

**ROLLING FORK OWNERS COMMITTEE, INC.**  
**RESOLUTION OF THE BOARD OF DIRECTORS**  
Architectural Guidelines

**WHEREAS:**

The Rolling Fork Owners Committee, Inc., the governing body of the community known as Rolling Fork, a subdivision of Harris County, Texas, as recorded in the map records of Harris County, Texas, held a Regular Meeting of the Board of Directors on Oct 18, 2011, in accordance with the By-Laws of the Rolling Fork Owners Committee, Inc. At this meeting the Board of Directors considered the adoption or rejection of revisions to the existing Architectural Guidelines for Rolling Fork Subdivision. The Board of Directors voted to adopt the Architectural Guidelines for Rolling Fork Subdivision.

**THEREFORE, LET IT BE RESOLVED:**

Oct 18, The attached Architectural Guidelines for Rolling Fork Subdivision shall be effective as of, 2011.

Date: Oct 18, 2011.

Arch Ethun

Arch Ethun, Vice President  
Rolling Fork Owners Committee, Inc.

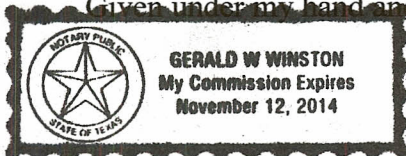
STATE OF TEXAS

§  
§  
§

COUNTY OF HARRIS

Before me, the undersigned authority, on this day personally appeared Arch Ethun, Vice-President of Rolling Fork Owners Committee, Inc., a Texas corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he had executed the same as the act of said corporation for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this day of 10-18, 2011.



Gerald W. Winston  
Notary Public, State of Texas

[Notarial Seal]

Gerald W. Winston  
Printed Name  
My commission expires: 11-12-14

After recording, please return to:  
ROLLING FORK OWNERS COMMITTEE, INC.  
P. O. BOX 40815  
HOUSTON, TX 77240-0815



ARCHITECTURAL GUIDELINES  
FOR  
ROLLING FORK SUBDIVISION  
Effective October 18, 2011

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ARCHITECTURAL GUIDELINES FOR ROLLING FORK SUBDIVISION

The undersigned, being all of the members of the Board of Directors of Rolling Fork Owners Committee, Inc., a Texas non-profit corporation ("the Committee") and its Architectural Control Committee/ Deed Restriction Committee ("the ACC/DRC"), do hereby certify that at a meeting of the Board of Directors of the Committee and its ACC/DRC, duly called and held, the following guidelines were made and adopted:

WHEREAS, the Protective Covenants, Conditions and Restrictions at times are silent on matters regarding the harmonious and architectural design of the subdivision and leave that discretion with the Board of Directors of the Rolling Fork Owners Committee, Inc.; and the Committee, acting through its Board of Directors, and the ACC/DRC desire to exercise the authority granted to it by the provisions of the Protective Covenants, Conditions and Restrictions applicable to Rolling Fork Subdivision, ("the Declarations") to maintain the harmonious and architectural design of the subdivision in accordance with the provisions of the Declarations; and

WHEREAS, the Board of Directors of the Rolling Fork Owners Committee, Inc. authorizes the ACC/DRC to carry out the specific purposes set forth below; and

WHEREAS, the Declarations provides that no buildings, additions or improvements of any kind shall be erected or placed on any lot until the construction plans and specifications including, but not limited to, site layout, building location, building materials, colors and elevation, have been submitted to and approved in writing by the ACC/DRC; and

WHEREAS, the Board of Directors of the Rolling Fork Owners Committee, Inc. further provides that the ACC/DRC shall have the discretion to approve or disapprove plans and specifications for buildings, additions or improvements on the basis of color, quality of building materials, lot size and harmony of external design with existing structures; and

WHEREAS, the Board of Directors of the Committee through the ACC/DRC desires to establish guidelines with respect to the type, quality and color of exterior additions and improvements on lots within Rolling Fork Subdivision, to be followed and implemented by the ACC/DRC, so that a harmonious exterior design within the subdivision is consistently maintained;

NOW, THEREFORE, the Board of Directors of the Committee hereby adopts the following guidelines relating to buildings, additions and improvements on lots within Rolling Fork Subdivision, which guidelines have been created to give the property owner an idea of how the deed restrictions within Rolling Fork Subdivision will be enforced. These guidelines have been prepared for some of the deed restrictions, but not all of the deed restrictions that are in the Declaration of Covenants, Conditions and Restrictions of Rolling Fork Subdivision. The Declaration of Covenants, Conditions and Restrictions that are on file in the Real Property Records of Harris County, Texas for each section of Rolling Fork are the governing documents; therefore, they should always be referred to and followed by each property owner.



DEFINITIONS

Terms used in this document have the following meanings:

|                          |                                                                                                                                                                                                                                            |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Committee                | Rolling Fork Owners Committee, Inc.                                                                                                                                                                                                        |
| ACC/DRC                  | The Architectural Control Committee, a sub-committee of the Committee. The Deed Restriction Committee, a sub-committee of the Committee.                                                                                                   |
| Board                    | The Board of Directors of the Committee.                                                                                                                                                                                                   |
| Deed Restrictions        | For Sections 1,2,3,4, and 7, generally Article IV of the Declaration, titled "RESTRICTIVE COVENANTS ON RESIDENTIAL LOTS". For Sections 5 and 6, generally Article II of the Declaration, titled "USE RESTRICTIONS".                        |
| Guidelines               | Rules, standards and procedures established by the ACC/DRC pertaining to buildings, additions, or other improvements in Rolling Fork Subdivision.                                                                                          |
| Managing Agent           | The management company designated by the Board to perform certain management duties for the Committee.                                                                                                                                     |
| Rolling Fork Subdivision | All sections of Rolling Fork subdivision to which the Declarations applies. This currently includes Rolling Fork Sections One through Six and Block 2 of Section Seven.                                                                    |
| Protective Covenants     | The "Protective Covenants, Conditions and Restrictions" applicable to Rolling Fork Subdivision found in the Declarations for Sections 1, 2, 3, 4 and 7, Block 2; and Sections 5 and 6 recorded in the Harris County Real Property Records. |

