

**FIFTH SUPPLEMENTAL
NOTICE OF DEDICATORY INSTRUMENTS
for
OAKWOOD SHORES PROPERTY OWNERS ASSOCIATION, INC.**

THE STATE OF TEXAS §
 §
COUNTY OF BRAZORIA §

The undersigned, being the authorized representative of Oakwood Shores Property Owners Association, Inc., a property owners' association as defined in Section 202.001 of the Texas Property Code (the "Association"), hereby supplements the "Notice of Dedicatory Instruments for Oakwood Shores Property Owners Association, Inc." ("Notice") recorded in the Official Public Records of Real Property of Brazoria County, Texas on October 10, 2011 under Clerk's File No. 2011041607, the "First Supplemental Notice of Dedicatory Instruments for Oakwood Shores Property Owners Association, Inc." ("First Supplemental Notice") recorded in the Official Public Records of Real Property of Brazoria County, Texas on July 3, 2013 under Clerk's File No. 2013032347, the "Second Supplemental Notice of Dedicatory Instruments for Oakwood Shores Property Owners Association, Inc." ("Second Supplemental Notice") recorded in the Official Public Records of Real Property of Brazoria County, Texas on August 5, 2013 under Clerk's File No. 2013038295, the "Third Supplemental Notice of Dedicatory Instruments for Oakwood Shores Property Owners Association, Inc." ("Third Supplemental Notice") recorded in the Official Public Records of Real Property of Brazoria County, Texas on April 7, 2015 under Clerk's File No. 2015014190 and the "Fourth Supplemental Notice of Dedicatory Instruments for Oakwood Shores Property Owners Association, Inc." ("Fourth Supplemental Notice") recorded in the Official Public Records of Real Property of Brazoria County, Texas on April 10, 2019 under Clerk's File No. 2019016322, which documents were filed for record for the purpose of complying with Section 202.006 of the Texas Property Code.

Additional Dedicatory Instruments. In addition to the Dedicatory Instruments identified in the Notice, the First Supplemental Notice, the Second Supplemental Notice, the Third Supplemental Notice, and the Fourth Supplemental Notice, the following document is a Dedicatory Instrument governing the Association:

- **Guidelines for New Home Construction and Modifications to Home and Property ("The Guidelines") Oakwood Shores.**

This Fifth Supplemental Notice is being recorded in the Official Public Records of Real Property of Brazoria County, Texas for the purpose of complying with Section 202.006 of the Texas Property Code. I hereby certify that the information set forth in this Fifth Supplemental Notice is true and correct and the document attached to this Fifth Supplemental Notice is a true and correct copy of the original.

Executed on this 10th day of April, 2019.

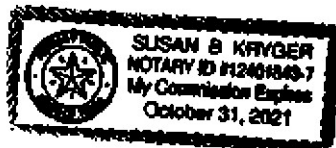
**OAKWOOD SHORES PROPERTY OWNERS
ASSOCIATION, INC.**

By: 
Eric B. Tonsul, authorized representative

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

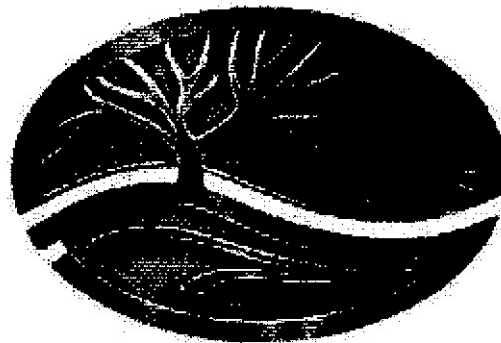
BEFORE ME, the undersigned notary public, on this day personally appeared Eric B. Tonsul, authorized representative of Oakwood Shores Property Owners Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and in the capacity therein expressed.

SUBSCRIBED AND SWORN TO BEFORE ME on this the 10th day of April, 2019, to certify which witness my hand and official seal.




Notary Public in and for the State of Texas

**Guidelines
for
New Home Construction
and
Modifications to Home and Property
("The Guidelines")**



OAKWOOD SHORES

Prepared for

Oakwood Shores Property Owners Association

By

**Planned Community Management, Inc.
a division of Severn Trent Services, Inc.**

FINAL REVIEW

**This document is being recorded as
a COURTESY ONLY by Roberts
Markel Weinberg Butler Hailey PC,
without review and without liability,
expressed or implied.**

February 20, 2019

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Introduction and Purpose

Welcome to Oakwood Shores, a 958 acre master planned community developed with estate-sized 1 to 5 acre waterfront and water access Lots accentuated by mature oak trees and dense woodlands. The community is envisioned to offer an active coastal lifestyle within Richwood, Texas, approximately 40 minutes south of all that Houston has to offer, and approximately 10 minutes north of the Gulf of Mexico.

The Guidelines serve as a supplement to the Declaration of Covenants, Conditions, and Restrictions (CCR's). New Home Construction guidelines will guide the property owner through the process and requirements of developing their Lot into their homestead. Once a property is developed, Modifications to Home and Property will provide direction for exterior additions and modifications to the constructed home and developed property. All have been conceived to enhance the long term value of the physical environment of Oakwood Shores. These guidelines are an aid in the community's goal that each property developed within it contributes in a positive way to the character and overall quality of the community and in doing so establishes particular principles and certain standards to be observed by all property owners.

Creativity and flexibility of Architectural and landscape design, tailored for the property owner's lifestyle within the framework of the community's vision, are strongly encouraged. The community also supports and promotes building and construction practices that work with the natural environment while being beneficial to the property owners both financially and environmentally. The property owner's team of designers and/or builder can, through design and construction practices, provide a home that initially and over time minimizes costs of operations.

The Architectural Control Committee (ACC) is to review and evaluate all plans and specifications for any and all proposed new construction and future improvements and alterations to or affecting the exterior of the home or property. These guidelines are to be used by the ACC in the review of builder or owner plans. The ACC, on a case by case review, may grant variances to these guidelines; and these guidelines may be revised over time.

A. New Home Construction

I. Architectural Review Process

A. Submission Procedures and Approval of Plans

In order to ensure the integrity of the development concepts defined in these guidelines, all construction of new homes will be subject to review by the Architectural Control Committee in accordance with the procedures outlined below and in the CCR's. The members of the Committee will not be liable to any person under any circumstances whatsoever in connection with its approval or disapproval of plans, drawings, or specifications, including without limitation, any liability based on soundness of construction, adequacy of plans, drawings or specifications, or otherwise.

1. Plan Review Fee and Deposit

The Plan Review Fee and Refundable Deposit shall be included with the submission. The amounts and who payments are to be made payable to are outlined on the application and/or instructions that will be provided to the applicant upon request. The application and/or instructions will also provide information concerning where to submit the application and supporting documents.

2. Application and Supporting Documents

The property owner or their builder shall submit the completed application form; a geotechnical report specific to the Lot; two (2) sets of 11" x 17" or half size documents clearly indicating items on the Lot plan such as locations, dimensions, and materials for bulkheads, docks, walkways, driveway(s), culverts, patios or any other flat work, fences and/or exterior walls, as well as easements, setbacks, and building lines. Floor plans; exterior elevations of all sides of the structure(s) indicating locations of all exterior wall materials and colors, roof materials, window types, and exterior lighting; and a clear and accurate summation of square footage; foundation plan(s) with a State of Texas registered engineer seal; and drainage plans indicating direction of drainage and swales;

Additional plans that may be required include septic system layout; landscape plans indicating location, type, and planted size of plant material; irrigation plans indicating head, valve, piping, and control locations; and any other plans or documents necessary to illustrate to the Committee how the requirements of these guidelines will be fulfilled or illustrating any other improvements to the Lot which will be constructed

concurrently with the structures such as culvert, fences, swimming pool, barn, etc.

A labeled color board(s) in digital format showing all exterior finish materials and colors to be used on the home and other improvements is also to be included. In addition, should the Committee deem it necessary to see physical samples of any materials or products, the applicant shall be prepared to present such samples for review. Where the requested samples will be delivered will be determined at the time of the request.

At this time, Builders also are required to submit a certificate of insurance demonstrating they hold Commercial General Liability insurance in the amount of \$1 Million Dollars, \$2 Million Aggregate and Automobile Liability Coverage, \$1 Million Dollars. Oakwood Shores P.O.A. is to be named as an Additional Insured with Certificate Holder Status.

The Committee shall review the submission for compliance to these guidelines, being in harmony with the community, and responding to any comments from the preliminary submittal. A letter will be issued to the applicant with the Committee's response and any comments or conditions.

3. City of Richwood Requirements

The Oakwood Shores is within the city limits of Richwood and thus builders are required to provide the City with all documents necessary to obtain building and other permits from them.

The City of Richwood provides water service to Oakwood Shores. Connection to these and applicable fees must be coordinated with them.

4. Army Corps of Engineers Requirements

All bulkheads and structures associated with, over, or in Bastrop Bayou must go through the process of and receive approval from the Army Corps of Engineers.

