

**ENCLAVE AT HIGHLAND GLEN COMMUNITY ASSOCIATION, INC.
ARCHITECTURAL GUIDELINES**

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

WHEREAS, Enclave at Highland Glen Community Association, Inc. (the “Association”), a Texas nonprofit corporation, is the governing entity for Enclave at Highland Glen Community Association, Inc., Sections 1, 2, 3, 4, and 5, a subdivision in Harris County, Texas, according to the maps or plats thereof, recorded under Clerk’s File Nos. 20140402042, 20140402043, 2014040244, 20140548691, and 20140548692, respectively, in the Map Records of Harris County, Texas; and

WHEREAS, the Subdivision is governed by the Declaration of Covenants, Conditions and Restrictions for Enclave at Highland Glen, recorded in the Real Property Records of Harris County, Texas, under Clerk's File No. 20140449261 along with any amendments and supplements thereto (the "Declaration"); and

WHEREAS, Article IX, Paragraph A of the Declaration provides that the Association and Architectural Review Committee (the “ARC”) may adopt and promulgate Guidelines as to construction types and aesthetics, which may be changed, amended, or modified at any time without notice to the Owners;

NOW THEREFORE, pursuant to the foregoing, and as evidenced by the Certification hereto, the Association, through the members of the Architectural Review Committee, establish the following architectural guidelines:

Enclave at Highland Glen Community Association, Inc.
ARCHITECTURAL GUIDELINES

The intent of the Architectural Design Review is to keep the community attractive for the enjoyment of residents and for the protection of property values. The Architectural Review Committee ("ARC") is establishing these rules, standards, and procedures for the orderly development of the subdivision. The Declaration of Covenants, Conditions and Restrictions for Enclave at Highland Glen Community Association ("Declaration") requires homeowners to obtain written approval from the ARC for any building, additions, or other improvements to their property. This is to ensure the improvements comply with the provisions of the Declaration and ARC Guidelines. The Board of Directors have established these guidelines in accordance with the authority granted to them by the provisions of the Declarations and the laws of the State of Texas.

These ARC Guidelines are not all inclusive, meaning, the ARC reserves the authority to review and approve applications for building, additions, or improvements which are not explicitly described by these Guidelines and to consider additional guidelines in the review process whether published or not. These Guidelines may be amended by the Board of Directors as deemed necessary and appropriate.

Application Procedure

An Architectural Control Application ("Application") must be completed in its entirety and submitted electronically or to the address indicated on the Application. All pertinent information including plans, specifications, nature, kind, shape, height, materials and locations must be indicated on a copy of the survey. Samples of materials such as manufacturing (MFG) name and color, roof shingle MFG & color, etc. must be included with the Application.

Applications are available from the management company or on the management company's website. No Board of Director or ARC member will respond to verbal requests for application review. All applications and subsequent approvals or denials shall be made in writing.

The ARC has thirty (30) days from date of receipt of an Application to respond. If the Application is incomplete and/or additional information is required by the ARC in order to reach a decision, Applicants will be notified and shall resubmit the information necessary to complete their Application. The Applicant will allow for time required to complete the approval process.

If an Application is not approved, the ARC will state on the Application the reason(s) why such application was denied and what type of Application changes, if any, would alter that decision. If an Applicant wishes to discuss or appeal a decision made by the ARC, the Applicant shall contact the management company in writing. Please review the *ACC Denial Letter and Appeal Hearing Policy* for more information about ARC denial letters and ARC appeals.

GUIDELINES

The following are Guidelines adopted by Board of Directors to specify the community standards, and requirements considered when an application is evaluated. These Guidelines may be amended from time to time as the needs of the community and circumstances dictate. This document will be superseded in its entirety and automatically by subsequent versions.

Each Application is considered on its own merit and it is emphasized that **ARC approval is required prior to installation of any exterior construction, improvement or change.** If any modifications are made without ARC approval, the ARC or Board of Directors have the legal right to enforce its removal. Additionally, homeowners may not utilize any wording contained within these Guidelines to designate or imply automatic approval of any proposed modification prior to the formal written approval from the ARC.

