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ADOPTION OF HARPER'S PRESERVE SOUTH VILLAGE ARCHITECTURAL GUIDELINES (Residential Planning and Design Standards)

THE STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF MONTGOMERY §

This Adoption of Harper's Preserve South Village Architectural Guidelines (Residential Planning and Design Standards) is dated this 27TH day of May, 2022, and adopted by **242, LLC**, a Texas limited liability company (the "Declarant").

RECITALS:

WHEREAS, that certain First Amended and Restated Declaration of Covenants, Conditions, Restrictions and Easements for Harper's Preserve was recorded in the Official Public Records of Montgomery County, Texas, under Clerk's File Number 2011011454 on February 8, 2011 (as supplemented and amended, the "Declaration"); and

WHEREAS, Article XI, Section 11.10.1 of the Declaration provides that during the Development Period (as defined in the Declaration and herein so called), Declarant reserves the sole and exclusive right, without joinder or consent of, and without notice of any kind to, any owner or other person, to amend, modify, revise or repeal, from time to time and at any time, the Declaration and any other Governing Documents (as defined in the Declaration and herein so called); and

WHEREAS, Article II, Section 2.19 of the Declaration provides that Governing Documents include Architectural Guidelines (as defined in the Declaration); and

WHEREAS, the Association previously adopted those certain Harper’s Preserve South Village Architectural Guidelines (Residential Planning and Design Standards) which were recorded as an attachment to that certain President’s Certificate executed by Harper’s Preserve Community Association, Inc. on October 8, 2021, and recorded in the Official Public Records of Montgomery County, Texas, on October 12, 2021, under Clerk’s File Number 2021141923, and which were amended, restated, and replaced pursuant to those certain Harper’s Preserve South Village Architectural Guidelines (Residential Planning and Design Standards) which were recorded as an attachment to that certain Adoption of Harper’s Preserve South Village Architectural Guidelines (Residential Planning and Design Standards) executed by the Declarant on December 3, 2021, and recorded in the Official Public Records of Montgomery County, Texas, on December 8, 2021, under Clerk’s File Number 2021168808 (the “Previous South Village Architectural Guidelines”); and

WHEREAS, the Development Period has not expired; and

WHEREAS, the Declarant desires to amend, restate and replace the Previous South Village Architectural Guidelines with the Harper’s Preserve South Village Architectural Guidelines (Residential Planning and Design Standards) which are attached hereto (the “Updated South Village Architectural Guidelines”).

NOW, THEREFORE, the Declarant hereby amends, restates and replaces the Previous South Village Architectural Guidelines with the Updated South Village Architectural Guidelines. The Updated South Village Architectural Guidelines shall take the place of and replace the Previous South Village Architectural Guidelines.

EXECUTED as of the date first set forth above.

It is expressly agreed and understood that the individual executing this document on behalf of Declarant is acting in his representative capacity only and solely as a representative of the Declarant and any liability resulting hereunder based upon the actions of such individual, including but not limited to, the breach of any warranty, covenant, representation and/or provision contained herein, if any, shall be that of the Declarant and not that of such individual.

DECLARANT:

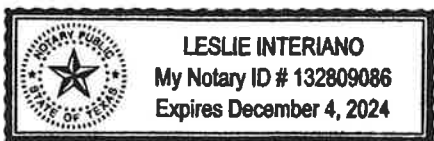
242, LLC, a Texas limited liability company

By:


Sam Yager III, Vice President

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the 27th day of May, 2022, by Sam Yager III, the Vice President of 242, LLC, a Texas limited company, on behalf of said entity.




Notary Public

AFTER RECORDING, RETURN TO:

Mark K. Knop
Hoover Slovacek LLP
5051 Westheimer, Suite 1200
Houston, Texas 77056

HARPER'S  PRESERVE

THE PRESERVE
(SOUTH VILLAGE)

ARCHITECTURAL GUIDELINES

Residential Planning and Design Standards

- I. General Information
- II. Submission & Plan Review Procedures
- III. Post Construction Inspection Procedures
- IV. Residential Planning & Architectural Standards
- V. Master Landscaping Standards
- VI. Master Fencing Standards
- VII. Master Trails, Walkways & Hardscape Standards
- VIII. Master Signage Standards

Recorded under Montgomery County Clerks File No. 2022068846

NOTE: This document is intended to be viewed in full color. To request a color copy, please contact the Association.

VERSION: 05262022

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SECTION I GENERAL INFORMATION

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These governing documents may be subject to change, amendment, and/or supplement from time to time and without advance notice. It is the obligation of the recipient of this information to ensure that they obtain the most recent version, amendment, supplement and/or revision of this information prior to use for any purpose. This information has been posted as a courtesy without representation or warranty of any kind (express or implied) by any party for any purpose.

Harper's Preserve – The Preserve's Architectural Guidelines

I. GENERAL INFORMATION

1. Philosophy

It is the intention of the Developer to create a community where residents can live with the pride of knowing that Harper's Preserve is unique. The concept of Harper's Preserve will be protected and enhanced through thoughtful planning, creative but simple architecture and dedicated management. The cooperation of each resident is required for Harper's Preserve to meet its goals.

Harper's Preserve is a unique residential community in that it has been planned and developed to celebrate the special wildlife habitat conservation area at the heart of Harper's Preserve. This natural asset has been amplified through the thoughtful land planning and careful attention to details in the design of aspects of Harper's Preserve. Due to specific site conditions, some areas of the Community will be heavily wooded while others will be less so and others subject to reforestation criteria. The different areas of the community will be visually unified through the application of specific landscape and/or tree preservation and reforestation guidelines.

Harper's Preserve is unique in the Houston area due to a combination of topographic relief and generous allotment of open space. The abundance of open space and creative village designs allow for the promotion of certain virtues including environmental sensitivity, family togetherness, neighborliness, respect for the land, and the appreciation of small town simplicity and functionality.

The community is split into three villages, West Village, East Village and "The Preserve" (also known as "South Village"). The Preserve is also split into three areas, East West and Central. Each village communicates the overall theme of the neighborhood while providing unique amenities and design features. These values are reflected in the composition of the community structure, landscape and architectural character.

Homes should have simple geometry and restrained details. Landscaping should be simple with materials that are native & or drought tolerant species when possible.

In addition to these primary requirements, there a set of Architectural Guidelines for each village of the community that the builders and homeowners must follow in the development of each home site. West and East Village have one set of guidelines which encompass the entire village. The Preserve's will be developed in phases. The first phase of development will have a structural set of guidelines which include instructions for all of the future phases as well. However, as each phase is developed, additional exhibits and wording will be added to the guidelines which regard those sections. It is the Builder and Homeowner's responsibility to request the newest set of guidelines.

During the design process for a home site, (structures, landscaping, etc.) the Declaration of Covenants, Conditions, Restrictions and Easements ("Covenants") must be adhered to in conjunction with these Architectural Guidelines. As stated in the Covenants for Harper's Preserve, the New Construction Committee ("NCC") shall have jurisdiction over all new construction (original home construction) activities on the lots within Harper's Preserve. These Architectural Guidelines may be revised from time to time by the Harper's Preserve Community Association ("HPCA").

Variances to any of these Guidelines may be granted by the Architectural Control Committee ("ACC") on a case by case basis. For subsequent exterior construction by either a "Builder" (defined as the home building company and/or their employees and/or representatives) or "homeowner" (defined as the person who purchases the home from the builder), plans shall be submitted to and approved by the Residential Modifications Committee ("RMC") pursuant to the policies and procedures provided for elsewhere herein.

No prior notice of any kind to any kind to the "Owner" (defined as the Builder and/or Homeowner) as to adoption or amendment of the Architectural Guidelines. It is each Owner's responsibility to review and verify the most current requirements under the Architectural Guidelines. Owners may contact the "Community Manager" (The HPCA Management Company that has been hired by the board) should there be any questions.

A Neighborhood Plan of Harper's Preserve's The Preserve is shown in **Exhibit MP-1**. As more phases are added into The Preserve, additional pages will be added (MP-1a, MP-1b and so on).

2. Methods

The Architectural Guidelines and Covenants have been designed to carry forward Harper's Preserve design philosophy while enhancing quality of life and taken together constitutes the Governing Standards. For example, the goal of preserving

Harpers Preserve – The Preserve’s Architectural Guidelines

and enhancing the natural environment will be implemented through the design standards criteria for mixed-use development areas by the designation of street trees and/or forest preserves along roadways, building and parking setbacks, landscaping along or within parking lots, clearance/coverage ratios, the requirement for tree clearing plans and clearing permits, and fencing to protect vegetation during construction.

The Governing Standards pertain to all uses including office, retail, warehouse-distribution, church, schools, recreational, medical, institutional, and apartment development as well as other community uses in areas subject to Covenants. Separate Design Standards will pertain to multi family, townhomes & condominiums.

3. **Purpose of Standards**

The purpose of the Architectural Guidelines is:

- i. To assist the Owner and design team in achieving the desired level of site development; and
- ii. To assist the Owner in expediting the architectural review of plans by the appropriate entity by letting the Owner know at an early stage what information is required for the review.
- iii. To enhance the aesthetics and provide for an orderly development of Harper’s Preserve

4. **Design and Review Authority**

A. The Covenants

The First Amended and Restated Declaration of Covenants, Conditions, Restrictions, and Easements for Harper’s Preserve (recorded in the Real Property Records of Montgomery County, Texas under 2011011454) and its Amendments (“Covenants” also known as the “Declaration”) are legally binding upon the developed land, landowners and residents in Harper’s Preserve. The Covenants cover the developed property in Harper’s Preserve and they may vary somewhat from one location to another.

The Covenants establish an Association(s) to administer and enforce the Covenants within the area covered by those Covenants, and “Committees” to adopt and enforce building and use standards adopted by the Committee. The Covenants provide that every improvement must be approved by the Committee prior to construction and comply with the applicable set of Covenants and Standards adopted under the authority of these Covenants. Additional Covenants may be recorded in the future and additional property may be subjected to the Covenants in the future.

B. The Adoption of Guidelines and Variances

For information about the adoption of the Guidelines (and amendments hereto) and variance powers of the Committees, see section 4.02 of the Covenants.

C. The Associations

Harper’s Preserve Community Association, Inc. (“HPCA”) is a nonprofit corporation established by the Covenants governing specific geographic areas in Harper’s Preserve. There may be additional associations formed in the future and established pursuant to additional recorded covenants which may adopt these P&D Standards. The Associations enforce the Covenants and provide many of the available services to residents and Owners in Harper’s Preserve within their specific areas.

D. The Committee(s)

The HPCA appoints members who are authorized by the Covenants to adopt and enforce standards governing property use and maintenance requirements, and improvements, additions, and modifications to property within the area governed by that HPCA.

The design review entity or Committee(s) for Harper’s Preserve is as follows:

- HPCA Architectural Control Committee (“ACC”)**
- HPCA New Construction Committee (“NCC”)**
- HPCA Residential Modifications Committee (“RMC”)**

Harpers Preserve – The Preserve’s Architectural Guidelines

The ACC may choose to act in the capacity as both the NCC and RMC rather than to appoint separate Executive Committees. There may be additional committees formed in the future for new associations particularly for the mixed-use development planned along portions of SH 242 which is not a part of the HPCA.

E. Building Code

The Committees have adopted the following codes:

- i. **Residential Buildings:** International Residential Building Codes, 2000 Edition, with current amendments (“IRBC”) (“Building Code”)
- ii. **Commercial Buildings:** International Commercial Building Codes, (ICBC) 2003 Edition, with current amendments, the National Electrical Code, 2000, International Plumbing Code, 2000 Edition, with current amendments, International Mechanical Code, 2000 Edition, with current amendments.

The HPCA has also adopted the latest edition of the Montgomery County Fire Code (“Fire Code”). All buildings must be designed in accordance with the Codes and all other applicable codes, regulations and ordinances of any other governmental entity having jurisdiction over the Property.

- i. In the event of a conflict between Codes, the more stringent requirement will apply.
- ii. In the event of a conflict between the Codes and the Standards, the more stringent shall apply.
- iii. In the event of a conflict between the Standards and the Covenants, the more stringent shall apply.

F. Initial Land Use Designation

The Covenants establish permissible land uses and may set minimum and maximum building sizes and other constraints. Land uses and other site specific limitations may also be specified in land conveyance instruments.