OVERVIEW

The purpose of architectural control is to keep the community attractive for the enjoyment of residents and for the protection of property and property values. The Declarations authorizes the Committee to establish rules, standards and procedures for the orderly development of the subdivision and requires homeowners to obtain written approval from the ACC/DRC for any buildings, additions or other improvements to their property. This is to ensure that the improvements comply with the provisions of the Declarations and are in harmony with existing and proposed structures.

These guidelines have been established to assure uniform and fair application of the Declaration and are intended to provide all lot owners in Rolling Fork Subdivision with information about: the type, color, quality of materials which may be used in the construction of various kinds of improvements; the size and locations of such improvements; and information about the procedures used by the ACC/DRC in reviewing applications for proposed improvements.

The ACC/DRC reserves the authority to review and approve applications for buildings, additions, or improvements which are not explicitly described by these Guidelines, and to consider additional guidelines in the review process whether published or not. These guidelines may be amended by the ACC/DRC as it deems necessary and appropriate.

1. Application Procedure

1.1. Submission

All applications for approval to make any exterior changes, additions or improvements must be submitted to the ACC/DRC through the managing agent in writing by completing the application form currently in use by the ACC/DRC, or such form as may hereafter be adopted by the ADD/DRC. Plans and specifications for any exterior change, addition or improvement should be attached to the application. The application should be supported by the following information:

- 1.1.1. Drawing(s) of the proposed structure showing the top, front, side and rear exterior views; overall dimensions (length, width, height) of the structure; and the layout and dimensions of supporting structures (e.g., beams, rafters, trusses, etc.);
- 1.1.2. A copy of an official survey of the lot showing location of the easements, existing buildings and structures, and the proposed location of the improvement;
- 1.1.3. A description of all materials used, including product name, model number, size, color, etc. Color samples (e.g., Paint chips") for all colors involved or be included;
- 1.1.4. As noted on the home improvement request, the ACC/DRC has up to 30 days to respond to a given request. Urgent deadlines will not be accommodated.

The ACC/DRC reserves the right to request additional information deemed to be necessary to properly evaluate the application. In the event that the ACC/DRC requests additional information and such information is not submitted to the ACC/DRC by the applicant in a timely manner (so that the application may be approved or disapproved within thirty (30) days of its receipt), the application shall be denied. However, the applicant may thereafter submit a new application with the requested information to the ACC/DRC for its review. All applications shall be mailed or delivered to the office of the managing agent of the Committee.

1.2. ACC/DRC Decisions

ACC/DRC committee members shall consider each application for compliance with the restrictive covenants of the Declaration and with these guidelines. The decision of a majority of members to approve or disapprove an application shall be considered the decision of the ACC/DRC.

ACC/DRC decisions shall be conveyed in writing to the applicant through the managing agent of the Committee and shall include a statement of the conditions under which the application is approved, if any, or the primary reason(s) for disapproving the application.

In accordance with the Declaration, any application that is not approved or disapproved within thirty (30) days of the date of its receipt by the managing agent shall be deemed to have been automatically approved provided, however, that (i) any such approval shall extend only to architectural guidelines and not to any of the use restrictions set forth in the Declaration and (ii) in no event shall non-action be deemed to constitute approval of an application for any change, addition, or improvement or any other item that would violate the restrictive covenants in the Declaration. Unless otherwise stated in the ACC/DRC's written response, all approved exterior changes, additions or improvements shall be completed within thirty (30) days of the date construction, installation or erection is commenced.

- 1.3. Any items that have not been specifically addressed in the Rolling Fork Declarations and these Guidelines require approval by the ACC/DRC.

1.4. ACC/DRC Appeals

In the event that the ACC/DRC disapproves an application, the applicant can submit another application with any additional information or changes that the applicant considers relevant. The applicant may request a hearing with the Board to appeal a decision by the ACC/DRC.



2. General Guidelines

The ACC/DRC shall consider the following factors upon the review of each application for an exterior change, addition or improvement:

- 2.1. The quality of construction and materials, colors, exterior design (elevations), size (dimensions) and location must be harmonious with existing and other proposed structures.
- 2.2. The location must not violate the building set back lines, utility or drainage easements as shown on the official recorded plat, nor obstruct driver's vision at street intersections. The ACC/DRC cannot grant permission to place an improvement upon or across any easement.
- 2.3. Improvements other than the main residence and garage may not exceed eight (8) feet in height (except as otherwise provided by the Declaration or Guidelines).
- 2.4. Improvements which exceed two (2) feet in height may not be located closer to the front lot boundary line than the front of the main residence or garage (except as otherwise provided by the Declaration or Guidelines).
- 2.5. Improvements which may become an annoyance or nuisance to the neighborhood are not permitted.
- 2.6. No living quarters are allowed beyond the main residence on any lot.

The ACC/DRC shall also consider the provisions of the Declaration and of applicable statutes, ordinances, and building codes. However, approval of an application shall not be construed as a warranty or representation by the ACC/DRC that the change, addition or improvement, as proposed or as built, complies with any or all applicable statutes, ordinances or building codes, or as a warranty or representation by the ACC/DRC of the fitness, design or adequacy of the proposed construction.