The Coastal Coordination Council Permit Service Center (PSC) is designed to provide basic environmental permitting information and assistance to small businesses, private individuals and local government organizations located within the Coastal Management Program Boundary. To aid in simplifying the permit process, the PSC uses a Joint Permit Application Form (JPAF) that incorporates the applications of the U.S. Army Corps of Engineers and four state agencies within the PSC boundary. The PSC also provides direct access to permitting agency staff and offers project specific assistance during the pre-application phase.

The PSC maintains offices in the upper and lower coast and may be contacted at:

(Upper Coast)

Permit Service Center
MERC Bldg. 3027, Ste, 126
200 Seawolf Parkway
TAMU-Galveston
Galveston, TX 77553
Toll free: 866 894-7664
Phone: 409 741-4057
Fax: 409 741-4010

Email: permitting.assistance@glo.state.tx.us

B. Site Operations

1. Pre-construction

- a) The Committee highly recommends photo documenting the condition of the street the full length of your Lot frontage prior to any work beginning on the property.
- b) All cleared vegetation and other debris must be removed from the Lot prior to grading the Lot's building pad. Reference Article III Section 3.15 of the CCR's.

2. Construction

- a) Builder will allow representatives from the Committee as well as the Association to inspect property without liability at any time.
- b) Construction hours shall be 7 A.M. to 8 P.M. Monday – Sunday unless exception is granted by the ACC for such activities as early concrete delivery.
- c) Noise level during construction shall not exceed such decibels as to create a nuisance to nearby residents. This is the cumulative noise level of required construction activity sources and non-required sources (radios, etc.).
- d) Food packages and associated wrappings are to be placed in an appropriate receptacle immediately after consumption and/or meal.
- e) Materials are not to be delivered and or placed on any Lot other than the Lot under construction. Stored building materials shall be kept in a neat condition so as not to detract from the appearance of the neighborhood and so as to give the visual impression from the adjacent street(s) of a clean, orderly worksite. This includes cement truck cleanouts. Cement trucks are required to clean out their remaining cement on the owners lot where the concrete is originally poured.

- f) Natural and established drainage ditches or swales shall not be driven on or through nor materials placed upon. Damage to drainage ways shall be repaired within seventy-two (72) hours or correction will be achieved and subsequent cost charged back to builder.
- g) The site is to be cleared daily of all debris that may be blown to other Lots during any type of storm activity or other high winds. Scrap materials and trash produced in connection with the construction of a house shall be kept to a confined area preferably to the side or behind the house. Roll off dumpsters are permitted off street.
- h) Builder will protect pavements, drainage ditches, landscape areas, walls/fences, culverts, streets, shoulders, utility structures (including fire hydrants, electric pull boxes, sprinkler systems, manhole covers, and valve boxes) and other property located on or adjacent to a Lot by Builder, its employees, agents, subcontractors, and suppliers. Builder will keep road rights-of-ways, easements, and other property reasonably clean and clear of equipment, building materials, dirt, debris, and similar materials.
- i) Builder is required to post an address sign no larger than two feet by two feet (2' x 2') on the Lot near the access point to the site. The sign must be of substantial construction to with stand the element for the duration of construction and contain the following information:

Site Address

Builder Name

The Builder is also allowed one sign advertising the Builder's business during the course of construction per Article III Section 3.19 of the CCR's.

- j) The use and/or possession of illegal drugs and/or alcohol on the jobsite are prohibited.
- k) Paraphernalia related to illegal drugs and/or alcohol, including empty alcohol container, bumper stickers, t-shirts, etc. is prohibited.
- l) Tobacco use or eating inside homes under construction is prohibited.
- m) Fighting, profanity, rough housing, or otherwise unprofessional behavior on the jobsite or any adjacency will not be tolerated.
- n) Vehicles shall not obstruct access to mailboxes, occupied homes, or the normal course of work.
- o) Builder, their subcontractors, their representatives or employees shall not under any circumstance use the utilities (water and electricity) of occupied homes.
- p) Builder shall keep the interior and exterior of all improvements constructed on a Lot in good working condition and repair until turned over to homeowner. This shall include, but not be limited to promptly replacing any glass, paint, roof materials, bricks, stone, or other exterior building materials or attachments which are damaged.
- q) Unless noted otherwise above, Builder must commence to cure violations within twenty-four (24) hours after receipt of written notice and/or email notification of violation and diligently proceed to complete the cure. If Builder

fails to comply, the Association may perform the work which is the Builder's responsibility and charge Builder for cost of the work. In addition, a fine of \$100.00 per day will be charged.

C. Post Construction

1. Home and Lot are to reflect the same standards as occupied homes.
2. Builder is responsible for correcting any deficiencies caused by deliveries or sub-contractors, i.e. damaged streets or culverts, ruts to adjacent properties or common areas, damage to fencing or landscape, etc.
3. Builder shall request of the Architectural Control Committee representative an inspection of the completed construction for compliance or non-compliance with these guidelines. Upon completion of the review, the ACC shall either return or withhold the deposit until such time all deficiencies are in compliance.

II. Site Planning

A. General

Emphasis at Oakwood Shores shall be towards Architecture that fits the landscape and the community image; a façade or massing of structures making a proportionately appropriate presentation to the street; the preservation of the natural beauty of the native landscape while, at the same time, providing reasonable flexibility to the property owner to make the desired and necessary improvements to their property.

B. Building Setbacks and Easements

Unless otherwise approved by the ACC, building setbacks for the primary residence are one-hundred (100) feet from the front of the property line, twenty-five (25) feet from the rear of the property line, and fifteen (15) feet from the side property lines.

For all Lots backing onto Bastrop Bayou the back building setback line shall be one-hundred (100) feet and side setback lines shall be seven and one-half (7.5) feet.

For corner Lots, building setbacks are the same as the above with the exception of the side of the lot adjacent to the street which requires a fifteen (15) foot setback.

For Lots backing onto the detention pond, per Article II Section 2.07, a thirty (30) foot wide Maintenance Easement exists.

All Lots have a seven and one-half (7.5) drainage easement on each side Lot line except when the Plat indicates other drainage easements.

If, in the opinion of the ACC, the relaxation of these standards can protect and enhance an existing natural feature such as a tree, consideration will be given for a variance on a case-by-case basis. To secure such variance, the owner/builder is required to provide evidence in the form of a tree survey or provide photographs that verify the existence and character of the site feature causing the variance request.

C. Finished Floor Elevation

The minimum finished floor elevation shall be two and eight-tenths (2.8) feet above the base flood elevation or two (2) feet above finished grade of the Lots.

D. Living Area Requirements

Article III Section 3.01 and Section 3.01 (d) of the CCR's addresses this.

E. Width of Façade/Massing of Structures

Because this is an acreage Lot community, it is the intent of these guidelines to have a width of the house as wide as possible so as to have a very spacious look from the front. Therefore, no residence shall be less than seventy-five (75) feet in width including the garage (whether attached or detached) and any wing walls the architecture may utilize. Any breezeway and/or porte-cochere between the home and garage do not count toward this minimum dimension.

F. Driveway Culverts

Driveway culverts shall be installed prior to any other construction activity on the Lot. The ditches are not to be driven through. The City of Richwood should be contacted with regards to the installation of driveway culverts. Design flow lines of the drainage ditches must be maintained throughout the construction period. The City of Richwood will coordinate with Brazoria County to place the culverts.

The Owner of the Lot is responsible for any repair, replacement, and maintenance of the driveway apron, culvert, and ditch flow line and slopes. No modifications unless approved by ARC/HOA.

G. Driveways

The drive apron must be installed after the culvert and prior to any other construction activities on the lot and shall be used as the entrance to the property for construction of residence. Either the permanent driveway of concrete or asphalt, or a compacted aggregate temporary drive shall be

constructed to prevent the tracking of mud and construction debris into the streets.

All driveways shall be constructed with a maximum width of twenty-two (22) feet at the street and must be a minimum distance of ten (10) feet from the side property line at the street and five (5) feet interior to the Lot. The width of the driveway may vary as it approaches the residence and garage. Turnaround circular drives as well as a second driveway will be considered on a case-by-case basis by the ACC.

Any additional parking provided shall be of an approved surface on a case-by-case basis.

The use of concrete, stamped and colored concrete, unit pavers as a border in conjunction with concrete paving, unit paving (brick and concrete), permeable paving (unit, poured-in-place, or aggregate) is permitted. Color, pattern, and design will require the approval of the ACC prior to construction. Aggregate driveways must be maintained in a neat, weed-free, rut, and pothole free condition. Decomposed granite as an aggregate paving is not permissible.

H. Mailbox

Gang mailboxes are utilized by the U.S. Postal Service. Contact the Angleton Post Office at 979-849-7500, they deliver mail to Oakwood Shores. They will provide you with your key for the mail box. You will need to provide them with information showing you are owner of the addressed property.

I. Site Layout

Because of the large size of estate Lots, and due to the long distances between residences, consideration should be given to site buildings with regard to views and site lines. In so doing, the siting of the structure(s) should take into consideration such factors as the views from adjoining roadways, relationship to adjoining lots and structures, preservation of existing trees, and relationship to utility connections.

