

RIVER PARK WEST

Residential Design Guidelines

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Residential Design Guidelines

I. INTRODUCTION

RiverPark West is a Master Planned community being developed by Southwest 545, L.P. The intent of these guidelines is to establish design parameters and guidance to builders in constructing homes in the development. The intent is to achieve a consistent quality in the development as a whole. The guidelines are aimed at providing an attractive environment in the community. Design diversity is encouraged within these standards of quality to create a specific identity for each neighborhood and its product.

The Residential Design Guidelines contain the construction and development standards for RiverPark West, but do not necessarily represent all of the restrictions which may be imposed on a specific lot or subdivision section. Prior to commencing design of a home, the property deed, the recorded subdivision plat and the "Covenants, Conditions and Restrictions" should be referred to. In addition, RiverPark West is located within the extraterritorial jurisdiction (ETJ) of the City of Richmond and is, therefore, subject to Richmond's development ordinance and any other ordinance which Richmond may, by law, extend outside its corporate limits.

Although state law does not presently permit the establishment of building codes within unincorporated areas, it is the intent that construction within RiverPark West be of the highest quality. As a minimum, builders will be required to comply with the Southern Building Code.

These Design Guidelines are subject to review and revision periodically by the Developer to maintain consistency with development trends for RiverPark West. Please contact the Developer to insure the latest version is in your possession.

A. Development Description

RiverPark West encompasses approximately 545 acres of land and is a uniquely designed residential community. The plan provides for the development of approximately 1025 single-family home sites. The home sites range from 50 feet to 70 feet in width and 115 feet to 125 feet in depth. (Revised 6.1.11)

Major Elements of the Community:

- Greenbelts.
- Recreation center and neighborhood green spaces.
- Landscaping along U.S. Highway 59 and Williams Way Blvd.
- Professional landscaping around the recreation center and other common areas.
- 20-acre "Open space" detention pond.

Recreation facilities will be developed for the exclusive use of RiverPark West residents. The developer will provide the major infrastructure elements of the Community installed including all streets, utilities and any median islands.

All the improvements, by Developer, will be installed on an incremental basis according to the General Plan of the Development.

The General Plan for RiverPark West is subject to refinement and modification as project development occurs.

B. Architectural Review Committee

According to the procedures established in the "Covenants, Conditions and Restrictions" (C, C & R), the Developer will appoint a group of individuals as the members of the Architectural Review Committee (Committee).

In all land use areas, prior to the submission of plans for review by the appropriate public jurisdiction, the owners, lessees or other occupants of the parcels shall submit plans of proposed improvements for review by the Committee.

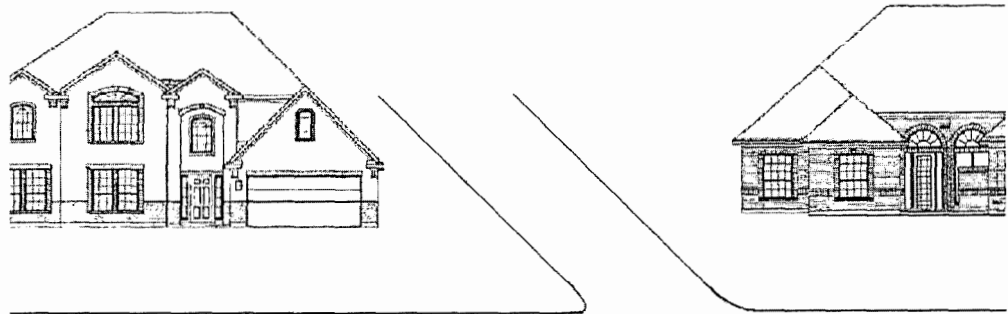
A plan review shall be initiated by a submittal of plans including a site development plan, landscape plan, architectural elevations and description of materials, colors and all other requirements as may be designated in the C, C & R as well as in substantial compliance with these Residential Design Guidelines.

II. GENERAL DEVELOPMENT GUIDELINES

Residential development within RiverPark West is encouraged to produce street scenes that have visually unique characteristics and reflect the feeling of community. Creating a street scene requires builders to coordinate their architectural designs and landscaping styles in a manner that promotes street and neighborhood individuality while maintaining a level of continuity. The purpose of this section is to identify those elements that will influence the overall neighborhood appearance.

A. Site Planning and Exterior

Where possible, corner lots are to be single story residences, or the single story portion of a double story residence is to be placed nearest the corner. Where a single story occurs next to a double story residence, the common single story elements should be adjacent to each other. When possible, all single story residences should include some variation of the roof ridge line.



B. Building Setback Lines

1. Typical setback: (Revised 6.1.11)

SETBACKS	50'	60'	70'
Typical Front Setback	As per Recorded Plat		
Typical Cul-de-sac	As per Recorded Plat		
Side Setback	5'		
Detached Garage Side	3'		
Corner Side	10'		
Rear Setback	As per Recorded Plat		

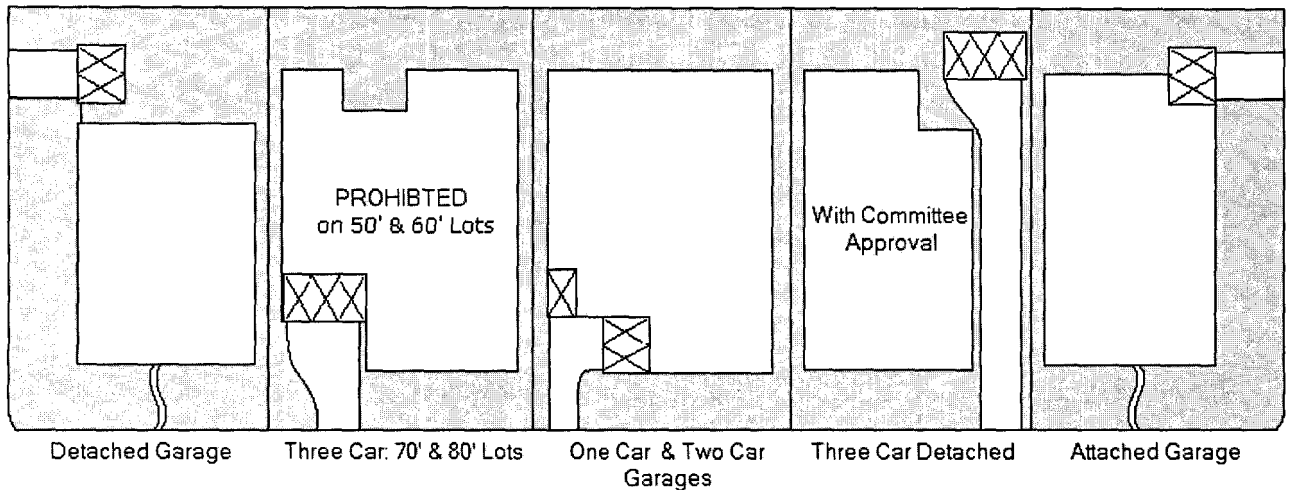
2. Pools, Spa's, Decks, Walkways:

Pools, spas, decks, and walkways, located in the rear yard, are not considered building encroachments to the side setback lines. However, a planted landscaped area of a minimum three (3) feet in width must be maintained between the fence line and the aforementioned structures.

C. Garage Placement

1. General:

ATTACHED Front Loaded	ATTACHED Side Loaded	ATTACHED Swing-In	ATTACHED Rear Loaded	DETACHED Front Loaded	DETACHED Side Loaded
One (1) Car	One (1) Car	One (1) Car	One (1) Car	One (1) Car	One (1) Car
Two (2) Car	Two (2) Car	Two (2) Car	Two (2) Car	Two (2) Car	Two (2) Car
Three (3) Car	*Three (3) Car	*Three (3) Car	Three (3) Car	Three (3) Car	*Three (3) Car
Three (3) Car Garage = all doors are side by side, facing the same direction					
Detached Garages are not permitted on lots backing Greenbelts or Open Space without ARC approval.					
*PROHIBITED on ALL Lots					



2. Entry & Collector Streets:

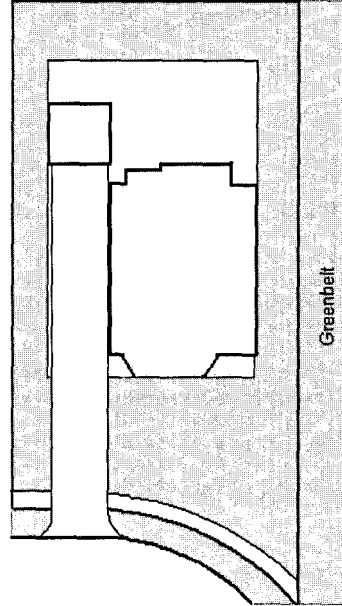
When a lot sides onto a neighborhood entry street or Collector Street, driveways and garages are to be placed near the property line farthest from the entry street.

3. Greenbelt / Open Space Lots:

Detached garages are not permitted on lots that back onto a Greenbelt or Open Space without written permission of the Committee.

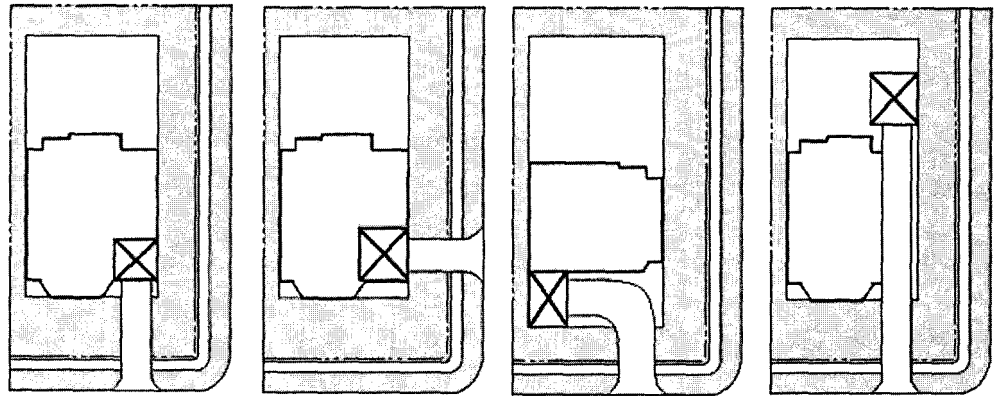
4. Siding a Greenbelt or Open Space:

When the side of a lot is exposed to a Greenbelt or Open Space, a detached garage may be allowed provided that the garage is on the side of the lot opposite the Greenbelt or Open Space.



5. Corner Lots:

On corner lots located on collector streets or entry streets to a subdivision section, detached and attached garages may not face the side street and must be placed on the opposite lot side from the side street. The lone exception to this is a rear loaded attached garage.



Prohibited Corner Lot Garage Placement

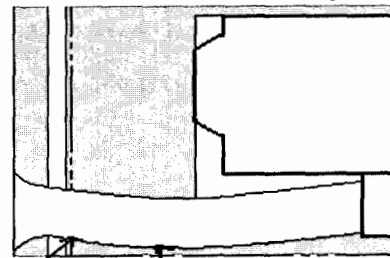
D. Driveways

1. General:

- The home builder is required to obtain appropriate permits and build driveways into the street right-of-way per City of Richmond regulations.
- To the extent possible, driveways are to be de-emphasized, highlighting instead the landscape and pedestrian environment.
- Driveways should not be constructed over inlets or manholes. In instances where this is unavoidable, compliance with county regulations, which may require inlet adjustment and/or upgrade, will be necessary.
- Driveway slopes should be uniform with smooth transitions between areas of varying pitch.

2. Driveway Setback:

Driveways shall be located no closer than two (2) feet from the side property line. Unique site conditions may require flexibility; these shall be reviewed by the Committee and a variance issued if necessary.



5' Min. at Front P.L. 2' Min. to Side P.L.

AS PER ORIGINAL

3. Driveway Widths: (Revised 6.1.11)

Garage Type	Number of Cars	Minimum at Property Line	Maximum at Property Line
Attached Front Loaded	Two (2) Car	10'	16'
	*Three (3) Car	10'	20'
Attached Side Loaded	Two (2) Car	10'	16'
Attached Swing In	Two (2) Car	10'	16'
Attached Rear Loaded	Two (2) Car	10'	16'
	Three (3) Car	10'	20'
Detached Front Loaded	Two (2) Car	10'	16'
	**Three (3) Car	10'	20'
Detached Side Loaded	Two (2) Car	10'	16'

*PROHIBITED on 50' & 60' Lots (Revised 10.1.11):

ARC may consider approval for wider Lots

**With Committee approval

4. Circular Drives:

The use of circular drives is not allowed but will only be considered by the Committee in instances where the width of the lot is sufficient to accommodate such driveways while leaving a significant amount of green space. Under no circumstances may an entire front yard be paved as a driveway.

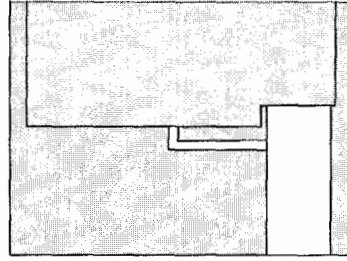
E. Sidewalks

1. Sidewalks are required along both sides of local residential streets within River Park West and are to be constructed by the home builder. Corner lots require both front and side yard frontage.
2. Sidewalks are to be plain gray concrete in color, four (4) inch picture frame edges with medium broom finish.
3. Sidewalks shall have curb ramps at all junctures with curbs. These ramps shall be installed by the Developer.
4. Sidewalks shall be 5' wide, concrete with picture frame pattern and medium broom finish are required on all residential streets and are to be constructed by the home builder.
5. Sidewalks shall be setback seven (7) feet from the back of the curb.
 - a. Locations of sidewalks are not to be varied except where required to avoid trees. Locate two (2) feet within R.O.W. line.
 - b. Where sidewalks cross driveways with decorative paving, the standard sidewalk shall abut to paving on each side of drive and align across drive.
 - c. Where sidewalks deviate from a straight line, smooth curve and true radii shall be used.
 - d. Manholes and valve boxes located within sidewalks shall be flush with the concrete paving. Adjustments of heights may be required by the Builder.

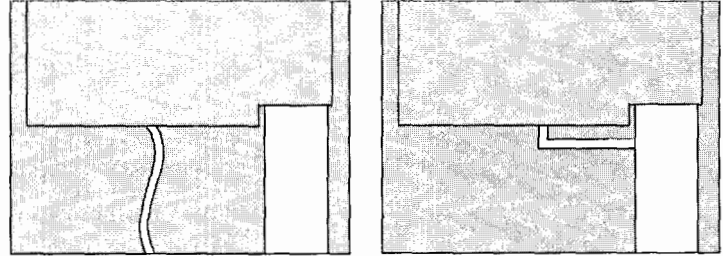
F. Walkways

1. Walkways should be a complimentary component of the site architecture and should not compete visually with the house and / or landscape.
2. Walkways shall be constructed with concrete unit masonry or quarried stone. The use of alternate materials shall require the approval of the Committee. Asphalt walkways are prohibited.
3. A walkway at least three (3) feet in width and no more than five (5) feet in width.

4. **50' Lots:**
Must have walkways from the front door to the driveway.
(Revised 6.1.11)



5. **60' – 70' Lots:**
May have walkways from the front door to the street or front door to the driveway.



6. Meandering walks, fountains and statuary within the walk and front yard require Committee approval.
- a. In those instances where a walkway parallels the front, side or rear elevation of a house, a planting area (a minimum three (3) feet in width) must be maintained between the house and walkway. In such cases, the planting area shall be planted with an appropriate ground cover or low shrub.
7. Sidewalks shall not be visually or physically broken by crossing walkways.
8. Steps at elevation changes are required on walkway slopes exceeding 4.0 percent.

G. Lot Coverage

Total coverage of residential lots shall not exceed 65% of total Lot for 1 story homes and 55% for 2 story homes. This includes Dwellings, garage, driveway, walks and other structures. Pools, spas and decks are considered structures for the purpose of calculating the lot coverage.

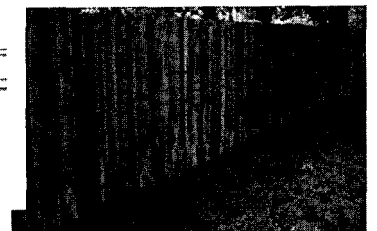
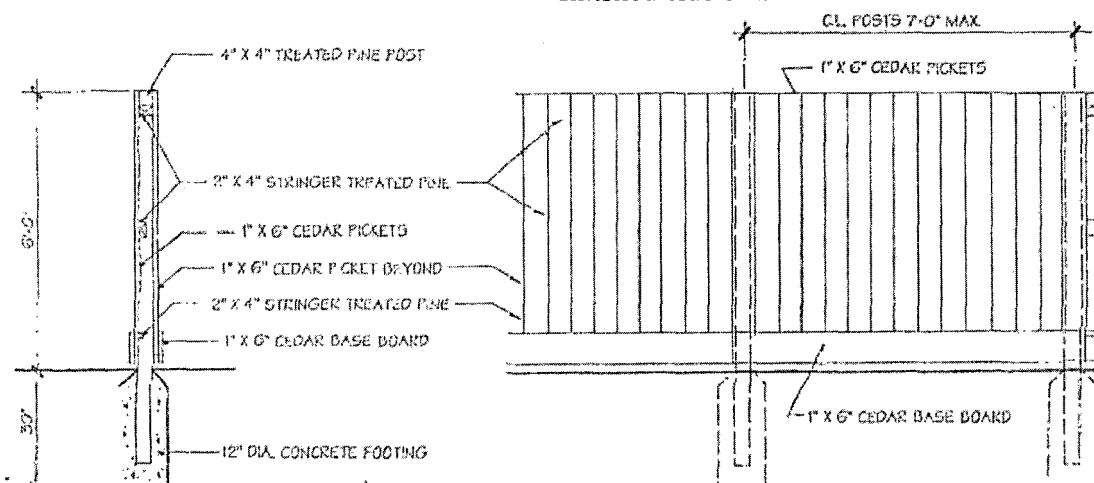
H. Fencing

1. The following fencing standards apply to all residential lots within River Park West.

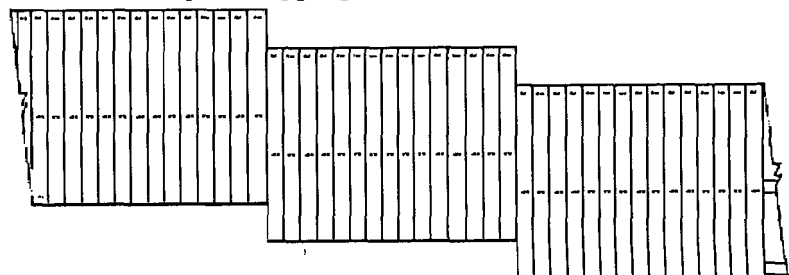
The following represents minimum fencing requirements for subdivisions where production homes or semi-custom homes are built. To insure compatibility of fence design through out the community, all fences visible from the public street that depart from the guidelines must be approved by the Committee.

a. **Finished Side Out Fencing:**

- Six (6) foot, three (3) railed wood fence with all finished side pickets facing public view.
- These shall be constructed of quality treated *cedar* for all pickets and trim boards and treated pine for all structural members in accordance with the specifications.
- The last builder to complete a home must make exposed fencing finished side out.