Unless specifically prohibited, and upon the recommendation of the ARC, the Board of Directors may authorize a variance from compliance with any of the architectural provisions of the Declaration when circumstances may require. Circumstances in which a variance may be given include a Lot's topography, natural obstructions, hardship, aesthetic, or environmental considerations. Variances must be evidenced in writing and receive approval from the majority of the Board to be effective. **Variance requests are considered on a case-by-case basis. No granting of a variance shall be relied on by any Owner as a precedent in requesting or assuming a variance will be authorized.**

Further, the approval of any project by the ARC does not waive the necessity for the required local permits. ARC approval does not imply any type of guaranty or warranty as to the improvement proposed or subsequently made. Approval of plans and specifications shall not cover or include approval for any other purpose and specifically, but without limitation, shall not be construed as any representation as to or responsibility for the structural design or engineering of the improvement or the ultimate construction thereof. Receipt of a local permit does not waive the need for obtaining ARC approval. Additionally, this document is provided for general reference only to Lot Owners.

An ARC application must be submitted with the following items addressed: elevation, street visibility, material type, and proposed contractor.

1.0 Outbuildings

- 1.1 No structure of a temporary nature, whether recreational vehicle, tent, shack, garage, barn, large shed, tiny house, or other outbuilding shall be maintained or used on any Lot at any time as a residence, or for any other purpose with the exception of a p p r o v e d lawn storage or children's playhouses. It is the position of the ARC that gazebos are not "temporary" structures.
- 1.2 The ARC will consider the following:
 - a. Outbuilding must not be visible from the street.
 - b. The outbuilding must be located in the rear of the home and should have a peaked roof, no higher than eight (8') feet from the ground to the highest point (six feet if placed in the side yard) and a maximum floor space of eighty (80 sq. ft.) square feet. The door cannot exceed six (6') feet in width. There shall be no driveway adjacent to the outbuilding. The location of the outbuilding must also be far enough away from fence to allow for

drainage to occur entirely on the owner's lot. Detailed plans must be submitted with the Application. When outbuildings are being built up against any side or rear wall of home, its maximum height must be less than six (6') feet and may not be visible above the fence. The outbuilding must also comply with all the other requirements for proper construction, size and location as contained in the Declarations.

- c. The colors should match or blend with the predominant exterior colors of the main residence.
- d. Materials should match those of the main residence in both size and color; however, the ARC will approve small, prefabricated metal storage buildings providing the color blends with the main residence and other height, width, floor space and visibility requirements are met.
- e. Playhouses and forts must not be visible to the street or common areas of the subdivision. Tree houses are not permitted.
- f. Gazebo - Should not be situated on a Lot to cause a drainage issue for neighboring Lots. Maximum height at peak should be no taller than eleven (11') feet above grade. Gazebos will be considered on a case-by-case basis with regard to lot size, structure, visibility issues and overall harmony of the structure in relation to the community.

2.0 Basketball Goals

- 2.1 Permanent basketball goals are not allowed.
- 2.2 Temporary basketball structures are permitted, subject to ARC approval. They must be neatly placed in the driveway or on the grass near the driveway. Goals cannot be placed in the street. Goals should not be placed at the edge of the Lot, sidewalk, or driveway where basketball play in the street is encouraged.
- 2.3 Goals must be kept in excellent condition at all times with the net in place and the fixture must not be rusted, unsightly or in poor condition.
- 2.4 Basketball goals may not be attached to the house or garage.
- 2.5 Only one basketball goal per Lot is permitted.

3.0 Patio & Patio Covers

- 3.1 Installation of patio covers requires submission of plans and specifications together with a plat/survey.
- 3.2 Materials and finished paint should be compatible with the main structure.
- 3.3 Patio covers which will be attached to the house must be integrated into existing roofline (flush with eaves), and shingles must match the existing shingles on house. The entire patio cover and supports must be painted to be compatible with the house. Unfinished edges of the roof material must be framed to create a finished border. Patio covers shall not encroach into any utility easement without the written consent of the utility.
- 3.4 Patio covers must drain solely into the owner's lot.

- 3.5 Patios, which are visible to others, must be maintained for both proper structure and appearance.

