

**CERTIFICATION OF WOOD FENCING POLICY FOR  
PRESERVE AT HIGHLAND GLEN COMMUNITY IMPROVEMENT ASSOCIATION,  
INC.**

STATE OF TEXAS                   §  
  §  
COUNTY OF HARRIS           §

I, the undersigned, pursuant to §202.006 of the Texas Property Code, do hereby certify, as follows:

- (1) I am an Agent for Preserve at Highland Glen Community Improvement Association, Inc., a Texas non-profit corporation;
- (2) An Instrument titled “**Preserve at Highland Glen Community Association, Inc. ARCHITECTURAL CONTROL GUIDELINES**” is attached hereto (hereinafter the “Instrument”);
- (3) The property affected by the said Instrument is Preserve at Highland Glen, Sections 1-3, additions in Harris County, Texas, according to the maps or plats thereof, recorded in the Map Records of Harris County, Texas, under Clerk’s File Nos. 20120070541, 20130194601, and 20140291506, respectively, along with any amendments, supplements, and annexations thereto, and any additional property brought into the jurisdiction of the Association (hereinafter the “Subdivision”);
- (4) The Board of Directors for Preserve at Highland Glen Community Improvement Association, Inc., has determined to adopt, ratify, pass, and impose on the Subdivision, the Instrument;
- (5) The Instrument shall be immediately in force and shall be effective; and,
- (6) The Instrument replaces, repeals, and takes the place of, any other existing recorded or unrecorded parking and towing policies and procedures governing the Subdivision; and,
- (7) The attached Instrument is a true and correct copy of the original.

IN WITNESS WHEREOF, I have subscribed my name on this 18th day of July, 2024.

By: 

**David K. Berk, Agent for Preserve at Highland Glen Community Improvement Association, Inc.**

RP-2024-262444

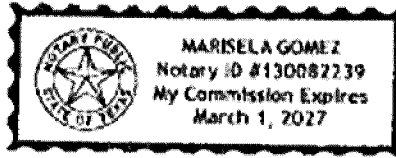
STATE OF TEXAS                   §  
   §  
COUNTY OF HARRIS           §

BEFORE ME, the undersigned authority, on the day personally appeared David K. Berk, Agent for Preserve at Highland Glen Community Improvement Association, Inc., and being by me first duly sworn, declared that he is the person who signed the foregoing document in his representative capacity and that the statements contained therein are true and correct.

Given under my hand and seal of office this 18<sup>th</sup> day of July, 2024.

*MARISELA GOMEZ*

Notary Public, Texas



RP-2024-262444

**Preserve at Highland Glen Community Association, Inc.**  
**ARCHITECTURAL CONTROL 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 Control Committee ("ACC") is establishing these rules, standards, and procedures for the orderly development of the subdivision. The Declaration of Covenants, Conditions and Restrictions for Preserve at Highland Glen Community Association ("Declaration") requires homeowners to obtain written approval from the ACC for any building, additions, or other improvements to their property. This is to ensure the improvements comply with the provisions of the Declaration and ACC 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 ACC Guidelines are not all inclusive, meaning, the ACC 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 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 ACC member will respond to verbal requests for application review. All applications and subsequent approvals or denials shall be made in writing.

The ACC 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 ACC 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 ACC 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 ACC, the Applicant shall contact the management company in writing.

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## GUIDELINES

The following are Guidelines adopted by Board of Directors to specify the standards, requirements, and the thought process used in evaluating an application. 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 **ACC approval is required prior to installation of any exterior construction, improvement or change.** If any modifications are made without ACC approval, the ACC or Board of Directors has 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 ACC formal written approval.

Approval of any project by the ACC does not waive the necessity for the required local permits. ACC 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 ACC approval. Additionally, this document is provided for general reference only to Lot Owners.

An ACC 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 approved lawn storage or children's playhouses. It is the position of the ACC that gazebos are not "temporary" structures.

1.2 The ACC 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 100 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 ACC 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 (See Basketball Goal Policy)**

- 2.1 Permanent basketball goals are not allowed.
- 2.2 Temporary basketball structures are permitted, if 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 be permitted.

## **3.0 Patio & Patio Covers**

- 3.1 Must obtain a building permit from the City of Pearland.
- 3.2 Installation of patio covers requires submission of plans and specifications together with a plat/survey.
- 3.3 Materials and finished paint should be compatible with the main structure.
- 3.4 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.

3.5 Patio covers must drain solely into the owner's lot.

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

#### **4.0 Roofs (See Roofing Material Guidelines)**

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 ACC approval. An ACC application must be submitted with a color sample of proposed roofing material.