G. Local, State, and Federal Law (“Regulatory Approvals”)

In addition to city, county, state and federal laws, Municipal Utility Districts (MUD), Water Control and Improvement Districts (“WCID”), and/or other special purpose districts and regulations may apply to an improvement or project.

H. Plat

Subdivision Plats, Re-Plats, Partial Re-Plats, Amending Plats (or maps of land divisions within an area) recorded in the Plat Records of Montgomery County, Texas, show individual lots, property lines, minimum building setback lines, utility and other easements, street access limitations and other requirements.

5. Project Contact Information

While all lots in The Preserve are within the HPCA and located in MC MUD 95.

Harper’s Preserve HPCA

Lead Association Management
Community Manager – Ashley Wiggins
Address: 13231 Champion Forest Dr. Suite 112
Houston, TX 77069
Phone: 281-857-6027
Email: ashley@lead-inc.com

MCMUD 95 Operator

Municipal Operations & Consulting, Inc.
312 Spring Hill Dr., Suite 100
Spring, TX 77386
PH: 281-367-5511

6. Construction Standards and Site Maintenance

The following Construction Standards (“Standards”) shall apply to any and all work performed within Harper’s Preserve Community. All Owners shall be bound by any City building codes and all other applicable governing authority.

A. General

Each lot in Harper’s Preserve Community shall be maintained in a neat, clean, and orderly condition by the Owner during construction. During construction, the Owner shall observe the following rules and requirements:

1. **No temporary structures, including construction trailers or other temporary office or sales facilities shall be placed or maintained on the property until the appearance and location of such facilities have received approval of the NCC or RMC.**
2. **Model homes shall only be used for sales purposes. Construction offices shall not be located in the Model Homes unless otherwise approved by the ARC, NCC or RMC.**
3. **Property shall be kept free of weeds and debris, and all scrap materials shall be removed as soon as reasonably possible in order to maintain a clean construction site.**
4. **Construction debris, including excess concrete, may not be burned, dumped, or disposed of in any area of the development unless a specific location for such a purpose is approved by the NCC or RMC.**
5. **Each lot must be clean by end of day each Friday so that the Harper’s Preserve Community is in marketing condition for weekend sales traffic and activity. In addition, streets in front of a construction site are to be free from dirt, debris, and spilled concrete. Streets must be cleaned weekly or as needed.**
6. **Fines may be assessed by the ACC for non-compliance.**
7. **Sales Consultants, Construction and/or Builder Representatives may not park on the side of the street the models are on and/or in any designated parking spaces that are intended for prospective home buyers.**

B. Construction Plans

Home plan approval by the NCC or RMC is required prior to the commencement of any construction as described in the Guidelines. Procurement of applicable permits from other governmental agencies is the responsibility of the Owner and shall be obtained prior to commencement of construction. Construction shall be completed expeditiously and in accordance with approved plans.

C. Compliance with Construction Plans

Owners are responsible for complying with the approved construction plans and Guidelines. Non-compliance will result in written notification from the HPCA, ACC, NCC, or RMC of any observed violations. If the non-compliance item(s) are not properly corrected, then the HPCA shall initiate appropriate action to enforce compliance.

D. Street Maintenance and Sediment Control

Each Owner shall comply with the appropriate regulatory agency’s Storm Water Pollution Prevention Plan requirements and implement the appropriate Best Management Practices necessary to minimize storm water pollution from entering the existing storm water facilities, including, but not limited to, storm sewers, channels, detention ponds, lakes, and the Preserve Area

Each Owner shall maintain the street and street right of way in front of its residents in a neat and orderly way and not utilize the street and associated right of way. In the event that any Owner and/or contractor working on behalf of owner damages the street, right of ways and/or special street pavers, the Owner shall be responsible for the repair and replacement of any damaged areas. Each Owner is also responsible for keeping the areas of the street and sidewalk

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in front of their residence reasonably swept and free of mud, dirt and debris. Special Consideration may be granted in certain circumstances during periods of construction.

The following information for special street pavers has been made available in case of damage and/or repair.

**Harper’s Preserve South Village Special Street Pavers
(Street Pavers are thicker than Special Driveway Pavers)**

Manufacturer: Pavestone

Pattern: Plaza Stone Rectangle & Square Muster K

Border: Sailor Course

Size: 80mm (±3-1/4” ht.)

Color: Forest Blend

E. Preservation Areas Jurisdictional Wetlands/Drainage Improvements

Each Owner shall comply with the requirements stipulated under Permit SWG-2007-737, which the Declarant obtained from the United States Army Corps of Engineers, Galveston District (the “Corps Permit”) in connection with the development of Harper’s Preserve. The Preserve Area is restricted as described in the Declaration of Conservation Restriction (filed under Montgomery County 2011003549).

Each Owner shall ensure that any and all individuals, entities and/or equipment directly or indirectly employed by the Owner’s contractor, subcontractor or supplier to perform any work do not enter upon or impact the Preserve Area.

Each Owner shall be responsible for any violations that may be issued by the regulatory agencies with jurisdiction, including but not limited to the United States Army Corps of Engineers, EPA, or Montgomery County MUD 95 in the event an Owner’s contractor, subcontractor, supplier or any individual or entity directly or indirectly employed by any of them impacts the Preserve Area or violates the conservation restrictions.

In the event an Owner or its contractor, subcontractor, supplier or any individual or entity directly or indirectly employed by any of them is required to perform construction within one hundred (100) feet of the Preserve Area, Owner shall notify the Declarant, Montgomery County MUD No. 95 and HPCA at least seventy-two (72) hours prior to commencement of such construction activity.

7. Disclaimer

Neither Declarant nor members of the HPCA, ACC, NCC and RMC nor its representative, their successors or assigns, shall be liable in damages to anyone for any actions or failure to act in connection with any approval, conditional approval or disapproval of any application for approval or request for variance, including without limitation, mistakes in judgment, negligence, malfeasance, or nonfeasance. Every person or entity who submits plans to the HPCA, ACC, NCC and/or RMC for approval agrees, by acquiring title thereto or interest therein, that he will not bring any action or suit against Declarant, the members of the HPCA, ACC, NCC and RMC, or its representatives, to recover any damages.

SECTION II SUBMISSION & PLAN REVIEW PROCEDURES

Exhibit Master List

- MR-1 Master Home Plan Application
- MR-2 New Home Construction Application
- MR-3 Variance Application

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These governing documents may be subject to change, amendment, and/or supplement from time to time and without advance notice. It is the obligation of the recipient of this information to ensure that they obtain the most recent version, amendment, supplement and/or revision of this information prior to use for any purpose. This information has been posted as a courtesy without representation or warranty of any kind (express or implied) by any party for any purpose.

II. SUBMISSION & PLAN REVIEW PROCEDURES

1. General

All new construction, subsequent construction, remodeling with exterior exposure, expansion, and demolition of structures must be reviewed and approved by the ACC, NCC and RMC prior to the commencement of any on-site building or construction activity.

2. Master Home Plan Submittal Requirements

Builders shall submit home plans and elevations in 11’x17’ format (and/or electronic format, if requested) to the NCC along with the completed Master Home Plan Application. Approval of Home Plans is required prior to commencement of home construction. Plan submissions shall include the following:

- i. Completed Master Home Plan Approval Form.
- ii. Calculation of exterior masonry (Brick & Stone) coverage pursuant to the Guidelines.
- iii. Home dimensions (width/depth), square footage (air-conditioned living area), and elevations for each home plan
- iv. List of all paint colors or schemes for the exterior shall be submitted in an electronic file or hard copy photo.
- v. List of all brick/stone selections shall be submitted in an electronic file or hard copy colored photo (no physical samples to be provided).

3. Individual Home Construction Submittal Requirements

Builders shall submit the completed Home Construction Application Form for each individual lot. An approved Home Construction Application Form is required for each lot prior to commencement of home construction. Such submittal shall be comprised of the following:

- i. Completed Home Construction Application Form
- ii. Plot plans showing all easements, Building setbacks, existing improvements, trashcan pads, AC Pads, street trees, yard trees, fences, sidewalks, and proposed improvements consistent with the completed application.
- iii. Plot plans should show areas to be preserved and reforested (as applicable).

4. Lifestyle Accessories (Regulated Modification) Construction Submittal Requirements

In accordance with the Covenants, any new construction, modification, addition, remodeling of exterior exposure or demolition of a building or structure (a “Regulated Modification”) **must be reviewed and approved** by the ACC prior to commencement of construction or installation of such proposed Regulated Modification. The objective is to ensure the quality and the consistency of housing and all related Regulated Modification within Harper’s Preserve in accordance with the Prevailing Community Standards (as defined by the Covenants and herein so called), the Architectural Guidelines, the Covenants, the requirements of the Lifestyle Accessories Construction Application submitted and any corresponding response from the ACC.

An Owner/applicant is responsible for obtaining the most current Architectural Guidelines for the Harper’s Preserve Village (West Village, East Village or South Village) where the property is located. It is the Owner’s/applicant’s responsibility to:

- i. Review and identify all requirements in the Architectural Guidelines and the Covenants prior to preparing and submitting a Lifestyle Accessories Construction Application to ensure such application complies with the requirements.
- ii. Evaluate the Lifestyle Accessories Construction Application against the requirements of the Architectural Guidelines and/or Covenants to confirm that the proposed Regulated Modification will comply with all criteria
- iii. Ensure that all owner’s/applicant’s representatives (i.e.: architect, engineer, contractor, subcontractor and their agents and employees) are aware of the requirements of the Architectural Guidelines, the Covenants, and any other ACC requirement that is a condition for approval of the proposed Regulated Modification,

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ensure that all owners/applicants representatives have a copy of both the Architectural Guidelines and the approved and/or conditionally approved application and ensure that all of applicants representatives design and/or construct all Regulated Modifications in accordance with all Architectural Guidelines, the Covenants, and all requirements and specifications contained on an approved or conditionally approved application.

The purpose of the submission of a Lifestyle Accessories Construction Application is to allow Owner/applicant the opportunity to submit a proposed Regulated Modification to the ACC’s review. This review process is intended to confirm and document that the proposed Regulated Modification:

- Complies with the requirements of the Architectural Guidelines and/or Covenants (with or without conditions)

OR

- Does not comply with the requirements of the Architectural Guidelines and/or Covenants.

Neither the Association, the Board, or the ACC, nor their respective successors, heirs, agents, members, or other related parties are liable to any Owner, the Owner’s tenants, successors, heirs, agents, members, or other related parties of either, or to any other person, or entity for any actions or failure to act or in connection with any approval, conditional approval or disapproval of any application for approval or request for variance, including without limitation, mistakes in judgment, negligence, malfeasance, or nonfeasance. No approval or conditional approval of an application or related plans or specifications and no publication of Architectural Guidelines may ever be construed as representing or implying that, or as a covenant, representation, warranty or guaranty that, if followed, the Regulated Modification will comply with applicable legal requirements, or as to any matters relating to the health, safety, workmanship or suitability for any purpose of the Regulated Modification.

Owner/applicant shall submit a completed Lifestyle Accessories Construction Application Form for each proposed Regulated Modification prior to the commencement of any construction or installation of the Regulated Modification on a Lot. Owner/applicant must receive an “approved” or “conditionally approved” response from the ACC before Owner/applicant can proceed with the construction of such Regulated Modification on a Lot. If the Regulated Modification does not comply with the requirements of the Architectural Guidelines and/or Covenants and the Owner/applicant desires to make a request for special consideration, the Owner/applicant may request a variance (see Variance Application below)

The ACC, as a policy, may designate in the Lifestyle Accessories Constructions Application Form (or in any other written instrument) the day of each month that the ACC will commence the review of all submitted Lifestyle Accessories Construction Application forms (the “**Review Commencement Date**”). Any Lifestyle Accessories Construction Application Form that is submitted after the particular month’s Review Commencement Date will be deemed received as of the next month’s Review Commencement Date. The ACC reserves the right to change this Review Commencement Date at any time, from time to time, and without notice. ***Any Lifestyle Accessories Construction Application forms (including any additional information required to be provided therewith) submitted to the ACC for review that does not receive an ACC response within thirty (30) days after the later to occur of either (i) the submission date of the Lifestyle Accessories Construction Application; or (ii) the Review Commencement Date of the applicable submitted Lifestyle Accessories Construction Application forms, will be considered disapproved.***

Lifestyle Accessories Construction Application requirements:

- i. Lifestyle Accessories Construction Application: Completely and accurately fill out in its the most recent version of the Lifestyle Accessories Construction Application form. Make sure to identify the name of the Harper’s Preserve Village (i.e., West Village, East Village or South Village) in which the property with the proposed Regulated Modification is located. The Owner/applicant must also follow all instructions and requirements set forth in the Lifestyle Accessories Construction Application Form.