Site layout is encouraged to take advantage of and/or remedy affects of solar orientation while still generally facing the structure towards the fronting street. Thoughtful orientation working with the sun's track across the Lot throughout the year in conjunction with other aspects of home construction can significantly reduce energy expenses. Siting the structure(s) with respect to existing or proposed trees can often lessen the effect of unavoidable solar exposure.

J. Tree Protection / Preservation

The following procedures are recommended to ensure the survival and good health of trees existing within Oakwood Shores. The owner/builder should use the following guidelines to preserve and protect trees on the construction site.

Where tree clusters are preserved, owner/builder is encouraged to also preserve understory if possible. This helps maintain conditions around existing root systems.

Placement of utilities within the drip line is detrimental to chances of survival of trees. If routing utilities outside the drip line is not possible, keep trench area to a minimum and adhere to tree protection methods described in previous section. In some cases, consider boring under the tree root system.

Pruning to provide clearance for structures, vehicular traffic, and construction equipment shall take place before construction begins. Trees approved for removal shall be removed in a manner which does not impact trees to be preserved.

When installing concrete adjacent to the root zone of a tree use a plastic vapor barrier between the concrete and the soil to prohibit leaching of lime into the root zone.

K. Drainage

Oakwood Shores has been designed and constructed utilizing surface drainage in the form of ditches and swales. Thus, during large storm events, ponding of water should be expected to occur to the extent it may have prior to development, but such ponding should not remain for an extended period of time.

The Owners shall not re-grade or construct any improvements or other obstruction on the Lot which adversely affects the designed drainage flow. The Owner shall be responsible for returning any drainage swale disturbed during construction or thereafter to its original line and grade, and the Owner shall be responsible for maintaining the drainage ditches or swales appurtenant to said Owner's Lot in their original condition during the term of his ownership.

Reference Article III Section 3.13 of the CCR's for more on drainage requirements.

L. Sediment Control

All Owners and/or Builders shall comply with the National Pollutant Discharge Elimination Rules and Regulations applicable to their respective Lot(s) as required by EPA under the Water Quality Act of 1987 amending the Clean Water Act, as said laws, rules and regulations may be amended from time to time. Builders shall be responsible for filing and securing all necessary permits.

In order to maintain clean streets and prevent siltation into drainage channels, all projects in Oakwood Shores are required to practice sediment control during construction. As soon as site disturbance commences, sediment control methods shall be installed in such a way as to filter all storm water runoff from the tract into the street. The sediment control system shall remain in place and in good repair until construction is complete, landscaping is installed, and lawns are established. Builder shall inspect the system after each precipitation event at the Lot, but not less than once a month. At that time any corrective measures must be taken. Failure to do so may result in moneys being withheld from the deposit.

M. Sewage Facility

Lot Owners are responsible for the permitting of on-site sewage facility for sewage disposal. Reference Article III Section 3.08 of the CCR's for additional information.

III. Architectural Design and Materials

The general purpose of this section is to encourage variety, diversity, interest, and individuality in home Architecture. Homes should reflect regional traditions and respond to the character design requirements of the Gulf Coast climate. Rather than prescribing a specific formula, the guidelines and requirements are intended to foster a thoughtful and comprehensive approach to creating an uncommonly well-designed community.

A. Massing/Scale/Proportion

It is important to keep in mind that the Lots at Oakwood Shores are not to be developed independently of their neighbors, and therefore may not be designed as stand-alone monuments. For this reason, a more organic composition is preferred: one that can coexist within view of other conscientiously designed residences.

The massing of a home should be appropriately scaled to the street or streets if on a corner Lot, and the surrounding homes. The home should have reasonable variations in its massing and should avoid large expanses on a common plane. Relief should be provided on all elevations by providing set backs which can break down the massing where possible. Pieces of the home should be scaled appropriately to each other. Logical placement of material or texture changes can significantly help in creating appropriate massing.

B. Exterior Elevations and Materials

Development of spaces for the enjoyment of outdoor living is encouraged. Porches, overhangs, trellises, and the softness of shade and shadow as a result of articulated massing and details are all desirable features of the exterior elevations.

Where a two-story home is planned next to a one-story home, it is suggested that the two-story home have a one-story element adjacent to the one-story home. Where this is not desired or possible, varying the ridge line on a two-story home help to break up the massiveness of a continuous roof line and helps in transitioning in size from two-story homes to neighboring one-story homes.

If shutters or other distinct Architectural elements are incorporated into the design of the home, it is recommended that they be featured on all elevations which face a street.

Windows must occur on all street facing elevations of homes. This requirement helps achieve a positive character for the community since it emphasizes the importance of the home when experiencing the street scene.

Primary exterior materials allowed for the home are brick, natural stone, simulated stone, fiber cement lap siding with a maximum exposure of six (6) inches, and stucco. While a variety of primary exterior materials are allowed, a maximum of three (3) are allowed on any one home. Secondary exterior materials allowed for accents are fiber cement shingle siding, natural wood timbers, and other materials considered on a case-by-case basis. The aesthetic merits of any combination of exterior materials are subject to review and approval by the Committee in order to maintain the Architectural integrity and consistent visual experience of Oakwood Shores.

C. Entrances and Windows

All openings in a structure such as doors and windows should relate to each other on all elevations both vertically and horizontally. This should occur in some clearly defined order and scattered or random placements should be avoided. Both entrances and windows should be in proportion as they relate to the building mass as a whole. All sides of a home should receive equal design consideration. Reflective glass is prohibited.

Entrances should be the focal point of the elevation which they serve. Entrances proportioned to convey a sense of human scale are more appropriate than those with exaggerated dimensions. Any grandeur should be experienced upon entering the home, not worn on its exterior façade. Recessed or protruded one-story elements add to the Architectural detail of the home.

Windows should appear as Architectural features recessed, projected, or bordered by projections that provide a shadow pattern and reduces reflectivity. All facades shall contain some degree of doors, windows, or other openings in the walls.

Consideration should be given to style in order to achieve an appropriate treatment (e.g. divided light for a traditional style, a clear single glass surface for contemporary).

If shutters are incorporated as part of the design, they should be appropriately scaled to relate to the window opening and appear authentic even if they are not. Shutters must also occur in pairs. The color must harmonize with the other colors on the house. Where shutters are used on a home located on a corner Lot, it is suggested that shutters occur on the side street elevation as well as the front. Decorative metal work associated with entrances and windows will be considered only if the Committee determines that it is compatible with the Architectural character of the home. Burglar bars are not considered decorative metal work.

D. Roof Treatment and Overhangs

The roofline of each house should create its own relationship to the street, other common areas, and to its adjacent structures when viewed from all directions. The overall profile and articulation of the roof should be sufficiently irregular to break up anything that would otherwise appear too boxy or discordant with neighboring structures. It is recommended that the roof height not exceed $\frac{3}{4}$ of the total elevation for single story homes and $\frac{1}{2}$ for two story homes.

Allowed roof materials in earth tone colors include three-dimensional architectural grade asphalt shingles with a minimum 30 year warranty, pre-finished standing seam metal, natural or simulated slate, clay tiles, and concrete tiles. No corrugated materials are allowed on the main structure. Copper roofing is encouraged over architectural accents such as bay windows. As with exterior materials, there are a variety of roof materials allowed, however, there must be only one primary roofing material and no more than one secondary roof material.

Overhangs should be compatible with the Architecture of the home and function as shading devices. Care shall be taken not to exaggerate their lengths or provide too small of an overhang. It is recommended that their use be more pronounced on eave conditions while rake conditions should receive a much more moderate overhang.

E. Chimneys and Roof Top Elements

All chimney construction must meet or exceed all applicable codes. The area measured in plain view of any one chimney shall be no less than 12 square feet and no more than 48 square feet. Chimneys may be faced with brick, natural stone, simulated stone, and stucco, or hardi-plank.

Spark arrestors and caps are required on all chimneys. The spark arrestor and cap should be unadorned, non-ornamental and designed to match or be compatible with the color and material of the exterior elevations of the home. Caps must be of metal or masonry construction.

Roof top elements including vents, utility penetrations, or other roof protrusions shall not be visible from the front street and shall be painted to match or otherwise closely match the roofing color. Roof top elements and protrusions shall be installed plumb. Gutters and downspouts, if used, shall be strategically placed to minimize their visibility from the front street. They must match or be very similar to the color of the surface to which they are attached. Downspouts must be installed plumb and in a simple configuration.

Roof and valley flashing may remain unpainted, but it is strongly recommended that this flashing be of a pre-finished color that matches the roof color.

F. Garages

Per Article III Section 3.01 (c), each residence must have an attached or detached garage that will accommodate a minimum of two (2) and a maximum of five (5) automobiles. No carport shall be erected on any lot unless expressly approved by the Committee. Consideration should be given to connecting detached garages to the main dwelling by a common roofline or a covered walkway.

If attached construction of a side-loading garage is used, a setback of five feet (5') minimum from primary front elevation of house to the face of the garage is encouraged. The face of a porch qualifies as the primary front elevation only if the porch is substantial enough to be the major focus of the façade. A front facing attached garage must be located a minimum of twenty-five (25) feet from the front facing side of a side-loading garage or the primary front elevation of the dwelling, whichever is adjacent to the garage.