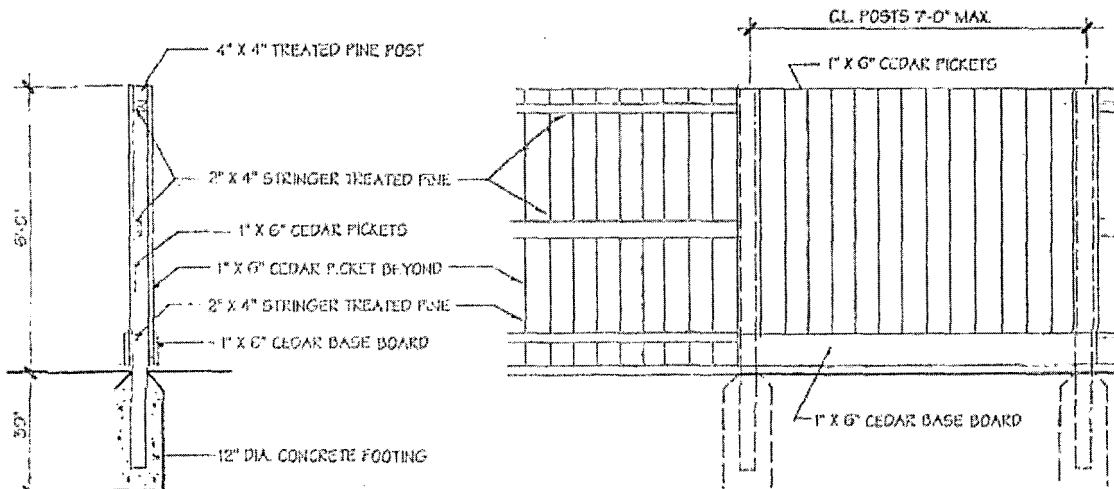
- All fencing is to be stair-stepped down slopes at regular intervals. The tips of these fences are to be level with the horizon. Height levels should be changed at normal column spacing.
- Builder side yard fences on lots with back to front slopes of 1% or less do not require stepping.



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b. Good Neighbor Fence:

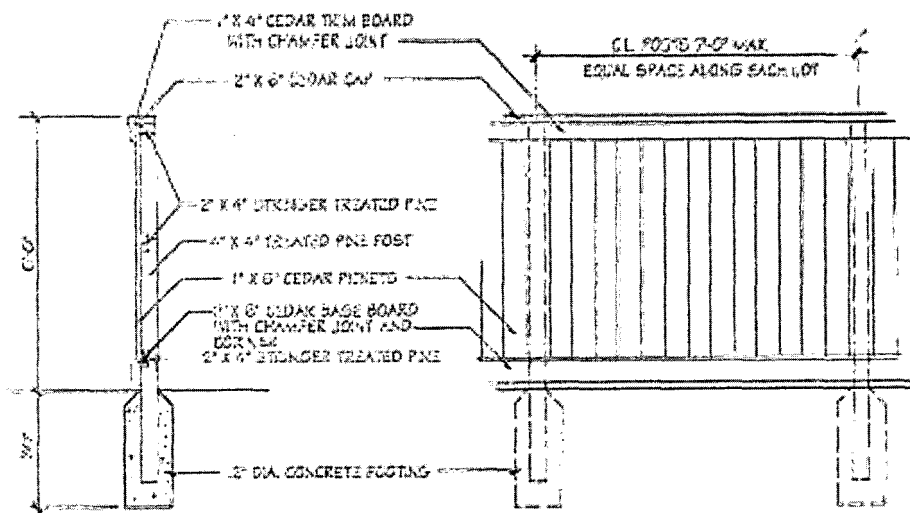
- Six (6) foot, three (3) railed wood fence with alternating panes of finished side out.
- These shall be constructed of quality treated *cedar* for all pickets and trim boards and treated pine for all structural members in accordance with the specifications.



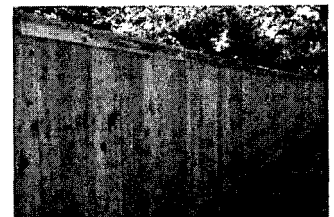
c. Upgraded Fence:

- Six (6) foot, three (3) railed all finished side wood fence with cap, trim and cedar base board on the exterior lot side facing Public Street.
- These shall be constructed of quality treated *cedar* for all pickets, cap and trim boards and treated pine for all structural members in accordance with the specifications.

ALL NAILS TO BE HOT DIPPED GALVANIZED SCREWDRIVERS



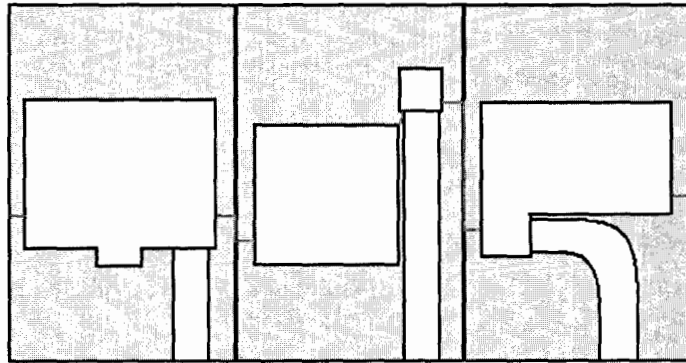
REFER TO CONSTRUCTION DOCUMENTS FOR COMPLETE DETAILS AND SPECIFICATIONS.



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I. Fencing Placement

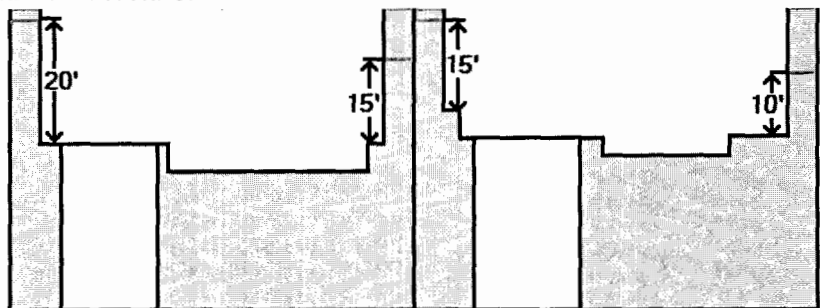
1. The builder shall be responsible for installing a fence along the rear and side property lines of each residence, except where specifically stated otherwise, in conformance with the standards adopted for each lot type.
2. When fences of differing heights or materials abut, the tie-ins must be in compliance with accepted fencing standards. In those instances where the street design of a neighborhood produces an open ended cul-de-sac, the lots at the end of such cul-de-sacs which abut a common area require a special height transition and termination feature.
 - a. **Visible Fencing:**
 - All fence sides visible to the public must be the “finished” side.
 - The last builder to complete a home must finish exposed fence to be “finished” side out.



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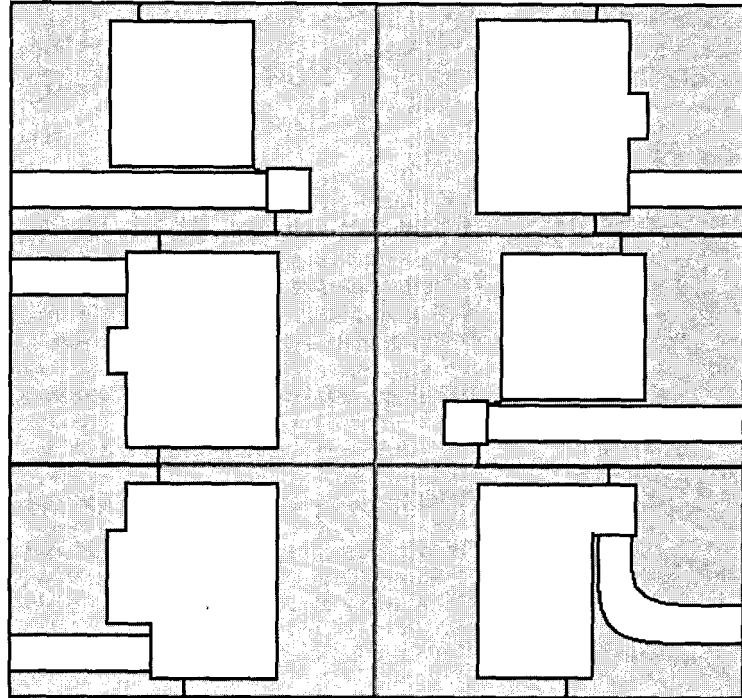
b. **Front Side yard fences:**

- Fences facing the Front of the Lot between the side property line and the house.
- Must be set back from the front elevation of the house a minimum of ten (10) feet to a maximum of twenty (20) feet and be coordinated to avoid offsets with the fencing on the adjacent lots. Architectural configurations of the house may dictate a smaller setback. In these instances, with approval by the Committee, the fence should be set back as far as is possible and appropriate with the architecture.



c. Typical Interior fences:

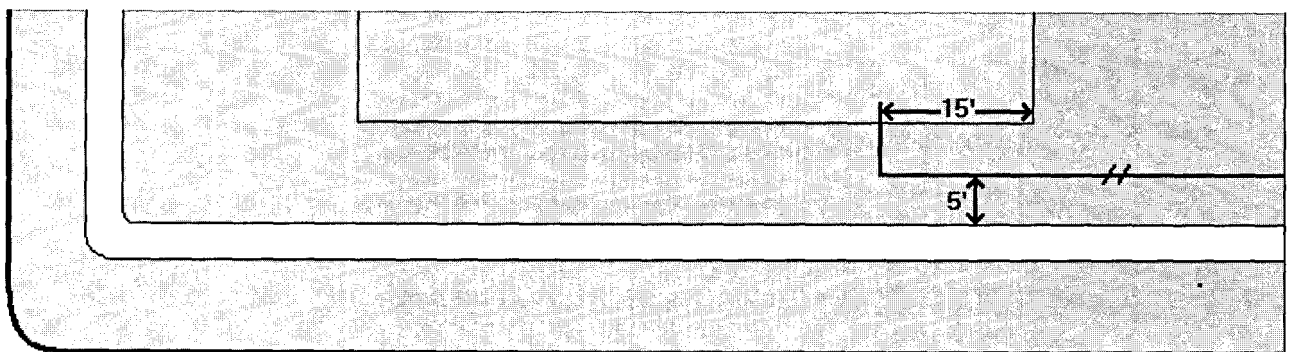
- Typical Interior fences not visible within public view.
- Must be Good Neighbor Fencing.



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d. Corner Lot fencing:

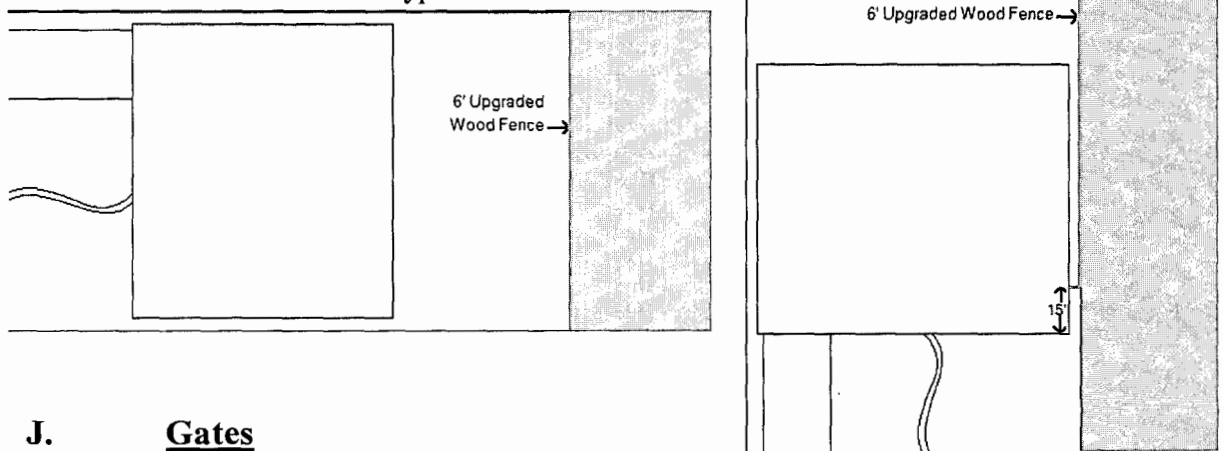
- Fencing facing the corner side street.
- Must be upgraded fencing.
- Must be located seven (7) feet from the street R.O.W. line and constructed from the rear lot line parallel to the public street to a point located a minimum of fifteen (15) feet past the rear elevation of the house.



Corner Side Street

e. Green Belt & Open Space Lot Fencing: To include designated Easements and Levee's. (Revised 6.1.11)

- The exterior lot side of lots abutting a Greenbelt or Open Space shall be constructed with a six (6) foot high upgraded wood fence with a trim cap shall be treated cedar two (2) inches by six (6) inches.
- Where lots side onto a greenbelt, the upgraded wood fence must be constructed along the common property line between the greenbelt and such lots from the rear property line to a point fifteen (15) feet behind the front elevation of the house.
- Additional fencing for lots abutting a Greenbelt or Open Space shall be constructed in accordance with the aforementioned criteria for typical interior lots.

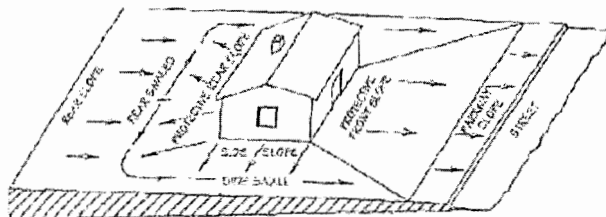


J. Gates

1. Pedestrian gates on the left and right sides facing the Right of Way must be finished side out.
2. The placement of fence gates within fences along the Greenbelts and Open Space are prohibited.

K. Grading and Drainage

In general, each lot shall be graded so that storm water will drain from the rear property line through the side yard and front yard to the abutting street and not across adjacent lots. Exceptions will be made in those instances where existing topography indicates the need for an alternative grading plan. The Committee must approve all exceptions.



REFER TO CONSTRUCTION DOCUMENTS FOR COMPLETE DETAILS AND SPECIFICATIONS

NOTE:
ALL DRAINAGE TO STREET SWALES, SIDE SLOPES
PROTECTIVE SLOPES BY HOME BUILDER

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III. ARCHITECTURAL GUIDELINES

It is the intent of this section to establish basic criteria for the construction of residences within River Park West. Emphasis is on quality in material, design and construction in order to promote well crafted residences within the various neighborhoods. The house footprint and the roof form should work together to provide variety and interest when viewed from the street.

These guidelines allow for diversity in design and should produce a climate of individuality, while insuring the architectural integrity of the community as a whole.

A. Square Footage

Square footage measured by air-conditioned living area. (Revised 6.1.11)

Lot Size	Minimum Square Footage	Maximum Square Footage
50'	1800	2950 (Revised 10.11)
60'	2120	3600
70'	2800	No Limit

B. Plan Width

House Plan width of each home must be no less than fifteen (15) feet of the Lot size.

C. Housing Plan and Elevation Repetition

The following three scenarios represent River Park West guidelines for determining when a plan and elevation can be repeated within a subdivision.

PLAN ELEVATION	STREET SIDE	NUMBER OF LOTS BETWEEN
DIFFERENT	SAME	3
DIFFERENT	BOTH	2
SAME	SAME / BOTH	4

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D. Masonry Requirements

Single family residences within River Park West must be comprised of a minimum percentage of masonry products, exclusive of windows, doors and other building openings. Changes in materials should have a logical relationship to the changes in the form of the house. (Revised 6.1.11) (Revised 10.11)

Lot Size	1 Story	2 Story
50'	*100% Brick	**51% Masonry
60'	51% Masonry	51% Masonry
70'	51% Masonry	51% Masonry
* To include Porches		
** First Floor to be 100% Brick		

E. Exterior Materials

The palette of exterior colors for each residence shall be selected to compliment or harmonize with the colors of building materials which are used in their natural state, such as brick, stone, copper etc. The use of pastel colors or primary colors is strongly discouraged and may be used only by special approval of the Committee. Paints or stains should be limited to three (3) complimentary colors per residence.

1. Brick:

Must meet the standard specifications established by the Brick Institute of America.

2. Stucco:

Cementitious-based or acrylic-based stucco is permitted. Quality and installation shall meet cement and plaster institute minimum standards. Stucco board, EFIS and Drivet are prohibited. Stucco and trim color must be the same.

3. Stone and Cultured Stone:

Stone must blend softly with the other materials used.

4. Wood:

All wood must be painted, stained or treated. Stained wood must be sealed. Natural weathered wood is prohibited.

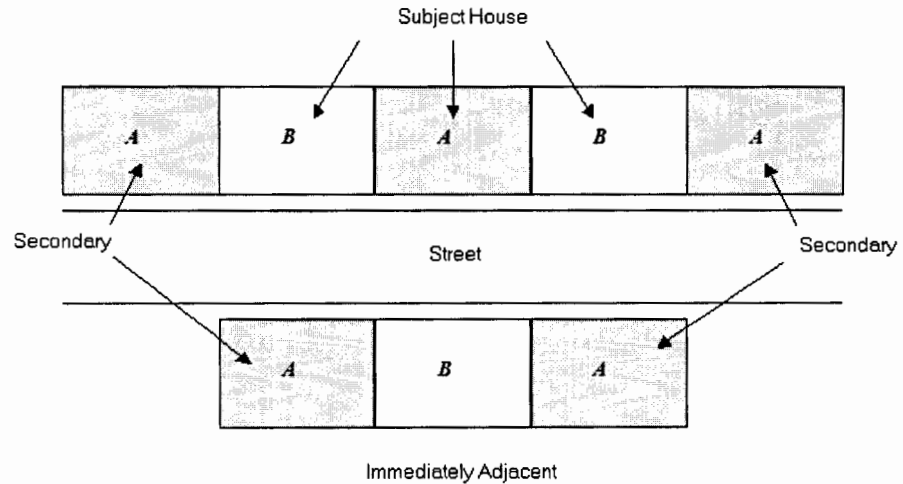
5. Trim:

All wood trim must be smooth, high quality finish-grade stock, stained or painted as approved by ARC. The use of MDO 9Medium Density Overlay) will be allowed.