4.2 Metal roofs are not allowed.

4.3 Roofs shall be kept free of accumulation of leaves, pine needles, and other debris.

4.4 Approvable colors are: Timberline – Charcoal and Weathered Wood.  
Elk Prestique II, GS Firehalt or equal – Weathered Wood and Black

#### **5.0 Room Additions**

5.1 Building permits as required by the City of Pearland must be obtained.

5.2 Detailed plans and specifications, including lot survey, for room additions must be submitted to the ACC.

5.3 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.

5.4 Exterior materials and colors must conform to those already used on the home.

#### **6.0 Exterior Painting**

6.1 An ACC application must be submitted with the paint name and a paint 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 ACC.

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 ACC.

- 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 lot.
- 8.3 Above ground pools are not allowed.
- 8.4 Pool enclosures will be reviewed on an individual basis. The committee finds screened enclosures acceptable providing adequate tree planting is installed as per ACC recommendations for screening.
- 8.5 The pool must include a fence and gate to prevent unauthorized entry into the pool area.

### **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 ACC. The ACC 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 ACC 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 (See Wood Fencing Policy)**

- 10.1 Wrought iron fencing must be black.
- 10.2 No fence may extend nearer the front Lot line than the plane of the front exterior wall of the residential structure on such lot.
- 10.3 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.
- 10.4 Chain link fences are prohibited.
- 10.5 Fence extensions making the fence taller than six (6) ft. is prohibited.

### **11.0 Yard Decorations**

- 11.1 Yard decorative items such as sculptures, birdbaths, birdhouses, fountains, or other decorative

embellishments must be placed within the flower beds. Plastic lawn decorations are not allowed.

11.2 Benches, porch swings, or tree swings are not allowed in the front yard.

11.3 Burglar bars and decorative gates are not permissible.

11.4 House numbers and family names may not be mounted on any type of freestanding structure in the front yard without ACC 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 is limited to one (1) set located on the porch area only.

### **12.0 Holiday Decorations (Including Lights)**

12.1 Lawn decorations will be allowed for any Holiday three weeks prior and one (1) week after that holiday.

12.2 Christmas decorations may be displayed November 1 and must be removed by January 15<sup>th</sup> of each year.

### **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 ACC.

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 ACC.

13.4 No lamp posts (gas or electric) may be installed.

### **14.0 Garage doors**

14.1 Garage doors must be constructed of metal material only.

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 ACC application must be completed for review.

14.4 Pet doors which are visible from the front exterior of the Property are prohibited.



## **15.0 Wind Turbines**

- 15.1 Wind Turbines, if possible, should be mounted in the rear portion of the roof so that they are not visible from the front or above the roofline.
- 15.2 The wind turbines, preferably should either be a color, which will blend with the shingle color or be painted to match the shingle color.
- 15.3 Wind turbines must be maintained and appear to be in good working condition.

## **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.
- 17.2 No plastic flowers in yard, garden, or potted plants
- 17.3 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.
- 17.4 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.
- 17.5 No wall or hedge shall be more than six (6) feet high.
- 17.6 Dead trees or shrubs shall be removed. Removal of live trees requires ACC approval.
- 17.7 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.
- 17.8 Plants must be put in the ground or decorative containers where visible from the street.
- 17.9 Ponds are not allowed in the front yard.
- 17.10 Water fountains are allowed in the front and/or side yard and placed in the flower bed.
- 17.11 No more than a total of four (4) plants in decorative containers can be stored on the driveway, flower beds, or tree wells.

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**18.0 FRONT YARD TREE REQUIREMENTS**

18.1 Tree must be replaced and tree stump removed.

18.2 Must have two (2) live oaks in front yard

18.3 Mexican Fan Palms and Queen Palms are prohibited.

18.4 Shade trees allowed:

Carya illinoensis  
Liquidambar styraciflua  
Pinus taeda  
Pistocia Texana  
Querrus acutissima  
Quercus borealis  
Quercus macrocarpa  
Quercus nigra  
Quercus virgimiana  
Ulmus crassifolia  
Ulmus parvifoha sempervirens

Pecan	Drake Evergreen Chinese Elm
SweetGum	Mexican Sycamore
Loblolly Pine	
Texas Pistache	
Sawtooth Oak	
Red Oak	
Burr Oak	
Water Oak	
Live Oak	
Cedar Elm	