All garage doors shall be of a design and of a color which does not draw attention, but rather blends with the overall massing of the home. If possible, the color of the garage door should be less conspicuous in tone from that of the trim. Treatment of details on garage doors should be consistent with the overall character of the house. Garage doors are to be left closed except for ingress and egress.

When three or more garage bays are planned, care must be taken in the design of the garage door plane

G. Architectural Lighting

Any illumination necessary for evening activities must be directed downward and no brighter than what is necessary to provide for the traverse of steps and paths. Subtle lighting of Architectural elements and trees is encouraged. Exposed lighting sources are discouraged in favor of softer down lighting that reduces glare and lights the surfaces of driveways and walks, etc. It is recommended that any exterior light should be controlled by a photocell. All exterior light fixtures shall be positioned to only illuminate the Lot they are located on.

All exterior lighting fixtures visible from the street or other public areas must be of an understated design that complements the Architectural style of the residence. Recessed "Soffit" lights are in general preferred over "Coach Lights". "Canister" type fixtures, with lighting directed downward, are permitted.

Non-decorative flood or security lights should be placed on a motion detector and/or timer.

H. Screening

All mechanical and electrical equipment must be completely screened from public view by any combination of approved trees, shrubs, walls, or fences so to not be obtrusive or offensive. Plant materials used to provide for screening must be at a state of growth which permits immediate screening results when installed.

Electrical drops that are a handoff from the electrical provider at the power pole, must be buried underground to the residents. This must be in compliance with the electrical code, when installed by the electrical contractor.

Mechanical equipment must be placed so that it does not intrude visually or acoustically on neighboring property.

I. Exterior Colors

It is the intent of Oakwood Shores to preserve the appearance of the natural landscape and preclude the use of colors that would appear out of place and, therefore, offensive to the eye.

Exterior paints and stains for each residence shall be selected to complement or harmonize with the colors of the other materials with which they are used. Siding and trim shall generally stay within the earth tone color family, although accent colors that are used judiciously will be considered on a case-by-case basis. Earth tone colors include greens in the olive, sage, and deeper ranges.

The variety and number of exterior colors on each house should be held to a maximum of three not inclusive of non-painted exterior materials and the front door.

J. Window Treatments

Interior window treatments as viewed from the exterior of the home including but not limited to drapery, blinds, and shutters shall be neutral in color.

K. Security Equipment

If security devices are being considered for installation with the new home construction, it is preferred to utilize equipment which is not visible to public view and preferably mostly contained within the home.

IV. Landscape Requirements and Materials

A. General

As homes are designed and built within Oakwood Shores, care must be taken to preserve the existing vegetation. Home placement on the site as well as any outdoor needs must be sensitive to the preservation of existing trees, natural vegetation, and all other site features which can be utilized to enhance the overall appearance of the home. Landscaping desires should be taken into account when planning the entire property.

Any clearing fifteen (15) feet beyond the building pad or two (2) feet beyond the driveway and other hard surfaces should be considered carefully for the need of this. The Association encourages the preservation of as much existing vegetation as possible.

B. Landscaping

Planting beds are encouraged at the base of the home and to screen additional improvements located on the Lot as directed by the CCR's and these Guidelines. Planting beds are recommended to be located across the front of the home and half way across both ends of the home following the articulation of the façade. This is not to preclude the desire for additional planting beds in other areas of the Lot.

Oakwood Shores encourages the use of curvilinear mulched beds with layered plantings arranged in loose organization and taking into account mature size, texture, leaf color, seasonal interest, flower color and timing of flower production, and architectural features of the home.

All areas of the Lot that have had vegetation removed, destroyed, or damaged due to construction must be re-established with a permanent vegetative cover.

Some areas of the Lot such as under existing mature trees are allowed to have a mulch bed where the shade provided by the tree is dense enough to limit the success of the grass establishment.

Decorative landscape planters may be in front of the home when constructed of precast concrete, marble, painted cast aluminum, terra cotta, or other durable materials. Wooden barrels, thin plastic or fiberglass, and other non-durable materials, are not acceptable for landscape planters or decorative accessories in front of the home.

C. Planting Materials

Oakwood Shores is located in the upper reaches of the Coastal Prairie area. Therefore, the landscaping design and plant materials shall be appropriate to that ecosystem. While tropical-look landscapes are discouraged, palm trees appropriate to the Coastal Prairie setting are included as approved plant material.

All plants must be living material. No artificial plants or flowers are permitted at anytime or in any location visible from a public street.

D. Landscape Maintenance

All landscaping is required to be maintained in a healthy and attractive appearance. Owner or occupant of all Lots shall keep all weeds and grass thereon cut and shall in no event use any Lot for storage of materials or equipment except for normal residential requirements. All yard equipment or storage piles shall be kept screened so as to conceal them from view of neighboring Lots, streets or other property.

Such maintenance includes, but is not limited to the following:

1. Prompt removal of all litter, trash, refuse, and wastes,
2. Lawn mowing and edging, to include roadside ditches to the hard surface of the street. Grass shall not be allowed to grow taller than twelve (12) inches per the City of Richwood regulations.
3. Tree and shrub pruning.
4. Keeping exterior lighting and mechanical facilities in working order.
5. Keeping lawn and garden areas alive, free of weeds, and attractive.

Proper maintenance includes adequate irrigation, appropriate fertilization, insect and disease control as necessary, seasonal mulching of planting beds and replacement of diseased or dead plant materials.

E. Sidewalks and Patios

All materials and construction should communicate high quality and craftsmanship; and be in harmony with the finish materials of the exterior of the home.

F. Perimeter and Interior Fencing and Gates must meet the requirements below and are required to be approved, prior to installation by the ACC.

Per Article III Section 3.10, Oakwood Shores requires perimeter fences which are located adjacent to fronting and side streets to be of 3-rail type wood board construction or similar design in synthetic materials, ornamental iron (tubular steel), or masonry. All other fencing may be of ornamental iron, wood, or masonry. Solid privacy fences interior to the Lot may be not closer to any street than the back of the home and shall not be taller than six (6) feet tall.

Additional perimeter fencing allowed is a 4-rail type wood panel fence or similar design in synthetic materials.

A vehicular gate of similar design to the fence adjacent to the street is allowed if the homeowner wishes to fully enclose the Lot. Rail type fences and masonry fences may have an ornamental iron gate. If the proposed vehicular gate is to be taller than the fence, the fence may be graduated in height. Ornamentation to the gate such as letters, emblems, logos, etc. is permitted, but all designs require approval from the ACC. Masonry columns of similar materials used on the home are permitted. Automatic gate operating equipment must be screened as well as possible from view and must be located on the interior of the fenced Lot.

Gates interior to the property not seen from adjacent streets may be more agricultural in nature, especially if horses are kept on the property.

When fully enclosing the Lot and there is a need to contain approved pets, the addition of 12 to 18 inch high pickets between the typically spaced pickets is the recommended solution for ornamental iron. For the rail type fences a small gauge wire mesh type fencing (not "chicken wire") may be used in conjunction with the rails.

Chain link fences are not generally allowed for fence, except they may be used for small animal pens. The pen must be 1) set to the rear of the residence (home) 2) not visible to all neighbors and from the street, 3) located against the house or garage, and 4) designed such that the animal cannot see any neighbor or street

pedestrian. Vegetation for screening or the fence material and accessories being vinyl coated may be required as part of the approval.

B. Modifications to Home and Property

I. Modifications Architectural Review Process

A. Submission Procedures

All exterior improvements, modification, alterations or additions thereto require approval in writing from the ACC prior to construction or placement. This covers new construction (after the construction of the dwelling on the property) as well as, but not limited to, room additions, barns, fences, patios, storage buildings, play equipment, swimming pools, walkways, patio covers, driveway alterations, landscaping, and exterior painting. All applications for approval to Lot or building construction, improvements, modification, alterations or additions thereto shall be submitted to the ACC in writing by fully completing the application form currently in use by the ACC. Each application must be supported by the following information:

Drawing(s) of the proposed addition/modification showing exterior views and overall dimensions (length, width, height) of the modification;
A description, brochure, and/or sample of all materials, finishes, and colors to be used including but not limited to, brick, siding, structure foundation, roofing material, and paint;

A copy of the existing Lot survey showing location of all existing structures, easements, and setbacks without the proposed modification;

A copy of the existing Lot survey showing location of all existing structures, easements, and setback lines with the proposed modification. Provide measurements shown from the modification to all property lines pertinent to its location.

The ACC reserves the right to request any additional information deemed by it to be necessary to properly evaluate the application. In the event that the ACC requests additional information and such information is not submitted by the applicant in a timely manner the application shall be denied. However, the applicant may thereafter submit a new application with the requested information to the ACC for its review.