3. Fences and Gates

3.1. Wrought Iron Fences and Gates

Wrought iron fences and gates must be painted black. Rust and/or corrosion must be removed immediately. Wrought iron fences and gates must be replaced with wrought iron.

3.2. Wood Fences and Gates

No portion of a wood fence on a lot may be painted. Staining of fences is not allowed unless prior approval is obtained from ACC/DRC. The ACC/DRC will provide color charts and stain samples listing acceptable manufacturers along with catalog numbers. A fence may also be stained in clear coat. A stained wood sample must be submitted with application for review to assure that the wood stain is harmonious with the color scheme established for the subdivision.

3.3. Chain Link and Wire Fences

There shall be no chain link or wire fences.

3.4. Setback Lines

Fences may not be constructed on a lot forward of the front line of the main structure.

3.5. Maintenance of Fences

Pickets, rails, or bars that are broken, warped, bent, sagging, mildewed, infested with termites or which have otherwise deteriorated must be repaired or replaced immediately. All fences which are stained shall be properly maintained to prevent cracking, chipping, fading or mildewing.

3.6. Height of Fences

All perimeter fences shall be six feet (6') in height. Interior fences may be between four to six feet six inches (4'-6'6"); however, no fence shall exceed six feet six inches (6'6") in height.



3.7. Attachments

No structure may be attached to a fence unless otherwise provided by these Guidelines.

4. Swimming Pools and Spas

- 4.1. An application for the construction of a swimming pool, spa or Jacuzzi must include a plot plan showing the proposed location of the swimming pool, spa or Jacuzzi in relation to the proper lines, building lines, existing structures and existing or proposed fences. If any trees are to be removed or relocated, this must also be noted.
- 4.2. The application shall also include a timetable for the construction of the pool, spa or Jacuzzi.
- 4.3. No swimming pools may be fully enclosed.
- 4.4. Minimum side setback is five (5) feet --- No construction is to encroach into this setback.
- 4.5. The pool shall not encroach on any easement.
- 4.6. The construction of all swimming pools must be in compliance with the National Electrical Code and include the installation of a ground fault circuit interrupter.
- 4.7. The pool shall comply with the current Standard Swimming Pool Codes unless otherwise specified herein.
- 4.8. Pool equipment such as filters pumps etc. must be screened from view of the street and/or greenbelt.
- 4.9. Spas and Jacuzzis must also have an adequate drainage system according to the requirements of any government agency having jurisdiction or, in the event there is no government agency having jurisdiction, as deemed appropriate of the ACC/DRC. Under no circumstances shall water from a swimming pool, spa or Jacuzzi be permitted to drain onto the surface of an adjacent lot or greenbelt.
- 4.10. No swimming pool, spa or jacuzzi shall be approved unless the area in which the pool, spa or jacuzzi is to be located is either enclosed by a six foot (6') fence constructed wood or of wrought iron with a maximum of three inches (3") between each bar. A construction fence sufficient to prohibit entry by children shall be provided at all times.
- 4.11. All excavated material must be totally removed from Rolling Fork immediately.
- 4.12. Construction access is limited to the applicant's property. Any damage done to Committee property or neighbors' property shall be restored to the original condition as judged by the Committee and/or neighbor.
- 4.13. No building materials or contractor's equipment shall be left on the street overnight.
- 4.14. No contractor's advertisement signs are to be located on property. All fencing must be installed by the completion of each day.
- 4.15. The pool contractor and homeowner are responsible for establishing proper drainage of the lot and deck areas during and after pool construction. No swimming pool, spa or Jacuzzi shall be constructed in a manner to impede drainage on a lot or cause water to flow on an adjacent lot.
- 4.16. Any above ground lights shall not be directed toward neighbor's property, public street or greenbelts.
- 4.17. By approving a request for construction of a swimming pool, the ACC/DRC is not endorsing the specific named contractor. The ACC/DRC does not attempt to screen, nor qualify the various firms contracting with individuals.

The ACC/DRC does encourage applicants to investigate the contractor's background and financial responsibility before executing a contract.

5. Outbuildings

5.1. General Rules

Any type of building which exists on a lot but is not attached to the residential dwelling on a lot, other than the dwelling itself or a detached garage, shall be considered an outbuilding, including tool and/or storage sheds.

- 5.1.1. Only one (1) outbuilding not exceeding twelve feet (12') in length, ten feet (10') in width and eight feet (8') in height shall be permitted on a lot.
- 5.1.2. The standard, type, quality and color of the materials used in the construction of an outbuilding shall be harmonious with the standard, type, quality and color of the materials used in the construction of the main residence on the lot. The roof of an outbuilding shall conform to the provisions relating to roofing materials set forth in the Declaration and these guidelines and shall be compatible with the color and type of materials used in the construction of the main structure.
- 5.1.3. Flooring shall be of treated wood or concrete.
- 5.1.4. Metal outbuildings shall not extend above top of fence line. All metal outbuildings shall be securely anchored.
- 5.1.5. An outbuilding shall be located in the backyard of the lot inside the fence. The outbuilding shall not encroach upon easements on set back lines on the property.

5.2. Gazebos

For the purposes hereof, a gazebo shall be defined as a free standing, open framed structure with lattice-type walls, whose purpose should not be for any type of storage. These typically are circular or octagonal shaped structures. There are two approved types of gazebos.

