitted.

17.0 Driveways, Sidewalks

17.1 Any concrete spilled, poured, or washed on a street must be immediately removed leaving the street clean and unstained.

17.2 Driveways must be maintained in good condition and clear of debris at all times.

17.3 Painting a topcoat on driveways and sidewalks is not permitted.

18.0 Window Air Conditioners

18.1 Auxiliary window or wall-type air conditioners are not permitted.

19.0 Exterior Window Treatment

19.1 Exterior window treatments (such as shutters, storm windows) should be consistent with the color of the exterior shell and trim, and with the general appearance of the Residential Unit.

19.2 Awnings are strictly prohibited.

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20.0 Signs/House Numbers

20.1 No sign of any kind shall be displayed to the public view except one sign of not more than 5 square feet, advertising the property for sale or rent. The Board may authorize additional signs.

20.2 The Board of Directors asks that political signs be put up no more than 30 days before the election involved and that the signs be taken down immediately after the election.

20.3 Small signs indicating home security systems must be placed next to the Residential Unit.

20.4 School booster signs placed next to the Residential Unit are authorized unless they are displayed in a manner that the Board deems them to be a nuisance.

20.5 All other signs promoting, advertising or announcing a commercial enterprise are not allowed.

20.6 House numbers may not be placed on the Residential Unit except as originally constructed by the builder.

21.0 Lawn Chairs

21.1 Lawn chairs and tables are not permitted on front porches, in front yards, in side yards in public view, in driveways or in streets at any time.

22.0 Trailers, Boats, Jet Skis, Campers, Recreational Vehicles, etc.

22.1 No temporary Structure (sales structure, trailer, travel trailer, tent, shack, garage, barn or other outbuildings) shall be used on any lot at any time as a residence, either temporarily or permanently.

22.2 Trailers, boats, jet skis, campers, recreational vehicles, or other similar vehicles shall be stored out of public view at all times and shall not be connected to utilities within a lot.

22.3 No dwelling, motor home or manufactured housing previously constructed elsewhere may be moved onto any lot in Spring Creek Court.

23.0 Trash, Recycling and Yard Clippings

23.1 Trash, recycling and yard clippings may not be placed at the curb prior to darkness on the day before scheduled pickup. These materials must be bagged or containerized or secured in a manner that prevents trash and debris from blowing onto the street or adjoining Lots. Garbage and recycling containers shall not remain in public view beyond the day of scheduled pickup. The placement of trash or recycling containers in the street is prohibited at all times.

24.0 Parking

24.1 Vehicles are to be parked in the garage or in the driveway. The parking of unregistered or inoperative vehicles is not permitted in driveways or the streets of Spring Creek Court at any time.

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Homeowners should appeal to family members, guests and tenants to avoid parking on the street curbing. Parking within 25 feet of a fire hydrant is illegal; violators will be reported and cited.

24.2 The parking of advertised or non-advertised commercial vehicles on the streets or in homeowners' driveways in public view is strictly prohibited at all times.

24.3 Any vehicle that is found parked in a manner that impedes other homeowners' access to their driveways will be towed without notification at the expense of the towed vehicle owner.

25.0 Outdoor Grills

25.1 Outdoor cooking grills are permitted in back yards only. The placement of outdoor cooking grills in driveways, front yards, side yards in public view, or in the street is strictly prohibited at all times.

26.0 Bicycles, Toys

26.1 Bicycles and children's toys must be removed from the street, driveway or front yard when not being used. Parents are directly responsible for the enforcement of this control. Parents are responsible for ensuring that their children are not impeding vehicular traffic while at play.

27.0 Unlicensed, Motorized Sport Vehicles

27.1 The operation of unlicensed, unregistered motorized sport vehicles such as 4-wheel all-terrain vehicles is expressly prohibited on the streets of Spring Creek Court at all times. Violators will be subject to the jurisdiction of Precinct 4 Constables, Harris County Sheriff Deputies and any other law enforcement agency that may have jurisdiction in Spring Creek Court. Violators will be reported to local law enforcement and are subject to citation, arrest, or both.

28.0 Garden Hoses and Portable Lawn Sprinklers

28.1 Portable sprinklers and watering hoses are not permitted to be left in the front or side (public view) yard, or driveway. Watering hoses and portable sprinklers must be removed from public view after they are used on any given day. If stored outside, watering hoses must be kept in a hose caddy on the side of the Residential Unit, and not wrapped around a water faucet in public view or stored at the front of the Residential Unit or driveway.

29.0 Unfettered Access to Streets and Homeowner's Driveways

29.1 At no time shall any homeowner, tenant or guest assemble people in a way that results in restricted vehicular or pedestrian traffic, or disturbs the peaceful living of any homeowner in any way. Streets must be clear to accommodate fire department emergency response equipment at all times. Homeowners should park in their garages or driveways and avoid parking in the streets.

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30.0 Display of Holiday Decorations

30.1 Holiday decorations, including lighting, may be placed on a Residential Unit as long as such decorations and lighting are removed within seven (7) days following the holiday being celebrated. Permanently attached holiday lighting is prohibited.

31.0 Fireworks, Cleanup, Noise

31.1 To provide a measure of safety for all homeowners and their families, all aerial fireworks are prohibited in Spring Creek Court. Aerial fireworks are those that, when ignited, launch into the air.

Fireworks that burn/glow on the ground are permitted provided that the use of these is monitored by an adult. Children are expected to be supervised by an adult.

31.2 All fireworks debris must be cleaned up on the morning following a fireworks event.

31.3 All homeowners in Spring Creek Court are entitled to peace and quiet. Any homeowner who violates this courtesy by creating noise that disturbs neighboring homeowners will be reported to the police immediately.

32.0 ACC Application Eligibility

32.1 Only homeowners that are current with payment of annual assessments and outstanding penalty fees are eligible to make application to the Architectural Control Committee (ACC) for alterations, modifications or improvements.

33.0 Severability

33.1 In the event that any rule in these Architectural Control Standards shall be found to be unenforceable in a court of law, that unenforceable rule shall not render the remaining rules in these Architectural Control Standards to be unenforceable, and the remaining rules shall remain fully enforceable.

Completed Application with Supporting Documents and \$25 Application Processing Fee and \$1,000 Construction Damages Deposit (if applicable) Must Be Submitted and Approved by the Architectural Control Committee Prior To Commencement of any Property Improvement or Modification.