6. Hardie-siding:

Hardi-siding or other cementitious materials may be used as masonry, with ARC approval. (Revised 6.1.11)

F. Masonry Repetition



G. Shirt Fronting

Material changes shall not occur at a front outside corner of a home. This technique of "shirt fronting" masonry veneer is prohibited. See exhibit. Masonry must wrap a minimum of two (2) feet.



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Prohibited Shirt Fronting

H. Window Treatment

1. Wood or metal windows may be used. When metal windows are utilized the finish shall compliment the color and architectural style of the house.
2. No reflective glass or glazing will be allowed on any front or side façade, or on any façade which is visible from a public street, or common area.
3. The use of wrought iron ornamentation on the exterior of any window is prohibited.

I. Chimneys

Chimney and materials must be constructed to match and complement the architectural style of the home.

1. Chimney caps:

Sheet metal chimney caps are required on all chimneys and are to be painted to match the chimney material.

2. Gas Fireplaces:

Direct vent permitted if not visible from the street.

J. Roof Treatment

1. Materials:

a. Roofing materials used on all production or semi-custom homes shall be as minimum PRESTIQUE II, Weathered Wood color. Wood shingles are strictly prohibited. (Revised 10.11)

i. 50' Lots may use CertainTeed Landmark Moire Black.

b. The use of alternate roofing materials (such as clay, slate, tile or metal) is limited to neighborhoods containing custom or estate homes and must be submitted to the Committee for approval.

c. The use of the aforementioned materials as an architectural element (i.e. over porches, on by windows, etc.) is permitted in custom and production homes.

2. Pitch:

a. Minimum roof pitch of 6:12 minimum is required.

b. Porch roof pitch may be 3:12 minimum.

K. Plate Height

A minimum 9' Plate height is required for first floor elevations.

L. Garages

1. General:

Garages, at a minimum must be functional and able to accommodate the storage of two (2) full size automobiles at the same time, and at a maximum, can accommodate the storage of three (3) full size automobiles at the same time. Extensions in the length of a garage which permits additional storage space is permitted but must be approved by the Committee.

a. Garages cannot exceed the residential lots main dwelling in height.

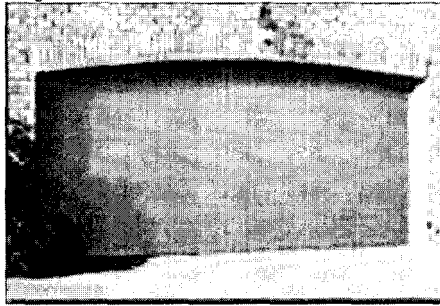
b. A detached garage must be connected to the residence by a covered walkway.

c. Carports are prohibited except when constructed out of the same building materials; and are a porte cochere of the residence.

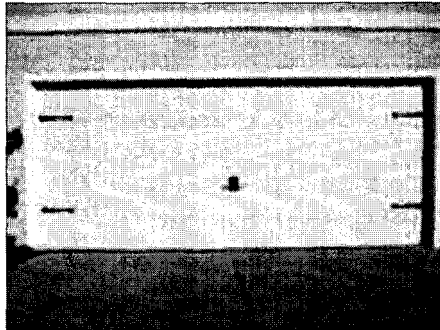
- d. Rear or side entry garages are encouraged to break up the monotony of multiple garage doors facing the street.
- e. Windows with shutters or blinds may be required on the façade of a side or rear loaded attached garages to enhance the front elevation of the residence and the street scene.
- f. Windows in garage doors are prohibited.

2. Garage Doors:

All garage doors should be functional and of metal design and of a color to complement adjacent structure.



- a. Colors that de-emphasize garage doors is encouraged



- b. Decorative hardware may be added with Committee approval.

M. Outdoor Lighting

All outdoor lighting must conform to the following standards and be approved by the Committee.

1. Floodlighting fixtures shall be attached to the house or an architectural extension. Floodlighting shall not illuminate areas beyond the limits of the property line.
2. Moonlighting or up lighting of trees is allowed, but the light source must be hidden.
3. Ornamental or accent lighting is permitted but should be used in moderation and shall be appropriate with the architecture.
4. Colored lenses on low voltage lights, fluorescent, colored light bulbs and neon lighting is prohibited unless specifically approved by the committee in writing.

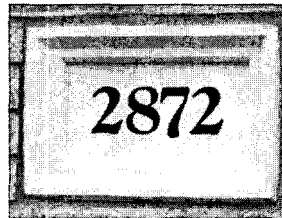
N. Pools, Decks and Other Structures

Swimming pools, spas, decks and other ancillary structures are restricted to the rear yard and must adhere to the following guidelines:

1. Portable or permanent above ground swimming pools are prohibited.
2. Small, prefabricated, installed above ground spas or hot tubs are acceptable.
3. Pool decks may extend beyond the established side setback lines so long as an adequate area (minimum 3 feet) for landscaping and fencing remains between the deck and property line.
4. Swimming pools, spas and accompanying decks and equipment must be screened from public view, including public streets and other common areas.
5. All other structures including storage buildings, pavilions, overhead structures, playhouses, decks, etc., must be approved by the Committee and may require screening from public view.
6. Swimming pool appurtenances, such as rock waterfalls and sliding boards, must not exceed five (5) feet in height.
7. Swimming pool enclosures are strongly discouraged and must receive approval from the Committee.

O. Address Markers

1. Precast concrete or Aluminum plates must be used for all residence. (Revised 10.11)



AS PER ORIGINAL

IV. LANDSCAPE GUIDELINES

The home builder is responsible for landscaping all areas on his/her property and the portion of the street right-of-way between the property line and the street curb. Plantings other than groundcovers and low growing ornamentals between the street curb and the paved sidewalk is discouraged in order to preserve adequate sight lines for motorists. Automatic irrigation systems for all residential lots is encouraged. Installation of all landscaping must occur immediately upon occupancy of the house or within 30 after completion of construction, whichever occurs first. Installation of landscaping, including materials and workmanship, must be in conformance with acceptable industry standards.

- A.** The following landscaping standards are applicable to all typical lots. Planting materials for larger and/or oversized lots should be increased proportionally in plant size and quantity.

1. Minimum planting bed specifications:

- a. Minimum planting bed width is five (5) feet from the house foundation. Curvilinear planting beds are encouraged.
- b. Shrubs are to be planted in a pleasing, organized design.
- c. The number of plants utilized shall be appropriate for the size of the planting bed. A maximum of eight (8) different species of planting may be utilized within a front yard.

2. Edging:

Planting bed edging is encouraged but not required. The edging assists in maintaining the shape of the planting beds.

a. Acceptable edging:

Steel edging, concrete mow bands, brick set in mortar, horizontal timber 2 inches by 4 inches, 2 inches by 6 inches, 4 inches by 4 inches, and 4 inches by 6 inches and stone set in mortar laid horizontally and continuous.

b. Prohibited edging:

Loose brick, plastic, concrete, scallop, corrugated aluminum, wire wicket, vertical timbers, railroad ties, etc.

3. Mulch:

All planting beds are to be mulched.

a. Acceptable edging:

Shredded pine bark or decomposed hardwood mulch.

b. Prohibited edging:

Gravel or rock in front yard planting.

- Except as a border when set in and laid horizontally as quarried or utilized for drainage purposes.

4. Sod:

The front yard and rear yards visible within view of public shall be completely sodded with St. Augustine Grass.

- a. Seeding and/or sprigging is prohibited.

B. Planting Plan:

The builder shall install the following tree plantings in all front yards.

Landscape Type	50'	60'	70'
Front Yard (Revised 6.1.11)	One 4" caliper hardwood tree (must be hardwood)	Two 4" caliper trees (one must be a hardwood)	
	One 15 gallon shrub		Two 15 gallon shrubs
	Ten 3 gallon shrubs		Fifteen 3 gallon shrubs
	Fifteen 1 gallon plants	Twenty 1 gallon plants	Twenty-five 1 gallon plants
Rear Yard Trees (Greenbelt Lots)	One 4" caliper hardwood tree		
Corner Lot / ***Landscape Buffer	*Two 4" caliper hardwood trees along corner street side		
	Three 5 Gallon Shrubs		
	Fifteen 3 Gallon Shrubs		
**Foundation Screening	Evergreen shrubs		
Tree caliper measured six (6) inches above grade.			
Trees must be staked with two (2) inch diameter by six (6) feet long wood stakes			
*Must be located between the sidewalk and corner side fence			
**All front, corner side and open space foundations must be screened.			
***For visible fencing over 30'			

1. All landscaping is required to be maintained in a healthy and attractive appearance.

C. Mechanical Screening:

All mechanical equipment such as air conditioning units, meters, utility pedestals, transformers, etc. must be placed out of public view if at all possible.

Equipment not able to be placed out of public view must have landscape screening with evergreen shrubs.

V. CONSTRUCTION GUIDELINES

Each lot in River Park West shall be maintained in a neat, clean and orderly condition by the builder during construction prior to and after the sale of such residence.

- Periodic repairs shall be made to correct any condition which suggests visual deterioration of a residence.
- Debris must be removed from each lot as often as necessary to maintain attractiveness of the construction site.
- Construction debris, may not be burned, dumped or disposed of in any area of the development unless a specific location for such a purpose is approved in writing by the Committee.

A. Sediment Control

In order to maintain clean streets and prevent siltation of storm sewers and drainage channels, all projects in River Park West are required to practice sediment control during construction.

B. Temporary Buildings

- Temporary buildings are permitted for use only during construction of permanent buildings, streets, utilities and driveways.
- The temporary buildings may be used only for construction offices, security offices, storage of tools and equipment and toilets.
- The location, design and general appearance of all temporary buildings must be approved by the Committee.
- All temporary buildings must be placed outside of the street R.O.W.; no temporary building may be located in a landscape setback.
- Temporary buildings must have access from hard paved or temporary gravel driveways via paved or wood walkways.

C. Model Home Parks/Sales Centers

1. Location:

The location of all proposed model home parks and/or sales centers must be approved by the Committee. However, various items which should be considered in selecting a location for a model home park or sales office are listed below.

- Project phasing should be considered when establishing the initial model home park. Additional sites should be selected to accommodate future sections or changes in market strategy and updated product lines. Care should be taken to protect marketing windows to varying products or phases.
- Lots on short cul-de-sacs or "bubble" streets located off the main entrance street to a neighborhood serve as excellent sites for model home parks.
- These lots not only provide a clustered setting for the model homes but allow the main entrances to the neighborhood to maintain an open and uncluttered appearance.

- A free-standing sales office (not in a model home) may be appropriately located on a lot near the primary entrance to a neighborhood but shall not, under any circumstances, be located or have frontage on an adjacent major thoroughfare within the designated residential areas.

2. Site Improvements:

- Model home parks and sales centers should be representative of the type of neighborhood environment the builder/developer hope to achieve.
- The project image is established by the way in which the model homes and sales office are handled.
- The following items should be considered when establishing a model home park and/or sales office:
 - Adequate parking should be provided to accommodate prospective buyers and sales personnel.
 - Traffic generated by model home parks and sales offices should not interfere or conflict with the traffic of the surrounding neighborhood(s). Off-street parking adds to the convenience of prospective buyers and improves the streetscape in front of the model homes when possible. Parking lot paving must be concrete with concrete curbs.
 - Parking lanes are to be delineated for any orderly appearance and are to be kept free of trash and debris.
- The architectural controls and design guidelines established for all residences in River Park West shall be maintained in model homes to ensure compliance when the models are eventually sold. Temporary exceptions related to non-standard driveways, sidewalks, lighting, flags and flagpoles, or other marketing techniques will be considered by the Committee on an individual basis.
- Free-standing sales offices must be of permanent-type construction and comply with these design guidelines. The use of temporary structures or portable buildings is prohibited, except in the interim time period preceding the completion of a permanent sales office. The relocation of temporary sales offices are subject to the approval of the Committee.
- Signage for model home parks shall conform to the standards set forth by the Committee.

3. Signage

The control and placement of all signs is especially important to the aesthetic harmony of River Park West and must receive the approval of the Committee (except official signs by government agencies).

Any sign which has not been approved and constructed in accordance with the specified regulations may be removed by the Committee without liability.

4. Directional Signs:

When deemed necessary by the Committee, easy to read motorist and pedestrian signs will be placed along all public streets and open spaces within River Park West. These signs shall be installed by the Developer.

5. Builder Signs:

Builder is allowed to identify specific lots as "For Sale" or "Sold" only. This shall be accomplished by placing one sign on each lot. Each builder's sign shall be the same size (six square feet) and shall be subject to approval by the Committee. Builder shall not install any directional signage.

VI. CONTACT AND REFERENCE LIST

Developer

Southwest 545, L.P.
Nine Greenway Plaza, Ste 2900
Houston, TX 77046
(713) 802-7900
Contact: Randy Corson

Consultants

Kerry Gilbert & Associates
23501 Cinco Ranch Blvd.
Katy, TX 77494
(281) 579-0340
Contact: Kerry Gilbert

Land Planning

Clark Condon Associates, Inc.
10401 Stella Link Rd.
Houston, TX 77025
(713) 871-1414
Contact: Sheila M. Condon

Landscape Architect

McCauley Architectural Reviews, Inc.
13711 Pristine Lake Lane
Cypress, TX 77429
(281-844-6201)
Contact: Janet McCauley

Architectural Review Committee

VII. ARCHITECTURAL REVIEW PROCESS

A. Introduction

The official submittal of plans and specifications to the ARC is to provide a review process for conformance to the CCR's and the Guidelines, adopted by the ARC. All new construction, subsequent construction, remodeling with exterior exposure, expansion and demolition of structures must be reviewed and Approved by the ARC prior to commencement of any on-site building or construction activity.

The site plan, architecture and landscape must be Approved in writing by the ARC before construction begins. A Final Review before closing of the property is also mandatory.

Master Plan and Plot Plan Submittals must be delivered to the attention of the ARC with fees made payable to McCauley Architectural Reviews.

**River Park West Architectural Review Committee
13711 Pristine Lake Lane
Cypress TX 77429**

Final Review requests may be requested via mail to the address above, fax or email listed below:

**info@mccauleyarc.com
281-516-3461 (fax)**

ARC will review all submittals within fourteen days (14) days of receipt. Submittals will receive either an Approval, Conditional Approval or a Disapproval. A copy of the signed submittal will be emailed/faxed within forty-eight (48) hours of ARC review. Construction may not begin without a signed Approved or Conditionally Approved Submittal.

1. **"Approved"** - The entire application is Approved as submitted.
2. **"Conditional Approval"** - The application is not Approved as submitted. A Conditional Approval is granted with the understanding that all conditions requested by the ARC will be met before, during or after construction. Failure to agree to the Conditions requested will deem the application Disapproved. The Builder may be required to resubmit prior to the construction or alteration in order to receive Approval.
3. **"Disapproved"** - The entire application as submitted is rejected. The ARC may provide comments but is not required to do so. If the ARC fails to respond within twenty-one (21) calendar days, the Builder shall give the ARC written notice of its failure to respond. Unless the ARC responds within an additional ten (10) days of receipt of such notice, approval shall be deemed automatically denied. However, unless the ARC has granted a variance in accordance with the Guidelines, no construction that is inconsistent with the Guidelines shall be deemed Disapproved.
4. Reasonable variances may be granted upon written request, as long as the variance is in conformance with the overall intent of the master plan for the improvement and development of the property. All applicants must comply with the conditions for approval that may be imposed on a variance. Each builder must address the variance request in writing and the reason(s) why the request should be granted.

B. Submittal Requirements

Only complete submittals will be reviewed. Builder will have responsibility for compliance of all governing codes and ordinances.

C. Master Plan Submittal

Check for \$100.00 – Fee includes all elevations

Full set of 11x17" plans showing:

- All elevations including Detached Garages and Porte Cocheres
- Living Square Footage
- All Floor Plans, including bonus options and options
- Roof pitches and plate heights
- All materials to be used on all elevations

D. Plot Plan Submittal

Check for \$100.00

Plot plan showing:

- Setbacks – Building Lines, R.O.W., Easements
- Fencing – type and placement
- Drive – size, placement and radius
- Sidewalk & Walkway- size and placement
- Air Conditioner placement
- Exterior Selections – Manufacturer and color
 - Brick/Stucco/Stone
 - Garage, Trim and Shutter
 - Roofing material
- Driveway /Walkway Paving material

E. Re-submittal fee

- \$75.00 for changes to site or plan.

F. Final Review to be requested by Builder upon completion of any Lot.

Mandatory Approved review required for all homes to be sold within River Park West.

- The \$100 Plot Plan fee includes the initial Final Review fee.
- \$50 fee for each re-review applies to any home not in compliance. Fee due when re-review is requested.
- Homes not in compliance will receive a Disapproved Final Review and will require a Re-Review when corrections are made.
- Approved Final Reviews will be sent to the Builder.

G. Changes after Approval

All proposed changes to plans that affect the exterior of any building, colors, windows, grading, etc., must be submitted to and Approved in writing by the ARC prior to implementation.

- \$25 fee for each exterior material and color selection change requested.
- \$50 fee for all other changes.

H. Variances

Reasonable variances may be granted upon written request, as long as the variance is in conformance with the overall intent of the master plan for the improvement and development of the property. All applicants must comply with the conditions for approval that may be imposed on a variance. Each builder must address the variance request in writing and the reason(s) why the request should be granted.

I. Disclaimer

Neither the River Park West Development or the members of the Architectural Review Committee or its representative, their successors or assigns, shall be liable in damages to anyone submitting plans to them for approval, or to any owner or lessee of any parcel affected by these restrictions, by reason of mistake in judgment, negligence or nonfeasance arising out of or in connection with the approval or disapproval or failure to Approve any plans submitted. Every person who submits plans to the Committee for approval agrees by submission of such plans, and every owner or lessee of any parcel within the property agrees, by acquiring title thereto or interest therein, that he will not bring any action or suit against River Park West Development or the members of the ARC, or its representatives, to recover any damages.

RIVERPARK WEST
Residential Design Guidelines

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RIVERPARK WEST RESIDENTIAL DESIGN GUIDELINES

I. GENERAL

A. DEFINITIONS

Unless otherwise defined herein, the capitalized terms used in these Guidelines have the same meaning as the defined terms in Article I, Section 1 of that certain instrument entitled "Declaration of Covenants, Conditions and Restrictions for Riverpark West" filed in the Official Public Records of Real Property of Fort Bend County, Texas under County Clerk's File No. 2001105425 (the "Declaration").