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- ii. Plans, Locations, Specifications, Dimensions, Colors, Pictures and Materials: All Lifestyle Accessories Construction Applications must provide detail about all materials, pictures, plans, dimensions (including existing easements, setbacks, building lines in relation to the location of the proposed Regulated Modification on the Lot; dimensioned proximity of the Regulated Modification to Lot boundaries and/or dimensions that are required to meet a minimum and/or maximum standards prescribed in the Architectural Guidelines); designs, colors, and specifications required that clearly and reasonably demonstrate how and where the proposed Regulated Modification is to be constructed; any information critical for the ACC to verify that the proposed Regulated Modification meets the requirements set forth in the Architectural Guidelines and/or Covenants; and, the intended quality and/or appearance of the Regulated Modification once the construction is completed and color pictures of the area on the Lot and/or residence that the Regulated Modification will be installed . This supporting information is needed to ensure the Regulated Modification meets the criteria of these Architectural Guidelines, the Covenant and the Lifestyle Accessories Construction Application Form and to effectively and efficiently communicate all circumstances surrounding the Regulated Modification to make it easier for the reviewer to clearly understand the existing conditions (materials, colors , locations, existing Improvements etc.) and the impacts that the Regulated Modification will have on existing conditions (i.e. colors and materials will match, drainage requirements and setbacks will be maintained, neighboring properties will not be impacted).

Submission:

The Owner/applicant shall submit a fully filled out and signed Lifestyle Accessories Construction Application Form, Variance Application (if applicable), supporting materials, plans, locations, surveys, dimensions, pictures, designs, and any other required supporting documentation via e-mail only to the Community Manager at arc@lead-inc.com. All information which is intended to be evaluated by the ACC must be included in the form of attachments in the email submittal and/or with the proposed Lifestyle Accessories Construction Applications as a single and complete package. **Any information provided in the body of an email or provided in separate email communications will not be considered part of the submittal for review.** For tracking and response purposes, single and complete Lifestyle Accessories Construction Applications (with all required materials attached) may only be submitted to the Community Manager at the email address provided above. Lifestyle Accessories Construction Applications sent directly to the ACC and/or the Board will not be processed as this is a violation of the Lifestyle Accessories Construction Application submission protocol and tracking procedure. It is the Owner’s/applicant’s responsibility to make sure that the Lifestyle Accessories Construction Application Form is submitted as a single and complete package (not the responsibility of the ACC, Association and/or the Community Manager to collect and assemble materials submitted and/or e-mailed in piecemeal fashion) to the Community Manger only. The submission of a Lifestyle Accessories Construction Application does not guarantee approval, it is simply a form requesting an evaluation and decision.

Fees and Deposits:

If an Owner/applicant is required to pay any fees or deposits in accordance with the requirements of the Lifestyle Accessories Construction Application or Variance Application, the Owner/applicant shall pay via check or money order all required Architectural Review Fees including, but not limited to, application fees, inspection fees, and/or deposits and/or variance fees. Check or money order must be made out to Harper’s Preserve Community Association, Inc. and mailed to the Community Manager at the time the application is submitted in accordance with the instructions on the Lifestyle Accessories Construction Application.

The Community Manager and/or the ACC may request the Owner/applicant to resubmit based on the following: (i) the application has insufficient information; (ii) the application is incomplete; (iii) the application includes information that is not adequate to properly verify compliance with the Architectural Guidelines and/or Covenants; and/or, (iv) the application does not have the supporting materials needed for a complete submittal and a thorough review process. If the Owner/applicant is notified that such insufficiency exists, then the application shall not be reviewed by the ACC until it is resubmitted as a single and complete package The purpose of an application resubmittal is to comply with ACC’s request for additional information so that the ACC may review a complete submittal and provide a final decision to the

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Owner/applicant. Otherwise, the ACC may deny the application due to lack of required information. Owner/applicant may choose to resubmit the application at a future date with the requested and/or necessary supporting information attached thereby submitting a single and complete application to the Community Manager for review by the ACC.

Variance Application:

The need for a variance constitutes an acknowledgement by the Owner/applicant that the desired Regulated Modification will not comply with the standards set forth by the Architectural Guidelines and/or the Covenants.

By including a Variance Application in the Lifestyle Accessories Construction Application submittal, Owner/applicant acknowledges that the proposed Regulated Modification does not meet the requirements of the Architectural Guidelines and/or the Covenants and would require an approved variance to be approved for construction. As such, a Variance Application **will not** be considered during an Owner requested appeal hearing as the Variance Application **does not** represent an appeal of a decision of the ACC of a Lifestyle Accessories Construction Application. Furthermore, in accordance with the Covenants (Section 4.02.4), a variance may be granted only with respect to specific requests and does not constitute a waiver, modification, or repeal of any of the provisions of the Governing Documents (as defined in the Covenants and herein so called). The approval of a Variance Application will always be subject to the discretion of the ACC.

An Owner/applicant may choose to submit a Variance Application as part of the Lifestyle Accessories Construction Application submittal when:

- i. Owner/applicant has reviewed the Architectural Guidelines and the Covenants and understands that the desired Regulated Modification will not meet the requirements of the Architectural Guidelines and/or Covenants.
- ii. Owner/applicant has specific and unique circumstances that create hardships (i.e.: ADA or Lot configuration) that will require the construction/installation of a Regulated Modification that will not abide by the Architectural Guidelines and/or the Covenants. Increased costs are not considered hardships for the purposes of justification for a Variance Application.

In the event that a Variance Application is needed, Owner/applicant must:

- i. Submit the Variance Application when the original Lifestyle Accessories Construction Application is submitted to the ACC for review.
- ii. A Variance Application will only be considered when included as part of a complete Lifestyle Accessories Construction Application submittal.
- iii. In the event that the Regulated Modification is needed and required due to Americans with Disabilities Act (“ADA”) issues, Owner/applicant will be required to identify the disability (to the extent it is not apparent) and the requested accommodation needed for such disability.
- iv. Any approval may also be subject to a written agreement to remove any Improvement granted as part of a variance for an ADA issue upon the earlier to occur of (i) the person needing the ADA improvement no longer residing at the residence (ii) the sale of the Lot to another Owner. There may also be other conditions imposed based on the nature of the Regulated Modification that is submitted by the Owner.
- v. In the event that the Regulated Modification is needed due to specific Lot characteristics, Owner/applicant must provide detailed information on a plot plan or survey detailing all of the reasons that support the request for approval of a Regulated Modification that does not meet the standards.
- vi. Lifestyle Accessories Construction Application with corresponding Variance Application to be submitted as one single package with all required supporting information.

ACC Decisions for Lifestyle Accessories Construction Application and Variance Application:

After reviewing each application (or variance), the authorized reviewing authority will provide one (1) of four (4) possible decision types which are generally (but not exhaustively) described as follows:

- i. **“Need more information”:**

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The authorized reviewing authority and/or the Community Manager has determined there is insufficient information, the application(s) is incomplete and/or the details provided with the application(s) are not adequate and there is a need for additional information and/or application materials to be completed for the application(s) proper evaluation and/or review. Owner/applicant will need to re-submit the application(s) as a single and complete package to comply with ACC's and/or Community Manager's requested information and/or modification request in order to obtain a decision. The application is deemed disapproved unless and until otherwise approved in writing by the ACC

ii. **"Approved"**:

The authorized reviewing authority deems the application(s) complete and the proposed Improvements and/or materials acceptable for use in the construction of the modifications of the home and/or Lot (and/or areas adjacent thereto) in Harper's Preserve. If the plans and specifications which are approved are not strictly adhered to, the Improvements will be in violation notwithstanding such approval.

iii. **"Conditionally Approved"**:

The authorized reviewing authority has determined that the Improvement(s) and/or material selection(s) are approved with conditions, for some or all of the modifications, before construction may begin or that are required during and/or post-construction. If the conditions provided are not strictly adhered to, the Improvements (which are subject to conditions) will be in violation notwithstanding such conditional approval.

iv. **"Denied"**:

The authorized reviewing authority deems the proposed Improvement(s) and/or material selection(s) unacceptable for construction or use in the Community and/or in violation of the Governing Documents and/or inconsistent with or in violation of the "Prevailing Community Standards" (as defined in the Covenants). Upon receipt, of such decision, the Owner/applicant may decide to resubmit a new application for approval. If so, it is the Owner's/applicant's responsibility to make sure that the newly submitted application includes all of the changes required by the ACC and that it adheres to the Governing Documents to the extent such Improvement is permitted and not prohibited by the Governing Documents. Applications may also be denied if information or materials required to be submitted have been omitted from the application, if the application has not been filled out properly and/or if the information provided is inconsistent, inadequate, unclear, has errors or cannot otherwise be approved in accordance with the Governing Documents.

5. Review of Construction

The HPCA, ACC, NCC, and/or RMC may review construction in the Harper's Preserve Community on a periodic basis to ensure compliance of each residence with approved submittals. Prior to: (i) any sale or closing on a newly built home from the Builder; or (ii) the occupancy of a newly built home caused to be built by the Owner of the lot, the Builder or the Owner, as the case may be, must request a compliance inspection from the ACC and obtain a written compliance certification signed by the ACC or its representative that the new home and related improvements and any required landscaping have been built or installed in accordance with the plans submitted and approved by the ACC and are otherwise in compliance with the Covenants or other governing documents of the Association, to the ACC current actual knowledge. Any variations from approved submittals or improvements which have not been properly approved shall be regarded as violations of the Covenants. For a current Schedule of Fees, please contact the Community Manager. These fees are subject to change at any time without notice by the ACC, NCC and/or RMC

6. Architectural Review Fees

A non-refundable fee may be charged to Builders (or Owners) submitting plans for review. Fees for these plans include master home plan submittals, individual home construction submittals, and lifestyle accessories construction submittals (including perimeter security fences). In addition, fees may be charged to Builders (or Owners) for the review of construction within the Harper's Preserve Community to ensure compliance with plan approvals and guidelines. This fee

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will assist in offsetting costs for HPCA, ACC, NCC, and/or RMC services rendered by outside consultants and other professionals. The fee schedule will be determined by the ACC and will be published in the application and/or the Architectural Guidelines and/or the Covenant. These fees shall be provided as necessary. For a current Schedule of Fees, please contact the Community Manager. These fees are subject to change at any time without notice by the ACC, NCC and/or RMC.

7. Exhibits – the following pages.

Master Home Plan Application

Community: _____ Section(s) _____ Date of Submittal: _____ Resubmittal: Yes No

Send to: ARC/ACC
 1500 CityWest Blvd., Suite 400
 Houston, Texas 77042

Email: ARC@samyagerinc.com
 Phone: 713-783-0308
 Fax: 713-783-0704

The submitted plans are reviewed in a cursory manor to verify whether or not they are in compliance with the Declaration of Covenants, Conditions and Restrictions and the Design Guidelines, the Architectural Guidelines, this application and any other applicable documents for the subdivision (collectively, the **"Governing Documents"**) prior to submittal of any New Home Construction Applications. The Applicant is herein described as the Building Company, its representatives and/or employees. This form is for general purposes only and does not list all of the requirements of the Governing Documents nor does the ARC/ACC review plans against all of the requirements of the Governing Documents. It is the Applicant's responsibility to meet all requirements of the Governing Documents. The ARC/ACC has 30 days to approve these plans from the date all required items have been received. If an approval/conditional approval is granted, this application is approved subject to strict compliance with the Governing Documents and any conditions provided. *Neither Approval nor Conditional Approval of this application constitutes a written variance from any requirements of the Governing Documents. Variances may only be granted on the approved variance form with two ARC/ACC member's signatures.*

Please fill out with the info regarding the home plans you are submitting:

Plan	Home Width	Home Depth	Lot Width	Elevations	Story	Masonry % Front	Masonry % Side	Masonry % Rear	Masonry % All	A/C Sq. Ft.

If additional masonry is required on specific lots, special elevations will need to be created which illustrates masonry in the required areas or the elevations cannot be built on the specific lot.