It is the owner's responsibility to determine all easements and setbacks that exist upon their property. No construction shall occur within these easements or building set back lines. If applicable, all building permits must be in effect at the time of construction. If construction is not commenced within six (6) months of

the approved application, a new application must be submitted or an extension requested and granted by the ACC. All construction must be completed within six (6) months date from commencement.

The Committee shall review the submission for compliance with the Declaration, these guidelines, and being in harmony with the community. A letter will be issued to the applicant with the Committee's response and any comments or conditions.

B. City of Richwood Requirements

Oakwood Shores is within the city limits of Richwood and thus homeowners may be required to obtain a permit(s) for certain improvements and modifications such as barns and workshops. Approval from the ACC shall be received prior to obtaining any permits however a copy of the permit may be required to be forwarded to the ACC once it is obtained.

II. Outbuildings

A. General

The term "outbuilding" includes guesthouses, pool houses, detached garages, storage sheds, workshops, sauna buildings, dog kennels, horse barns, boathouses, any similar structure, and any combination of these. Not included in the definition are open-sided structures such as gazebos, patio covers, and pergolas. Porte-cocheres and carports are considered to be additions, not outbuildings.

Outbuildings are permitted on a Lot or a composite building site provided, however, that the outbuilding is situated in the rear yard. "Rear yard" means the property no closer to the street than the rear corner of the dwelling, and for corner Lots, also means no closer to the side street than the side corner of the dwelling.

Greenhouses are not allowed under any circumstances.

B. Size

Since outbuildings have varying uses, size requirements which are provided for in the description of each type.

C. Materials

The standard, type, quality, and color of the materials used in construction shall match or be harmonious with the standard, type, quality, and color of the materials used in construction of the main residence on the Lot.

Some outbuildings have specific materials requirements which are provided in the description of each type.

D. Guesthouses and Pool Houses

Refer to Article III Section 3.01 (a) for these requirements.

E. Storage Shed

Storage sheds shall not exceed twelve (12) feet in height at the roof peak and 300 square feet in footprint size. The outbuilding must be situated in the rear yard, concealed from the view of the front street to the greatest extent possible. On corner Lots, it shall be located away from the side street. Landscape screening may be requested by the ACC.

Storage sheds shall be constructed of brick, stucco, stone, or fiber cement siding painted to match the main house. Corrugated roofing is not permitted. All site-built sheds must be constructed on a concrete slab so as to become part of the real property. Pre-fabricated kits are also permitted for sheds. Gravel foundations are permitted under pre-fabricated sheds that are supplied with integral floors.

F. Barns and/or Shops

Barns shall be built to support a minimum of one horse up to the number of horses permitted per the acreage of the Lot. Consideration should be given to stalls, tack room, wash area, grain and other necessities storage, proper ventilation and recommendations of the National Horse Association. Architecturally, while complying with C. of this section, the structure shall be designed with recognizable elements of a traditional American barn.

The fencing associated with horse containment shall comply with these guidelines applicable to fences.

Metal materials may also be used in the construction of barns. The following addresses the use of this material for barns:

Color: All colors, including body, trim, and accent colors must be consistent and comparable in color with the Main Dwelling as determined by the ACC.

Roof: Must be color coordinated to the body, trim, and accent of the Barn as determined by the ACC; however, the roof material may be constructed utilizing shingles or metal material. If metal material roof is utilized, it must meet Texas Windstorm standards. If shingles are being utilized on both the Barn and the Main

Dwelling, both sets of shingles match in color as best as possible. Translucent panels, skylights, ridge vents are acceptable to be used on the roof.

Windows: The windows of a Barn must be constructed of the same quality, design, aesthetics, and materials utilized in the Main Dwelling. However, energy efficiency ratings do not have to be the same for the Barn as with the Main Dwelling.

Color of window frame and trim must be coordinated with the body, trim, and accent of the Barn as determined by the ACC.

Doors: The entry doors of a Barn must be constructed of the same quality and materials of entry doors utilized in the Main Dwelling. Color of entry doors must be coordinated with the body, trim, and accent of the Barn as determined by the ACC.

Horse stall doors and gates are acceptable so long as they match the overall aesthetics, color, and quality of the Barn as determined by the ACC. For the avoidance of doubt, aluminum and galvanized tubular and panel gates will not be acceptable.

Garage Doors: The garage doors utilized on Barns must be similar in overall aesthetics, color, and quality of those used on the Main Dwelling. Roll-up doors may be utilized on Barns if they roll to the inside of the Barn and are not visible from the outside. Overall aesthetics, color, and quality of roll-up doors must match the garage door used on the Main Dwelling.

Sliding and swing doors are acceptable for Barns so long as they match the overall aesthetics, color, and quality of the Barn as determined by the ACC.

Siding Material: Siding and trim materials must meet ASTM A792, SS Grade 80 and be AZSO Aluminum-Zinc alloy coated. All panels must be constructed from 1st quality steel AISC certified with no seconds or rejects. 26 gauge sheeting and trim with 80,000 high tensile material is preferred, but the ACC can approve a thinner material if Property Owner can prove to the ACC with documentation that such material meets local windstorm requirements.

Colored panels and trim must consist of Galvalume® coated substrate that is prime coated and painted with silicon-modified polyester paint backed by at least a 30-year written warranty or an equivalent as acceptable by the ACC.

Metal siding material can have a maximum rib height or depth of 3/4 inches.

Foundation: The foundation must be designed to meet local and Texas windstorm requirements and approved by local inspectors.

Flooring Material: Flooring material must be solid surfacing including aggregate, concrete, pavers, or similar as approved by the ACC. However, the floors for horse stalls can be natural materials, including sand or dirt.

Fixtures: Lighting and other fixtures must match the overall aesthetics, color, and quality of the Barn as determined by the ACC.

Flood, vapor, and security lights are acceptable so long as light is directed to the Property Owner's property. However, if an adjacent or nearby Property Owner complains about such light, the Property Owner and Acc s hall discuss remedies to be put in place.

Façade: A facade or wainscot is required and must match the overall aesthetics, color, and quality of the Barn as approved by the ACC.

Setback: As stated in the CCRs, a Barn must be set to the rear of the Main Dwelling. For avoidance of doubt, the front most part of the Barn must be rear of the back most part of the Main Dwelling.

Size: Size of Barns and/or shed may not exceed more than 70% of the square footage of the Main Dwelling square footage, or 2,100 square feet, whichever is maximum. Any lean-to square footage is considered in the 70% and/or 2,100 square feet maximum. Additionally, a barn and/or shed cannot be greater in height than the Main Dwelling, and may only consist of a single story. Barns and/or sheds must be consistent with the house and no more than a single structure shall be allowed.

Design and Drawings: Property Owner must submit construction level drawings and site location on property relative to the Main Dwelling to ACC prior to the commencement of review.

Miscellaneous Items:

Lean-too structures are acceptable so long as the items stored in such structures are maintained in tidy order. Additionally, the distance from the Barn wall can be no more 50% of the width of the Barn. Lean-too structures may be allowed on both sides of a barn and must match and be 50% of the width of each side.

The sub-committee does not recommend stand-alone metal lean-to structures that provide shade and feeding areas for horses to be accepted.

Cupolas and other trim and accent features are allowed so long as such matches the overall aesthetics, color, and quality of the Barn as approved by the ACC.

All Barn structures must meet local and Texas windstorm requirements. However, ACC may require further review to verify compliance, but such additional cost will be borne by the POA and will not extend the review period described in the CCRs.

G. Workshop

A workshop shall generally follow the guidelines established for Horse Barns and those from Article III Section 3.01 (b).

H. Piers, Docks, and Boathouses

In order to preserve adequate views and bayou clearances, strict limitations are placed on the location and size of piers, docks and boathouses at single family lots. All dimensions for these requirements are to the outside edge of the structure. All homeowners are to coordinate this work and make the proper applications to the Army Corps of Engineers and the Texas General Land Office, as applicable.

A pier or dock may be built along the back bulkhead line to allow access to bayou for fishing, swimming, and other recreational purposes. The pier may extend into the bayou a maximum allowed by the Corps of Engineers, and may have a maximum width of fifty percent (50%) of the lot width at the bulkhead line. No piers may be built within ten feet (10') of the side property lines.

Piers and docks must not significantly interfere with water flows, which could lead to the accumulation of pollutants along the shoreline or accelerate shoreline erosion. Docks or piers with open-spaced pilings allow water to circulate freely. All materials exposed to the elements shall be cedar, redwood, treated wood, concrete or steel materials. Other materials with long life expectancy will be considered.

A pier or dock may also built on Lots backing onto the community detention pond to allow access for fishing, swimming, and use of non-motorized boats. The pier may extend into the detention pond a maximum of sixteen (16) feet and be a maximum of eight (8) feet wide. No metal barrels may be used for flotation. Only extruded (closed cell) polystyrene or foam bead expanded polystyrene that is encased in a high quality protective cover may be used for flotation.

Boathouses maybe placed along the back of the lot, parallel to the bulkhead line. No living quarters, kitchens, toilets, or other facility containing plumbing fixtures shall be allowed. The boathouse may be either sixteen feet (16') wide for a single slip, or thirty feet (30') wide for a double slip. If a 16' wide single boathouse is constructed, an uncovered pier may be incorporated alongside as long as the entire structure does not exceed 30' in width. As an option, homeowners are

allowed to build a 30' wide roof structure with storage for only one boat and the remaining area used for under roof pier.