B. INTRODUCTION

Riverpark West is a master planned community developed by Southwest 545, L.P. The intent of these Residential Design Guidelines ("Guidelines") is to establish design parameters and guidance to Owners and builders in constructing homes in the development. The intent is to achieve a consistent quality in the development as a whole. These Guidelines are aimed at providing an attractive environment in the Subdivision. Design diversity is encouraged within these standards of quality to create a specific identity for each neighborhood and its product.

These Guidelines contain the construction and development standards for Riverpark West, but do not necessarily represent all of the restrictions which may be imposed on a specific Lot or Subdivision section. Prior to commencing design of a home, the property deed, the recorded Subdivision plat and the Declaration should be reviewed. In addition, Riverpark West is located within the extraterritorial jurisdiction (ETJ) of the City of Richmond and is, therefore, subject to Richmond's development ordinance and any other ordinance which the City of Richmond may, by law, extend outside its corporate limits.

Although state law does not presently permit the establishment of building codes within unincorporated areas, it is the intent that construction within Riverpark West be of the highest quality. At a minimum, Owners and builders will be required to comply with the Southern Building Code.

C. PURPOSE AND OBJECTIVES

The purpose of these Guidelines is to:

- preserve the natural setting, beauty and architectural and aesthetic appearance of the Subdivision;
- establish and preserve a harmonious and aesthetically pleasing design for the Subdivision; and
- protect and promote the value of the Property in the Subdivision.

As provided in the Declaration no construction of improvements, or modifications, additions or alterations to existing improvements, shall be commenced or maintained by any Owner (including without limitation, the construction or installation of sidewalks, driveways, parking lots, mail boxes, decks, patios, courtyards, swimming pools, tennis courts, greenhouses, playhouses, awnings, walls, fences, exterior lights, garages, guest or servants' quarters, or other outbuildings), nor shall any exterior addition to or change or alteration therein be made including, without limitation, painting, or staining of any exterior surface, unless and until they shall have been submitted to and approved in writing by either the New Construction Committee ("NCC") or the Modifications Committee ("MC") as applicable (the NCC and MC hereinafter collectively sometimes referred to as the "Architectural Committees"). The Architectural Committees will seek to ensure the plans for such improvements, modifications, additions and alterations are (i) in compliance with the specifications of the Declaration and such design guidelines as may be published by the Architectural Committees from time to time, and (ii) in harmony with external design, location, and appearance of surrounding structures and topography.

These Guidelines are intended to function and comply with the requirements of the Declaration for the Architectural Committees to establish design guidelines for the Subdivision. These Guidelines supersede and replace any prior design guidelines adopted by the Architectural Committees.

The NCC reviews applications for all original construction of residences on Units (the term "Unit" is sometimes referred to hereinafter as "Lots") in the Subdivision. The MC reviews all applications for modifications, additions, or alterations made on or to Lots after the original construction of residences on Lots.

D. APPLICATION PROCEDURE

Applications should include a cover letter, together with the application form then in use by the Architectural Committees, explaining the proposed improvement(s). Two (2) copies of a detailed site plan should be attached. It is recommended that a copy of the survey received at closing be used so that relative distances and dimensions can be reviewed. Make sure to include all pertinent information, specifications, building permits, etc., and a mailing address and phone number. All applications must be in writing. The Architectural Committees will not respond to verbal requests, which will be considered summarily denied.

Applications should be mailed or delivered to the Association's management company listed in the most recently filed management certificate required by §209.004 of the Texas Property Code ("Management Company"). It is recommended that within seven (7) days after the date of the application mailing you call the Management Company to verify the application was received. Do not assume it was received.

It is the responsibility of the applicant to make sure he or she has the most current design guidelines before proceeding with any improvement. Check with the Management Company or any members of the Architectural Committees or Association Board to see if the design guidelines have been reissued or amended.

The Architectural Committees reserve the right to charge an application fee on a case by case basis, depending on the complexity of the requested improvement to pay for the services of an independent architect/land planner to review. Any costs or expenses, which the Architectural Committees incur in processing the application, shall be paid by the Owner.

E. APPROVALS/DISAPPROVALS/PROCESSING PERIOD

The appropriate Architectural Committee will respond in writing to all applications. Upon approval or disapproval, one (1) copy of the application will be marked and returned, along with an explanatory letter.

Please note that the Architectural Committees have sixty (60) calendar days from date of receipt of a complete application within which to respond. If additional information is required by an Architectural Committee, the sixty (60) day processing period will commence upon receipt of the additional information. Plans for the implementation of the proposed improvement(s) should allow for the time required to complete the approval process; however, every effort will be made to respond promptly.

In the event an Architectural Committee fails to indicate its approval or disapproval within the sixty (60) days after the receipt of the required documents, approval will not be required and the related covenants set out in the Declaration shall be deemed to have been fully satisfied, provided that the proposed improvements are generally in harmony with the scheme of the development as set forth in the Declaration (i.e., they do not violate any of the covenants in the Declaration). Failure to respond on the part of the Architectural Committees does not imply permission to encroach on an easement or building line or to violate the Declaration, which applications will be considered denied until expressly approved by the appropriate Architectural Committee.

If an application is not approved, the appropriate Architectural Committee will state in its letter why such approval was denied. If an applicant wishes to discuss or appeal a decision made by an Architectural Committee, the chairman of the applicable committee should be contacted for an appointment.

In the event that plans and specifications submitted for approval in accordance with the provisions hereof are disapproved by an Architectural Committee, the Owner shall have the right to appeal the decision to the Board of Directors by written notice of appeal received by the President or Secretary of the Board of Directors within thirty (30) days after the date of disapproval. Procedures for such an appeal shall be determined by the Board of Directors. As provided in the Declaration, no action may be brought against the Association, its officers or directors, or the Architectural Committees or any of their respective members unless and until an appeal is made by the Owner and a decision on such an appeal is made by the Board of Directors.

No member of an Architectural Committee can approve his/her own improvement.

Please note that approval of the appropriate Architectural Committee is required prior to the installation or construction of any improvement or change. If an improvement is made without approval of the appropriate Architectural Committee, the Board of Directors of the Association has the legal right to enforce its removal.

F. EASEMENTS

The Architectural Committees will not approve any application if there is an encroachment on an easement unless and until the Owner provides a written consent for encroachment from the appropriate authorities, or resubmits revised plans. Any non-portable structure on an easement is considered permanent, and thus an encroachment. Owners must secure a written consent for encroachment or a release of easement from all affected utility companies. If your plans show an encroachment, obtain your consent for encroachment before applying to the appropriate Architectural Committee, or your application will be rejected. If you have an aerial easement on your Lot, the utility company may permit you to place a permanent structure in the easement, as long as the structure is not higher than the aerial easement. To be safe, you should discuss the application with the utility company first.

Approval by an Architectural Committee of any encroachment of an easement shall not serve as an amendment or change of that easement and shall not create liability through the Architectural Committees; any encroachment upon such easement shall be at the sole risk and expense of the Owner.

G. VARIANCES

Each application is considered on its own merits and the Architectural Committees may grant a variance from these Guidelines if, in the sole discretion of the appropriate Architectural Committee, the circumstances warrant. Variances will be granted in writing only and, when given, will become part of these Guidelines to the extent of the particular Lot(s) involved. Because a variance may have been granted in one instance does not mean that improvements of a similar nature will or must be approved by an Architectural Committee. Unless the Guidelines are amended and reissued, applications for improvements must be submitted, regardless of any variances previously granted.

H. INSPECTION

As provided in the Declaration, all improvements are subject to inspection by the appropriate Architectural Committee or Board.

I. COMPLIANCE/NON-COMPLIANCE

The Declaration was in existence prior to any construction in the Subdivision. It is expected that all Owners will comply with the restrictions and requirements specified in the Declaration. This includes the requirement to file an application for approval to the appropriate Architectural Committee for all improvements in

accordance with the conditions or restrictions specified in the Declaration or these Guidelines adopted in accordance with the Declaration.

Home improvements built prior to the approval and adoption of these Guidelines must, as stated above, comply with the restrictions of the Declaration; but such previously built improvements will not be required to be in compliance with any of the additional restrictions in these Guidelines, which are not specified in the Declaration or a prior version of design guidelines. Improvements made subsequent to approval and adoption of these Guidelines are expected to be in full compliance with all provisions of the most current release of these Guidelines.

Owners shall comply with all applicable restrictions and shall observe the filing requirements of any improvements. An Owner is not in compliance if: (i) an improvement was made that is/was prohibited at the time of the improvement; or (ii) an improvement was made and an application was not filed with the appropriate Architectural Committee.

Unapproved and/or prohibited improvements are subject to removal or modification at the Owner's expense, unless a variance is granted. Owners should apply to the appropriate Architectural Committee for any outstanding unapproved improvements.

J. ENFORCEMENT

Article X, Section 8 of the Declaration provides, as follows:

Each Owner and occupant shall comply strictly with the covenants, conditions, and restrictions set forth in this Declaration, as may be amended from time to time, and with the rules and regulations adopted by the Board of Directors. The Board of Directors may impose fines or other sanctions, which shall be collected as provided herein for the collection of Assessments. Failure to comply with this Declaration or the rules and regulations shall be grounds for an action to recover sums due for damages or injunctive relief, or both, maintainable by the Board of Directors, on behalf of the Association, or by an aggrieved Member. Failure of the Board of Directors or any other Person to enforce any of the provisions herein continued shall in no event be deemed a waiver of the right to do so thereafter. The Association shall also have the right to enforce, by any proceeding at law or in equity, any other restrictions, conditions, covenants and liens imposed upon any portion of the Restricted Property which by the terms of the instrument creating same grant the Association the power to enforce same, and failure of the Association to enforce such provisions shall in no event be deemed a waiver of the right to do so thereafter.

In addition to any other remedies provided for herein, the Association or its duly authorized agent shall have the power to enter upon a Unit to abate or remove, using such force as may be

reasonably necessary, any structure, thing or condition which violates this Declaration, its rules and regulations, or the Design Guidelines. Except in the case of emergency situations, and as otherwise specified herein, the Association shall give the violating Owner ten (10) days written notice of its intent to exercise self-help. All costs of self-help, including reasonable attorneys' fees actually incurred, shall be assessed against the violating Owner and shall be collected as provided for herein for the collection of Assessments.

The Board of Directors has joined in the execution of these Guidelines, which Guidelines shall also be considered rules and regulations under the Declaration.

K. COMPLAINTS

Owners are encouraged to help maintain the beauty of the Subdivision. To this end, all Owners have an obligation to conform to the Declaration and these Guidelines and to ensure non-complying improvements get corrected. Should you have a complaint regarding a violation, write to the Association.

L. CONTROLLING DOCUMENTS

In the event of a conflict between these Guidelines and the Declaration, the Declaration shall control.

II. GENERAL DEVELOPMENT GUIDELINES

A. INTENT

Residential development within the Subdivision is encouraged to produce street scenes that have visually unique characteristics and reflect the feeling of community. Creating a street scene requires Owners and builders to coordinate their architectural designs and landscaping styles in a manner that promotes street and neighborhood individuality while maintaining a level of continuity. The purpose of this section is to identify those elements that will influence the overall neighborhood appearance.

B. ELEMENTS

1. Vehicular Access for Construction

All access to a Unit under construction shall be gained from the street at the front of the Unit. Under no circumstances shall vehicular or equipment access to a Unit by a builder, Owner, contractor, or subcontractor thereof, be gained by crossing a Common Area, existing sidewalk, or greenbelt without the express written consent of the Association. Such consent will only be given upon the receipt of a deposit of \$2000.00 in the form of a

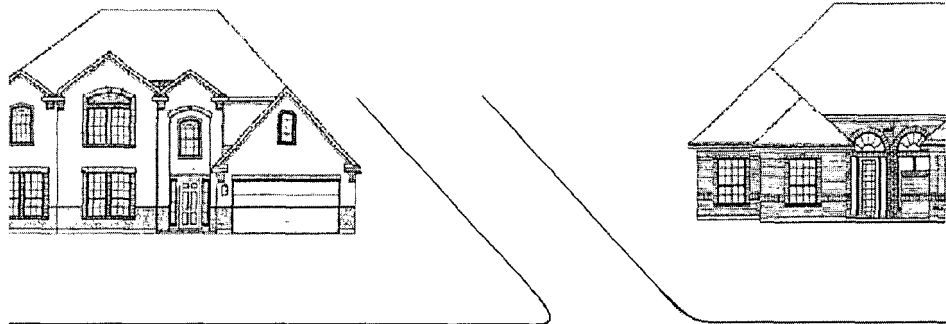
cashier's check payable to the Association. The deposit will be returned only under the following conditions:

- a. there is no damage to Association-owned landscaping, irrigation, electrical, or other facilities, or;
- b. any damage is repaired to the satisfaction of the Association.

If the Association utilizes the services of a contractor to verify that no damage to owned facilities occurred, the cost of such services shall be deducted from the deposit amount upon return.

2. Site Planning and Exterior Elevations

Where possible, corner Lots are to be single story residences, or the single story portion of a double story residence is to be placed nearest the corner. Where a single story occurs next to a double story residence, the common single story elements should be adjacent to each other. When possible, all single story residences should include some variation of the ridge line.



3. Housing Plan and Elevation Repetition

The following three (3) scenarios represent the Subdivision's guidelines for determining when a plan and elevation can be repeated:

- a. When building the same plan, different elevation, on the same side of the street, three (3) Lots must be skipped.
- b. When building the same plan, different elevation, on both sides of the street, two (2) full Lots must be skipped.
- c. When building the same plan, same elevation, on the same side of the street or on both sides of the street, four (4) full Lots must be skipped.

4. Site Maintenance During Construction

Each Lot in the Subdivision shall be maintained in a neat, clean and orderly condition by the builder during construction. Debris must be removed from each Lot as often as necessary to maintain attractiveness of the construction site.

Construction debris, may not be burned, dumped or disposed of in any area of the Subdivision unless a specific location for such a purpose is approved in writing by the Association.

5. Sediment Control

In order to maintain clean streets and prevent siltation of storm sewers and drainage channels, all projects in the Subdivision are required to practice sediment control during construction.

It is the responsibility of the builder to obtain appropriate required permits beyond those secured by the applicable Architectural Committee.

6. Temporary Buildings

Temporary buildings approved by the applicable Architectural Committee are permitted for use only during construction of permanent buildings, streets, utilities and driveways. The temporary buildings may be used only for construction offices, security offices, storage of tools and equipment and toilets. The location, design and general appearance of all temporary buildings must be approved by the appropriate Architectural Committee. All temporary buildings must be placed outside of the street right-of-way; no temporary building may be located in a landscape setback. Temporary buildings must have access from hard paved or temporary gravel driveways via paved or wood walkways.

7. Lot Elements

a. Grading and Drainage

In general, each Lot shall be graded so that storm water will drain from the rear property line through the side yard and front yard to the abutting street and not across adjacent Lots. Exceptions will be made in those instances where existing topography indicates the need for an alternative grading plan. The appropriate Architectural Committee must approve all exceptions.

b. Lot Coverage

Total coverage of Lots shall not exceed sixty-five percent (65%) of the total Lot for one (1) story houses and fifty-five percent (55%) for two (2) story houses. This includes dwelling, garage, driveway, walks and other structures. Pools, spas and decks are not considered structures for the purpose of calculating the Lot coverage

c. HOUSING

It is the intent of this section to establish basic criteria for the construction of residences within the Subdivision. Emphasis is on quality in material, design and construction in order to promote well crafted residences within the various neighborhoods. The house footprint and the roof form should work together to provide variety and interest when viewed from the street.

The following guidelines allow for diversity in design and should produce a climate of individuality, while insuring the architectural integrity of the community as a whole.

1. Building Square Footage

Each residence on a Lot in a section where the average Lot is sixty feet (60') in width shall contain not less than 1,900 square feet nor more than 3,600 square feet of air-conditioned living area. As of October 1, 2007, sixty-five feet (65') Lots are no longer being developed in the Subdivision. Square footage caps will remain for Riverpark West, Sections Two (2), Three (3), and Six (6) as follows: each residence on a Lot in a section where the average Lot is sixty-five feet (65') in width shall contain not less than 2,120 square feet nor more than 3,600 square feet of air-conditioned living area. Each residence in a section of the Subdivision where the average Lot is seventy feet (70') in width or more shall contain not less than 2,800 square feet of air-conditioned living area.

2. Exterior Materials

Single family residences within the Subdivision must be, at a minimum, comprised of at least fifty-one percent (51%) brick masonry products exclusive of windows, doors and other building openings. Changes in materials should have a logical relationship to the changes in the form of the house.

3. Sample Palette

A sample palette of all exterior building materials including roof shingle selections must be submitted to the appropriate Architectural Committee for approval. The palette of exterior colors for each residence shall be selected to complement,

coordinate or harmonize with the colors of building materials which are used in their natural state, such as brick, stone, copper, etc. The use of pastel colors or primary colors is prohibited. Paints or stains should be limited to two (2) harmonious colors per residence. A third harmonious accent color may be applied to the front door only. All color schemes, including the front door color, must be approved by the appropriate Architectural Committee.

D. MODEL HOME PARKS/SALES CENTERS

1. Location

The location of all proposed model home parks and/or sales centers must be approved by the NCC. However, the following various items which should be considered in selecting a location for a model home park or sales office are listed below:

a. Project phasing should be considered when establishing the initial model home park. Additional sites should be selected to accommodate future sections or changes in market strategy and updated product lines. Care should be taken to protect marketing windows to varying products or phases.

b. Lots on short cul-de-sacs or "bubble" streets located off the main entrance street to a neighborhood serve as excellent sites for model home parks.

c. These Lots not only provide a clustered setting for the model homes but allow the main entrances to the neighborhood to maintain an open and uncluttered appearance.

d. A free-standing sales office (not in a model home) may be appropriately located on a Lot near the primary entrance to a neighborhood but shall not, under any circumstances, be located or have frontage on an adjacent major thoroughfare within the designated residential areas.

2. Site Improvements

Model home parks and sales centers should be representative of the type of neighborhood environment the builder/developer hope to achieve.

The project image is established by the way in which the model homes and sales office are handled.