Variance Attached: If this box is checked, the variance application is attached with the required fee and documentation which is listed on the Variance Application. If this box is checked and all items are not attached/accompanied then the application will be rejected. If this box is **not checked**, a variance is not requested by the Applicant and the Applicant is certifying that no variance is required and that the lot and improvements comply with the Governing Documents.

Instructions: All Master Home Plan approvals must have a signed application, digital copy & hard copy sent to the addresses listed above. Additionally, they should be accompanied by the review fees (\$100 for each reviewed plan, \$50 for each re-review). For questions, please contact Tiffany at (713)783-0308 or tiffanylanza@samyagerinc.com

Applicant Certification: By signing below the Applicant certifies to the ARC/ACC the following: that Applicant has read, understands and will comply with the Governing Documents and/or any other applicable documents; Applicant agrees to pay all fees and fines per the Governing Documents which apply to this application; that the Applicant understands that it is the duty of the Applicant to verify that these plans meet the Governing Documents and the home plans meet all of the requirements of the Governing Documents unless otherwise noted on the Plans or with this form.

Applicant: _____ Signature: _____ Date: _____

Rep Name: _____ Email/phone: _____

The signing party above represents the Applicant listed on this application and has the authority to sign on their behalf.

New Home Construction Application

Harper's Preserve Section _____

Lot # _____, Block # _____ Lot Size: _____

Street Address _____

Applicant: _____

Send to: ARC/ACC – Harpers Preserve CA
1500 CityWest Blvd., Suite 400
Houston, Texas 77042

Date of 1st Submittal: _____

Date Returned: _____

Resubmittal: Yes No

Date of Re-submittal: _____

Date Returned: _____

Email: ARC@samyagerinc.com

Phone: 713-783-0308

Fax: 713-783-0704

Approval Requirements: Master home plans and exterior material selections must be approved for compliance with the Declaration of Covenants, Conditions and Restrictions and the ARC/ACC Guidelines, this application, master plan approvals and any other applicable documents for the subdivision (collectively, the "Governing Documents") prior to submittal of this Application. The Applicant is herein described as the building company, its representatives and/or employees. This form is for general purposes only and does not list all of the requirements of the Governing Documents. The only items reviewed and commented on the plot plan and/or the application are the items included by the Applicant. It is the Applicant's responsibility to meet all requirements of the Governing Documents. The ARC/ACC has 30 days to approve these plans from the date all required items have been received. If an approval/conditional approval is granted, this application is approved subject to strict compliance with the Governing Documents and any conditions provided. Neither Approval nor Conditional Approval of this application constitutes a written variance from any requirements of the Governing Documents. Variances may only be granted on a written variance form with two ARC/ACC member's signatures.

A. Plot Plan: Plot plan (must be attached) complies with all recorded plat requirements, easements and Governing Documents. If items listed below are not depicted by the Applicant on the plot plan, it may be rejected.

- i. Slab footprint, closest dimension of slab from each lot line, all building lines, setbacks and easements shown.
- ii. Driveway dimension at ROW and garage, sidewalk and walk ways in the correct locations.
- iii. Special width sidewalk and trails, Garbage Pad location and A/C location
- iv. Lot grading and drainage pattern (arrows), including swales alongside and rear yards, shown.
- v. Street Trees, Yard Trees, other Trees and reforestation required in front, side and rear yard.
- vi. Fencing types, depicted locations (including gate locations) and heights with transitions.

B. Home Elevation Details:

- i. Home Plan _____ Elevation _____ Swing _____ House Size (AC sq. ft.): _____
- ii. Paint and/or scheme colors: _____
- iii. Brick Type & Color: _____ Stone Type and Color: _____
- iv. Garage Door: Style - Carriage Hardware - Black Hinges & Handles Type/Model/Color: _____
- v. Type of Roof Composition Shingle 25+ year /Color: Black Tile Roof/ Color: _____
- vi. Masonry Requirements: Meets standard requirements – 65-75% Masonry on whole home depending on story & lot size.
 Meets special requirements - Additional Masonry on Rear and/or sides and/or 100%

C. Landscaping: Landscaping must comply with the Governing Documents. Special landscaping requirements for specific locations may be addressed Governing Documents and should be reviewed by Applicant. Standard requirements include but not limited to the following:

- i. Sod – Bermuda Front and side yards (all lots); Rear yard (only on lots w/ metal picket fencing)
- ii. Irrigation – Front and visible side yard required. Back yard required when lot has side and/or rear metal fence.
- iii. Trees:
 - a. Street Trees (corner and side) – Specie and placement per the Governing Documents and must be 30 Gal + 2.5" Caliper + 10' tall
 - b. Yard Trees and side yard reforestation – Species and placement per the Governing Documents. Ornamental must be 15 Gal + 1.75" Caliper + 6' tall and Canopy must be 30 Gal + 2.5" Caliper + 10' tall
 - c. Corner Condition: Tree species and placement per the Governing Documents and must be 30 Gal + 2.5" Caliper + 10' tall. Reforestation as specified in the Governing Documents.
 - d. Special Landscaping: Additional landscaping may be required per the Governing Documents and/or per the ARC/ACC based on location of the lot. (i.e. lake lot, park lot, etc.)

D. Driveway, Sidewalk, and Fencing: Driveway, sidewalk (including any wider trails as applicable), and fencing must comply with all applicable Governing Documents including, but not limited to, the following:

- i. **Driveway** – Plot Plan Design intent should be so that no two driveways in a block are adjacent.
 - a. Driveway width at garage: _____ (2 car should be no larger than 18' wide/ 3 car should be no larger than 27' wide)
 - b. Driveway width at sidewalk: _____ (2 car should be no larger than 18' wide/ 3 car should be no larger than 22' wide)
- ii. **Sidewalk** – Within ROW, on the Property Line; offsite connections, corners & connect all gaps between lots.
 - 4' sidewalk
 - Special sidewalk/trail dimensions & conditions per the Governing Documents.
- iii. **Fences:**
 - Fence and fence types with heights and transitions per Governing Documents illustrated on Plot Plan.
 - a. Typical Yard Fence – 6' wood fence by Applicant, constructed "good neighbor" style except where fence faces public streets or public areas (horizontal/ vertical supports shall not be visible from public areas)
 - b. Special Fence – 6' community Type 1 fence at corners of streets by Applicant. (see Governing Documents)
 - c. Type 5 fence – in neighborhoods of Palmetto place, Palmetto Park and Lake Bend. (See Governing Docs)
 - d. Special Fence, Lake Lots & Park lots- 3', 4' and/or 6' Metal Picket Fence by Applicant. (see Governing Docs)

APPLICANT CERTIFICATION BELOW

Variance Attached: If this box is checked, the variance application is attached with the required fee and documentation. If this box is checked and all items are not attached/accompanied then the application will be rejected. If this box is **not checked**, a variance is not requested by the Applicant and the Applicant is certifying that no variance is required and that the lot and improvements comply with the Governing Documents.

Applicant Certification: By signing below the Applicant certifies to the ARC/ACC the following: that Applicant has read, understands and shall comply with the Governing Documents and/or any other applicable documents; that the Applicant understands that it is the duty of the Applicant to verify that these plans meet the Governing Documents in addition to the requirements of this Application; Applicant agrees to pay all fees and fines per the Governing Documents which apply to this application, approval and post construction inspection; that the Applicant has reviewed the plat, all easements and setbacks have been shown necessary to apply for this New Home Construction Approval.

Applicant Rep Name: _____ Signature: _____ Date: _____
The signing party above represents the Applicant listed on this application and has the authority to sign on their behalf.

ARC/ACC USE ONLY BELOW – Original Response

Denied Approved Conditional Approval Need More info/resubmit

Conditions/Comments/ Information Needed:

Approval Signatures: _____ Date: _____
ARC/ACC Member ARC/ACC Member

Lifestyle Improvement Applications (for items such as pools, decks, patio covers, outbuildings) must be submitted under a different application through the HOA.

ARC/ACC USE ONLY BELOW – Resubmittal Response

Denied Approved Conditional Approval Need More info/resubmit

Conditions/Comments/ Information Needed:

Approval Signatures: _____ Date: _____
ARC/ACC Member ARC/ACC Member

New Home Construction Variance Application (Community) _____

Section _____ Lot # _____, Block # _____ Lot Size: _____ Plan Name/Number _____

Applicant: _____ Street Address _____

Send to: **ARC/ACC** Email: **ARC@samyagerinc.com**
1500 CityWest Blvd., Suite 400 Phone: **713-783-0308**
Houston, Texas 77042 Fax: **713-783-0704**

If a variance approval is granted below, this Application is approved subject to strict compliance with the Declaration of Covenants, Conditions and Restrictions and the Architectural Guidelines, Design Guidelines, this application, master plan approvals, any other applicable documents for the subdivision (collectively, the "Governing Documents") and any comments provided for all other requirements relating to this home and lot other than this approved variance. The Applicant is here in described as the building company, its representatives and/or employees. Any other deviations from the Governing Documents must be submitted for by the Applicant before construction has begun or it could result in fines assessed to the owner by the HOA.

Variance Description:

Requirement in Governing Documents to which a variance is being requested (Article, Section & Page Number):

Reason:

Must be received before processing: Variance Fee \$_____ (per variance) Plot Plan New Home Const. App.
 Additional Fees/Fines \$_____ Pictures Applicable Documents

By signing below you are acknowledging that this request for variance does not mean a variance will be granted by the ARC. The ARC will review the Application provided and any supporting documents and provide its decision within 30 days of receipt of all information required by the ARC to evaluate this Application. Failure to comply strictly with Governing Document's requirements may result in fines and/or penalties unless a variance is approved. Construction of said variance cannot begin until two members of the ARC have signed off and approved the variance in writing on this approved form. Any variances approved shall be subject to any conditions listed below.

Applicant Rep: _____ Signature _____ Date: _____

The signing party above represents the Applicant listed at the top of the application and has the authority to sign on their behalf.

Email: _____ Phone: _____

ARC/ACC USE ONLY BELOW

Denied Approved Conditional Approval Need More info/resubmit

Conditions/Comments/ Information Needed

Approval Signatures: _____ Date: _____
ARC Member ARC Member

See attached for:

SECTION III POST CONSTRUCTION INSPECTION PROCEDURES

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These governing documents may be subject to change, amendment, and/or supplement from time to time and without advance notice. It is the obligation of the recipient of this information to ensure that they obtain the most recent version, amendment, supplement and/or revision of this information prior to use for any purpose. This information has been posted as a courtesy without representation or warranty of any kind (express or implied) by any party for any purpose.