4.0 Roofs

- 4.1 All roofs shall be maintained in good condition and all repairs to such are to be made with materials similar to original materials. New roof and all alternative materials will require ARC approval. An ARC application must be submitted with a color sample of proposed roofing material.
- 4.2 Roofs shall be kept free of accumulation of leaves, pine needles, and other debris.
- 4.3 Please see the *Solar Energy Devices and Roofing Materials Policy* for more information.

5.0 Room Additions

- 5.1 Detailed plans and specifications, including lot survey, for room additions must be submitted to the ARC.
- 5.2 The style and layout of the room addition must be compatible with the basic house structure and lot. Roof of the addition must integrate with the existing roofline. Additions must meet the side and backyard setbacks of the Declarations.
- 5.3 Building permits as required by the municipality (City, County, etc.) must be obtained.
- 5.4 Exterior materials and colors must conform to those already used on the home.
- 5.5 All room additions must be centrally air-conditioned, unless otherwise approved by the ARC.

6.0 Exterior Painting

- 6.1 An ARC application must be submitted with the paint mfg name and color choice a color chip (paint chips or samples does not work electronically) of the proposed primary and trim paint colors to be used attached to the application.
- 6.2 Earth tone colors were most often used when homes were constructed. In general, an earth tone color and off-white tones are preferable, but is up to the discretion of the ARC.
- 6.3 Painting any exterior brick, stone, or other masonry is not allowed.

7.0 Storm Windows and Storm/Screen Doors

- 7.1 Frames and screens must be of a color compatible with the exterior of the house colors.

8.0 Swimming Pools, Spas, and Pool Enclosures

- 8.1 Pool and pump equipment must be located behind the fence or hidden behind mature plants approved by the ARC.
- 8.2 The pool or spa should be located at least five (5') feet from a side and rear lot line to maintain proper drainage on the lot.
- 8.3 Pool enclosures will be reviewed on an individual basis. The committee finds screened enclosures acceptable providing adequate tree planting is installed as per ARC recommendations for screening.

- 8.4 The pool must include a fence and gate to prevent unauthorized entry into the pool area. Please see the *Swimming Pool Enclosure Policy* for further information.

9.0 Satellite Dishes, Antennas, and Weather Stations

- 9.1 No exterior antennas, aerials, satellite dishes, or other apparatus for the reception of television, radio, satellite or other signals of any kind shall be placed upon any portion of the Lot which is visible from any street or common area unless it is impossible to receive signals from said location. In that event the receiving device may be placed in a visible location as approved by the ARC. The ARC may require as much screening as possible while not substantially interfering with reception.
- 9.2 No satellite dishes shall be permitted which are larger than one (1) meter in diameter. No broadcast antenna mast may exceed the height of the center ridge of the roofline. No exterior antennas, aerials, satellite dishes, or other apparatus shall be permitted which transmit television, radio, satellite or other signals of any kind shall be placed upon any portion of the Property. The ARC is not attempting to violate the Telecommunications Act of 1996 ("the 1996 Act"), as may be amended from time to time. This paragraph shall be interpreted to be as restrictive as possible while not violating the 1996 Act.

10.0 Fence and Fence Extensions

- 10.1 No side fence, rear fence, or wall shall be no more than six (6') feet.
- 10.2 A six (6'') inch or less rot board may be added. The rot board is calculated into the height of the fence.
- 10.3 Fences may be stained a natural wood tone color.
- 10.4 All wrought iron fencing shall be black.
- 10.5 Decorative fencing will be reviewed on a case-by-case basis and will require ARC Approval. However, any and all additional requirements and restrictions that pertain to front and side yards will also pertain to rear yards when they are visible from other properties or the street.
- 10.6 No fence may extend nearer the front Lot line than the plane of the front exterior wall of the residential structure on such lot.
- 10.7 Fences, gates, and brick walls must be maintained in good repair. Replacement or repairs of fence and gates must be made with similar materials and construction details as used in the original fence. Fence maintenance is done by the Lot owner at their expense.
- 10.8 Chain link fences are prohibited.
- 10.9 Fence extensions which make the fence taller than six (6') ft. are prohibited.
- 10.10 Owners must obtain ARC approval for all proposed fence additions and modifications.
- 10.11 Please see the *Security Measures Policy* for additional information regarding perimeter fences.