- 5.2.1. Conical-shaped (Peak) roofed gazebos  
These gazebos cannot exceed twelve feet (12') in height (height measured from the ground) and the horizontal supports cannot exceed eight feet (8') from the deck level. Decks shall not exceed two feet (2') in height (height measure from the ground).
- 5.2.2. Flat lattice (Arbor-type) roofed gazebos  
These cannot exceed ten feet (10') in height (height measure from the ground) and the horizontal supports cannot exceed eight feet (8') in height from the deck level.
- 5.2.3. For both structures, the footprint area is limited to one hundred (100) square feet (typically 10' by 10').
- 5.2.4. All gazebos must have a permanent roof with materials as set forth in the Declaration and these Guidelines. The materials used in construction of the gazebo shall be harmonious with the standard, type, quality and color used in the construction of the main residence of the lot.
- 5.2.5. Louvered or trellis style gazebo roofs may be stained or painted.
- 5.2.6. Electricity may be permitted upon approval and according to the National Electrical Code. All pipes and cables must be underground.



- 5.2.7. Gazebos must be located so as to not encroach upon easement or set back lines six feet from all rear and side property lines. No gazebo shall impede drainage on the lot or cause water to flow onto an adjacent lot.

5.3. Children's Play Structures

For the purposes hereof, a children's play structure shall mean any type of children's swing sets, play sets, climbing structure, slides, or raised play sets.

- 5.3.1. A maximum of two children's play structures are allowed on a residential lot.
- 5.3.2. The maximum dimensions for each play structure are ten feet (10') in width by fifteen feet (15') in length by eight feet (8') in height.
- 5.3.3. The play structure may have no more than two vertical beams with a single horizontal support member between them extending above the eight foot height (8') restriction of the play structure. The sole permitted purpose of these extending beams is to support a tarpaulin for a shade area. The beams and their accompanying horizontal cross member may not exceed ten feet (10') in height, measured from the ground.
- 5.3.4. Tarpaulin colors will only be approved if harmonious with the color of the residential structure. Wind-socks or streamers attached to the structure will not be permitted.
- 5.3.5. Play structures must be located within the fence in the backyard. No play structure with support members and a tarpaulin above the eight foot height (8') may be located ten feet (10') from the property line if the adjoining lot is a residential lot. No play structure shall be approved for construction on easements, or may impede the drainage on the lot or cause water to flow to an adjacent lot.

6. Patio Covers

- 6.1. The standard, type, quality and color of the materials used in the construction of a patio cover must be harmonious with the standard, type, quality and color of the materials used in the construction of the main residence; provided, however, that corrugated roofs for patio covers shall not be permitted under any circumstances.
- 6.2. If siding is used on patio covers, it must be of the same type, quality, and color as the siding on the main residence. Roofing materials on patio covers shall conform to the provisions relating to roofing materials set forth in the Declaration and these guidelines.
- 6.3. Louvered or trellis style patio cover roofs may be allowed as long as the quality of material is approved.
- 6.4. Pressure treated wood may be stained or clear coat provided the color shall conform to the provisions relating to painting set forth in these Guidelines.
- 6.5. Any patio cover that is not attached to the house shall be subject to the Guidelines set forth herein for gazebos.
- 6.6. The location of a patio cover must not encroach on any utility or drainage easement, nor shall it violate the building set back lines applicable to the residential dwelling on any lot. Patio covers must not interfere with drainage or cause water to flow onto any adjoining lot.
- 6.7. All patio covers must be adequately supported and constructed of sturdy materials so that the patio cover has no visible sagging or warping. This also applies to any lattice attached to the sides of the structure.



- 6.8. Patio covers which are attached to the house shall be securely attached at a height not less than even feet (7') nor more than twelve feet (12') from the ground. Patio covers which are attached to a detached garage or breezeway must be securely attached at a height below the eaves of each structure at a height of not less than seven feet (7') nor more than nine feet (9') from the ground.
- 6.9. The top of the patio cover at its lowest point shall not be higher than eight feet (8') from the ground. The patio cover roof shall provide an attractive slope away from the house at an angle which does not exceed that of the roof on the house.
- 6.10. The roof of all patio covers (other than arbor or trellis type) must be covered with shingles meeting the roofing guidelines set forth herein, and must have a minimum of 3:12 slope. In cases where it is not possible to have a minimum 3:12 slope (e.g., patio covers attached to a single-story dwelling), the ARC may approve a flat type roof with a modified membrane type roofing material provided the color and appearance of such roofing closely matches the roofing of the house.
- 6.11. If any portion of the patio has a peaked or cone-shaped roof, that portion of the patio cover must also comply with the guidelines for conical shaped (peaked roofed) gazebos, including guidelines for size, location and height.

7. Patio Enclosures

A "patio enclosure" is any patio cover which has exterior walls and/or screens (other than "sun rooms" as defined in these Guidelines).

- 7.1. All structural components of patio enclosures, including roofing material, shall be subject to the guidelines set forth herein for "patio covers". This section describes additional requirements for walls, screens and frames used to enclose a covered patio or deck.
- 7.2. The standard, type, quality and color of the materials used in the construction of a patio enclosure must be harmonious with the standard, type, quality and color of the materials used in the construction of the main residence.
- 7.3. Exterior walls of a patio enclosure shall be constructed of brick or siding which is of the same type, quality, and color as those of the main dwelling on the lot.
- 7.4. No visible part of the enclosure may be made of metal other than screens, frames, and storm doors.
- 7.5. Patio enclosure screens must be the same color as existing window screen on the main dwelling and must have adequate cross-member support to avoid sagging.
- 7.6. The exterior color of doors, sills, beams, frames, or other visible supports must match the exterior colors of the main dwelling or the color of existing window frames.

8. Decks

All decks must be approved with respect to location and the standard, type, color and quality of the materials used in construction. No deck shall impede drainage on the lot or cause water to flow on to an adjacent lot.

9. Sunrooms

A sunroom is any room with glass-enclosed walls or a glass ceiling.