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III. Post Construction Inspections Instruction and Information:

1. **Contact Info:**

Harpers Preserve Community Association Inc. - ACC
1500 City West Blvd, Suite 400, Houston TX 77042
Email: ARC@samyagerinc.com Phone: 713-783-0308
2. **Definitions:**
 - A. **“Applicant”** is defined as the Builder, Company and/or their employee and/or representatives
 - B. **ARC/ACC** – Architectural Review Committee and Architectural Control Committee
 - C. **ARC Coordinator:** ARC coordinating contractor hired by the HPCA to perform the ACC’s review of plans, ACCs and other duties that the ACC assigns. The current ARC coordinator is (is subject to change):
 - i. Name: Sam Yager Properties Ltd c/o Tiffany Lanza
 - ii. Email: ARC@SamYagerInc.com
 - iii. Address: 1500 CityWest Blvd. Suite 400, Houston TX 77042
 - iv. Phone: (713)783-0308
 - D. **“Certificate of Compliance” refer to herein as (“COC”)** – the home is compliant with no conditions and meets the standards of the Governing Documents
 - E. **“Certificate of Compliance with Provisions” refer to herein as (“COP”)** – the home is mostly compliant but has a few minor outstanding items (Minor items are as deemed by the ACC). The Applicant will be given 14 days from the signature date to correct said items. If the Applicant does not correct these items (no matter how minor), then the “Provisions” have not been complied with and the certificate is revoked. Re-inspection will be scheduled as a Certificate of Non-Compliance.
 - F. **“Certificate of Non-compliance” refer to herein as (“CON”)** – The home is not in compliance for material items (i.e. trees, fences, plants, brick, paint colors, elevation, garage doors, etc.). The Applicant will be given not less than 14 days from the signature date to correct said items. If the Applicant does not correct all of these items, the lot and Applicant is subject to additional fees and fines per the Governing Documents.
 - G. **“Governing Documents”** - The Declaration of Covenants, Conditions and Restrictions, Architectural Guidelines, Master Plan Application and Approval Form, New Home Construction Application and Approval Form, and any other applicable documents.
 - H. **“Inspector”**, is defined as the inspection contractor hired by the HPCA to perform on-site inspections to determine conflicts with requirements of the Governing Documents. The current Inspector is as follows (subject to change):
 - i. **Inspector:** Beverly Hoffart
 - ii. **Email:** beverly@McCauleyarc.com
 - iii. **Phone:** (713)213-2284
 - I. **“Owner”** – the Owner of the home and lot after the Applicant transfers title.
 - J. **“Post Construction Inspection” refer to herein as (“Inspection”):** The compliance process that is to take place before a home closes.
 - K. **Resale Certificate** – This is the documentation the HPCA gives the title company and/or mortgage company with the information of the account, balances and other information needed for closing.
3. **Requesting an Inspection:** Schedule the Inspection not later than as soon as a home is complete and greater than 5 business days before the proposed Inspection date. Per the Governing Documents, the Inspection must happen before a home closes with ample time to correct any items that are not in compliance so that the COC can be issued prior to closing. To request an Inspection the following steps should be taken:
 - A. An email sent to the Inspector with the following information.
 - i. Proposed closing date of the home
 - ii. Date of requested Inspection
 - iii. Name, email and phone number of construction personnel.
 - iv. Whether the construction personnel will be in attendance at the Inspection.
 - v. Any items which are not complete with the dates of their planned completion.
 - B. Once an Inspection is scheduled, the Inspector will confirm the date of Inspection. At that time it is up to the Applicant to confirm attendance.
4. **First 5 Inspections:** Each Applicant is REQUIRED to be in attendance for the first five homes they are personally managing the construction of in a subdivision. It should take the Inspector up to 5 business days to get the original Inspection report to the ACC and Applicant for review.
 - a. **Attendance Policy** - If a home is requested for review and the Applicant does not timely attend within 10 minutes from the agreed upon time, the Inspection will be considered canceled. If an Inspection is canceled the applicant

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will still be charged the Inspection fee by the Inspector. The applicant is responsible to reschedule a new Inspection and repay the Inspection fee.

- b. Cancellation Policy** - Cancellation of an Inspection no later than 24 hours before the Inspection’s scheduled time.
5. **Standard Inspections:** Following the attendance of the First 5 Inspections (See note 3 above, the Applicant does not have to attend the inspections unless they have more questions regarding the review process and the items which are reviewed even though they are encouraged to do so. If homes are continuing to be in Non-Compliance not corrected within the first re-Inspection, the ACC (and/or it’s Inspector) may require the Applicant to attend further Inspections. After the review, it should take the Inspector up to 5 business days to get the original Inspection report to the ACC and Applicant for review.
6. **Inspection Decisions:** The ACC will issue another copy to the Applicant with the following decisions:
 - A. Certificate of Compliance
 - B. Certificate of Compliance with Provisions
 - C. Certificate of Non-compliance
 - D. Certificate of Compliance Model Home
7. **Re-Inspections** happen two weeks from the date of the previous Inspection notice date and in two week increments from there on. If an Applicant needs additional extension of time to correct an item, it is their responsibility to reach out to the Inspector and the ARC Coordinator to request more time with a new date of re-Inspection. The ACC holds the right to require the original Inspection date and not grant the Applicant’s request. A processing fee may be assessed by the ACC on the first re-Inspection at \$100 and doubles at each re-Inspection thereafter.
8. **Holidays:** The ACC may give additional time between Inspections and/or re-inspections at their discretion.
9. **Home Closings:** Each Applicant will request a Resale Certificate from the HPCA at the time of closing between Applicant and Owner. The Resale Certificate will indicate whether the home has or has not been inspected. If it has not been inspected it shall be deemed non-compliant and a violation of the Governing Documents. The Resale certificate shall have language similar to the following:

“Either
 A compliance inspection has been requested, performed and approved;
OR
 A compliance inspection has not been requested and performed by the ACC nor has a certificate of compliance been signed by the ACC in connection with the Property. Therefore, any sale or closing on the Property from any builder or occupancy of the Property will be a violation of the Architectural Guidelines subjecting the Owner of the Property to any and all remedies available to the Association under the Covenants and Texas law.”
10. **Closed Homes:** If a home is closed and not inspected the Applicant will be notified by the HPCA of the Non Compliance on said lot. The Applicant will be given 14 days to schedule and have the required inspection.
 - a. If an Inspection is requested,** it is required that the Applicant be in attendance for the Inspection.
 - i. Attendance Policy** - If a home is requested for review and the Applicant does not timely attend within 10 minutes from the agreed upon time, the Inspection will be considered canceled. If an Inspection is canceled the applicant will still be charged the Inspection fee by the Inspector. The applicant is responsible to reschedule a new Inspection and repay the Inspection fee.
 - ii. Cancellation Policy** - Cancellation of an Inspection no sooner than 24 hours before the Inspection’s scheduled time other than cases of emergencies.
 - b. If an Inspection is not requested** within the 14 days given, a violation Letter will be sent to the Owner.
11. **Variances:** Can be requested from the Governing Documents requirements. All of the following items must be received before the variance can be processed:
 - A. Fill out the Variance Application Form per item and address.
 - B. Accompany the plot plan and/or pictures of the requested item.
 - C. Variance Fee per Variance item and per address, contact the ARC Coordinator for payment information.
 - D. Send to ARC@samyagerinc.com

Requesting a variance does not mean a variance will be granted by the ACC. The ACC will review the application provided and any supporting documents and provided their written decision on or before 30 days after all materials required by the ACC to

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- evaluate the request have been received. Construction of said variance cannot begin until two members of the ACC have executed and approved the variance in writing on this approved form and provide a copy of the approval to the Applicant.
12. **Change of construction personnel:** The ACC and Inspector must be notified of any change of construction personnel by the Applicant on or before their first day working in the community. The new construction personnel must be provided with a color copy of the applicable Governing Documents by their employer.
 13. **Monthly HOA Drive:** The community may be inspected routinely by the HPCA and/or a subcontractor of the HPCA. If there are items with respect to an applicant/Owner’s construction activity that need to be corrected per the Governing Documents the Applicant may also be notified outside of the inspection process. These items need to be corrected in not more than 14 days unless otherwise approved by the ACC. Should the Applicant choose to not comply with the first request, HPCA may correct the deficiency and bill the Applicant for the cost to bring the said item into compliance with the Governing Documents. The ACC may assess Architectural Review Fees and/or fines if items are not corrected within the time given.
 14. **Non Compliance:**
 - a. Inspections: Owner will be given 14 days to cure any issues that do not meet the guidelines between Inspections and Re-Inspections.
 - i. Primary Inspection – Inspection Fee by McCauley
 - ii. First re-Inspection – McCauley Inspection Fee & Architectural Review Fee of \$100
 - iii. Second re-Inspection - McCauley Inspection Fee & Architectural Review Fee of \$200
 - iv. Third re-Inspection - McCauley Inspection Fee & Architectural Review Fee of \$400 & a Violation Letter will be sent to the Homeowner if the home is closed.
 - v. After the 3rd Inspection, if the deficiencies still have not been corrected, the Architectural Review Fee amount shall double at each subsequent post construction Inspection until the items are corrected and the COC is issued.
 - b. Start of Construction without ACC Application Approval
 - i. Applicant will be notified via Violation letter to cure deficiencies.
 - ii. The Architectural Review Fee is changed to \$500
 15. **Subject to Change** – These Inspections Instructions and Information, the ARC Coordinator, and the Inspector may change from time to time without notice. Please check with the ARC Coordinator or the Community Manager to make sure you have the most updated information.
 16. **Failure to Understand** – If the Applicant does not understand anything pertained in this document and/or any of the Governing Documents it is their responsibility to reach out to the ARC Coordinator before installation to get clarification. Should the Applicant install and/or construct an item incorrectly they will be expected to bring the item into compliance unless otherwise approved by the ACC. Failure to do so may result in fines, fees and any other action the ACC deems suitable.

SECTION IV RESIDENTIAL PLANNING & ARCHITECTURAL STANDARDS

Exhibit Master List

MP-1	Neighborhood Plan
MP-2	Not Used
MP-3	Not Used
MP-4	Lighting Zones Permitted
MP-5	Lighting Fixtures Permitted
MP-6	Not Used
MP-7	Not Used
MP-8	Cast Stone Address Block
MP-9	Not Used
MP-10	Additional Masonry Requirements
MP-11	Drainage Requirements

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IV. RESIDENTIAL PLANNING AND ARCHITECTURAL STANDARDS

1. Site Planning and Site Development Criteria

A. General

Residences are to be planned to conform to the Covenants, Plat, Guidelines, and all applicable regulatory agencies requirements and to take maximum advantage of the natural features, existing trees and vegetation, and open space within the Harper’s Preserve Community. Site planning and exterior design should present a sense of individuality while reinforcing the overall image and theme of the community.

B. Setback Lines and Building Lines

Front lot Setback Lines and/or Building Lines for all lots are delineated on the Final Plats for each residential Section. Special considerations will be given in situations where variances may be necessary due to unusual lot shape, tree preservation, severe topography or other site-specific determinants. Variances may be granted to allow a small portion of the driveway near the home to encroach within the side lot setback. As a general rule, the lot setbacks and development standards are established as follows:

Primary Structures – Setback Criteria

Lot Widths (measured at front or rear building line)	80’/70’	60’	50’/40’/Patio
Front (With Front Gates)	The greater of the plat or 30’	The greater of the plat or 30’	N/A
Front	The great of 20’ or easement width(s)	The great of 20’ or easement width(s)	The greater of 20’ or easement width(s)
Side	5’ & 10’ on local side street	5’ & 10’ on local side street	5’ & 10’ on local side street
Rear	15’	15’	15’

Note 1: Patio homes with “swing in garages” may meet the front setback requirement of the lesser of 20’ or fronting easement width with approval of the NCC. In any event, the patio home fronting setback may not be less 10’.

Accessory Structures

Front	Front/Other Streets	Side	Side Detached Garage	Rear	Rear w/ Metal Fence
75’	70’	5’ or 10’ on local side Street	5’	5’ or Easement Width	The greater of 10’

C. Garage Placement and Configuration

- i. Corner lots - Opposite property line from corner intersection.
- ii. Adjoining Open Space - Opposite property line from open space.
- iii. Mirroring - Driveways are generally limited to one mirroring per block length. Where special conditions occur such as specimen trees to be saved or mid-block open spaces, more than 1 drive way mirroring may be permitted.
- iv. Side Loaded Garages are only permitted by approval by the ARC on an individual lot basis.
- v. Swing in Garage (80’, 70’ or 60’ product) – Permitted
- vi. Swing in Garage Plans are strongly encouraged by the NCC to be used on lots along Preserve Way Drive facing Harper’s Trace. The reason for this is as follows:
 - a. Create less garage door visibility.
 - b. Faces the main marketing route for the project.
 - c. Creates larger parking area behind front fence.
 - d. Creates more depth on front elevation.
 - e. Allows for narrower driveway width and gate.
- vii. Swing in Garage (40’ & 50’ product) – Not Permitted
- viii. Swing in Garage (Patio – zero lot line product) – Permitted

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- ix. Patio Homes – Water, sewer and drainage facilities have been designed on the basis of a zero side yard Lot line pattern per **Exhibit MP-3**, which assumes that straight in driveways into garages will be designed and located on the zero side line. Non-conforming driveways to this design standard (i.e.: swing-in or hook-in driveways) are allowed provided the driveway does not conflict between driveway and curb inlets, hydrants, or other utility will occur. Builder/Owner shall assume all risk and obligation for driveway design conflicts.