The following items should be considered when establishing a model home park and/or sales office:

- a. Adequate parking should be provided to accommodate prospective buyers and sales personnel. Traffic generated by model home parks and sales offices should not interfere or conflict with the traffic of the surrounding neighborhood(s). Off-street parking adds to the convenience of prospective buyers and improves the streetscape in front of the model homes when possible.
- b. Parking lot paving must be concrete with concrete curbs. Parking lanes are to be delineated for any orderly appearance and are to be kept free of trash and debris.
- c. The architectural controls and design guidelines established for all residences in the Subdivision shall be maintained in model homes to ensure compliance when the models are eventually sold. Temporary exceptions related to non-standard driveways, sidewalks, lighting, flags and flagpoles, or other marketing techniques will be considered by the NCC on an individual basis.
- d. Free-standing sales offices must be of permanent-type construction and comply with these Guidelines. The use of temporary structures or portable buildings is prohibited, except in the interim time period preceding the completion of a permanent sales office. The relocation of temporary sales offices are subject to the approval of the NCC.
- e. Signage for model home parks shall conform to the standards set forth by the NCC.

III. COMMUNITY THEME AND CHARACTER PROGRAM

A. PURPOSE

The purpose of this program is to achieve a continuity of community character while maintaining consistently high design standards throughout the developing community. These Guidelines will become a standard for the Owners and individual builders who will be responsible for the actual creation of the community. While not intending to limit their creativity and design values, this program (the "Community Character Program") will attempt to provide a flexible framework to achieve an overall design concept and sense to continuity.

B. GOALS

The goals of the Subdivision Community Character Program are as follows:

- To provide an organized system of coordinated design components which give visual form, continuity, distinctiveness and a sense of place to the Subdivision.

- To establish and enhance the Subdivision's image.

C. COMMUNITY CHARACTER GUIDELINES

The parts which have the strongest relationship to the Subdivision's appearance and perceived identity include primary streets, entries, circulation system, streetscape, and open space.

1. Primary Street

Williams Way Blvd. is the primary street within the Subdivision and provides the dominant visual image for motorists coming by or entering the Subdivision. Landscaping will be formal groupings of Laurel Oaks and support planting.

2. Entries

Entries are distinct and definable locations that serve as a gateway and create a "sense of arrival" to a place.

The Subdivision entries are used to establish a series of arrival points that are well defined, recognizable and highly visible. Entries are defined as primary and secondary and shall be appropriately scaled to their frequency of encounter by the user. Both primary and secondary entries will have formal plantings.

a. Main Entry

The main entry for the Subdivision shall provide community identity and visibility. This entry is located at Williams Way Blvd. and Wildwood Park.

Construction materials consist of:

Brick
River Stone
Limestone

b. Secondary Entries

Secondary entries shall provide community identity and visibility at intersections of Williams Way Blvd., Ransom Road and Wildwood Park and any subdivision entry way roads.

Construction materials shall be consistent with the main entry.

3. Streetscape

A streetscape comprises both the vehicular roadway and the visual corridor through which it passes.

It is the most visible element in a community and, therefore, is the primary means by which a community establishes its visual image. The streetscape is made up of landscape, walls, fences, furniture and all other elements perceived from the roadway as one passes through.

The purposes of a streetscape guideline system in the Subdivision are many. They establish and clarify the hierarchy of the circulation system, provide for the safety of motorists, bicyclists and pedestrians, and establish an organized and coordinated network of streetscape elements.

Street trees should be located along the major thoroughfare and within major activity center parking lots to provide shade, foliage to soften the hard streetscape, and to provide a canopy "ceiling" to help define pedestrian scale. Although a variety of trees can serve as effective street trees, a single species of tree should be dominant on any particular street for visual continuity and harmony.

Sidewalks in naturalistic streetscapes shall meander in order to further accentuate the formal grove tree pattern.

a. Williams Way Blvd. Streetscape

1. Landscaping

Initial landscaping within the esplanades and adjacent landscape easements has or will be installed by the developer and will be maintained by the Association. Installed landscape materials must be protected during construction.

2. Irrigation

The landscape easement shall have an automatically controlled underground irrigation system to ensure proper plant growth and longevity. The installation of the irrigation system in landscape easements is the responsibility of the developer.

3. Sidewalks

Four feet (4') wide sidewalks will be installed as required for pedestrian circulation to project

amenity areas. Typically, the sidewalk meanders within the right-of-way and landscape easement in accordance with the landscape design.

4. Fencing

A six foot (6') high upgrade wood fence is required along the rear Lot lines where residential Lots abut Williams Way Blvd., Ransom Road or Wildwood Park, except where the adjacent property is utilized as a recreation center.

b. Other Streets

All streets other than Williams Way Blvd. are subject to the following guidelines.

1. Neighborhood Entrances

Primary entrances to each neighborhood will have special landscape treatment and irrigation within the landscape setback. These entries are the responsibility of the developer.

2. Landscaping

Front yard tree placement shall be informal. Trees shall be placed outside the right-of-way line. Supplemental tree plantings at corner Lots shall be located so that they are centered between the walk edge and the 5' - 0" setback fence.

3. Street Accessories

No street accessories, including benches and trash receptacles, are allowed along the streets without consent of the appropriate Architectural Committee.

4. Sidewalks

Sidewalks not less than four feet (4') in width are required on both sides on all residential streets and are to be constructed by the home builder.

Sidewalks are to be plain gray concrete in color, four inch (4") trowelled picture frame edges with medium broom finish.

All sidewalks shall be constructed with curb ramps at every street corner. Curb ramps shall be installed by the developer.

IV. SPECIFIC GUIDELINES

A. BUILDINGS IN GENERAL

1. Definitions

- a. As used in this Section A the term "Building" is defined as the main residence situated on a Lot, and includes any bonafide additions such as a garage. It does not include any structure not attached such as a storage shed, gazebo or playhouse/fort.
- b. As used in this Article IV the term "Detached Garage" shall refer to a garage which is a free standing building and which does not share a common wall with the residence, although it may be connected to the residence by a covered walkway and may be architecturally treated so as to appear to be part of the residence building rather than a separate structure.

2. Type

No Buildings shall be constructed on the Lots other than one single family residential dwelling, not to exceed two and a half (2½) stories in height, a Detached Garage, or an attached garage for no less than two (2) full size cars.

3. Location of Buildings

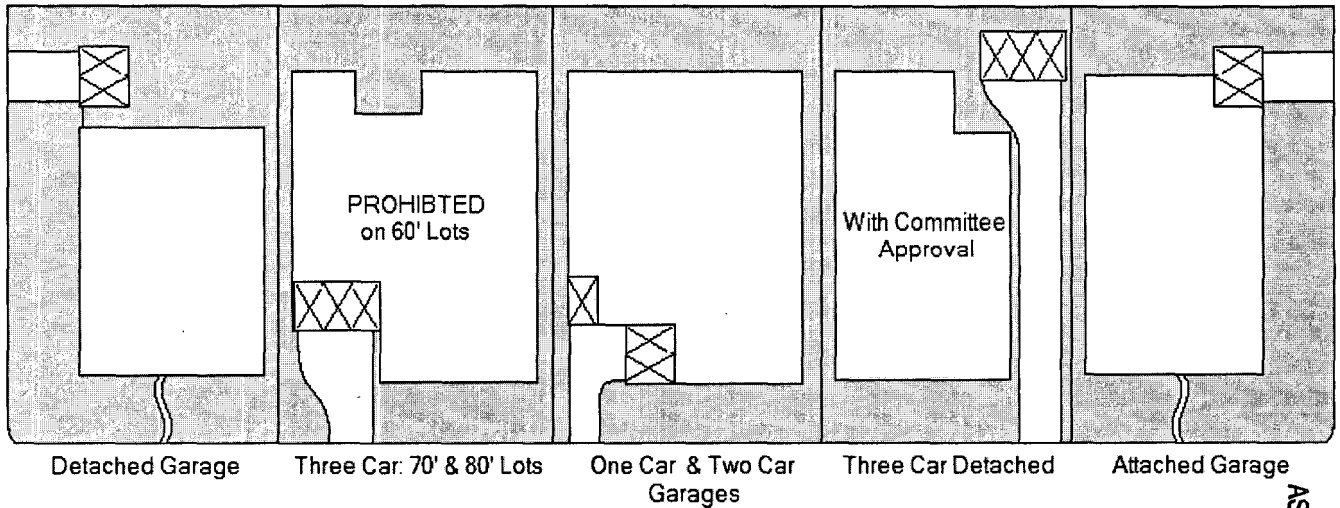
a. Building Setback Lines, Typical Setback

SETBACKS	60'	70'
Typical Front Setback	As per Recorded Plat	
Typical Cul-de-sac	As per Recorded Plat	
Side Setback	5'	
Detached Garage Side	3'	
Corner Side	10'	
Rear Setback	As per Recorded Plat	

- b. No Building, Detached Garage or other building shall be located on any Lot nearer to the front Lot line or nearer to the side street line than the minimum building setback lines show on the Plat/Lot Survey and the minimum setbacks required by the public utility companies, per Article IV, Section 4 of the Declaration.
- c. No Building, Detached Garage or building of any type, nor any part thereof shall encroach upon any utility easement or be built closer to a street or property line than the building setback line.
- d. There are five foot (5') side yard setback lines on Lots.

4. Garage Placement

ATTACHED Front Loaded	ATTACHED Side Loaded	ATTACHED Swing-In	ATTACHED Rear Loaded	DETACHED Front Loaded	DETACHED Side Loaded
One (1) Car	One (1) Car	One (1) Car	One (1) Car	One (1) Car	One (1) Car
Two (2) Car	Two (2) Car	Two (2) Car	Two (2) Car	Two (2) Car	Two (2) Car
Three (3) Car	*Three (3) Car	*Three (3) Car	Three (3) Car	Three (3) Car	*Three (3) Car
Three (3) Car Garage = all doors are side by side, facing the same direction					
Detached Garages are not permitted on Lots backing Greenbelts or Open Space without ARC approval					
*PROHIBITED on ALL Lots					



a. Entry & Collector Streets

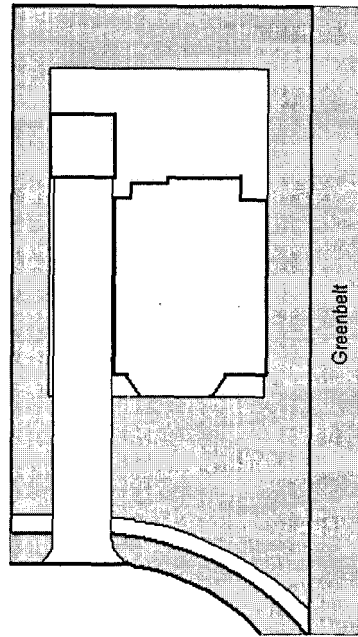
When a Lot sides onto a neighborhood entry street or Collector Street, driveways and garages are to be placed near the property line farthest from the entry street.

b. Greenbelt / Open Space Lots

Detached Garages are not permitted on Lots that back onto a Greenbelt or Open Space without written permission of the Committee.

c. Siding a Greenbelt or Open Space

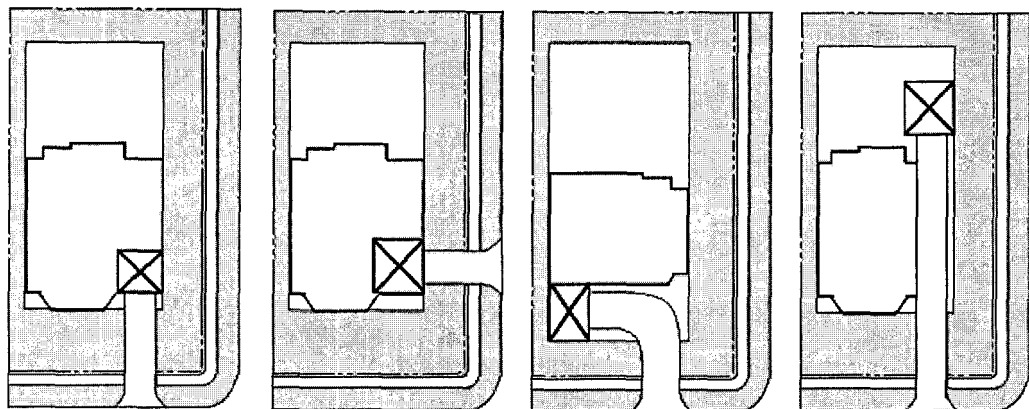
When the side of a Lot is exposed to a Greenbelt or Open Space, a Detached Garage may be allowed provided that the garage is on the side of the Lot opposite the Greenbelt or Open Space.



AS PER ORIGINAL

d. Corner Lots

On corner lots located on collector streets or entry streets to a subdivision section, detached and attached garages may not face the side street and must be placed on the opposite Lot side from the side street. The lone exception to this is a rear loaded attached garage.



Prohibited Corner Lot Garage Placement

- e. Detached Garages, where allowed, have a three foot (3') side yard building setback line.
- f. When a Lot sides onto a neighborhood entry street or collector street, driveways and garages are to be placed near the property line farthest from the entry street.
- g. When the side of a Lot is exposed to a greenbelt, a Detached Garage may be allowed provided that the garage is on the side of the Lot opposite the greenbelt.
- h. On corner Lots located on collector streets or entry streets to a subdivision section, detached and attached garages may not face the side street and must be placed on the opposite Lot side from the side street. The lone exception to this is a rear loaded attached garage.
- i. Hook-in or front loaded garages are especially appropriate on sites where it is desirable to maintain view corridors for adjacent properties.
- j. Where a Detached Garage is placed at the front of a home, the garage door shall face the side Lot line, which is the farthest away from the garage door, and the side of the Detached Garage will be treated like a front elevation.
- k. Each detached, or attached, garage will either face upon the front Lot line, the rear Lot line, or face upon a line drawn perpendicular to the front Lot line.
- l. Detached Garages facing the side street on corner Lots may face the street parallel to the side property line, provided the side street is not an entry or collector street. Notwithstanding the foregoing, upon approval of the NCC, any Detached Garage located more than sixty-five feet (65') from the front Lot line shall not be required to face upon said front line or line drawn perpendicular to the front Lot line.
- m. Driveway access will be provided from the front of all Lots, except that such access may be provided to corner Lots from a side street, but not from a major street.

5. Steps and open porches

Shall not be considered a part of the Building, provided, however, that this shall not be constructed to permit any portion of a Building or structure to encroach on any other Lot or any utility easements.

6. Pools, spas, decks, and walkways

Located in the rear yard, are not considered building encroachments to the side setback lines. However, a planted landscaped area of a minimum three feet (3') in width must be maintained between the fence line and the aforementioned structures

7. Masonry

The exterior finish of each residence shall be at least fifty percent (50%) brick, stone or other masonry around the outside perimeters of the ground floor. However, in computing such percentage, the Detached Garage shall be excluded. The variety and number of primary exterior materials should be held to a minimum. The maximum number of exterior materials is three (3). Stone veneer must complement the style of the architecture employed and conform to the color scheme of the immediate neighborhood.

8. Roof Treatment

Generally, all Buildings shall be roofed with composition shingles. Composition shingles will be a minimum 240#, 25 year warranty type. The acceptable colors are black or weathered wood. Aluminum simulated shingle roofs and wooden shingles are not acceptable. The use of materials including clay, slate, tile or metal, as an architectural element such as bay windows, dormers, or other similar features is permitted subject to the approval the appropriate Architectural Committee. Roof vents, utility penetrations, or other roof protrusion shall not be visible from the front street. Generally skylights should not be visible from the front street. An exception would be skylights that are part of the architectural style of the house and are used to enhance that style; in such cases, the appropriate Architectural Committee will determine whether the skylight(s) should be approved under the circumstances. Storm and energy efficient shingles are allowed if such shingles:

- (i) resemble the shingles described above;
- (ii) are more durable than, and equal or superior quality to the shingles described above; and
- (iii) match the aesthetics of the shingles on other Buildings in the Subdivision.

9. Gutters and Downspouts

Gutters and downspouts, if used, should be strategically placed to minimize their visibility to the front street. Preferably, downspouts should occur only at the rear and sides of a home. Placement on the front elevation should be avoided as much as possible but may be used to avoid water runoff at front entrances. Gutters and downspouts must match, or be very similar to the color of the surface to which they are attached. Downspouts must be installed vertically and in a simple

configuration. All gutters and downspouts must be installed so water runoff does not adversely affect adjacent properties. It is recommended that downspouts be buried or hidden in plant materials at the point where extensions carry water away from the Building. For safety reasons, water runoff should never be directed directly onto sidewalks.

10. Windows

- a. Wood or metal windows may be used. When metal windows are utilized the finish shall compliment the color and architectural style of the house.
- b. No reflective glass or glazing will be allowed on any front or side facade, or on any facade which is visible from a public street or Common Areas.
- c. The use of wrought iron ornamentation on the exterior of any window is prohibited.

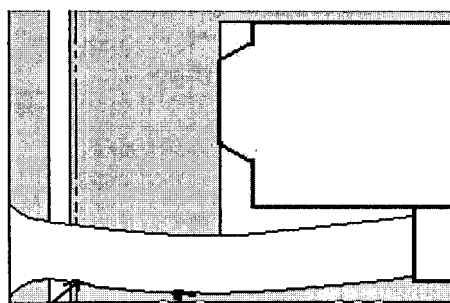
B. GARAGES

1. No masonite, hardboard, glass or plywood paneled garage doors will be accepted. Metal panel doors are preferred. Custom wood doors may be accepted upon approval from the appropriate Architectural Committee. Small decorative windows may be permitted at the top of garage doors, subject to the approval of the appropriate Architectural Committee. Windows must be blacked out or otherwise conceal a view to the interior of a garage.
2. A porte-cochere will be accepted only when the garage door is set back four feet (4') or more from the front line of the house.
3. Garages cannot exceed the residential Lots main dwelling in height.
4. A Detached Garage must be connected to the residence by a covered walkway.
5. Garages, at a minimum, must be functional and able to accommodate the storage of two (2) full size automobiles at the same time, and, at a maximum, can accommodate the storage of three (3) full size automobiles at the same time.
6. Extensions in the length of a garage which permits additional storage space is permitted but must be approved by the appropriate Architectural Committee.
7. Windows with shutters or blinds may be required on the facade of a side or rear loaded attached garages to enhance the front elevation of the residence and the street scene. Windows in garage doors are prohibited.

8. Conversions of garages for any reason are not permitted.
9. Additional garages or carports are not permitted, regardless of construction material.
10. An application must be submitted for lean-to sheds, potting sheds or any other attachments to a garage. These attachments must meet the structural guidelines set forth in other sections of these Guidelines.