- 9.1. The ACC/DRC may reject any application to construct a sunroom on a lot on the basis of its overall design and conformity with existing structures regardless of whether or not the proposed sunroom complies with the technical specifications set forth below.
- 9.2. Applications must be accompanied by a detailed scale drawing or blueprint showing the three dimensional relationship of the sunroom to the existing structure. Applications must also include a plot plan showing the location of the sunroom in relation to all lot boundary lines, the residence, the

easements and the building setback lines. Applications must also include a detailed material list and include the name, address, and business phone number of the contractor or installer. Applications may be rejected for failure to provide by of these required items.

- 9.3. Supporting structural members must be of a color and shade similar to and harmonious with the exterior color of the residence. Glass must be tinted in a shade compatible with the exterior of the residence. No metallic or direct reflecting style shading/tinting of the glass will be permitted. Applicants may be required to submit actual samples of the glass with the proposed shading/tinting material applied for approval.
- 9.4. The floor of the sunroom must be of reinforced concrete slab construction with 3" minimum thickness. No other flooring material will be permitted.
- 9.5. Only safety glass will be permitted for the panes. No fiberglass, Plexiglas, plastic, acrylic, mesh, or other materials will be allowed. Safety glass must be a minimum 3/16" thick if tempered glass or a minimum 1/4" thick if laminated glass. Maximum width of glass between support trusses will be 36" measured center-to-center.
- 9.6. Support trusses (glazing bars) must be constructed of aluminum or aluminum alloys with electrostatically applied coloring/paint. No natural aluminum oxidation coloring will be allowed. No wood, composite, steel, fiberglass, or plastic trusses will be allowed. Trusses must be of structural box or I-beam construction. Round, oval, or "by" shaped trusses will not be allowed.
- 9.7. The roof of a sunroom must have a minimum pitch of 1" per 12' of projection. The sunroom may not project more than 20' measured from the rear facing plane of the residence. The sunroom may not project beyond either side-facing plane of the residence. A sunroom may not encroach on any existing setbacks or easements.
- 9.8. Sunrooms are only permitted as ground structures. The maximum height of the roof, measured from the concrete floor, may not exceed either 12' or the height of the eaves of the wall that the sunroom projects from, whichever is lower.
- 9.9. If ceiling lighting is installed, it must be focussed downward. Any electrical plug outlet install within the trusses/glazing supports must be of the UL approved Ground Fault Interrupt (GFI) type.
- 9.10. Sunrooms may not have turbine-type or forced fan roof ventilators installed. Only natural draft/convection flow panels that open may be installed. Panels that open may not exceed 36" x 36" in size and must be at least 36" in any direction away from adjoining opening panels.
- 9.11. Sunrooms may not have exposed air conditioning or heating ductwork installed on the exterior thereof. Vents must be attached to the main residence. No ductwork shall be visible.
- 9.12. Window coverings are not required. However, only interior coverings will be permitted; there shall be no exterior covering of the sunroom glass allowed.

## 10. Exterior Lighting

### 10.1. Security Lighting

Security lighting shall be permitted with the ACC/DRC's approval.

10.1.1. Lights that are dimmed shall be judged by their full wattage.

10.1.2. Incandescent, reflector, down-directed or flood lights are preferred over high intensity discharge lighting.



10.1.3. All security lighting shall be mounted behind the back plane of the house or garage. No pole mounted security lights or lights mounted upon fences, trees or structures other than the house or garage, shall be permitted.

10.1.4. No security light fixture shall be allowed above the eaves of the house or garage or more than ten feet (10') from the ground.

10.2. Landscape Lighting

Exterior landscape lighting shall be permitted at ground level so long as the lighting is located at ground level only and restricted within flower beds, shrubs and/or trees and all of the wiring is buried.

10.3. Gas Lights

One gas light per lot shall be permitted provided that the gas lighting color is white with the ACC/DRC approval.

10.4. Annoyances

The Board reserves the right to require the removal or modification of any lighting which it reasonably determines to be annoying to neighbors.

11. Painting

11.1. Harmonious Colors

The proposed colors must be harmonious with each other and with the colors of exterior brick and roofing material.

11.2. Principal Colors of Dwelling

The principal color of the dwelling and garage situated on a lot, including the garage door, must be a muted earth tone and must not be the same color as any adjacent or facing dwelling on a neighboring lot. ACC/DRC may approve similar paint colors on neighboring structures in cases where the brick or accent colors are substantially different from those of the neighboring structure.

11.3. Trim

Soffit, fascia board, window and door trim and rain gutters must also be an earth tone color; however, the shades of trim color may be deeper than the principal color of the dwelling or garage.

11.4. Gutters

When rain gutters are painted, their color must match the color of the fascia board trim. When the "maintenance-free" gutters are installed or replaced, their color must match (as closely as possible) the fascia board trim or previously approved existing gutters.

11.5. Accents

Shutters, the side panels of doors and windows and the exterior surfaces of doors may be painted any acceptable earth tone color.

12. Roofing Materials and Additions

12.1 Materials

12.1.1. All buildings shall be roofed with composition shingles unless otherwise approved in writing by the Rolling Fork Owners Committee Architectural Control Committee/ Deed Restriction Committee ("the ACC/DRC"). Wood shingles are specifically prohibited for safety reasons.

12.1.2. Composition shingles must weigh at least 220 pounds per square and have a stated warranty of at least 25 years. Shingles must have a laminated design. Three-tab shingles are specifically prohibited except for use as a starter and cap rows.

12.1.3. Roof shingles must be dark brown or dark gray tones or light brown or light gray. Blue, green,



red and white colors are not allowed.