D. Lot Grading & Drainage

In general terms, during the construction of homes and thereafter, all lots should be prepared in such a manner and maintained so that positive drainage is maintained away from the home and into a drainage system as provided for each lot or lots. In many situations, the natural or man-made drainage patterns for an individual lot and the neighborhood as a whole may cause adjacent properties to commingle storm water runoff in common drainage areas such as yard swales that are discharged into the permanent access and utility easement and storm water collection system. Homeowners must ensure that the replacement of any improvements or landscaping does not materially impede water flow in common drainage areas. Beyond the natural drainage patterns, homeowners may not significantly increase the amount of water flowing onto a neighborhood lot nor may they block the normal flow from an adjacent lot into a common drainage area. On each lot, a three (3') foot drainage easement along the side property lines and a five (5') foot drainage easement along rear property lines are hereby reserved in favor of the Declarant and HPCA for drainage purposes. For Patio lots, there is also a 5' wide construction, maintenance, and drainage easement on the non-zero side of each Lot for the shared use by the adjacent Owner. Any improvements in this area which would hinder the construction or maintenance of the neighboring dwelling or which would restrict surface drainage are prohibited. Builders shall make every effort to direct the downspout to outfall directly onto the lawn or underground pipe. The lots should have enough grade for the water to flow towards the pavement without the need of a pipe. In the event a builder determines it is absolutely necessary to pipe the gutters and drain it towards the pavement due to field conditions, Builders shall construct it as shown in the attached **Exhibit MP-11 & MP-12** ("drain requirements"). Instead of the home builder installing a pop up drain, the home builder will be required to cut the curb and extend the pipe towards the gutter line and re-pour the curb once complete. **Pop up drains are not permitted.**

E. Berms

Use of berms is not permitted in areas of a lot which is visible to fronting and/or siding streets.

F. Utilities and Utility Easements

A lot may have easements for drainage, utilities, or in unusual circumstances special access. Easements will generally be designated on a recorded plat or in the Supplemental Declaration of Covenants, Conditions and Restrictions; however, there may be circumstances where an easement has been dedicated by separate instrument. When in doubt, seek the assistance of a registered professional land surveyor and a title company. The Owner, and not the Association, is responsible for the identification of all easements. All power lines, telephone lines, cable lines, etc. must be underground on any portion of a lot except for primary distribution lines and ancillary equipment such as pedestals or transformers. **Owners are required to screen all transformers and all pedestals and all other above ground utility facilities with landscaping in front and/or side yards.** See Section V (Landscaping) of the Guidelines.

2. Architectural Standards

A. Neighborhood Architecture and Styles

In general, it is not the intent of these standards to dictate specific architectural styles that must be used within the Community, but rather to give the Builders a set of guidelines that will provide flexibility while achieving continuity and harmony. While not specifying a particular style, the home designs should be simple and restrained. Visually confusing, loud, or disordered facades (including roof forms, massing, window and door shapes and sizes) should be avoided. It is important that the general proportions of the home, including the windows, doors, and other exterior architectural elements result in a harmonious overall composition. The main entrance of the home should have a sense of prominence that is reflected in the design. An entrance proportioned to convey a sense of human scale is more appropriate than one with exaggerated dimensions. The ACC holds the right to approve, deny and/or ask for revisions on plans that they believe do not match the aesthetics of the community.

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B. Building Massing

Generally, the building mass should be “broken up” through a combination of roof forms and floor plan configuration. It is understood that a “box” plan is preferred from the perspective of efficiency, but the reverse is generally preferred from the perspective of the streetscape. Each Builder is expected to balance these sometimes conflicting objectives through its own creative resources. In doing so, the economy of plan and visual interests will both be served. Wherever possible avoid weakly detailed elevations on corner lots.

C. Corner Lots

The NCC will look closely at the floor plans and elevations proposed for corner lots and reject any home plans that do not balance the needs of efficiency with that of an attractive streetscape. One story masses on corner lots are preferred where possible. The materials for a corner home should carry the front elevation materials and details around the entire visible side street elevation. Similarly, the landscape plans for corner lots should be exemplary in design and material selection and compliment the chosen floorplan with as much emphasis in the landscape treatment of the side yard condition as the front.

D. Home Size and Product Distribution

Lots designated for use as Model Homes for sales purposes shall be exempt from the square footage requirements, and plan repetition requirements hereof as required and must meet such requirements set forth by the Declarant. The NCC may also grant variances and/or modify these requirements by separate addendum by lot, section, product or other method of grouping at any time and without advance notice.

E. Square Footage and Minimum Home Width (Based on A/C Square Feet and with is based on a home with a 2 car garage)

	Lot Widths								
	80'	75'	70'	65'	60'	55'	50'	40'-49'	Patio
Minimum - 1 Story	3400 SF	3000 SF	3000 SF	2300 SF	2300 SF	1700 SF	1700 SF	1300 FT	TBD
Minimum - 2 Story*	3600 SF	3200 SF	3200 SF	2500 SF	2500 SF	1900 SF	1900 SF	1600 FT	TBD
Maximum	N/A	4650 SF	4650 SF	3850 SF	3850 SF	3300 SF	3300 SF	2400 FT	TBD
Minimum Width	64 FT	59 FT	54 FT	49 FT	44 FT	39 FT	34 FT	28 FT	TBD

*A 2 story shall be defined as a home with a stairwell. * The Width of a home is based on a 2-car side by side garage.

* A home is considered non-compliant with the Guidelines if it does not fit within the guidelines square footage bans listed above unless agreed upon by the ARC. The failure to comply will result in a per day fee for incorrect installation by the NCC. The fee amount is set by the Association. For a list of fees, please contact the Association.

F. Housing Plan Repetition

Home Plan	Elevation	Street Side	Number of Lots Between
Same	Same	Same	3
Same	Same	Opposite	3
Same	Different	Same	2
Same	Different	Opposite	2

G. Exterior Materials Requirements (unless otherwise approved by the ACC)

i. Masonry Requirements	All Lot Widths					
	Front Elevation	Sides	Sides (facing Green Space)	Rear	Rear (facing Green Space)	Whole Home
1 Story	75%	51%	100%	0%	100%	75%
2 Story	75%	51% (1 st floor)	100% (1 st floor)	0%	100% (1 st floor)	65%

ii. A 2 story shall be defined as a home with a stairwell.

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- iii. Mason requirement exceptions may be made on lots facing Preserve Way and rearing to the Preserve at the discretion of the ARC.
- iv. A whole home and front elevation masonry percentage must be printed on the plans unless otherwise approved by the ARC.
- v. Lots that adjoin Preserve Way Drive or entryways to Villages and /or adjoin collector streets or which are in the front of the subdivision may be required to have increased masonry requirements (up to 100% save and except windows, openings and accents) on sides which are visible from a street or reserve and/or any special conditioned lots, even if not listed on the following exhibit. See **Exhibit MP-10**.
- vi. Brick or stone with some stucco should be predominant on street front elevation. Well designed and detailed shiplap or other traditional siding designs combined with traditional timber and or stone detailing/accents may be acceptable in percentages not required to be Masonry and/or Brick. Gable ends should be well detailed.
- vii. On Corner or Greenspace siding homes: The front elevation’s masonry detail on the 1st story of the home should follow through to the fence line of the home, not end with a 2’ cap around the corner. The transition of the second story will be reviewed on an individual basis by the NCC.
- viii. Garages Front - Must match main home in material and detail with sufficient architectural detail.
- ix. Garages Rear - Do not have to be predominantly masonry except additional requirements may apply where the rear and/or side of the garage is publicly visible.
- x. A home is considered non-compliant with the Guidelines if it does not meet the masonry requirements listed above unless agreed upon by the ARC. The failure to comply will result in a per day fee for incorrect installation by the NCC. The fee amount is set by the Association. For a list of fees, please contact the Association.

H. Exterior Material Palette & Mix

- i. Walls - Predominant materials limited to three (not including trim, windows & doors). Half-timber walls are not permitted.
- ii. Stucco - Stucco Board is not permitted. Materials and methods must meet Cement & Plaster Institute (CPI) standards or better.
- iii. Siding - All siding must be Hardi-Plank or equal. Hardi-Plank paneling without expressions of unit size lumber is not permitted (single paneled and not shaped in a wood plank manner). Metal, vinyl, and aluminum are not permitted.
- iv. Wood Trim - Where used, must be Number 2 finish grade or better and must be primed and painted or sealed and stained. Medium density overlay (MDO) exterior grade is acceptable.
- v. Stone & Cultured Stone - The use is encouraged on all homes.
- vi. Brick - Sand formed, solid and muted colors are preferred. Wire cut multi-colored brick are not permitted. Distressed finishes are not permitted. **Red color bricks are prohibited as determined in sole discretion of the NCC.**
- vii. Mortar Joints - Mortar colors shall be in gray or sand tones. Joints may not be “slump” type finish.

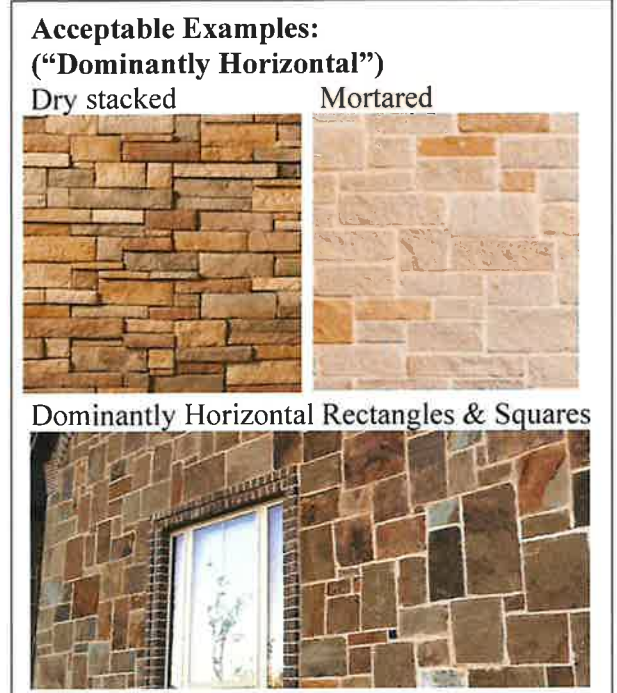
I. Exterior Color/Material Schemes

- i. The number of different **primary** materials on the exterior walls of a home shall be limited to three. A primary material is defined as a material used on more than 30% of the exterior front or side elevations’ wall surfaces. Permitted materials shall include:
 - a. **Brick:** “wood mold” type modular brick is preferred; no wire cut brick. “King & Queen size” bricks are acceptable.–Acceptable color range includes mid-range colors and buff tones. Bright

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and highly contrasting colors are discouraged other than for use as detail such as in a cornice, pediment or archway. **Red color bricks are prohibited.**

- b. **Mortar:** Natural colors; some contrasting colors may be used to accent sections of the exterior
- c. **Stone:** Should be laid up in dominantly horizontal courses and not applied in a two-dimensional “flagging like” or “peanut brittle” appliqué fashion



- d. **Stucco:** Sand float finish or light texture is preferred; heavily textured stucco is prohibited. Stucco board may only be used on ancillary portions of the home (i.e. Chimney’s and/or gables) otherwise true stucco is required.
- e. **Wood or wooden-appearance:** Hardi-plank, or cementations siding, ship lap, lap board, shingle and board & batten cladding may be used but require traditional wood details. Where used, wood shall be a minimum Grade of #2 and shall be stained and or primed and painted sufficiently to protect the material from dry rot and other forms of deterioration caused by inadequate protection or deficient construction or detailing.
- f. **Exterior Colors** - The number of dominant colors for the main elevation materials on the exterior walls of a home is limited to two. Permitted colors include white, warm tones, muted primaries, pastels and other restrained colors. Contrasting but complementary accent colors may include blues, yellows, browns, warm grays and greens. High contrasting accent colors should not be primary colors but rather muted or subdued tones should be used.

J. Chimneys

All Chimneys located on an exterior wall shall be constructed of brick, masonry, stucco siding or other material consistent with the predominant exterior wall finish.

K. Roofs

Unless otherwise specified by the NCC, roofing shall be minimum 25-year warranty composition shingles and should be “algae resistant treated”. Color shall be **black**. The final color and type must be approved in advance by the NCC. Primary roofs may be either dominantly hip or gable type construction with a minimum pitch of 6 in 12 for the front to back slope and the 8 in 12 for the side to side Prairie Style or Crafts Style hip roof design is chosen. Homes that face Preserve way must have an 8 in 12 minimum pitch both front to back and side to side of the home. For lots greater than 65’ wide 5 in 12 predominant sloped roof may be used when the elevation design is “true” to the

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massing and details of the aforementioned design styles. Secondary roofs throughout Harper’s Preserve may have a pitch ranging from 4 in 12 to 8 in 12. Simple roof shapes are preferred. Complex roof forms with elaborate ornamentation and multiple ridges and peaks should be avoided. Gable or shed type roofs are permitted for porches, roof transitions and accessory buildings. Where used as a shed porch roof, and depending upon materials used, a 3 in 1 pitch may be acceptable. Notwithstanding the forgoing, the NCC may specify special roofing requirements for those residences which are located facing Preserve Way Drive, which have special address markers and plaques and front yard metal picket fences. If a home is built with an incorrect colored roof, failure to comply will result in a per day fee for incorrect installation by the NCC. The fee amount is set by the Association. For a list of fees, please contact the Association.