C. DRIVEWAYS

1. The home builder is required to obtain appropriate permits and build driveways into the street right-of-way per City of Richmond regulations.
2. To the extent possible, driveways are to be de-emphasized, highlighting instead the landscape and pedestrian environment.
3. Driveways should not be constructed over inlets or manholes. In instances where this is unavoidable, compliance with county regulations, which may require inlet adjustment and/or upgrade, will be necessary.
4. Driveways should begin at the front property line and end at the entrance to the garage. The ending edge of the driveway at the entrance to the garage should not be extended beyond the side edge of the garage closest to the side property line.
5. Driveway slopes should be uniform with smooth transitions between areas of varying pitch.
6. Driveways shall be located no closer than three feet (3') from the side property line. Unique site conditions may require flexibility; these shall be reviewed by the appropriate Architectural Committee and a variance issued if necessary.



5' Min. at Front P.L. 2' Min. to Side P.L.

7. All driveways on Lots which have one (1) side on a major street shall be located on the side of the Lot farthest from the major street, except for those Lots with a boundary on the radius of a cul-de-sac.

Garage Type	Number of Cars	Minimum at Property Line	Maximum at Property Line
Attached Front Loaded	Two (2) Car	10'	16'
	*Three (3) Car	10'	20'
Attached Side Loaded	Two (2) Car	10'	16'
Attached Swing In	Two (2) Car	10'	16'
Attached Rear Loaded	Two (2) Car	10'	16'
	Three (3) Car	10'	20'
Detached Front Loaded	Two (2) Car	10'	16'
	**Three (3) Car	10'	20'
Detached Side Loaded	Two (2) Car	10'	16'
*PROHIBITED on 60' Lots		**With Committee approval	

8. Width of driveway between the front building line and the street shall not exceed twenty feet (20'). Exceptions will be made for corner Lots with side-out garages. The minimum driveway width allowed is ten feet (10') except where applicable city/county codes require otherwise.
9. If the garage is a front hook-in, or a front porte-cochere (the garage faces the street but is set back four feet (4') from the house) the driveway may be seventeen feet (17') wide. Exceptions will be considered for side-out garages.
10. Driveways serving attached two (2) car garages facing the street shall be sixteen feet (16') in width, minimum.
11. The use of circular drives is generally not allowed and will only be considered by the appropriate Architectural Committee in instances where the width of the Lot is sufficient to accommodate such driveways while leaving a significant amount of green space. Under no circumstances may an entire front yard be paved as a driveway.

12. An application must be submitted for any driveway removal, addition or modification. Driveways on each Lot may be constructed of concrete or any other material approved by the appropriate Architectural Committee. If masonry material is approved, it must be compatible, not only with the home, but also with any other walkways or terraces on the Lot. Painting a topcoat on driveways is not permitted.
13. The driveway turnout shall be constructed in such manner as to provide an attractive transitional radius from the curb and gutter into the driveway entrance and shall prevent escape of drainage water from the street onto any Lots.
14. Driveways constructed of asphalt, crushed stone, gravel, or other similar materials are specifically prohibited.
15. Any concrete spilled, poured or washed on a street must be immediately removed leaving the street clean and unstained.
16. No driveways shall be constructed so as to cross side building lines and join one (1) or more houses. This provision is intended to prohibit the appearance of a continuous driveway or fence across the side property lines of a Lot.
17. Painting of house numbers on driveway curbs for emergency use will be accepted. The length is fifteen inches (15") and the height is six and one half inches (6½") and the background should be white with black numbers. Designs such as the Texas state flag, etc. are also permitted, with approval.

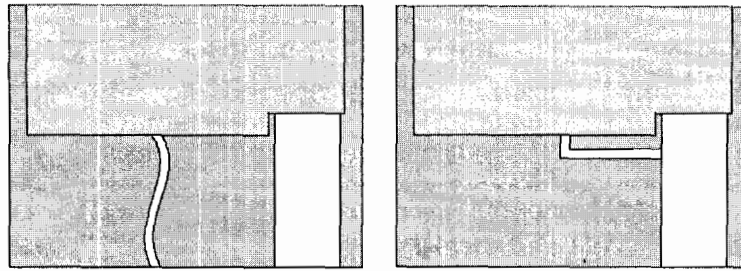
D. SIDEWALKS

1. Sidewalks are required along both sides of local residential streets within Riverpark West and are to be constructed by the home builder. Corner Lots require both front and side yard frontage.
2. Sidewalks shall have curb ramps at all junctures with curbs. These ramps shall be installed by the Developer.
3. Sidewalks shall be five feet (5') wide, plain gray concrete in color, with four inches (4") picture frame edges and medium broom finish on all residential streets and are to be constructed by the home builder.
4. Locations of sidewalks are not to be varied except where required to avoid trees; located 2' - 0" within right-of-way line. Any variance is subject to approval of the appropriate Architectural Committee.
5. Sidewalks shall be setback seven feet (7') from the back of the curb.

6. Where sidewalks cross driveways with decorative paving, the standard sidewalk shall abut to paving on each side of drive and align across drive.
7. Where sidewalks deviate from a straight line, smooth curve and true radii shall be used.
8. Manholes and valve boxes located within sidewalks shall be flush with the concrete paving. Adjustments of heights may be required by the Builder.

E. WALKWAYS

1. Walkways should be a complimentary component of the site architecture and should not compete visually with the house and/or landscape.
2. A walkway should be at least three feet (3') and no more than five feet (5') in width and shall be provided from the front door of the residence to the street curb or the driveway.
3. Meandering walks, fountains and statuary within the walk and front yard require the appropriate Architectural Committee approval.
4. Walkways that parallel the front, side, or rear elevation of a house must have a minimum three foot (3') planting area between the house and the walkway the planting area shall be planted and maintained with an appropriate ground cover or low shrub.
5. Sidewalks shall not be visually or physically broken by crossing walkways.
6. Steps at elevation changes are required on walkway slopes exceeding four percent (4%).
7. An application must be submitted for any sidewalk removal, addition or modification. Entry walks and sidewalks on each Lot may be constructed of concrete or any other finish approved by the appropriate Architectural Committee. If masonry material is approved, it must be compatible, not only with the home, but also with any other walkways or terraces on the Lot. Painting a topcoat on sidewalks is not permitted.
8. 60' – 70' Lots may have walkways from the front door to the street or front door to the driveway.



F. OUTBUILDINGS

1. An "outbuilding" is defined as any structure, which is not attached to the main structure. This definition does not include bonafide additions to the main residence or Detached Garages, but does include storage sheds, gazebos, and playhouses/forts. Outbuildings are only permitted in the backyard, preferably toward the rear Lot line.
2. The colors should match or blend with the predominant exterior colors of the main residence.
3. Materials should match those of the main residence in both size and color; however, the MC will consider small prefabricated metal, wood, or vinyl storage buildings providing the color blends with the main residence.
4. Storage sheds should have a roof no higher than eight feet (8') from the ground to the highest point, and a maximum of eight by ten feet (8'x10') of floor space. Any permanent structure must be kept a minimum of five feet (5') off any property line. Allowed distance from the side fence will be determined based on visibility from the street in front of the Lot. Location must also be far enough away from the fence to allow for drainage to occur entirely on the Owner's Lot.
5. Any storage building placed on a concrete slab on top of a utility easement will require a letter of consent to encroach, as it will not be considered portable. If a storage building is on a utility easement, but is not a slab and can be moved, the MC will consider it as portable.
6. No storage building can be built up against any side or rear wall of a home unless its maximum height is six feet (6') or less and it is not visible above the fence. It must also comply with all the other requirements for proper construction, size and location.
7. If the storage building is less than six feet (6') in height, it may be placed in a side yard provided the five feet (5') minimum setback is observed.
8. A freestanding gazebo must be at least six feet (6') away from the house. The gazebo, at the peak of the structure, must not be higher than ten feet (10') and must be five feet (5') away from any property line. If the roof is shingled, it must match the house shingles.

9. A screened enclosure shall be no higher than twelve feet (12') and shall not create a domed or arched appearance.

G. PATIO COVERS AND PERGOLAS

1. Patio covers and pergolas should be constructed of materials, which complement the main structure.
2. Prefab slatted-type covers made of aluminum may be approved providing they are of a color that substantially matches or blends with the main Building color. Unfinished metals will not receive MC approval. All metal must be painted, powder coated, or equivalently finished. Certain structures using wood framing may be allowed to go unpainted provided treated or insect resistant wood is used.
3. If attached to a Building, patio covers must be integrated into existing roofline, flush with eaves, or utilize another generally accepted transition to the main Building that is approved by the appropriate Architectural Committee. If it is to be shingled, shingles must match the roof. Entire patio cover and posts should be trimmed out to match the house. Supports must be brick, painted wood, or metal columns. No pipe is allowed.
4. At no time, however, shall a patio cover with a shingled roof be allowed with an unpainted frame. Frame will have to be painted to match trim of house whether treated or untreated wood is used.
5. Patio construction materials are as follows (which construction material will also be allowed for play forts and playhouses):
 - a. Painted aluminum (to match trim of house) may be used.
 - b. Painted wood (to match trim of house) may be used.
 - c. Treated wood or naturally rot and insect resistant woods (such as cedar and redwood) may be used. Staining or painting is not required, provided the patio cover complies with G.4 above. All other woods must be painted or stained to match trim of house.
6. Patio covers may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment.
7. Patio covers must be situated on the Lot to provide drainage solely onto the Owner's Lot. If a proposed patio cover location is less than five feet (5') away from a side Lot line, the MC will require that it be guttered with downspouts if it is to be a solid cover.
8. Maximum height at the peak of the roof is twelve feet (12').

9. For screened enclosures, refer to Article IV, Section F.9

H. ROOM ADDITIONS

1. Exterior materials and colors must substantially match the house as much as possible.
2. Detailed plans must be submitted to the MC.
3. Room additions may not encroach into any utility easement.
4. Room additions will be approved on an individual case-by-case basis. Size and shape will depend on architectural style and layout of home, size of Lot, and how well the room addition integrates with the existing home. Plans for room additions must show room size in proportion to room dimensions of the residence. The roof of the addition must integrate with the existing roofline so as to appear to have been a part of the original house. Room additions cannot exceed one-third (1/3) of the remaining backyard, but may be denied for other reasons, e.g., structural integrity, architectural suitability, etc., even if it only uses one-third (1/3) of the remaining yard.
5. Additions must comply with Lot coverage restrictions as set forth Article II, Section B.7.b.
6. Building permits as required by the municipalities (city, county, etc.) must be submitted with the application. In some instances, the MC will grant approval with the provision that a copy of the permit must be received by the MC within thirty (30) days of the approval letter and prior to construction beginning.
7. Balconies must also be approved prior to construction.

I. EXTERIOR PAINTING

1. Unless an Owner intends to paint in accordance with an original color scheme, or to rebuild in accordance with original plans and specifications, an application must be submitted and no work begun until approved by the MC.
2. Color changes must be approved by the MC. Color of brick used in the house and the color of neighboring houses are considerations.
3. 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.
4. Wood siding and trim should generally stay within the earth tone color family (i.e. brown, tan, beige or gray, no primary colors such as blues,

reds, or yellows). Soft and muted earth tone colors are acceptable. The use of white is also permitted.

5. Extremely bold colors, primary colors or pastels are prohibited. The variety and number of exterior colors on each house should be held to a maximum of two (2), not inclusive of brick or front door color.
6. Front doors may be stained a natural wood color, or painted the same color as the house trim. Other paint colors may be approved on a case-by-case basis.

J. STORM WINDOWS AND STORM DOORS

1. The frames of storm windows and storm doors must be of a color compatible with the exterior house colors and/or general use and appearance of the house. All storm doors must be a full glass door. No screen doors or steel security doors are allowed that are visible from the street.

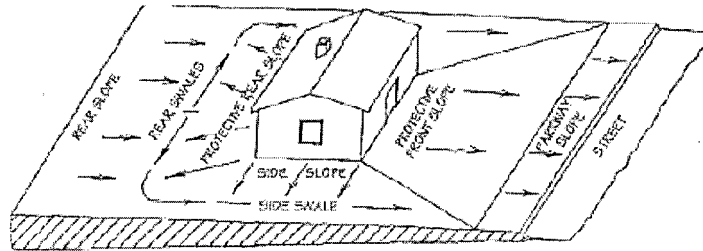
K. DECKS

1. If wood is used, see Article IV, Section G.5.
2. Decks may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment.
3. Decks should not be situated on a Lot if they pose a problem to the effective drainage of the Lot or a neighboring Lot.
4. Decks cannot be higher than eighteen inches (18").
5. Decks may only be constructed in the backyard.
6. It is recommended that decks be built with support posts of sufficient size or detail so that knee braces are not required.
7. If a railing is required, a simple vertical picket or horizontal board railing built in a vertical plane is preferred. Other simple and straightforward designs are permitted.
8. If stairs are part of the deck design, the stair railing must match the deck rail. If possible, stairs should be included within the mass of either the deck or the house.

L. GRADING AND DRAINAGE

In general, each Lot shall be graded so that storm water will drain from the rear property line through the side yard and front yard to the abutting street and not across adjacent Lots. Exceptions will be made in those

instances where existing topography indicates the need for an alternative grading plan. The Committee must approve all exceptions.



REFER TO CONSTRUCTION DOCUMENTS FOR
COMPLETE DETAILS AND SPECIFICATIONS

NOTE:
ALL DRAINAGE TO STREET SWALES, SIDE SLOPES
PROTECTIVE SLOPES BY HOME BUILDER

M. SWIMMING POOLS AND SPAS

1. **Portable or permanent above ground swimming pools are prohibited.** Smaller, prefabricated, installed above ground spas or hot tubs are acceptable, provided they are screened from public view by landscaping or a privacy fence; otherwise, they must be part of a deck system or skirted.
2. Swimming pool appurtenances, such as rock waterfalls and sliding boards, must not exceed five feet (5') in height.
3. Swimming pool enclosures are strongly discouraged and must receive approval from the appropriate Architectural Committee.
4. No pool or spa of any type may encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment. Decking encroachments also require a consent agreement. Consents must be received prior to approval.
5. Ideally, any pool or spa should be located at least five feet (5') from a side and rear Lot line to maintain proper drainage on the Lot. However, a minimum of three feet (3') will be allowed in certain instances regarding planted landscaped areas. The pool must meet all building line and easement restrictions on the recorded plat. Pools may only be constructed in the backyard.
6. All private swimming pools and spas shall be completely enclosed by a solid wood or wrought iron type fence enclosure, being not less than four feet (4') in height, nor more than four inches (4") apart. All openings to any such enclosure shall be closed with a self-closing and self-locking gate of the same construction and material as the fence. As a safety precaution, no external surface of the enclosure shall provide a handhold or foothold.
7. Pools are to be drained to the street and into the storm drain system. They are not to be connected to, or drain into, the community's

sewage drain system. Minimum white schedule – 40 PVC pipe is to be used for pool drain.

8. Yard drains must also be of white schedule – 40 PVC pipe.
9. If any pool or spa construction uses access to the backyard over or through (i) a landscape area maintained by the Association, or (ii) a sidewalk - then either the Owner or pool contractor must deposit a cashier's check in the amount of \$2,000 with the Association. The \$2,000 will be returned only:
 - a. if there is no damage to the landscape area, Association-owned irrigation or electrical facilities, or sidewalk; or
 - b. any damage is repaired to the satisfaction of the Association.

The Association may retain all or any portion of the \$2,000 deposit depending on the extent of the damage as determined by the Association.

10. Screened pool enclosures are prohibited.
11. All pools must be concealed from view from the front street and side street, if applicable, either by wood fence or dense shrubbery along wrought iron type fence.

N. SOLAR SCREENS / FILM

1. Solar screens are allowed on windows only with black screen color, and the frame must blend with existing window frame, and must be placed on all windows on the applicable side
2. Colors and manufacturers must be acceptable to MC for all screens and panels.
3. Solar window film must be non-reflective type. Window film must be replaced if faded to a color other than gray or black.
4. Samples of window film must accompany each application.

O. ANTENNAS

1. Where an acceptable quality signal can still be received, the Owner is encouraged to place an antenna inside the garage's attic space or the house's attic space.
2. 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, allowed, or maintained upon any Lot, which are visible from the front of a Unit, any street, Common Areas or another Lot, unless it is impossible to receive an acceptable quality signal from any other location. In that event, the receiving device may be placed

in the least visible location where **reception** of an acceptable quality signal is possible.

3. The Board of Directors of the Association may require painting or screening of the receiving device, which painting or screening does not substantially interfere with an acceptable quality signal. In no event are the following devices permitted: (i) dish antennas designed to receive direct broadcast satellite service, including direct-to-home satellite service, or to receive or transmit fixed wireless signals via satellite, which are larger than one (1) meter in diameter; (ii) antennas larger than one meter designed to receive video programming services via broadband radio service (wireless cable) or to receive or transmit fixed wireless signals other than via satellite; or (iii) masts, which exceed the height of twelve feet (12') above the center ridge of the roofline.
4. No exterior antennas, aerials, satellite dishes, or other apparatus shall be permitted, placed, allowed or maintained upon any Lot, which **transmit** television, radio, or other signals of any kind, except fixed wireless signals via satellite.
5. This section is intended to be in compliance with the Telecommunications Act of 1996 (the "Act"), as the Act may be amended from time to time; this section shall be interpreted to be as restrictive as possible, while not violating the Act.

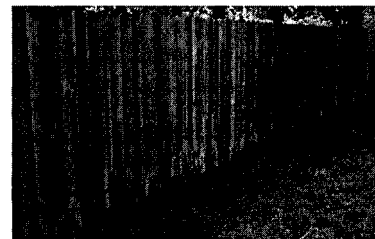
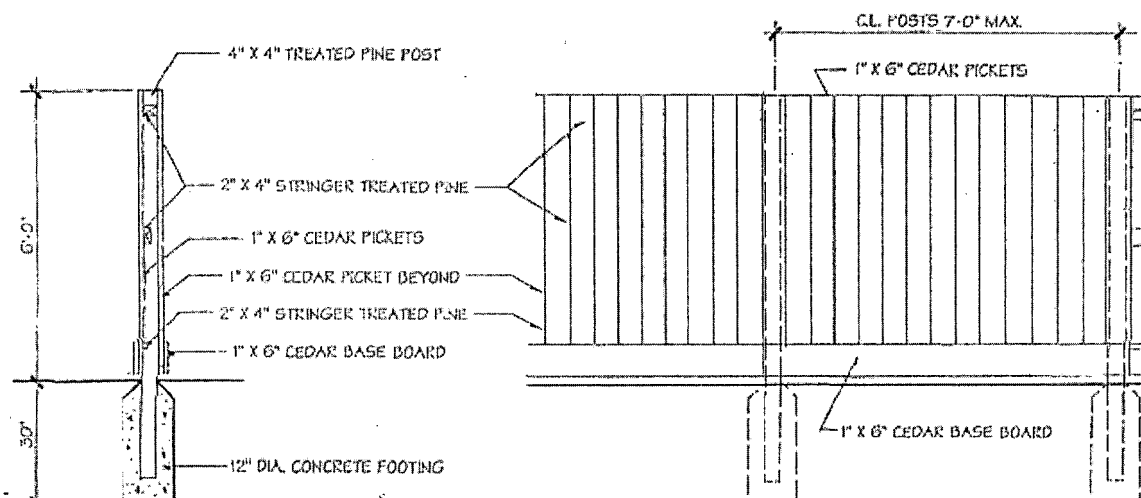
P. FENCES, FENCE EXTENSIONS, WALLS AND HEDGES

1. The Following Fencing Standards Apply to all Residential Lots within Riverpark West

The following represents minimum fencing requirements for subdivisions where production homes or semi-custom homes are built. To insure compatibility of fence design through out the community, all fences visible from the public street that depart from the guidelines must be approved by the Committee.