- 12.1.4. Roof overlays are not allowed. Prior to roofing, all existing materials must be removed down to clean decking. Any damaged or deteriorated decking must be replaced.
- 12.1.5. Ridge vent are encouraged, to improve ventilation, reduce attic temperature and reduce cooling costs, but are not required.
- 12.1.6. All roof protrusions, such as vents, roof jacks, must be painted to match the shingles.
- 12.1.7. Subject to Section 8 below and with advance written approval from the Rolling Fork Owners Committee Architectural Control Committee/ Deed Restriction Committee ("the ACC/DRC"), an owner may install shingles ("Alternative Shingles") which are designed primarily to:
  - a. be wind and hail resistant; or
  - b. provide heating or cooling efficiencies greater than traditional composition shingles; or
  - c. provide solar energy capture capabilities.
- 12.1.8. Once installed, any such Alternative Shingles must:
  - a. resemble the shingles used or authorized to be used on other structures within the Association; and
  - b. be more durable than and of equal or superior quality to the shingles used or authorized to be used on other structures within the Association; and
  - c. match the aesthetics of properties surrounding the owner's property.

## 12.2. Roofing Additions

- 12.2.1. No skylights, roof ventilators or similar types of additions shall be permitted on the front of the roof ridge line and/or gable of a structure.
- 12.2.2. All roof ventilators shall be located to the rear of the ridge line and/or gable of any structure and shall not extend above the highest point of such structure.
- 12.2.3. The ACC/DRC shall have the right to approve exceptions to the foregoing in cases where energy conservation and heating/cooling efficiency require ventilators that, because of a particular roof design, cannot be hidden from public view.
- 12.2.4. The color of roofing additions must match existing roof vents (if any) or must be harmonious with the color of roofing materials.

## 13. Exterior Siding

When exterior siding is replaced or added to any existing structure or new improvement on the Lot, it must be of the same type, quality, size, and color as the existing siding on the main residence (unless all exterior siding is being replaced at one time).

- 13.1. If all exterior siding is being replaced at one time, the type of siding may be changed to any of the following acceptable materials: wood, wood product (e.g., Masonite, Hardie plank, plastic wood), vinyl, vinyl-coated aluminum, or vinyl-coated steel provided it is approved by the ACC/DRC. Aluminum, steel, or other metal siding shall not be acceptable. The following additional guidelines apply to replacement or additional exterior siding.
- 13.2. Minimum of a 20-year warranty from a reputable manufacturer (warranty information should be submitted with the application);
- 13.3. Thickness, visible width, and spacing of siding must be consistent with that of the original exterior siding; each application submitted to the ACC/DRC shall specify the thickness, width and spacing the existing and proposed siding, and shall include a sample of the proposed siding material;

- 13.4. Color of all siding (including siding that is not painted) must comply with the Guidelines for Painting as set forth herein; each application must include at least two (2) color samples of the proposed siding color;
- 13.5. Exterior Siding must be installed and maintained to avoid sagging, waving, warping or irregular coloration; the ACC/DRC may require the homeowner (at homeowner's sole responsibility and expense) to repair or replace siding that fail to adhere to these guidelines.

#### 14. Basketball Goals

##### 14.1. Materials and Approved Mounting Methods

- 14.1.1. Basketball goals shall be mounted either (1) on the garage wall or roof with the backboard parallel to the garage opening, (2) on the garage-to-house breezeway cover, or (3) on a rigid steel or aluminum pole.
- 14.1.2. Wooden poles shall not be permitted.
- 14.1.3. Basketball poles must have a manufacturer's weather resistant finish and be either black or white. The backboard supports may be of wood, steel, or aluminum, but they must be painted to a color comparable to the existing trim or roof color -depending upon mounting location.
- 14.1.4. The backboard material must be fiberglass, safety glass, or standard manufacturers' clear plastic resin (such as acrylic or nylon). The color must be clear, white, or a color comparable to the existing trim or roof color - depending upon mounting location.
- 14.1.5. The rim must be of heavy gage steel and either non-florescent orange or black in color. The net must be white nylon or cotton.

##### 14.2. Permitted Mounting Locations

- 14.2.1. All goals must be a minimum of ten (10) feet behind the front building line of the dwelling on the lot that extends from the front of the house or garage parallel to the street. If the front/side building line is defined by the garage, then the goal must be at least twenty (20) feet from the curb line, or ten (10) feet forward of the building line.
- 14.2.2. A pole mounted goal must not be within ten (10) feet of the adjoining neighbor's amenities (air conditioning unit, shrubbery, gas meter, etc.) unless properly protected (i.e., by fence or shrubbery) or unless written consent of the neighbor is obtained. No pole mounted goals will be allowed along the neighbor's adjoining side of a driveway if the neighbor's lower story house window(s) are exposed.

##### 14.3. ACC/DRC Approvals

An application for approval to erect a basketball goal must include either a plot plan or a scale drawing depicting the location of the goal on the applicant's property and to the adjoining neighbor's property. In the case of a pole mounted goal, the plan or drawing shall include the neighbor's amenities and a neighbor's written approval, if applicable.

##### 14.4. Maintenance

The homeowner must maintain the basketball goal in its originally approved condition (including rim and net) A good neighbor policy concerning noise and disturbing the peace must be followed.

#### 15. Miscellaneous

##### 15.1. Birdhouses

Birdhouses shall be permitted subject to the prior approval of the ACC/DRC and the following:



- 15.1.1. No birdhouse can be suspended from a dwelling or attached to a pole and suspended from a dwelling.
- 15.1.2. No birdhouse shall be larger than two feet (2') in width, two feet (2') in length and two feet (2') in height.
- 15.1.3. No birdhouse shall be situated higher than fifteen feet (15') above the ground.
- 15.1.4. The materials used in the construction of each birdhouse and the color of each birdhouse must be harmonious with the home and other improvements on the lot.