11.0 Yard Decorations

- 11.1 On front lawns of lots and on any portion of a lot visible from any street, there shall be no

decorative items placed, such as sculptures, birdbaths, birdhouses, fountains, or other decorative embellishments, plastic lawn decorations unless such items have been approved in writing by the ARC.

- 11.2 Benches, porch swings, or tree swings, burglar bars, and decorative gates must be approved and will be reviewed on an individual basis.
- 11.3 One swing may be hung from a tree limb in the front yard. Grass underneath the swing must be maintained.
- 11.4 House numbers and family names may not be mounted on any type of freestanding structure in the front yard without ARC approval.
- 11.5 Lawn furniture and benches must be properly maintained in like new condition. Furniture should be made of ornamental iron, stone or wood or a combination of both. No plastic furniture will be permitted in the front or visible from the street.
- 11.6 Outdoor furniture/benches are limited to the front porch.
- 11.7 Wind chimes being placed in front of the house, should be removed on very windy days so it will not be a disturbance to your neighbors.
- 11.8 Please see the *Religious Display Policy* for regulations regarding permanent religious displays.

12.0 Holiday Decorations (Including Lights)

- 12.1 Lawn decorations for any Holiday are permitted without ARC approval for three weeks prior and two weeks after that holiday.

13.0 Exterior Lighting

- 13.1 Additional exterior lighting should not be of a wattage or lumen count, which will adversely affect neighboring homes. Lights shall be mounted no higher than ten (10') feet from the ground. Any type of exterior lighting requires approval by the ARC.
- 13.2 Directional lights or floodlights must be aimed as to avoid shining in the windows of neighboring homes.
- 13.3 A moderate amount of low voltage landscape lighting may be placed in the front of the house upon approval by the ARC.

14.0 Garage doors

- 14.1 Garage doors may be constructed of either metal or wood.
- 14.2 Garage doors must be maintained in good working order and appearance, (i.e. color to compliment the main structure).
- 14.3 If replacing the garage doors, an ARC application must be completed for review.
- 14.4 Pet doors which are visible from the front exterior of the Property are prohibited.

15.0 Screening

- 15.1 Air conditioners, utility boxes, garbage containers, antennas, or like equipment, must be screened from view and placed in a location first approved in writing by the ARC.

- 15.2 All screening designs, locations and materials are subject to prior written ARC approval.
- 15.3 Such screening shall be no more than six (6') feet in height.
- 15.4 A combination of trees, hedges, shrubs or fences may be used as screening material.
- 15.5 Additional screening may be required for material and equipment that is stored and within a grade view from adjacent Dwellings or the Common Area
- 15.6 All screening must be maintained in a clean and neat matter at all times and may not detract from the appearance of the Property.

16.0 Siding and Concrete Board on the Exterior Colors of Homes

- 16.1 Neutral whites, tans, grays, and earth tone colors are preferred.
- 16.2 Siding and trim must be maintained in good repair. Repairs must be made with similar materials and paint to match existing exterior.

17.0 Landscaping

- 17.1 Yards must have sod or grass or approved ground cover in the areas where there are not flowerbeds or hedges. Yards must be mowed, well-maintained, kept in a neat, tidy, and attractive condition. Flowerbeds must be weeded, well-maintained, and kept in a neat, tidy, and attractive condition.
- 17.2 Trellises, window boxes, arbors, permanent brick borders, and landscape timbers will be reviewed on an individual basis. Landscaping and landscape design elements must complement style and architecture of home and conform to color scheme of neighborhood.
- 17.3 No hedge in excess of four (4') feet in height shall be erected or maintained nearer to the front Lot line than the plane of the front exterior wall of the residential structure on such Lot.
- 17.4 No side or rear fence, wall, or hedge shall be more than six (6') feet high.
- 17.5 Dead trees, flowers, and shrubs shall be removed. Removal of live trees requires ARC approval.
- 17.6 No object (including landscaping and plants) can obstruct the site line of vehicles entering or exiting the home or street will be permitted in the subdivision.
- 17.7 Plants must be put in the ground or decorative containers where visible from the street.
- 17.8 Ponds are not allowed in the front yard.
- 17.9 Water fountains are allowed in the front and/or side yard.
- 17.10 No more than a total of four (4) plants in decorative containers can be stored on the driveway, flower beds, or tree wells.
- 17.11 Any significant changes in the existing landscaping of any Lot must receive approval from the ARC.