Boathouses must not extend along the back of lot more than fifty percent (50%) of the total width of the back of lot, and must stay at least ten feet (10') from side lot lines. All boathouses shall have a 5/12 hip roof with materials to match the corresponding residence or accessory building. All materials exposed to the elements shall be cedar, redwood, treated wood, concrete or steel materials. Other materials with long life expectancy will be considered. The maximum height allowable for any part of the boathouse structure is seventeen feet (17') above the bulkhead cap. The height limits for boathouses do not include cupolas that may be up to three feet higher than the main roof peak. The outside dimensions of the cupola shall not exceed four feet. No decks are allowed above boathouse structures.

Boathouses may not have any walls or screening, but may have a storage closet. This storage closet shall not exceed 32 square feet, and should extend from the pier to the boathouse ceiling. The closet shall be centered in the boathouse, and finished with fiber cement lap siding, and painted to match the boathouse. Either a single door or a pair of doors, not to exceed a total six foot opening, can be used to access the closet and must be facing into the boathouse.

No living quarters, kitchens, toilets, or other facility containing plumbing fixtures shall be allowed. A fish cleaning set-up with running water is allowed.

III. Patio Covers

A. General

A patio cover is defined as a pitched roofed structure over a paved outdoor area, either attached to another structure or free standing. The roof is a solid structure which does not allow weather to penetrate.

B. Size

An attached patio cover shall be of an architecturally appropriate size which fits seamlessly with the existing structure it is attached to.

A free-standing patio cover shall be a maximum of 500 square feet per acre rounded to the nearest acre. For example, if the Lot consists of 1.57 acres the maximum is 1000 square feet.

C. Materials

Patio covers shall be constructed of materials which either complement the main structure or match the structure it is attached to. Any wood must be weather and insect resistant, either treated or naturally. Metal finish materials are generally not permitted.

If attached to the house, it must be integrated into existing roof line (flush with eaves), and shingles must match existing roof. Thatch or thatch-like materials are not permitted as roof shingles. The entire patio cover and posts should be trimmed out to match house. Supports must be painted wood or metal columns wrapped with a veneer matching or complementing the home.

If free-standing, the trim and supports may be either painted to match the home or stained to complement the structure, the home, and/or any other adjacent finishes used.

IV. Pergola

A. General

A pergola is an open sided, outdoor structure built free-standing or attached to a structure. It is constructed of substantially sized wood members with an open framed top whose purpose is providing filtered shade and minimal weather resistance.

B. Size

Free standing pergolas will be assessed on a case-by-case basis for footprint size appropriateness for the Lot and adjacent improvements. Attached pergolas will be limited by the size and articulation of the structure they are attached to.

Free-standing pergolas shall have a maximum height at the first or lowest layer of the top structure of ten (10) feet. Pergolas attached to structures shall have this same layer align with the fascia of the structure or be set a minimal distance above the fascia and attached to the roof surfaces. When attached to a multi-story portion of the home, this same layer of the arbor shall align with the first floor plate height.

C. Materials

Arbors shall be constructed of wood resistant to weather and insects either by being treated such as pressure treated pine or naturally such as cedar, cypress, fir, and redwood. Treated pine must be painted or stained. Fiberglass and metal is not acceptable as a construction material.

Pergolas painted in a shade that contrasts with their setting will be considered by the ACC on a case-by-case basis.

V. Room Additions

A. General

Room additions shall include additions/expansions of the home, pool/patio enclosures, sunrooms, porte-cocheres, and carports. Exterior materials and colors shall match the house as much as possible.

Building permits are the responsibility of the homeowner and must be submitted to the Committee after obtaining them. Pursuit of the permit shall occur after ACC approval of the addition or any other improvement requiring a City permit.

B. Size and Materials

Size and materials will depend on architectural style and layout of home, size of lot, and how well the room addition integrates with the existing home. Roof of addition must integrate with existing roof line so as to appear to have been part of the original home.

C. Pool/Patio Enclosures

A pool/patio enclosure is any enclosure that has exterior walls constructed of a framework and screen material. Pool/patio enclosures must not encroach on any utility or drainage easement, nor shall it encroach into the building setback lines applicable Lot. Pool/patio enclosures must not interfere with drainage or cause water to flow onto any adjacent lot.

The standard, type, quality and color of the materials used in the construction of pool/patio enclosures must be harmonious with the materials used in construction of the main residence. The roof must be shingled and/or must match the existing roof; except if the roof covering is a screen patio which covers a swimming pool. The exterior color of the walls, doors, windowsills, beams, frames or other visible supports must match the exterior color of the residence.

The highest point of the pool/patio enclosures shall never exceed the first floor plate height. The patio enclosure roof shall provide an attractive slope with a minimum 4/12 roof pitch away from the house, at an angle that does not exceed that of the roof of the residence. Flat roof pool/patio enclosures are not permitted. No pool/patio enclosures shall protrude beyond the sides of the residence.

D. Sunrooms

A sunroom is defined as a patio enclosure constructed with glass walls and/or glass roofing.

Sunrooms must not encroach on any utility or drainage easement, nor shall it encroach into the building setback lines applicable to the Lot. Sunrooms must not interfere with drainage or cause water to flow onto any adjacent lot.

Supporting structural members must be of a color similar to and harmonious with the exterior 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 is permitted.

No sunroom shall have exposed air conditioning or heating duct work visible from the exterior. Window coverings are not required; however, only interior covering will be permitted.

E. Porte-cocheres and Carports

Porte-cocheres are allowed but must be of the same style, architecture, and type of materials as the main structure to which it is appurtenant.

Detached carports of any kind and attached metal carports are prohibited.

VI. Exterior Painting

Reference these guidelines under New Home Construction, Section IV, Paragraph I.

VII. Swimming Pools, Spas, and Splash Pads**A. General**

In-ground Swimming pools and spas, may be constructed only within the building setback lines, must not encroach into easements, and must allow adequate room for landscaping, drainage, and fencing. Further, pools and spas shall be within the limits of the width of the home.

Pool water and/or backwash must drain internally and not drain onto adjacent properties, including reserves and detention ponds. All aspects of swimming pool construction including the handling of backwash must comply with all current State and local codes concerning swimming pools, spas, and plumbing.

If any type of waterfall is to be incorporated into the design of a pool, spa, or pond, the dimensions and materials used must be fully specified. The height of a waterfall shall not exceed six (6) feet when measured from adjacent ground level. Other pool amenities such as slides and umbrellas may be taller, but must be of colors in harmony with the home and community. No bright colors are allowed.

Spas may be in-ground only.

B. Screening

Pool surface, deck, pool amenities, and all mechanical and electrical equipment must be fully screened from public view, including public streets, common areas and reserves, with individually or in a combination of trees, hedges, walls, or fences. The ACC may require additional landscape plantings along the perimeter of the property for proper screening

C. Fencing

Pools and spas must be completely enclosed by a perimeter fence meeting the current codes of the State of Texas. The fence may not be taller than six (6) feet. It may provide privacy or be an open fence. If it is the later, no openings, holes, or gaps larger than four (4) inches measured in any direction are allowed. Gates opening directly into the pool area must be equipped with self-closing and self-latching devices designed to keep, and capable of keeping such gates securely closed at all times. Said latching devices shall be attached to the upper quarter of such gate.

VII. Play Structures

A. General

Play structures shall be considered temporary structures secured to the ground and include but not be limited to multi-level climbing apparatus, swings, slides, trampolines, play houses, and tree houses.

Placement of a play structure must be in the rear yard so that it is screened from public view to the maximum extent possible by permanent structures and /or landscaping. If located on a corner Lot, the play structure must be placed on the interior side of the Lot. The placement of the play structure must not encroach into a building setback line or easement.

B. Size

The play structure footprint may not exceed 160 square feet in size and shall not exceed sixteen (16) feet in height. For play structures that include a climbing

apparatus and a swing and/or slide attachment, only the climbing apparatus is included in this calculation. The safety fall surface area is exclusive of this calculation as well.

C. Material

Play structures shall be constructed of materials resistant to decay, such as treated pine, redwood, cedar, cypress, fiber cement board, or masonry products matching the home. If the structure is wood, it may be left natural, stained, or painted to match the trim or color scheme of the house.

Shingled roofs shall match the shape, slope and materials of the house or garage roofs. If not, cedar shingles would also be considered. Fabric roofs, awnings or covers shall be made of canvas specifically manufactured and treated for outdoor use in muted colors.

Play structures sitting on the ground such as play houses shall sit on a free draining, compacted gravel foundation. Tree houses shall be primarily supported by post structures and minimally rely on the tree for support.

IX. Sports Apparatus

A. General

Sports apparatuses includes but are not limited to basketball goals, sport courts, soccer goals, batting cages, golf nets, and skateboard ramps.