15.2. Flagpoles

- 15.2.1. These Guidelines apply to the display of ("Permitted Flags"):
  - 1.1. the flag of the United States; and
  - 1.2. the flag of the State of Texas; and
  - 1.3. the official flag of any branch of the United States armed forces.
- 15.2.2. These Guidelines do not apply to any flags other than the Permitted Flags listed in Section 1 above including, but not limited to:
  - 2.1. flags for schools, sports teams, businesses or foreign countries; or
  - 2.2. flags with marketing, seasonal, historical, commemorative, nautical, political or religious themes; or
  - 2.3. historical versions of flags permitted in section 1 above.
- 15.2.3. Permitted Flags may be displayed subject to these guidelines. Advance written approval of the Rolling Fork Owners Committee Architectural Control Committee/ Deed Restriction Committee ("the ACC/DRC"), is required for any free-standing flagpole and any additional illumination associated with the display of Permitted Flags.
- 15.2.4. Permitted Flags must be displayed in a respectful manner in accordance with the current relevant federal, state or military code.
- 15.2.5. Permitted Flags must be displayed from a pole attached to a structure or to a free-standing pole. Permitted Flags may not be draped over or directly attached to structures. For example, a Permitted Flag may not be laid across a fence or stapled to a garage door.
- 15.2.6. Permitted Flags shall be no larger than three foot (3') by five foot (5') in size.
- 15.2.7. Only one Permitted Flag may be displayed on a flagpole attached to a structure. Up to two Permitted Flags may be displayed on an approved free-standing flagpole that is at least fourteen feet (14') tall.
- 15.2.8. Flagpoles must be constructed of permanent, long-lasting materials with an appropriate finish that is harmonious with the dwelling.
- 15.2.9. A flagpole attached to a structure may be up to six feet (6') long and must be securely attached with a bracket with an angle of 30 to 45 degrees down from vertical. The flagpole must be attached in such a manner as to not damage the structure. One attached flagpole is allowed on any portion of a structure facing a street and one attached flagpole is allowed on the rear or backyard portion of a structure. Brackets which accommodate multiple flagpoles are not allowed.
- 15.2.10. Free-standing flagpoles may be up to twenty feet (20') tall, including any ornamental caps. Free-standing flagpoles must be permanently installed in the ground according to manufacturer's instructions. One free-standing flagpole is allowed in the portion of the owner's



property between the main residential dwelling and any street and one free-standing flagpole is allowed in the rear or backyard portion of a property.

15.2.11. Free-standing flagpoles may not be installed in any location described below:

- 11.1. in any location other than the Owner's property; or
- 11.2. within a ground utility easement or encroaching into an aerial easement; or
- 11.3. beyond the side or rear setback lines (for example, on a lot with a 10' side setback line, a flagpole may not be installed closer than 10' from the side property line); or
- 11.4. beyond half the distance of the front setback line (for example, on a lot with a 30' front setback line, a flagpole may not be installed closer than 15' from the front property line); or
- 11.5. closer to a dwelling on an adjacent lot than the height of the flagpole (for example, a 20' flagpole cannot be installed closer than 20' from an adjacent house).

15.2.12. Lighting may be installed to illuminate Permitted Flags if they will be displayed at night and if existing ambient lighting does not provide proper illumination. Flag lighting must:

- 12.1. be ground mounted in the vicinity of the flag; and
- 12.2. utilize a fixture that screens the bulb and directs light in the intended direction with minimal spillover; and
- 12.3. point towards the flag and face the main structure on the property or to the center of the property if there is no structure; and
- 12.4. provide illumination not to exceed the equivalent of a 60 watt incandescent bulb.

15.2.13. Flagpoles must not generate unreasonable noise levels which would disturb the quiet enjoyment of other residents. Each flagpole owner should take steps to reduce noise levels by using vinyl or plastic snap hooks, installing snap hook covers or securing a loose halyard (rope) around the flagpole with a flagpole clasp.

15.2.14. Flagpoles are allowed solely for the purpose of displaying Permitted Flags. If a flagpole is no longer used on a daily basis, it must be removed.

15.2.15. All flags and flagpoles must be maintained in good condition. Deteriorated flags must be removed and promptly replaced. Deteriorated or structurally unsafe flagpoles must be promptly repaired, replaced or removed.

15.3. Window and Door Awnings

Awnings which are visible from any street shall not be permitted. Awnings on the rear portion of a lot must be approved by the ACC/DRC. The color and materials used are subject to approval by the ACC/DRC.

15.4. Garage Conversions into living quarters are not allowed.

15.5. Solar screens, Window Tint, Temporary Window Coverings, Solar Devices

15.5.1. The color of any solar screens or window tint must be harmonious with that of the house. The frames of the screens must match the window frames.

15.5.2. If any window is covered, all or the windows on the same side of the building must also be covered.

15.5.3. The width of the screen frames must match individual window size. (i.e., double-width screens are not allowed). Frames should have appropriate cross-member support to prevent sagging.