18.0 Swing Sets

- 18.1 Maximum height of eight (8') feet.

18.2 Must be located in the back yard only.

18.3 The ARC will consider the “height, size, location and number of Play Structures placed on a Lot, the size and configuration of the Lot, the location of the Lot in the community, the location of the Play Structure on the Lot, the type of fencing on the Lot, and visibility of the Play Structure from the streets, Common Areas, and amenities.

18.4 For play gym sets and forts see Outbuilding Sect. 1.0.

19.0 Driveways, Curbs, and Sidewalks

19.1 Homeowners shall maintain at their expense the driveway from the garage to the street, including the portion in the street easements. Repairs that become necessary must be made by the Lot Owner in a timely manner.

19.2 Driveway extensions require ARC approval.

19.3 Concrete repairs must blend with the existing concrete and work must be done in a good and workmanlike manner.

19.4 Driveways cannot be removed from the front yard.

19.5 All sidewalks in the side yard must be no greater than thirty-six (36”) inches wide. Thirty (30”) inches wide is the recommended width for the standard five (5’) foot side yard.

19.6 The cracks between cement sections (expansion joints) of curbs, sidewalks, and driveways shall be kept free of significant vegetation.

19.7 Oil or grease debris is not permitted on the driveway or in the street and must be promptly removed. Driveways must be kept free of stains, mildew, and discoloration, and should be kept in a clean, neat, attractive, and well-maintained condition.

20.0 Garage Conversions and Carports

20.1 Carports are not permitted.

20.2 Garage conversions will not be permitted.

20.3 Vehicles must be parked in the garage, driveway or on the street. Parking in front yards or on sidewalks is prohibited.

21.0 Central Air Conditioner Units, Window Air Conditioners

21.1 No window units which are visible from the exterior of the Property are permitted.

21.2 Central air conditioner units must not be visible from the street. Units must be concealed by mature shrubs or approved screening that is no more than six (6’) feet in height.

22.0 Window Shades, Awnings, & Coverings

22.1 Canvas awnings are not permitted.

22.2 Metal and wooden slat-type (exterior) shades may be allowed by the ARC if they are deemed necessary in reduction of solar exposure and installation on appropriate windows will be determined by the ARC. At no time, however, will they be allowed on windows on the

fronts of homes.

22.3 Window coverings mounted to the inside of a structure (home) that display a color to the exterior must conform to the overall color scheme of the property. Where deemed appropriate by the ARC, homeowner shall provide a neutral liner to the backside of the window covering to comply with this section.

22.4 Window coverings must be installed within three (3) months of occupying a Dwelling or any Homesite.

22.5 Only blinds, curtains, or drapes are permitted as window coverings. Non-traditional window coverings (including foil, paper, or bed sheets) are prohibited at all times.

23.0 Water Softeners

23.1 Water softener equipment must not be visible from the street and shall be properly screened.

24.0 Home & Yard Maintenance

24.1 The owner of each lot shall be responsible for the exterior maintenance which includes, but is not limited to paint, repair, and replacement and care of roofs, gutters and downspouts, exterior building surfaces, window, doors, trees, shrubs, grass, walks, and other exterior improvements.

24.2 Homes must be kept free of mildew (mold, algae, etc.) on outside structures.

24.3 Driveways and sidewalks must be kept clean, free of oil, clutter and debris.

24.4 Driveways, sidewalks, and curbs must be maintained in good repair so to function as intended.

24.5 Yards (including lawns and flowerbeds) must be kept in a neat, tidy, well maintained, and in an attractive condition, with the grass mowed, the beds free of weeds, and the curb, sidewalks, and driveway edged.

24.6 Leaves should be removed from the yard to the extent seasonal foliage changes reasonably allow.

24.7 Homes should have adequate drains to ensure that water drains from the Lot and not onto a neighboring Lot.

24.8 Residents are strongly discouraged from allowing yard waste to enter the storm sewer system.

24.9 Lot owners are responsible to clean the street in the front/side of their home when leaves, grass clippings, motor oil, trash or other items have washed, blown, or dropped on the street. Owners are responsible for the occupants of the home, guests, or visitors and are responsible to pick up the trash, litter, or debris in the streets or common areas which was dropped by an occupant, guest, or visitor to the home.