All sports apparatus must be maintained in such a fashion that they do not detract from the community, including, but not limited to: replacement or repair of torn or missing nets, bent or broken supports or appendages, worn, broken or discolored elements, and rusted, discolored or leaning poles.

B. Basketball Goals

Basketball goals may be installed along driveways only and may not be attached to the house by any means. Goals must be located a minimum of ten (10) feet back from the face of home. Back yard goals associated with a sports court shall be placed out of public view to the fullest extent possible. For corner Lots, goals in the back yard shall be placed on the interior side of the Lot.

Backboards shall be installed with commercially made, standard sized backboards that are constructed of heavy gauge fiberglass, Plexiglas, graphite-blend or aluminum. Backboards shall be white, gray or clear. Fluorescent colors or highly graphic backboards will not be permitted.

Poles must be metal of a sufficient gauge to prevent bending. Poles shall be painted black or a color to blend in with the background when viewed from the street. Portable goals must be kept upright at all time except in the case of a high wind event.

Nets shall be white; white and black; white and red; or tri-color (red, white and blue). Fluorescent colors and chain nets are strictly prohibited.

C. Sports Courts

Sports courts may be constructed of concrete or concrete with a commercially applied coating or tiles. Sport courts must not disrupt the drainage pattern(s) of the Lot or redirect drainage onto another Lot, association property, or any other property.

D. Soccer Goals, Golf Nets, and Skateboard Ramps

These sports apparatus shall be temporary installations. They must be located in the back yard and shall be placed out of public view to the fullest extent possible. The Association may request landscape screening be added to the property to assist in this. These apparatuses shall be removed when not in use for an extended period.

E. Batting Cages

Batting cages must be located in the back yard and shall be placed out of public view to the fullest extent possible. The Association may request landscape screening be added to the property to assist in this. Any canvas windbreak, shade, or screen materials must be dark green in color. Chain link fabric is acceptable as a caging material.

F. Tennis Courts

Tennis courts shall be enclosed with black vinyl-clad, chain-link fencing, and all posts, support rails, gates and associated hardware shall be black vinyl-clad or painted to match. Tennis court fence height shall not exceed twelve (12) feet on end enclosures, and four (4) feet on side fencing. Tennis court lighting is prohibited.

G. Putting Greens

Putting greens may be surfaced with natural or artificial grass and may include chipping surfaces and/or sand traps. Flags in cups may not exceed thirty-six (36) inches in height. The putting surface, sand traps, and flags shall be screened from view from adjacent streets and Lots.

H. Firearms

Oakwood Shore is within the city limits of Richwood, Texas and the use of firearms shall be regulated by the City and the State of Texas.

X. Signage

A. General

If the types of signs and the method of display comply with Article III Section 3.19 of the CCR's and the following guidelines, it is not necessary to make an application to the ACC. However, if there is any deviation from these guidelines, it will be considered a deed restriction violation.

B. For Sale Signs

For sale signs can only be displayed in the front yards of houses, not in the right of way between the sidewalk/ditch and the street.

These types of signs cannot be posted on the home, garage doors, walls or fences.

C. Home Security Signs

The home security sign must be a professionally constructed sign of weather resistant materials. The color of the sign may be the security provider's colors.

The maximum size of the sign shall not exceed twelve (12) inches in the greatest dimension. The sign and stake shall not exceed fifteen (15) inches above ground when installed.

One (1) security sign will be allowed for a front entrance. For houses with driveway gates, one (1) security sign will be allowed in a landscaped area adjacent to the gate.

Security signs shall be placed not more than five (5) feet from the front of the home. Security signs cannot be posted on the residential unit, garage doors, walls or fences. Decals professionally prepared and provided by the security company may be placed on windows. The maximum size of window decals shall not exceed six (6) inches in their greatest dimension and decals shall not exceed four (4) in quantity when in public view.

“No Soliciting” signs are not allowed on Lots or homes, but are located at the community entry by the Association.

D. Political Signs

Political signs are permitted only on private property for all local, state, or federal election purposes. Signs may be posted not more than sixty (60) days prior to the election and must be removed within five (5) days following election. Only one sign per candidate and/or issue may be displayed on each property.

Maximum sign area cannot exceed six (6) square feet. No sign can be mounted on any exterior part of the home, garage doors, fence, or walls. When installed, the bottom of the sign cannot exceed a maximum of fifteen inches (15") above ground when installed.

E. High School and Booster Club Signs

Since Oakwood Shores is an acreage community with homes set well back from the street and the community does not wish to clutter the streetscape with signage. School, sports, and/or booster club signs are allowed on private property but must be up close to the front of the residence.

F. Contractor Signs

Permanent or temporary contractor signs are strictly prohibited. It will be the homeowner's responsibility to ensure that contractors do not display any signs on the property.

G. Garage Sale Signs

Since garage sales are not permitted in the community, garage sale signs are not allowed.

XI. Satellite Dishes and Antennas

- A. Satellite dishes and antennas are allowed and are addressed in Article III Section 3.26.

XII. Solar Energy Devices

A. General

Solar energy devices shall be located on structures located on the Lot or may be ground mounted within the back one-half (1/2) if the Lot and must not be visible from the fronting street or, in the case of a corner Lot, adjoining street and must

serve only improvements on the particular Lot on which it is located. If these locations do produce the desired amount of energy, the Solar Energy Device may be placed in the least visible location where an acceptable level of annual energy production is still possible.

The Solar Energy Device and any related mast, frame, brackets, support structure, piping and wiring must be silver, bronze or black in color commonly available from manufacturers and no advertising shall be permitted upon the Solar Energy Device or any related mast, frame, brackets, support structure, piping and wiring, other than the standard labeling included by the manufacturer.

B. Roof Mounted Devices

The Solar Energy Device and any related mast, frame, brackets, support structure, piping and wiring shall not extend above or beyond the roofline of the home or other structure upon which it is located.

The slope of the Solar Energy Device and any brackets must conform to the slope of the roof and must have all top and side edges parallel to the roofline.

C. Ground Mounted Devices

The Solar Energy Device and any related mast, frame, brackets, support structure, piping and wiring may not extend more than twelve (12) feet above the general grade of the yard.

XIII. Flags and Flag Poles

A. General

The flag and flagpole must be maintained in good condition at all times. If the flag is allowed to become faded, frayed or torn, it must be removed and replaced. If the flagpole becomes scratched, dented, leaning, or structurally unsafe, or if the paint is chipped or faded, it must be replaced, repaired or removed.

No advertising shall be permitted upon the flag or flagpole, other than the standard labeling which may be included by the manufacturer.

Attaching flagpoles to fences or trees is not permitted.

No more than one (1) ground mounted flagpole of any type may be installed on a Lot. No more than one (2) flag per Lot may be displayed at any one (1) time. The one (1) displayed flag may be (i) the flag of the United States of America displayed in

accordance with 4 U.S.C. Sections 5-10; (ii) the flag of the State of Texas displayed in accordance with Chapter 3100, Texas Government Code; or (iii) an official or replica flag of any branch of the United States armed forces.

If the United States or Texas flag is to be flown after dusk, it must be properly illuminated with an in ground or ground mounted light (maximum of two (2) fixtures) with a total of no more than 150 watts. The light must shine directly up at the flag and can not cause any type of light spillage onto adjoining properties.

Flagpoles must be constructed of metal with a finish appropriate to the materials used in the construction of the flagpole and of a color in harmony with the home and community.

Flagpoles may only be installed on the fronts of homes in front yards within the established building lines. Ground mounted flagpoles may not be placed more than ten (10) feet from the foundation of the home. Any flagpole must be installed in a manner that does not cause a view obstruction for neighbors.

Flagpole top ornamentation may only be a sphere constructed of the same material and finish as the pole, and being no greater in diameter than twice the diameter of the pole at the point of connection with the ornamentation.

A. Structure Mounted

Pole mounting fixtures may be placed on the house or garage on a permanent or temporary basis; however, poles may only be mounted when a flag is actually displayed. The flag may not exceed three (3) feet in height by five (5) feet in width.

B. Ground Mounted

Permanent in-ground flagpoles are defined as those which are installed in a concrete footing or utilize a direct-bury method, and are not meant to be removed unless the flagpole is replaced. The top of any footing or direct-bury method shall not be more than two (2) inches above adjacent grade. Permanent flagpoles shall have a flag displayed daily.

Temporary in-ground flagpoles are generally defined as those poles that are installed in a sleeve buried in the ground and are designed to allow the easy removal and reinsertion of the pole. Temporary flagpoles are for use when a flag is only going to be displayed on specific holidays or less frequently than every day. The flagpole must be removed on those days that a flag is not being displayed.

The height of ground mounted permanent flagpoles may not be taller than twenty (20) feet when measured from the adjacent ground surface. The size of

the flag must be appropriate for the height of the flagpole, but, in any event, may not exceed four (4) feet in height by six (6) feet in width.

Temporary ground mounted flagpoles shall generally be shorter and of less diameter than permanent ground mounted flagpoles. The flags will also be smaller than those flown from permanent ground mounted flagpoles, but not greater than three (3) feet in height by five (5) feet in width.