Foregoing, the NCC shall have the authority to approve roof pitches and roof colors that differ from that contained in the preceding sentences for structures it deems to be ancillary to the main dwelling, including but not limited to, eaves, overhangs for patios, and similar structures.

All exposed metal roof accessories (such as flashing, plumbing vents, roof flashing, attic ventilators, metal chimney caps, skylight curbs, gutters, solar collector frames, etc.) shall match the color of the roofing material or appropriate material. The preferred location of all stack vents and attic ventilators is on the rear slopes of roofs which is defined as the portion of the roof not visible from a street.

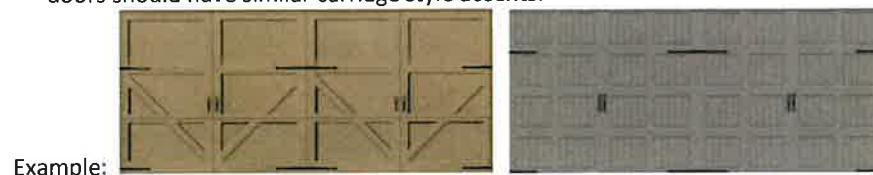
L. Garages

a. Garage Door Materials

- a. Garage Materials for any lots facing Preserve Way shall be stained cedar, fir or other durable wood with uniform grain (without visible knots) and stained to be consistent with the colors of the homes. Shutters are encouraged on residences that have wood garage doors. Shutters should be a reinforcing and consistent element to the design of the garage door in color, finish and style, etc.
- b. Garages Doors for lots that do not face Preserve Way should have the materials and style approved by the NCC before use.
- c. Use of windows and other material accessories must be approved by the NCC.
- d. Main walls and roofs are to be the same materials.
- e. Driveways shall be reinforced concrete or colored special paving with NCC permission. In no case may a material other than plain poured in place reinforced concrete be used between the sidewalk and street.

i. Garage Type

- a. Garages may be attached on all lots or detached on 70’ & 80” lot.
- b. Each garage, or combination thereof, must be sized to accommodate at least two automobiles.
- c. No more than three car width openings are allowed in an elevation; however, additional capacity can be provided “in tandem”. Additional car openings may be approved by the NCC for lots exceeding 75’ at front building line.
- d. For Patio homes, two car garage permitted for front garage elevations and three car garage permitted for swing-in garages.
- e. Garage Doors - All garages shall be carriage style doors with sufficient architectural detail and consistent with home architecture.
- f. A carriage style garage double door is a door that gives the appearance of two single doors. Hinges and handles are encouraged and may be required to create the look. Single garage doors should have similar carriage style accents.



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- g. Garage doors not directly facing the fronting street are preferred.
- h. Garage doors, that face the street, are preferred to be located a minimum of 5’ behind the front face of the primary elevation of the home.
- i. It is encouraged that no more than two garage doors be in the same plane when facing the street. It is preferred that the third door be placed in a secondary building plane, offset by a minimum of three feet from the primary front wall of the garage, to avoid a continuous uninterrupted wall of three or more garage doors.
- j. Garage doors should be either the same color as the body of the home, a slightly darker shade of the same color, or a matching trim color. They should be neither too light nor too dark to call attention to themselves, particularly if they are very visible from the street.
- k. Auto courts are encouraged.
- l. Garage doors not visible to a road right-of-way may be double garage doors, made of materials other than wood, and do not need to simulate wood.
- m. Two 8’-9’ wide doors are preferred to one 16’-18’ wide door.

M. Porches and Bay Windows

The inclusion of porches is encouraged. Where used, a depth sufficient to allow for furniture and walking space is preferred over shallow depth non-usable visual appendages. Generally a 6’ depth is the minimum permitted unless a unique design or use is intended. Columns, roof slope and roof materials can in combination provide a unique appearance and curb appeal. Bay windows may use unique colors or materials approved by HPCA to accent the related home elevation.

Patio Homes: Patios and/or courts within 1 foot or less of the zero lot line of patio home lots must have a wall on the zero side that is not less than 7’ high measured from the foundation.

N. Windows and Doors

Windows should be proportioned with heights approximately twice the width, excepting accent and special function windows. Burglar bars are not permitted on the exterior of structures and if installed on the interior, should not be visible from the exterior of the structure. Windows and doors should reflect restraint in the number of types, style, and sizes. Windows may not have reflective glass, foil or tinting. Other than for a limited number of small accent windows, all windows are to be double pane, “Low-E”, coated type windows.

The entry should be sheltered on the exterior and include a door or pair of doors. When double doors are used, no sidelights are required but where a single door is used, it is preferred at least 1 sidelight be incorporated in the entry. The main entry should contain more detail than other openings but remain consistent in styling.

Storm doors and windows are permitted if they are an integrated manufactured “pair” and may not be added after the initial construction. The details and materials of the storm doors or windows must be similar to the actual door or window.

Patio Homes: No windows or other openings shall be permitted in the zero wall of the residence. Glass block and other similar structural translucent material shall not be considered a window or opening for the purpose thereof. Second Story windows facing the zero side (but not located in the zero wall) must have the base of the windows not be below 7’ higher than the foundation nor closer than 5’ to the Zero Wall of the residence. Skylights shall not be considered windows and/or openings on the zero wall side of the residence for the purposes thereof. Additional specifications may be located in the DCCR’s.

O. Shutters

When used, shutters are to be of equal size to the openings they are intended to protect. The material of the shutters should be consistent with the other exterior materials used on the home.

P. Foundation

All building foundations shall consist of either concrete slabs or pier and beam, unless a different type of foundation is approved due to special or unusual site conditions.

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he NCC is primarily concerned with the front elevation condition and will look at variances on the rear where steep grades occur and where site grading can assure that proper drainage away from the foundation (+/- 5%) in the first ten feet can be accomplished.

Builders and Homeowners are required to provide to a Buyer a final survey prepared by a Registered Public Surveyor certifying that the foundations of all buildings constructed on lots have been constructed in conformance with the regulatory requirements, Architectural Guidelines and Covenants with regards to building placement and slab(s) elevations.

At no point along the perimeter of the home/garage slab shall the top of the finished floor elevation be less than 12” above natural grade, nor less than 18” above the highest elevation of curb adjacent to the lot. All finished slabs shall also be a minimum of one (1’) foot above the FEMA 100-year base flood elevation and all structural improvements must comply with minimum Montgomery County flood plain building requirements. No more than 4” along front elevation of any concrete foundation is to be exposed to view from the street.

The HPCA, MUD and or other governmental authorities having jurisdiction over the Community may further stipulate minimum slab elevations for both home and garage.

Q. Mailboxes and Address Markers

i. Mailboxes

Community mailboxes will be available to Owners.

ii. All Street Address Plaques Requirements

All lot addresses must be displayed on the home near the front door. *All address plaques must be ordered by the builder at lot closing for all lots in the section.* Below is a list of the types of address plaques within the community.

iii. Standard Address Markers

All residences must have cast stone address numerals incorporated into the brick/stucco /stone on the front facade of the residence. **See Exhibit MP-10** for the specifications of each marker. Painted addresses on curb is prohibited within the Subdivision unless otherwise approved. There may be special address requirements along certain streets or for certain lot sizes or product types.

iv. Preserve Way Gate Markers

N/A

v. Preserve Way Address Marker

Residences fronting Preserve Way must utilize a Pennsylvania Bluestone address plaque on the residence with metallic silver painted numbers set inside of a cast stone block per **See Exhibit MP-9** for the specifications of the marker. The numbers on the markers will be painted with **Lithichrome Stone Paint – Silver**. This blue stone address block may be sourced through The Ark-Concrete Specialties, Inc. (713)695-2001 (www.arkconcrete.com) and must follow the requirements of **Exhibit MP-9**. Painted addresses on curb is prohibited within the Subdivision unless otherwise approved.

vi. Other Blue Stone Address Plaque Locations

Residences in TBD must utilize a Pennsylvania Bluestone address plaque on the residence with metallic silver painted numbers set inside of a cast stone block per **Exhibit MP-7**. The numbers on the markers will be painted with **Lithichrome Stone Paint – Silver**. This blue stone address block may be sourced through The Ark-Concrete Specialties, Inc. (713)695-2001 (www.arkconcrete.com) and must follow the requirements of **Exhibit MP-7**.

vii. The Cleaning and Maintenance of all Address Markers on Gates or Residences

The cleaning, maintenance, repair, and replacement of each part of these markers are the sole responsibility of the Owner on whose lot an address marker has been constructed and the HPCA shall have the right to maintain and replace any damaged marker and back charge the Owner to maintain the markers as prominent

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decorative elements. The HPCA may specify that the Owner must utilize a specific vendor to supply and/or replace the address markers, logo, cap and metal picket post which is required for uniformity. For additional information on the requirements and vendor contact the NCC and/or the HPCA.

R. Irrigation, Fire Protection and Solar Collectors

- i. **Irrigation** - Installation of an irrigation system (by Builder) to effectively water areas within front and side yards (and rear yards with rear metal fence) on all Lots is mandatory under the Covenants. HPCA has the option, but not the obligation, to perform Front Yard maintenance. Regular watering by the Owner is an important component. It is the Owner’s responsibility to maintenance the system and/or handle any repairs.
- ii. **Smoke Detectors** - One or more photoelectric type smoke detectors must be installed in each dwelling, powered by alternating current with a battery backup. The number and location of smoke detectors must be sufficient to provide a clear, audible alarm to occupants of each bedroom or other sleeping area). It is encouraged that whenever possible, smoke detectors should be installed and wired so that the completed system can enable a two connect to a remote monitoring service.
- iii. **Solar Collectors** - The location and design of all solar collectors are subject to approval. Collectors that can be seen from a public right of way, public open space/park or adjoining property must be of a flat profile and conform to the slope of the roof.

S. Lighting

The areas of the residential exteriors that are permitted to be illuminated are depicted on **Exhibit MP-4 “Lighting Zones-Permitted”**. The types of lights that are acceptable to be used in these Zones is presented on **Exhibit MP-5, Lighting Fixtures – Permitted”**. Specific design and manufacturer models for the Lighting Fixture Types depicted in **Exhibit MP-5** (or as otherwise approved by NCC) shall be submitted to the NCC for approval.

The philosophy of exterior lighting, where used, is to minimize the impact to neighbors and to every reasonable extent possible, preserve the beauty of the “rural” night skies about which many residents enjoy. Exterior residential lighting should convey a warm, inviting atmosphere. Care is to be taken in placement and selection of fixtures and types of light sources.

Restrained exterior illumination of architectural features such as columns, entries, and landscaping is permitted. The homebuilder and/or Owner shall install and maintain lighting on individual lots in a manner to not cause distraction, nuisance or to be unsightly. Lighting should not conflict with the sight lines of pedestrians or motorists in a manner that endangers their safety and welfare.

Light sources must not spill over into neighboring yards or produce glare to adjoining landowners or the public right-of-ways. No lighting fixture shall be erected higher than the surrounding natural ground as described in **Exhibit MP-5, “Lighting Fixtures – Permitted”**. Freestanding pole lights, where permitted, shall not be mounted higher than 12’ above the finished grade of the undeveloped lot.

Ground landscape lighting or decorative fixtures must be of high quality materials and workmanship and be in scale and style with the residence. All lighting sources must be approved by the NCC. Colored lenses, low pressure sodium, high pressure sodium and neon lighting are not permissible. Metal halide and LED illumination sources are strongly preferred.

The responsibility to prevent and/or correct any distraction, glare, nuisance, safety, spill over, unsightliness and welfare situations caused by installed lights shall remain with the homebuilder and/or Owner.