25.0 Visible Control

25.1 All clotheslines, equipment, or storage piles should be kept within the patio areas or in the backyard areas so as to conceal them from view of neighboring houses and streets. All rubbish, trash, and garbage shall be kept in containers out of street view.

25.2 Yard debris may be placed out for collection after 6:00pm on the evening before trash pick-up.

- 25.3 Trash cans should be stored in a secure place where they are not visible from the street.
- 25.4 Heavy trash must be properly bundled and placed at the curbside no more than 24 hours before the scheduled heavy trash pick-up.
- 25.5 Hazardous and restricted trash such as paint, tires, and oil may not be placed in front of the home for pickup or in view.
- 25.6 Any visible protection added to windows and/or doors as a temporary protection from a storm is to be removed no later than 14 days after the event has passed.
- 25.7 Items shall not be stored in the driveway or on the sidewalk.
- 25.8 All outdoor cooking equipment shall be stored in an area screened from public view when not in use.

26.0 Vehicles, Parking and Storage

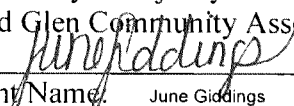
- 26.1 Storage of boats, trailers, campers, recreational vehicles, unused vehicles or inoperable vehicles must be hidden from public view and contained inside the garage and not be visible from the street.
- 26.2 Vehicles must be in good repair and have a current inspection and state inspection sticker or will be considered unused or inoperable vehicles.
- 26.3 No unsightly vehicle as determined by the board may be parked, stored or kept at any time within the subdivision unless such vehicle is stored completely within a garage.
- 26.4 Vehicles must appear to be operable with four inflated tires. Vehicles must be driven on a daily basis or stored in the garage. Wrecked vehicles may not be visibly stored on the property.
- 26.5 No visible repair work, dismantling or assembling of motor vehicles or any other machinery or equipment shall be permitted on any lot, street or common area in the subdivision.
- 26.6 No commercial vehicles or trailers are allowed overnight or for extended period of time on any property within the community.

27.0 Pets

- 27.1 No livestock or poultry of any kind shall be raised, bred, kept or maintained on any said Lot at any time except "Permitted Pets" which are dogs, cats, or other usual household pets provided they are not kept, bred, or maintained for commercial purposes or in unreasonable numbers.

CERTIFICATION

"I, the undersigned, being the Board President of Enclave at Highland Glen Association, Inc., hereby certifies that the foregoing instrument was adopted by a majority of the members of the Architectural Review Committee of Enclave at Highland Glen Community Association, Inc."



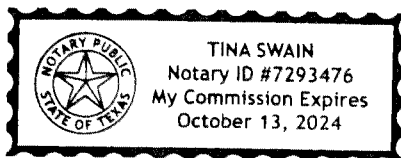
Print Name June Giddings
President

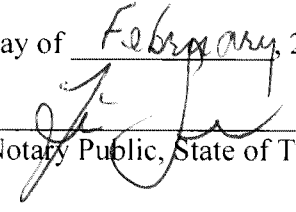
ACKNOWLEDGEMENT

STATE OF TEXAS §
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COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared June Giddings _____, the Board President of Enclave at Highland Glen Association, Inc. and known by me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that he/she is the person who signed the foregoing document in his/her representative capacity and that the statements contained therein are true and correct.

Given under my hand and seal of office this the 22 day of February, 2024.





Notary Public, State of Texas

After Recording Return To:
HOLTOLLETT, P.C.
9821 Katy Freeway, Ste. 350
Houston, Texas 77024

RP-2024-61825

RP-2024-61825
Pages 13
02/22/2024 03:38 PM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
TENESHIA HUDSPETH
COUNTY CLERK
Fees \$69.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically
and any blackouts, additions or changes were present
at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or
use of the described real property because of color or
race is invalid and unenforceable under federal law.
THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in
File Number Sequence on the date and at the time stamped
hereon by me; and was duly RECORDED in the Official
Public Records of Real Property of Harris County, Texas.



Teneshia Hudspeth
COUNTY CLERK
HARRIS COUNTY, TEXAS

RP-2024-61825