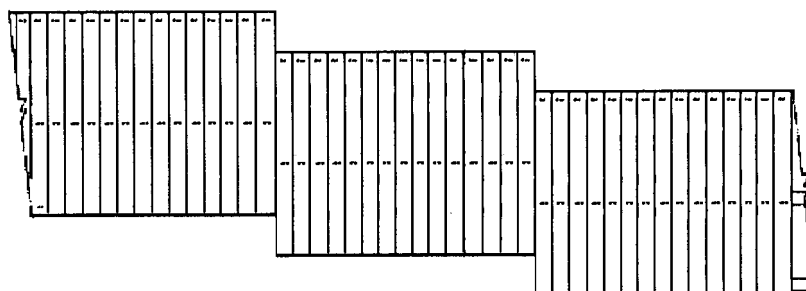
2. Finished Side Out Fencing

- a. Six foot, three inches (6'3") railed wood fence with all finished side pickets facing public view.
- b. These shall be constructed of quality treated *cedar* for all pickets and trim boards and treated pine for all structural members in accordance with the specifications.
- c. The last builder to complete a home must make exposed fencing finished side out.



AS PER ORIGINAL

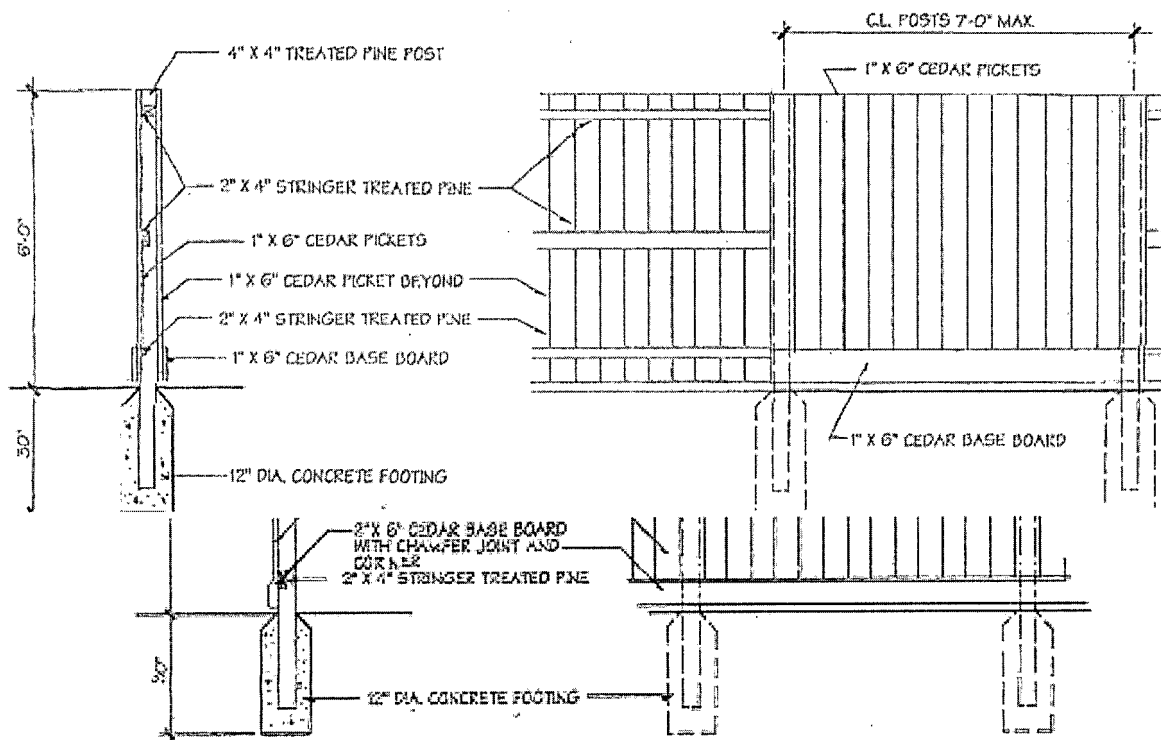
- d. All fencing is to be stair-stepped down slopes at regular intervals. The tips of these fences are to be level with the horizon. Height levels should be changed at normal column spacing.



- Builder side yard fences on Lots with back to front slopes of 1% or less do not require stepping.

3. Good Neighbor Fence

- Six foot, three inches (6'3") railed wood fence with alternating panes of finished side out.
- These shall be constructed of quality treated cedar for all pickets and trim boards and treated pine for all structural members in accordance with the specifications.



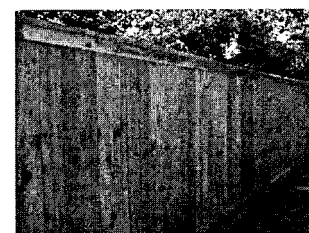
REFER TO CONSTRUCTION DOCUMENTS FOR COMPLETE DETAILS AND SPECIFICATIONS.



AS PER ORIGINAL

4. Upgraded Fence

- Six foot, three inches (6'3") railed all finished side wood fence with cap, trim and cedar base board on the exterior Lot side facing Public Street.
- These shall be constructed of quality treated *cedar* for all pickets, cap and trim boards and treated pine for all structural members in accordance with the specifications.



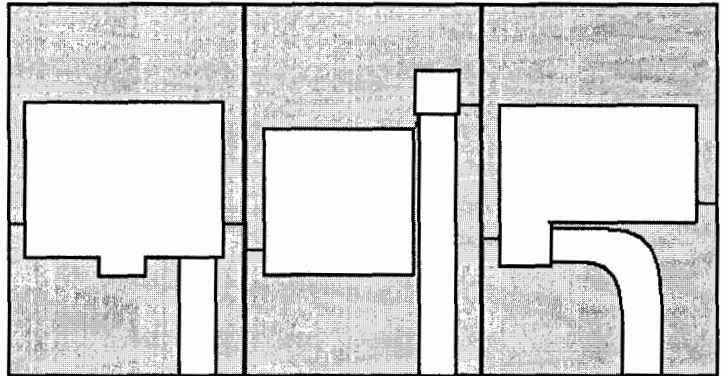
5. Fencing Placement

- a. The builder shall be responsible for installing a fence along the rear and side property lines of each residence, except where specifically stated otherwise, in conformance with the standards adopted for each Lot type.

- b. When fences of differing heights or materials abut, the tie-ins must be in compliance with accepted fencing standards. In those instances where the street design of a neighborhood produces an open ended cul-de-sac, the Lots at the end of such cul-de-sacs which abut a common area require a special height transition and termination feature.

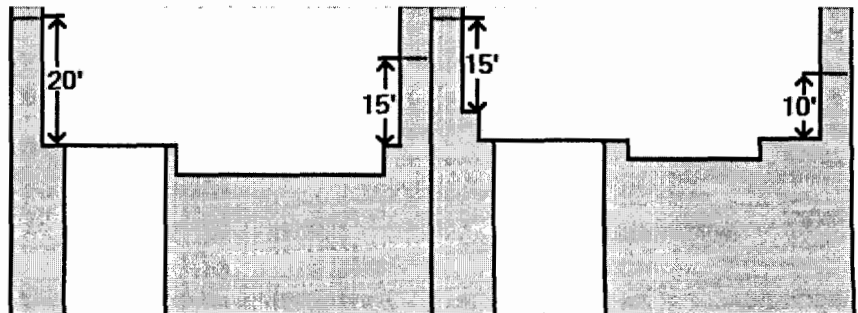
1. Visible Fencing

- All fence sides visible to the public must be the "finished" side.
- The last builder to complete a home must finish exposed fence to be "finished" side out.



2. Front Side Yard Fences

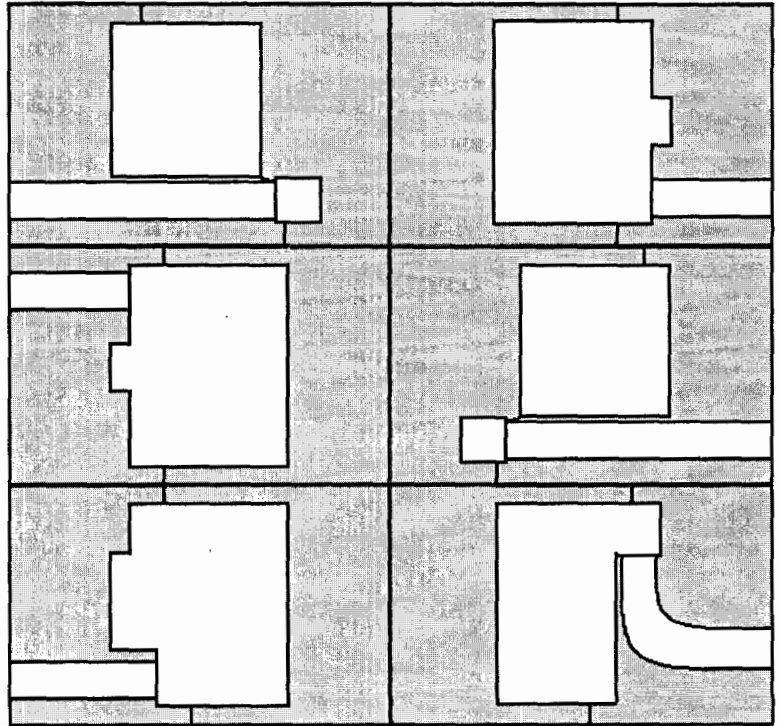
- Fences facing the front of the Lot between the side property line and the house.
- Must be set back from the front elevation of the house a minimum of ten feet (10') to a maximum of twenty feet (20') and be coordinated to avoid offsets with the fencing on the adjacent Lots. Architectural configurations of the house may dictate a smaller setback. In these instances, with approval by the Committee, the fence should be set back as far as is possible and appropriate with the architecture.



AS PER ORIGINAL

3. Typical Interior Fences

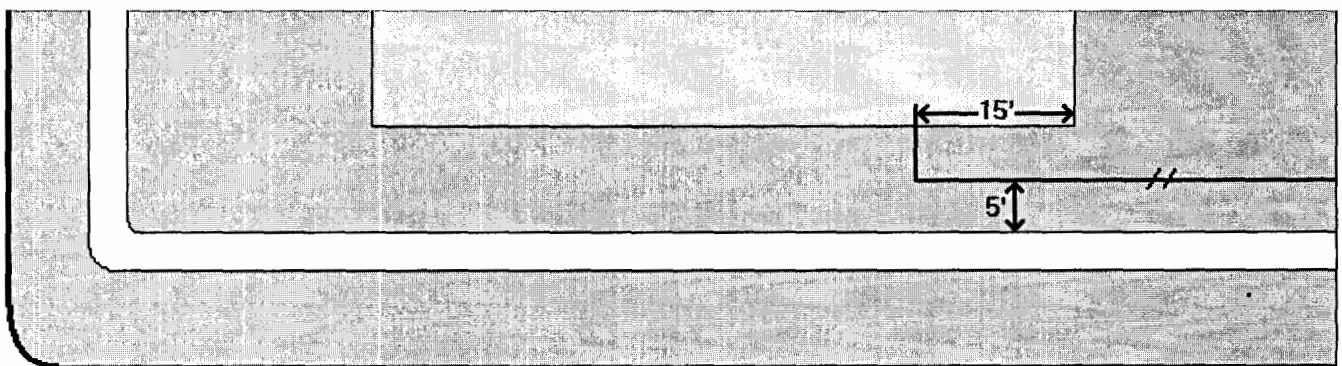
- Typical Interior fences not visible within public view.
- Must be Good Neighbor Fencing.



4. Corner Lot Fencing

- Fencing facing the corner side street.
- Must be upgraded fencing.
- Must be located seven feet (7') from the street R.O.W. line and constructed from the rear Lot line parallel to the public street to a point located a minimum of fifteen feet (15') past the rear elevation of the house.

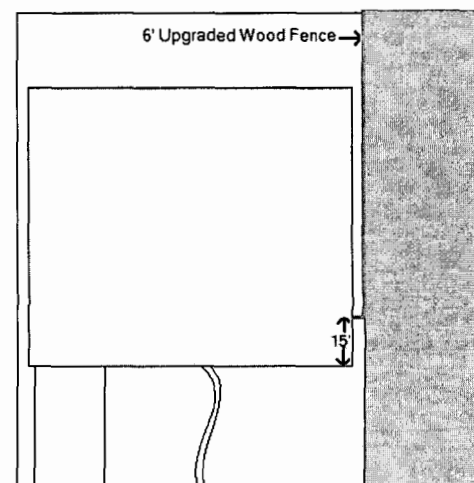
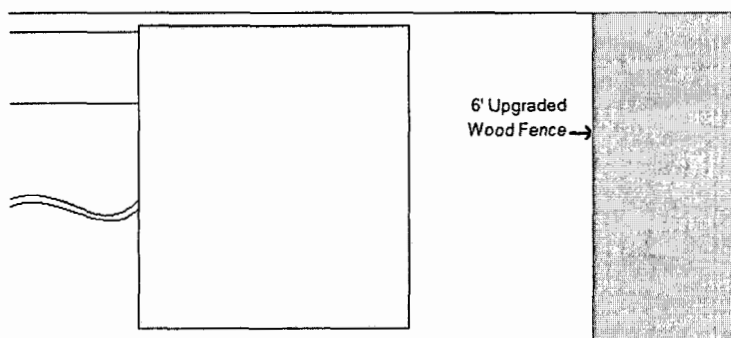
AS PER ORIGINAL



Corner Side Street

5. Green Belt & Open Space Lot Fencing

- The exterior Lot side of Lots abutting a Greenbelt or Open Space shall be constructed with a six foot (6') high upgraded wood fence with a trim cap shall be treated cedar two inches by six inches (2"x6").
- Where Lots side onto a greenbelt, the upgraded wood fence must be constructed along the common property line between the greenbelt and such Lots from the rear property line to a point fifteen feet (15') behind the front elevation of the house.
- Additional fencing for Lots abutting a Greenbelt or Open Space shall be constructed in accordance with the aforementioned criteria for typical interior Lots.



6. General

- a. The builder shall be responsible for installing a fence along the rear and side property lines of each residence, except where specifically stated otherwise, in conformance with the standards adopted for each Lot type.
- b. When fences of differing heights or materials abut, the ties must be in compliance with accepted fencing standards. In those instances where the street design of a neighborhood produces an open ended cul-de-sac, the Lots at the end of such cul-de-sacs which abut a lake, greenbelt, or Common Areas require a special height transition and termination feature for the wrought iron fence.
- c. Fence sides visible to the public must be the "finished" side. If wood fences are constructed so that reinforcing is visible on one (1) side and not the other, then the side with

reinforcing visible shall face the interior of the Lot and the side without reinforcing visible shall face the public (i.e., street, reserve or Common Area).

- d. All fencing is to be stair-stepped down slopes at regular intervals. The tips of these fences are to be level with the horizon. Height levels should be changed at normal column spacing. Builder side yard fences on Lots with back to front slopes of one percent (1%) or less do not require stepping.
- e. One (1) single-sided hinged gate shall be installed on one (1) side of the house, whichever is most appropriate.
- f. Side yard fences should be set back from the front elevation of the house typically fifteen feet (15') and be coordinated to avoid offsets with the fencing on the adjacent Lots. Architectural configurations of the house may dictate a smaller setback. In these instances, with approval by the NCC or the MC, the fence should be set back as far as is possible and appropriate with the architecture.

7. Gates

- a. Pedestrian gates on the left and right sides facing the Right of Way must be finished side out.
- b. The placement of fence gates within fences along the Greenbelts and Open Space are prohibited.

8. Lot Type Guidelines

a. Typical Interior Lot

The builder shall construct six-foot (6') height wood fences. These shall be constructed of quality treated cedar for all pickets and trim boards and treated pine for all structural members in accordance with the specifications.

Fencing shall be "good neighbor" fence with alternating seven foot (7') panels and exposed rails along common interior Lot lines.

b. Typical Corner Lot

The builder shall install upgraded wood fence with trim cap on the exterior Lot side facing public street.

The upgraded wood fence must be located five feet (5') from the street right-of-way line and constructed from the rear Lot line parallel to the public street to a point located a minimum of fifteen feet (15') past the rear elevation of the house.

c. Open Space Lot Fencing

The exterior Lot side of Lots abutting a greenbelt shall be constructed with a six foot (6') high upgraded wood fence with a trim cap and edge trim.

Where Lots side onto a greenbelt, the upgraded wood fence must be constructed along the common property line between the greenbelt and such Lots from the rear property line to a point fifteen feet (15') behind the front elevation of the house.

Additional fencing for Lots abutting a greenbelt shall be constructed in accordance with the aforementioned criteria for typical exterior Lots.

The placement of fence gates within fences along the greenbelts are prohibited.

d. All Metal/Wrought Iron Fences

The maximum height for metal/wrought iron fencing is six feet (6'). All wrought iron fencing must be approved by the appropriate Architectural Committee.

9. Specific Guidelines

- a. In general for wooden fences, only a clear sealer will be permitted, in order to preserve the aesthetic continuity of the Subdivision.
- b. Any wall, fence or hedge erected on a Lot shall pass ownership with title to the Lot and it shall be the Owner's responsibility to maintain said wall, fence, or hedge thereafter.
- c. Wing walls must be a minimum of three feet (3') back from the corner nearest the side Lot line, whether the material used in the wing wall is brick, wood or steel picket.
- d. A fence, wall or hedgerow intended to serve an aesthetic purpose may be located outside the limits defined by building lines on any street frontage of any Lot, provided that it does not exceed four feet (4') in height.