XIV. Landscape Improvements

A. General

Landscape improvement include but are not limited to the addition of planting beds and plantings, edging and low walls, walkways and patio paving, decks, ponds and water gardens, fountains, statues, sculpture, gardens, bird and bat houses, and outdoor entertaining areas.

B. Planting Beds, Plantings, Edging, and Low Walls

Section A. IV. A. – D. of these Guidelines addresses landscaping. The addition of planting beds, plantings, edging, low walls, etc. shall follow what is outlined there. Additions of and changes to existing planting beds, plantings, edging, and/or low walls must comply with the requirements of this section as well.

C. Walkway and Patio Paving and Extensions

Section A. IV. E. addresses craftsmanship and materials acceptable within the community.

Stained or painted concrete not patterned or stamped is strictly prohibited.

D. Decks

Ground level decks may not exceed twelve (12) inches in height above natural grade and may not encroach on any easement nor extend beyond the building lines.

All above ground structures shall be constructed of wood, composite wood, or masonry; metal or vinyl is strictly prohibited. If wood is used it must be weather and insect resistant such as but not limited to cedar, redwood, cypress, or treated pine. It may be painted to match the house colors, stained a natural wood color, treated with a substantially clear wood preservative, or left raw to weather naturally. If masonry is used either bricks, natural stone, simulated stone, or stucco that matches the house is allowed. In all cases, the design and materials must in harmony with the house design.

E. Ponds and Water Gardens

Ponds and water gardens shall be located in the rear or side yard and must be as screened from public view as is reasonable. If a waterfall is desired, it shall not exceed thirty-six (36) inches in height when measured from the ground. Draining, filling, and overflow considerations for the pond or water garden must be addressed when application for approval is made. The pond must not significantly alter the drainage pattern on the Lot or alter or add to the drainage patterns of an adjacent Lot or community reserve.

If aeration of the water via a water spray or display is proposed, the height of the spray shall not be greater than one-third (1/3) the shortest dimension of the water surface in the general area of the aerator.

The pond or water garden shall be maintained to provide clear, odor-free, non-stagnant water quality and healthy appearance of any plants in or surrounding the water feature. The pond or water garden shall not be a source of nuisance insects such as mosquitoes.

F. Fountains, Statues, and Sculptures

These items will be considered on a case-by-case basis, if they are not overwhelming in relationship to the house and landscaping, and only if they complement the house design.

Fountains, statues, and sculptures are not to detract from the neighborhood. Homeowners are responsible for the proper maintenance of appearance and operation.

Any lighting associated with these items shall be directed at the object only and shall not illuminate any portion of an adjacent Lot. Light levels shall be bright enough to attract attention to the object, but not so bright as to produce glare.

In most cases, statues and sculptures are more appropriate when located in the rear yard, behind a fence.

Fountains, basin, disappearing, or pottery types, are only allowed if they are located within the footprint of the home such as an alcove or courtyard, and may require additional landscape screening.

G. Decorative and Vegetable Gardens

Decorative gardens shall consist of a group of plants and other landscape materials organized for display and enjoyment. Landscape gardens shall be located in the back and side yards. Planting beds shall not disrupt the drainage pattern of the Lot or redirect drainage onto adjacent Lots or community

property. All plants shall be maintained in a healthy, thriving condition. Any walking surfaces and/or walls shall be maintained in a clean, orderly, well-kept condition.

Vegetable gardens shall be located in the back yard and shall not be greater than one quarter (1/4) the area of the back yard. Vegetable gardens should not have excessive weeds, and plants should be removed at the end of each growing season. Tall plants, such as corn and sunflowers, and plants grown on supports such as peas, shall be completely screened from view from adjoining properties and public right of ways.

H. Bird Houses and Feeders and Bat Houses

The quantity of a combination of houses and/or feeders shall not exceed seven (7) per Lot and must be placed toward the middle of the back yard. All houses and feeders shall also be located with respect to building lines and easements.

Houses and feeders must be mounted on a two (2) inch diameter metal pipe painted black. Maximum allowable size shall be two feet height by two feet wide by two feet deep unless information is provided with the application for approval indicating that the targeted species has greater requirements.

The maximum allowable pole mounting height shall twelve (12) feet unless information is provided with the application for approval indicating that the targeted species requires the house or feeder be mounted higher. Houses and feeders may not be installed on or hung from trees.

Each homeowner erecting either feeders or houses shall be responsible for the maintenance of the devices including repairs, painting and “righting” of support posts.

I. Outdoor Entertaining Areas

Outdoor entertaining areas may include but are not be limited to fireplaces, fire pits, outdoor kitchens, and roof structures.

Exterior fireplaces with chimneys shall be constructed of masonry and clad in natural or simulated masonry or brick. Chimneys shall extend a minimum of four (4) feet above the roof line of any structure it is incorporated in to. All chimneys constructed to conduct air and smoke from improvements that burn wood, alternate wood products, coal, charcoal or combustible materials other than natural gas or propane, shall have IRBC approved spark arrestors and a screen at the firebox opening. The fireplace may not be used for waste disposal of any kind. Any gas lines being run must be done by a licensed plumber. The chimney and fireplace shall meet the requirements of Chapter 10 of the current International Residential Code and all applicable amendments.

Fire pits shall be constructed of noncombustible materials and be surrounded by a noncombustible surface for a width equal to 3 times the height of the fire pit. The structure must be located at least ten (10) feet from combustible vertical and fifteen (15) feet from combustible overhead materials including overhanging tree branches and overhead roof or shade structures. Only seasoned firewood, natural gas, or other clean burning fuels may be used as fuel. The fire pit may not be used for waste disposal of any kind. Any gas lines run to the fire pit for use as fuel shall be installed by a licensed plumber. Sensible precautions are to be taken concerning amount of material being burned, height of flame, and fire extinguishing equipment being at the ready.

Outdoor kitchens may contain but are not limited to counters, grills, refrigerators, faucets, sinks, drawers, and electronic entertainment equipment. All materials, finishes, and colors being in harmony with the main dwelling; outdoor kitchen cooking equipment must be solely outdoor models concealed by outdoor counters; and all sides of the kitchen structure must be of a finished look. Plumbing any sinks or appliances requiring overflow or waste disposal to the sanitary sewer system of the Lot must conform to all plumbing codes. All exposed piping for this must be underground and/or contained within a structure. Any electricity run must be in compliance with the National Electrical Code with cable runs made underground and/or in conduits. Any gas lines being run must be done by a licensed plumber.

Roof structures are addressed in Section B. III and IV. Thatch and thatch-like materials are not allowed as shingles.

XV. Holiday Decorations

- A. Holiday decorations may be displayed for four (4) weeks prior to the date of the holiday and three (3) weeks after. Installation of unnoticeable aspects of the display such as small lighting may be installed in preparation for the display up to four (4) weeks prior to the display period.

XVI. Fencing and Fence Extensions

- A. Perimeter fencing and gates are addressed in Section A. IV. F. Any additions or extensions of the perimeter fence must conform to the guidelines found there.
- B. Privacy and/or screening fencing for such improvements as swimming pools, pool equipment, generators, compost piles, garbage cans, and any other improvement that the resident or Association wishes to be kept from public view is allowed. However, privacy and/or screening fencing are not allowed to be a part or extension of the perimeter fence.

- C. Materials and design details for the fencing must compliment the structure nearest to it. Acceptable materials are masonry, wood, composite wood, metal, exterior grade fabric, and PVC. Design details including height and location will be evaluated on a case by case basis.

XVII. Improvements Not Allowed

A. General

The following improvements are not allowed, but the solution they provide can be achieved by well thought out initial design and orientation. The Association encourages extensive exploration and fore thought when developing site and architectural plans for your Lot.

Storm Windows and Doors
Solar Screens
Power Generating Wind Turbines
Outdoor Carpeting
Burglar Bars
Window Unit Air Conditioners
Awnings and Exterior Window Shades

EXECUTED on the date of the acknowledgement set forth herein below, to be effective as set forth above.

Oakwood Shores Property Owners
Association Inc., a Texas non-profit corporation.

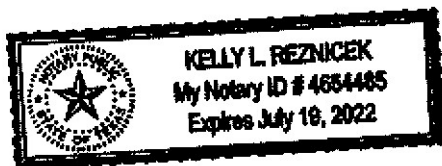
By: Cindy Moriarty
Secretary, Cindy Moriarty

STATE OF TEXAS §

§

COUNTY OF HARRIS §

This instrument was acknowledged before me on 2-20, 2019,
by Cindy Moriarty Secretary of Oakwood Shores Property Owners Association, Inc., a
Texas non-profit corporation on behalf of said corporation.



Kelly L. Reznicek
NOTARY PUBLIC - STATE OF TEXAS

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FILED and RECORDED

Instrument Number: 2019016334

Filing and Recording Date: 04/10/2019 09:08:23 AM Pages: 49 Recording Fee: \$214.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Brazoria County, Texas.



A handwritten signature in black ink, which appears to read "Joyce Hudman".

Joyce Hudman, County Clerk
Brazoria County, Texas

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cclerk-april