Platanus Mexicana

18.5 Ornamental Trees Allowed

Betula nigra  
Chionanthis virginia  
Crataegus  
Ilex Opaca (and other tree form holly species)  
Ilex vomitoria  
Keolreuteria paniculata  
Lagerstroemia indica  
Ligustrun Japonicum (tree form)  
Mognolia – all species  
Murraya Paniculato  
Oxydendrum airboreum  
Pyrus calleryana ‘Evergreen’  
Pyrus calleryana Aristocrat  
Cercis canadensis (all verieties)  
Stewartia pseudocamellia  
Styrax japonica  
Styrax obassin  
Elaeocarpus Decipiens  
Taxodium distichurm

River Birch
Chines Fringe Tree
Majestic Indian Hawthorn
American Holly
Yaupon
Golden Raintree
Crape Myrtle
Waxleaf Privet
Magnolia
Orange Jasmine (tree form)
Sourwood
Evergreen Pear
‘Aristocrat’ Callery Pear
Red Bud
Japanese Stewartia
Japanese Snowbell
Fragrant Snowbell
Japanese Blueberry
Bald Cypress

**19.0 Swing Sets**

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- 19.1 Maximum height of eight (8) feet.
- 19.2 Must be located in the back yard only.
- 19.3 No type of swing may be hung from a tree limb in the front yard.
- 19.4 Location will be considered for neighbor's privacy. For play gym sets and forts see Outbuilding Sect. 1.0.

## **20.0 Driveways, Curbs, and Sidewalks**

- 20.1 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.
- 20.2 Lot Owner's responsibility to report the sidewalk to City of Pearland for repair and make sure the work has been completed.
- 20.3 Driveway extensions require ACC approval and no wider than 24" on either side of the driveway.
- 20.4 Concrete repairs must blend with the existing concrete and work must be done in a workmanlike manner.
- 20.5 Driveways cannot be removed from the front yard.
- 20.6 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.
- 20.7 The cracks between cement sections (expansion joints) of curbs, sidewalks, and driveways shall be kept free of significant vegetation.
- 20.8 Oil, grease, rust, mildew, or debris on driveways and/or sidewalks are not permitted and must be promptly removed.

## **21.0 Garage Conversions and Carports**

- 21.1 Carports are not permitted.
- 21.2 Garage conversions will not be permitted.
- 21.3 Vehicles must be parked in the garage or the driveway. Parking in the front yards or over sidewalks is prohibited.

## **22.0 Central Air Conditioner Units, Window Air Conditioners**

- 22.1 No window units visible from the exterior of the Property are permitted.
- 22.2 Central Air Conditioner units must not be visible from the street. Units must be

concealed by mature shrubs or approved screening.

### **23.0 Window Shades, Awnings, & Coverings**

23.1 Canvas awnings are not permitted.

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

23.3 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 ACC, homeowner shall provide a neutral liner to the backside of the window covering to comply with this section.

23.4 Only blinds, curtains, or drapes are permitted. Non-traditional window coverings (including foil, paper, or bed sheets) are not allowed.

### **24.0 Water Softeners**

24.1 Water softener equipment must not be visible from the street.

### **25.0 Home & Yard Maintenance**

25.1 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.

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

25.3 Driveways and sidewalks must be kept clean, free of mildew/mold, oil, clutter and debris and maintained in good repair so to function as intended.

25.4 Yards must be well maintained with the grass mowed, the beds free of weeds, and the curb, sidewalks, and driveway edged.

25.5 Leaves need to be removed from the yard.

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

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

25.8 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.

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**26.0 Visible Control**

- 26.1 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.
- 26.2 Yard debris may be placed out for collection after 6:00pm on the evening before trash pick up.
- 26.3 Trash cans should be stored in a secure place where they are not visible from the street.
- 26.4 Heavy trash must be properly bundled and placed at the curbside no more than 24 hours before the scheduled heavy trash pick-up.
- 26.5 Hazardous and restricted trash such as paint, tires, and oil may not be placed in front of the home for pickup or in view.
- 26.6 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.
- 26.7 Items shall not be stored in the driveway or on the sidewalk.
- 26.8 All outdoor cooking equipment shall be stored in an area screened from public view when not in use.

**27.0 Vehicles, Parking and Storage**

- 27.1 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.
- 27.2 Vehicles must be in good repair and have a current inspection and state inspection sticker or will be considered unused or inoperable vehicles.
- 27.3 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.
- 27.4 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.
- 27.5 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.

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27.6 No commercial vehicles or trailers are allowed overnight or for any extended period of time on any property within the community.

**28.0 Pets**

28.1 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.

28.2 No exotic pets allowed.

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# Pages 15  
07/22/2024 01:09 PM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
TENESHIA HUDSPETH  
COUNTY CLERK  
Fees \$77.00

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.



  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

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