- e. Fence, wall or hedge extension requests should be submitted by both neighbors sharing the side Lot line and fence, wall or hedge except in the case of a corner Lot.
- f. If both neighbors do not concur as to a proposed fence, wall or hedge extension the appropriate Architectural Committee will examine the effect the extension will have on both properties. If, in the sole opinion of the appropriate Architectural Committee, one (1) party will suffer detrimentally from the extension (e.g., an existing sight line will be blocked), the appropriate Architectural Committee will reject the application.
- g. Replacement or repairs of fences, walls or hedges must be made with similar materials and construction details as used in original design of the fence, wall or hedge (i.e., replace cedar pickets with cedar). Replacement or repairs with any other material must be approved by the MC. It is the Owner's responsibility to replace or repair any part of the fence that is not shared by another Owner in like manner.
- h. Fences must be maintained in good condition, including the outside of the fence where it faces Common Areas or Association property.
- i. No fence shall be constructed so as to cross side building lines and join one (1) or more houses. This provision is intended to prohibit the appearance of continuous fencing across the front of a Lot.
- j. No chain link fence type construction will be permitted on any Lot.
- k. Where pedestrian gates are proposed, they must be constructed of a durable material, which is compatible to its respective fence type. Where a metal fence is proposed, care should be taken to insure that the gate does not provide views into any unsightly areas. Such areas must be screened from public view.
- l. The appearance of single family dwellings must be maintained. The removal of fences or any improvement or alteration that lends itself to a communal or compound appearance will not be permitted.

Q. DRIVEWAY GATES AND GATE COVERS

1. Full wooden panel gates must match the existing fence.
2. No chicken wire, chain link, or lattice are allowed.
3. Wrought iron and simulated iron gates are permitted, but shall be painted black or the same color as the house trim.

R. DECORATIONS

1. Decorative embellishments equal to or greater than eighteen inches (18") in height (to include sculptures, birdbaths and small garden flags) may be located within the confines of front Lot flowerbeds provided MC approval is obtained beforehand. Such decorations shall be limited to one (1). Such decorative embellishments must be of a material, color and dimension that blend appropriately with the adjoining landscape and housing structure. They should be of a height and width so as to blend with the height and width of surrounding landscape items (shrubbery) and not to obscure or detract in any fashion from the overall appearance of the adjoining landscaping or housing.
2. Birdhouses in excess of eighteen inches (18") in height shall be limited to the back yard. Only one such birdhouse shall be permitted per Unit.
3. Other decorations exceeding eighteen inches (18") in height are prohibited from other areas of the Lot visible from any street. Small decorative embellishments, not to exceed eighteen inches (18") and no more than three (3) in total, may be placed on the front lawn. Benches may be placed in the front lawn given that they meet the same material and color requirements previously referenced and are not of a portable nature. Christmas, holiday or other festive decorations of a temporary nature are exceptions. Holiday decorations must be removed within two (2) weeks after the calendar date of the holiday.
4. No front yard flowerbeds shall have rocks as mulch.
5. Generally building materials may not be used as landscape borders. This includes, but is not limited to bricks, builder stone, wood and concrete. Bricks may be permitted if installed with mortar in a horizontal brick style where only the face of the brick is showing. No holes are to be visible from front or above. Scalloped concrete is not permitted as a landscape border.
6. Burglar bars and gates are not permitted.
7. Replacement of existing house numbers must conform to the original design. House numbers cannot be placed on any type of freestanding structure in the front yard without MC approval.

S. EXTERIOR LIGHTING

1. Additional exterior lighting should not be of a wattage or lumen count, which will affect neighboring homes.
2. Exterior decorative lights, security lights or floodlights must be aimed so as not to shine onto a neighboring property. The fixture color and shielding should be compatible with the Building. Conduits and wiring must be concealed.
3. Low voltage landscape lighting must receive the appropriate Architectural Committee approval prior to installation including the number of lights.
4. Security, mercury vapor, or fluorescent lights, must be attached to the back of the house or the garage, so long as the light fixture is not visible from the street. Mercury vapor, fluorescent, and sodium halide are not permitted in back or side yard if there are, or will be, neighboring houses. Any security light other than a motion light visible from the street, must have the appropriate Architectural Committee approval prior to installation.
5. Gas or electric post lights may be in front or back of house. Such lights must be no taller than eight feet (8') in height and the illumination must be a low wattage. The color of the post shall be selected to complement or harmonize with the colors of the other materials on the house. This means that the color should generally stay within the earth tone color family (i.e. black, brown, tan, beige, or gray, no blues, reds or yellows). The use of white is also permitted. Extremely bold colors, primary colors, yellow, blue, or green pastels for the post are prohibited.
6. Exterior lights must not affect overall aesthetic appeal. The type, color, and quality of all exterior site and house lighting must be consistent with other existing lights on the property and in the neighborhood of the respective house.
7. Colored lighting of any sort and the use of fluorescent and neon lighting is prohibited (except during recognized holiday seasons when such lighting is permitted). Lighting, when used for special landscape lighting effects may be permitted as long as they are hidden from view and directed up at a tree or down from a tree. Conduits and wiring must remain concealed from view of the passerby. All such installations must be submitted to the appropriate Architectural Committee for approval.
8. Architectural accent lighting is also permissible, but must be from an incandescent or compact fluorescent source.
9. Moonlighting or uplighting of trees is allowed, but the light source must be hidden.

10. Proposed walkway lighting should be inconspicuous and of a bollard or dome light design. The lamp may be incandescent (100w maximum), quartz (75w maximum), metal halide (75w maximum), or fluorescent (25w maximum). Proposed walkway lighting must have approval from the appropriate Architectural Committee prior to installation.

T. WIND TURBINES

1. No wind generators shall be erected or maintained on any Lot.
2. Wind turbines (for attic ventilation) erected on the roof of house or garage must conform to color of roof. The use of wind turbine vents shall be limited to the rear, and not visible from the front of a Unit.

U. OUTDOOR CARPETING

1. Outdoor carpeting is not permitted in the front of the Unit.

V. BIRDHOUSE

1. Maximum permitted height of birdhouses are fourteen feet (14') and maximum size shall not exceed 300 square inches.
2. If mounted on a pole, birdhouses must be un-obtrusive and painted to match trim color of house.
3. Birdhouses must be placed not closer than five feet (5') to any property line, and must be situated in the rear of the house.
4. Birdhouses and mounting structures must be maintained and only one (1) per Lot is permitted.

W. LANDSCAPING

1. The following landscaping standards are applicable to all typical Lots. Planting materials for larger and/or oversized Lots should be increased proportionally in plant size and quantity.

a. All Front Yards

The builder shall install and thereafter the Owner shall always maintain the following tree plantings in all front yards. Two (2) trees, one (1) of which must be a hardwood, with a minimum four inch (4") caliper when measured six inches (6") above grade. Additionally, trees must have a minimum height of ten feet (10') and a minimum canopy spread of five feet (5'). Larger trees are encouraged. **The front lawn of each completed residence shall be completely sodded with St. Augustine Grass. Seeding and/or sprigging is**

prohibited. At least ten (10) foundation shrubs per Lot shall be installed in the front yard. Minimum size for these shrubs is five (5) gallons. At least two (2) vertical foundation accent shrubs per Lot shall be installed in the front yard. Minimum size for these shrubs is ten (10) gallons.

b. Corner Lots

Supplemental landscaping specifications for all corner Lots include the following:

Two (2) trees - four inch (4") caliper minimum when measured six inches (6") above grade

c. Rear Yard on Greenbelt Lots

One (1) tree, minimum four inch (4") caliper when measured six inches (6") above the ground, must be planted in the rear yard of all greenbelt Lots.

2. The home builder (and thereafter the Owner) is responsible for landscaping all areas on his/her property and the portion of the street right-of-way between the property line and the street curb.

3. Plantings other than groundcovers and low growing ornamentals between the street curb and the paved sidewalk are discouraged in order to preserve adequate sight lines for motorists.

4. Automatic irrigation systems for all residential Lots is encouraged.

5. Installation of all landscaping must occur immediately upon occupancy of the house or within thirty (30) days after completion of construction, whichever occurs first.

6. Installation of landscaping, including materials and workmanship, must be in conformance with acceptable industry standards.

7. Minimum planting bed specifications include:

- Minimum average planting bed width is five feet (5') from the house foundation. Curvilinear planting beds are encouraged.
- Shrubs are to be planted in a pleasing, organized design.
- The number of plants utilized shall be appropriate for the size of the planting bed.

8. Planting bed edging is encouraged, but not required. The edging assists in maintaining the shape of the planting beds.

9. Loose brick, plastic, scalloped concrete, corrugated aluminum, wire wicket, vertical timbers, railroad ties, etc., are not in character with the desired landscape effect and are prohibited. Acceptable edging is Ryerson steel, concrete mow bands, brick set in mortar, horizontal timber, four inches (4") by four inches (4"), and four inches (4") by six inches (6") and stone set in mortar laid horizontally and continuous. Standard dimensional lumber, whether treated or untreated, is prohibited.

10. All planting beds and tree rings are to be mulched with shredded pine bark, hardwood mulch, or another material similar in appearance to loose wood mulch (i.e. recycled rubber mulch of a wood-tone color). Pre-fabricated "tree rings" are explicitly prohibited.

11. The use of gravel or rock in front yard planting beds is prohibited, except as a border when set in and laid horizontally as quarried or utilized for drainage purposes. This was previously mentioned.

12. Tree stakes may be used for new tree installation, but must be removed after approximately one (1) year as tree roots are established.

13. Builders are not required to landscape the rear yards with trees and shrubs, except for lake and open space Lots.

14. All landscaping is required to be maintained in a healthy and attractive appearance.

15. Trellises and arbors taller than the Lot fencing, and permanent brick borders and window boxes in the front yard, must have MC approval.

16. Landscape projects, including ponds, should not degrade the drainage from resident property and adjacent properties. Ponds are only allowed in the rear yard and are not permitted outside of the rear Lot fencing.

17. No object or thing which obstructs sight lines at elevations between two feet (2') and six feet (6') above the surface of the streets within the triangular area formed by the intersecting street lines and a line connecting them at points twenty-five feet (25') from the intersection of the street lines or extensions thereof shall be placed, planted or permitted to remain on any corner Lots.

18. Artificial plants, trees, shrubs, flowers, etc. are not allowed as part of the landscaping in front yards or in the backyard of a home that backs up to a waterway.

X. BASKETBALL GOALS

1. Permanent basketball goals must be placed on the side of the driveway, as far to the rear of the property as possible.

2. Basketball goals may not be erected beyond the front building line or on the front of the garage.
3. The basketball goal backboard, net and post must be maintained in usable condition and kept in acceptable appearance.
4. Basketball goals not maintained will be required to be removed.
5. Only one (1) basketball goal per Lot will be permitted.
6. Portable goals must be commercially manufactured. A portable goal shall be placed within fifteen feet (15') of the front plane of the garage on the Owner's side. The base of a portable basketball goal shall be screened from the view from the street or removed from view when not in use.
7. All basketball goals must be located so that errant or stray basketballs do not allow play in adjacent neighbor's yard.
8. Basketball goals may not be placed in the street at any time.

Y. SWING SETS, PLAY STRUCTURES, PLAYHOUSES, PLAY FORTS & TRAMPOLINES

1. **ALL PLAYGROUND EQUIPMENT MUST BE SUBMITTED FOR APPROVAL PRIOR TO INSTALLATION.**
2. Maximum height of a swing set or play structure is twelve feet (12').
3. Location of swing sets, play structures or trampolines will be considered for neighbors' privacy, but not closer than five feet (5') to any property or fence line, and must be located to rear of house.
4. If canvas is used as roofing material on a play structure, the structure must be located where it is not visible from the street. The canvas must be kept in quality condition or the MC will request its' removal. The color of the canvas cover must be an earth tone (black, brown, tan, beige, forest green, or gray, no primary colors such as blues, reds, or yellow).
5. Trampoline safety nets are encouraged and color of structure must be of solid color of earth tone, blue or black. Safety nets shall be well maintained.
6. A playhouse/fort must not have a roof higher than twelve feet (12'). If a fort has a platform, then the platform can be no higher than six feet (6') off the ground. Neither is to be within five feet (5') of any property line and must be placed on the rear of the property, behind a fence or

otherwise screened from public view from any street abutting the Lot. Please refer to Article IV, Section F.5 for allowed construction materials.

7. No tether pole, play net or any other recreational facility shall be erected on any Lot in a location that is visible from the front of the Lot or from the street abutting the Lot, except for basketball goals that are maintained in good condition.

Z. WINDOW AIR CONDITIONERS

1. No window or wall-type air conditioners shall be permitted to be used, erected, placed or maintained on or in, any building on any part of the property.

AA. AWNINGS/WINDOW SHADES

1. Awnings and other similar window shading material shall not be permitted.

2. Metal and wooden slat-type exterior shades are not permitted on the front of the house. All exterior shades must be approved by the appropriate Architectural Committee prior to installation.

BB. SIGNS, ADVERTISEMENTS, BILLBOARDS

1. No signs, billboards, posters or advertising devices of any character advertising the Unit for sale, shall be erected or displayed to the public view on any Lot except for one (1) sign of not more than five (5) square feet and the top main area plus bottom hangar area combined shall not be greater than eight (8) square feet.

2. Contractor signs, painter signs, and pool company signs are not permitted. No foreclosure or bankruptcy signs are permitted.

3. Lost pet signs are not permitted.

4. Signs which give notice of a home security system are permitted if placed at or near the front entrance and are no larger than 144 square inches. Window stickers which give notice of a home security system are also permitted.

5. The appropriate Architectural Committee shall have control over all the wording, design, appearance, size, quantity, and location of all signs. Except for sale or rental signs adhering to the standards of Article IV, Section BB, all signs within the Subdivision shall be subject to the prior written approval of the MC.

6. Notwithstanding the provisions in the Declaration, due to a change in the law, the following restrictions apply to signs advertising a political candidate or ballot item for elections, as regulated by Section 202.009 of the Texas Property Code ("Political Signs"). No Political Sign may be

placed on an Owner's Lot prior to the ninetieth (90th) day before the date of the election to which the sign relates, or remain on an Owner's Lot subsequent to the tenth (10th) day after the election date. No more than one (1) Political Sign is allowed per political candidate or ballot item. No Political Sign may: contain roofing material, siding, paving, materials, flora, one (1) or more balloons or lights, or any other similar building, landscaping, or nonstandard decorative component; be attached in any way to plant material, a traffic control device, a light, a trailer, a vehicle, or any other existing structure or object; include the painting of architectural surfaces; threaten the public health or safety; be larger than four feet (4') by six feet (6'); violate a law; contain language, graphics, or any display that would be offensive to the ordinary person; or be accompanied by music, other sounds, by streamers or is otherwise distracting to motorists.

7. Temporary signs for school age activities will be permitted for reasonable periods of time.

CC. STORAGE OF BUILDING MATERIALS

1. Building materials placed on Lots prior to commencement of improvements must be kept in a neat, clean and orderly condition.

2. No materials may be placed on the street, or between the curb and the property line.

DD. TEMPORARY STRUCTURES

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

2. No dwelling previously constructed elsewhere may be moved onto any Lot in the subdivision controlled by these covenants.

3. This covenant specifically includes mobile homes, or the use of a mobile home, in which the axle and wheels have been removed and placed upon a concrete slab, which said mobile is hereby specifically prohibited as a residence, either temporarily or permanently, and further, specifically includes a mobile home upon which wheels have been left attached.

EE. SCREENING

1. Electrical and mechanical elements, water conditioning devices, garbage containers and other similar objects visible from a public street, or Common Areas, or located on property boundaries, must be screened from view by either walls, fences, planting or a combination thereof. If screening is to be accomplished solely with plants, they must be mature upon installation to screen immediately.

V. OTHER GUIDELINES

A. PRIOR GUIDELINES

The "Riverpark West, Residential Design Guidelines" dated July, 2011 and filed as a part of the Notice of Dedicatory Instruments recorded in the Official Public Records of Real Property of Fort Bend County, Texas under County Clerk's File No. 2008128249 ("Prior Guidelines") are revoked by this document.

B. COMPLIANCE GUIDELINES: RAIN BARRELS AND RAIN HARVESTING SYSTEMS, SOLAR ENERGY DEVICES, STORM AND ENERGY EFFICIENT SHINGLES, FLAGS, AND RELIGIOUS ITEMS

The "Guidelines Relating to Rain Barrels and Rain Harvesting Systems, Solar Energy Devices, Storm and Energy Efficient Shingles, Flags, and Religious Items for Riverpark West Property Owners Association, Inc." attached to the Supplemental Notice of Dedicatory Instruments was recorded in the Official Public Records of Real Property of Fort Bend County, Texas under County Clerk's File No. 2011130936 ("Chapter 202 Guidelines") filed to be in compliance with Chapter 202 of the Texas Property Code are still in effect, except in Section 4.2 of the Chapter 202 Guidelines where Article II, Section G.4 of the Prior Guidelines is quoted; that reference (to Article II, Section G.4) is hereby deleted and replaced with Article IV, Section A.9 of this document.

C. DISCREPANCIES

Any discrepancies between this document and the "Riverpark West, Residential Design Guidelines, Revised October 2011" ("Builder Guidelines") will be controlled by the Builder Guidelines.

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CERTIFICATE OF SECRETARY
of
RIVERPARK WEST PROPERTY OWNERS ASSOCIATION, INC.
adopting
RESIDENTIAL DESIGN GUIDELINES

The undersigned, being the duly elected, qualified and acting Secretary of Riverpark West Property Owners Association, Inc., a Texas non-profit corporation ("Association"), does hereby certify that at a joint meeting of the Board of Directors of the Association ("Board") and the Association's Modifications Committee ("MC") duly called and held on the 23rd day of February, 2012, with at least a quorum of the Board and MC being present and remaining throughout, and being duly authorized to transact business, the Residential Design Guidelines of the Association were adopted as set forth in the foregoing "Riverpark West Residential Design Guidelines", which was approved by a majority vote of the members of the Board and MC.

TO CERTIFY WHICH WITNESS my hand on this 23rd day of February 2012.

**RIVERPARK WEST PROPERTY OWNERS
ASSOCIATION, INC.**

Denise Monroe
Denise Monroe, Secretary

THE STATE OF TEXAS §
 §
COUNTY OF Fort Bend §

BEFORE ME, the undersigned notary public, on this 23rd day of February 2012 personally appeared Denise Monroe, Secretary of Riverpark West Property Owners Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purpose and in the capacity therein expressed.



F. Molina
Notary Public in and for the State of Texas

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FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dianne Wilson

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Dianne Wilson COUNTY CLERK

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