- 15.5.4. Window tint shall be harmonious, shall not be reflective and must be maintained to prevent peeling, cracking, or irregular discoloration.
- 15.5.5. Temporary paper and linen window coverings may not remain in windows longer than 90 days. After this time, these window coverings shall be considered a violation.
- 15.5.6. These guidelines apply to solar energy devices ("Devices") as defined in Section 171.107(a) of the Texas Tax Code. A solar energy device means a system or series of mechanisms designed primarily to provide heating or cooling or to produce electrical or mechanical power by collecting and transferring solar-generated energy. The term includes a mechanical or chemical device that has the ability to store solar-generated energy for use in heating or cooling or in the production of power.
- 15.5.7. Such Devices may only be installed with advance written approval of the Rolling Fork Owners Committee Architectural Control Committee/ Deed Restriction Committee ("the ACC/DRC") subject to these guidelines.
- 15.5.8. Any such Device must be installed on land or structures owned by the property owner. No portion of the Devices may encroach on adjacent properties or common areas.
- 15.5.9. Such Devices may only be installed in the following locations:
  - a. on the roof of the main residential dwelling; or
  - b. on the roof of any other approved structure; or
  - c. within a fenced yard or patio.
- 15.5.10. For Devices mounted on a roof, the Device must:
  - a. have no portion of the Device higher than the roof section to which it is attached; and have no portion of the Device extend beyond the perimeter boundary of the roof section to which it is attached; and
  - b. conform to the slope of the roof; and
  - c. be aligned so the top edge of the Device is parallel to the roof ridge line for the roof section to which it is attached; and
  - d. have a frame, brackets and visible piping or wiring that is a color to match the roof shingles or a silver, bronze or black tone commonly available in the marketplace; and
  - e. be located in a position on the roof which is least visible from any street or common area, so long as such location does not reduce estimated annual energy production more than 10% over alternative roof locations (as determined by a public ally available modeling tool provided by the National Renewable Energy Laboratory [[www.nrel.gov](http://www.nrel.gov)] or equivalent entity).
- 15.5.11. For Devices located in a fenced yard or patio, no portion of the Device may extend above the top of the fence. If the fence is not a solid fence which blocks view of the Device, the Association may require the Device be placed in a location behind a structure or otherwise require visual screening. The Association may consider installation of Devices on properties without a fenced yard if there is adequate screening from public view from any street or common area.
- 15.5.12. All Devices must be installed in compliance with manufacturer's instruction and in a manner which does not void material warranties. Licensed craftsmen must be used where required by law. Permits must be obtained where required by law.
- 15.5.13. Installed Devices may not:
  - a. threaten public health or safety; or
  - b. violate any law; or
  - c. substantially interfere with the use and enjoyment of land by causing unreasonable discomfort or annoyance to any adjoining property owner.



- 15.5.14. All Devices must be maintained in good repair. Unused or inoperable Devices must be removed.

#### 15.6 Trees

- 15.6.1. Trees may not be removed without prior ACC/DRC approval, except to remove dead or diseased trees or to provide room for an improvement that has been approved by the ACC/DRC.
- 15.6.2. When tree removal is required for the construction of an improvement, it must be disclosed in the application for that particular improvement. When trees are removed for any reason, the homeowner must also remove the remaining stump and fill any resulting hole.

#### 15.7 Display of Religious Items

- 15.7.1. A property owner or resident may display or attach one or more religious items to each or any entry to their dwelling. Such items may include anything related to any faith that is motivated by the resident's sincere religious belief or tradition.
- 15.7.2. Individually or in combination with each other, the items at any entry may not exceed 25 square inches total in size.
- 15.7.3. The items may only be displayed on or attached to the entry door or frame and may not extend beyond the outside edge of the door frame.
- 15.7.4. To the extent allowed by the Texas state constitution and the United States constitution, any such displayed or affixed religious items may not:
- a. threaten public health or safety; or
  - b. violate any law; or
  - c. contain language, graphics or any display that is patently offensive to a passerby.
- 15.7.5. Approval from the Rolling Fork Owners Committee, Inc. or Rolling Fork Owners Committee Architectural Control Committee/ Deed Restriction Committee ("the ACC/DRC") is not required for displaying religious items in compliance with these guidelines.
- 15.7.6. As provided by Section 202.018, the Association may remove any items displayed in violation of these guidelines.

#### 15.8 Rainwater Recovery Systems

- 15.8.1. Rainwater Recovery Systems may be installed with advance written approval of the Rolling Fork Owners Committee Architectural Control Committee/ Deed Restriction Committee ("the ACC/DRC"), subject to these guidelines.
- 15.8.2. All such Systems must be installed on land owned by the property owner. No portion of the Systems may encroach on adjacent properties or common areas.
- 15.8.3. Other than gutters and downspouts conventionally attached to a dwelling or appurtenant structure, all components of the Systems, such as tanks, barrels, filters, pumps, motors, pressure tanks, pipes and hoses, must be substantially screened from public view from any street or common area. Screening may be accomplished by:
- a. placement behind a solid fence, a structure or vegetation; or
  - b. by burying the tanks or barrels; or
  - c. by placing equipment in an outbuilding otherwise approved by the Rolling Fork Owners

Committee Architectural Control Committee/Deed Restriction Committee ("the ACC/DRC").

- 15.8.4. A rain barrel may be placed in a location visible from public view from any street or common area only if the configuration of the guttering system on the structure precludes screening as described above with the following restrictions:
  - a. the barrel must not exceed 55 gallons; and
  - b. the barrel must be installed in close proximity to the structure on a level base with the guttering downspout leading directly to the barrel inlet at a substantially vertical angle; and
  - c. the barrel must be fully painted in a single color to blend with the adjacent home or vegetation; and
  - d. any hose attached to the barrel discharge must be neatly coiled and stored behind or beside the rain barrel in the least visible position when not in use.
- 15.8.5. Overflow lines from the Systems must not be directed onto or adversely affect adjacent properties or common areas.
- 15.8.6. Inlets, ports, vents and other openings must be sealed or protected with mesh to prevent children, animals and debris from entering the barrels, tanks or other storage devices. Open top storage containers are not allowed, however, where space allows and where appropriate, Rolling Fork Owners Committee Architectural Control Committee/ Deed Restriction Committee ("the ACC/DRC"), approved ponds may be used for water storage.
- 15.8.7. Harvested water must be used and not allowed to become stagnant or a threat to health.
- 15.8.8. All Systems must be maintained in good repair. Unused Systems should be drained and disconnected from the gutters. Any unused Systems in public view must be removed from public view from any street or common area.