3. Lifestyle Accessories

A. General

All Accessories shall be installed in accordance with the side and rear yard setbacks as listed in The Setback Criteria table in Section III.B. No encroachment into any utility easement unless the utility companies involved have granted their written consent to such encroachment. The various utility companies may charge the applicant for this consent letter. Consents must be received prior to approval. All Accessories are subject to ACC approval. The ACC Reserves its right to grant variances to these guidelines for accessories for any reason.

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B. Swimming Pools

Swimming pools must be in ground and in conformance with all City, County, MUD, and Health Code regulations. Pools must meet all State, County, and City codes when applicable. Unique site conditions causing Owner hardship may be reason for the NCC or RMC Committees to grant a variance with regards to deck encroachment into setbacks. All pools must be enclosed within a fenced area and drained properly. All existing and previously approved landscaping criteria must be adhered to despite the addition of the pool. All associated equipment including pool pumps, filters, diving board, waterfall/feature and other similar elements shall be screened from parks and open spaces, public right of ways and adjoining properties’ view. Pool enclosures will be reviewed on an individual basis and height should not exceed eight feet (8'). Pool equipment (including but not limited to Pumps, Slides, cleaning equipment, etc.) must not be visible from the fronting street and may be screened with a hedgerow or located behind the side fence. Concrete or decking directly associated with a swimming pool must be shown with dimensions on the application. All hardscape (existing and proposed) will be considered when evaluating the application.

C. Storage Buildings

Storage buildings will be permitted in rear yards but not be visible (below 6') to adjoining lots, parks and open spaces or streets right of way. Storage buildings should match the architectural elements, materials and color of the home (including roofing). Storage buildings should have a peaked roof, no higher than eight feet (8') from the ground to the highest point, and a maximum of 10' x 15' floor space. Location must also be far enough away from fence to allow for drainage to occur entirely on the Owner's lot.

D. Gazebos

Gazebos shall be reviewed on a case-by-case basis with a maximum height at peak of eleven feet (11').

E. Sport Courts, Sports Nets, Poles, and Equipment.

The determination as to what constitutes a sports court (hard and/or soft) and/or sports accessories and equipment shall be in the sole discretion of the ACC.

- i. Hard surface sports courts (and related lighting) including but not limited to tennis courts, basketball courts, pickleball courts are not permitted.
- ii. Soft courts (i.e.: grass, sand, turf for croquet, lawn bowling, bocce, badminton, a putting green, soccer) are permitted provided they are not enclosed (in full or in part) with netting above the perimeter fence and are not lighted. Such facilities may not be used in a manner that creates an unreasonable nuisance to neighboring properties (which shall be determined in the sole opinion of and at the discretion of the ACC). Soft courts for tennis are not permitted.
- iii. All moveable sports accessories, nets, poles, and any other sports related equipment shall be stored out of site within the fenced side and/or back yard of the home when not in use and shall not be left in the front driveway and/or front yard overnight.

F. Basketball Goals

Basketball goal backboard, net and post must be maintained in excellent condition at all times. Movable basketball goals shall be permitted for use adjacent to or behind the front building line and in the rear yard. If the backboard is mounted onto the roof by use of a small, triangular mounting structure, the mounting structure must be painted to match the shingle color. Rims must be ten feet (10') in height. Backboard is recommended to be regulation size and color. Color may vary but must be non-brilliant in nature and may not be of color or location that detracts from the use, enjoyment or aesthetics of the neighboring property. Basketball goals may be permanently mounted on rear located detached garages or placed on the side of driveway, recognizing a setback of a minimum of 10' behind the front building line.

G. Exterior Fireplace and Chimneys

Exterior fireplaces and chimneys shall be constructed of masonry, or masonry like materials including Hardi Plank. Chimneys shall extend a minimum of 4' above the roof line or be 2' higher than required by the IRBC. All chimneys

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constructed for fireplaces, stoves, etc. that burn wood, alternate wood products, coal, charcoal burning and or combustible materials other than natural gas or propane, should have spark arrestors.

H. Decks

Decks should not be situated on the lot so that they may pose a problem to the effective drainage of the lot or neighboring lot. Decks cannot be higher than 18" above grade. Paint or stain should match or compliment the home.

I. Generators

- i. **Application.** Approval by the ACC is required prior to installing a Generator. As used herein, “Generator” is a device that converts mechanical energy to electrical energy and is: (1) powered by natural gas, liquefied petroleum gas, diesel fuel, biodiesel fuel, or hydrogen; (2) fully enclosed in an integral manufacturer-supplied sound attenuating enclosure; (3) connected to the main electrical panel of a residence by a manual or automatic transfer switch; and (4) rated for a generating capacity of not less than seven kilowatts. To obtain the approval of the ACC for a Generator, the Owner/applicant shall provide the ACC with the following information: (i) the proposed site location of the Generator on the Owner’s Lot; (ii) a description of the Generator, including a photograph or other accurate depiction; and (iii) the size of the Generator (the “Generator Application”). A Generator Application may be separate from the Lifestyle Accessories Construction Application in the sole discretion of the ACC. A Generator Application may only be submitted by a tenant if the Owner’s tenant provides written confirmation at the time of submission that the Owner consents to the Generator Application. The ACC is not responsible for: (i) errors or omissions in the Generator Application submitted to the ACC for approval; (ii) supervising installation or construction to confirm compliance with an approved Generator Application or (iii) the compliance of an approved application with applicable law.
- ii. **Approval Conditions.** Each Generator Application and all Generators to be installed in accordance therewith must comply with the following:
 - b. Generator must be installed and maintained in accordance with the manufacturer’s specifications and meet all applicable governmental health, safety, electrical, and building codes.
 - c. Only licensed contractor(s) may install the electrical, plumbing, and fuel line connections and all electrical connections must be installed and maintained in accordance with all applicable governmental health, safety, electrical, and building codes.
 - d. All natural gas, diesel fuel, biodiesel fuel, and/or hydrogen fuel line connections must be installed and maintained in accordance with applicable governmental health, safety, electrical, and building codes.
 - e. All liquefied petroleum gas fuel line connections must be installed and maintained in accordance with the rules and standards promulgated and adopted by the Railroad Commission of Texas and other applicable governmental health, safety, electrical, and building codes.
 - f. All non-integral Generator fuel tanks must be installed and maintained in compliance with applicable municipal zoning ordinances and governmental health, safety, electrical, and building codes.
 - g. The Generator and its electrical lines and fuel lines must be installed and maintained in good condition. The Owner is responsible to repair, replace, or remove any deteriorated or unsafe component of a Generator, including electrical and fuel lines.
 - h. The Generator must be screened when it is visible from the street faced by the residence, located in an unfenced side or rear yard of a Lot, and is visible either from an adjoining residence or from adjoining property owned by the Association, and/or is located in a side or rear yard fenced by a metal picket fence and is visible through the fence either from an adjoining residence or from adjoining property.
 - i. Only periodic testing of the Generator (consistent with the manufacturer’s recommendations) may be performed between the hours of 9 a.m. to 5 p.m., Monday through Friday.
 - j. The Generator shall not be used to generate all or substantially all of the electric power to the Owner’s residence unless the utility-generated electrical power to the residence is not available or is intermittent due to causes other than nonpayment for utility service to the residence.

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- k. The Generator shall not be located (i) in the front yard of a residence; or (ii) in the visible side yard of a residence facing a side street.
- l. A Generator shall not be located on property owned by the Association.
- m. A Generator shall not be located on any property owned in common by members of the Association.
- n. A Natural Gas Generator may be permitted in a side yard behind an opaque fence provide they do not interfere with garbage can storage pads, property (and adjacent property) drainage and meet all health and safety guidelines and have at least a 2’ distance between the generator and the side property line.
- o. Natural Gas, Gasoline, Diesel and biofuel generators may be located in areas of the Lot as designated by the ACC.

3. **Process.** Any proposal to install a Generator on property owned by the Association or property owned in common by members of the Association must be approved in advance and in writing by the Board, and the Board need not adhere to the requirements set forth above when considering any such request.

4. **Approval.** Each Owner/applicant is advised that if the Generator Application is approved by the ACC installation of the Generator must: (i) strictly comply with the Generator Application; (ii) commence within thirty (30) days of approval; and (iii) be diligently prosecuted to completion. If the Owner/applicant fails to cause the Generator to be installed in accordance with the approved Generator Application, the ACC may require the Owner/applicant to: (a) modify the Generator Application to accurately reflect the Generator installed on the Lot; or (b) remove the Generator and reinstall the Generator in accordance with the approved Generator Application. Failure to install the Generator in accordance with the approved Generator Application or an Owner’s/applicant’s failure to comply with the post-approval requirements constitutes a violation of the Covenant and may subject the Owner/applicant to fines and penalties. Any requirement imposed by the ACC to resubmit a Generator Application or remove and relocate a Generator in accordance with the approved Generator Application shall be at the Owner’s/applicant’s sole cost and expense.

J. Solar Screens and Storm Doors.

No solar screens and/or storm doors shall be permitted on the outside elevation of the home. The use of solar screens on the interior of the house shall be permitted as long as the solar screens do not negatively impact the overall aesthetic of the house.

K. Patios, Decks, etc.

Patios, decks, and other hardscaped areas must be submitted for review and approval prior to installation. Generally, they must be proportional (in the sole determination of the ARC) to the home and to any existing covered or uncovered porch, patio, or similar. All hardscape (existing and proposed) will be considered when evaluating the application. Any patio, deck, or other hardscaped area that is to exceed 200 square feet of new area **will only be considered** with a variance application (this does not apply to concrete or decking directly associated with the functions of a pool which are reviewed separately as part of a swimming pool application). Any sports equipment that is planned to be used or installed in conjunction with a hardscaped area must be clearly delineated on the application.

L. Patio Covers

Patio Covers should be constructed of materials which complement the main structure. Prefabricated covers made of aluminum may be approved providing they are of an earth tone color -- unfinished aluminum will not receive RMC approval. All metal must be painted and certain structures using fiberglass roofing and wood frame may be allowed to go unpainted provided treated wood is used. Patio cover, if attached to home, must be integrated into existing roof line (flush with eaves), and if it is to be shingled, shingles must match roof. Entire patio cover and posts should be trimmed out to match home. Supports must be painted wood, treated wood or metal columns. No pipe is allowed. At no time, however, shall a shingled roof be allowed with an unpainted frame. Frame will have to be painted to match trim of home whether treated or untreated wood is used.

Patio construction materials are as follows:

- i. Painted aluminum (to match trim of home)

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- ii. Painted wood (to match trim of home)
- iii. Natural pressure treated wood such as cedar, fir, redwood may be used. Treated pine must be painted or stained.
- iv. General Note: All patio cover material, i.e., fiberglass, corrugated aluminum, metal, wood, lattice (if permitted), must be completely framed in so that no raw edges of material are visible.
- v. If canvas is used as roofing material on a patio cover, it must be an earth tone color and the structure must be located where it is not visible from the street. No striped or printed pattern is permitted. Also, the canvas must be kept in quality condition or its removal will be requested by the HPCA. No greens allowed for residential use. Commercial use allows the use of green.

Patio covers must be situated on the lot to provide drainage solely into the Owner's lot and should be guttered with downspouts, if it is to be a solid cover. Patio covers shall be allowed in rear yards only.

M. Play Structures and Forts

Play Structures /fort must be no higher than Ten feet (10') maximum. Allowance may be made to this requirement only if this is specifically spelled out in writing by the ACC on the application; otherwise, ten (10') feet maximum shall apply. If fort has a platform, and positioned in back yard and so as to be low enough to protect neighbor's privacy. It shall also be placed so as not to be visible from the fronting street. If it is determined in the sole discretion of the RMC that the installation, location or appearance of the structure constitutes a violation of the deed restrictions or an invasion of adjacent property Owner's right use or enjoyment of their property then the RMC can require the initial applicant to make changes to the structure, it's position or require that it be removed. The exterior colors of the main residence, galvanized, natural wood, or earth tones shall be permitted. Brilliant colors shall be restricted especially for any part of the structure which may be visible from above the fence. If there is a canvas awning, such awning shall be solid in color and shall be an earth tone color.

N. Room Additions

Exterior materials and colors should match the home as much as possible. Size and shape will depend on architectural style and layout of home, size of lot, and how well room addition integrates with existing home. Addition of a storage area will not qualify as a bonafide room addition and will not be permitted. Plans for room addition must show a room of reasonable size to constitute a legitimate request for a room addition. Roof of addition must integrate with existing roof line so as to appear to have been part of the original home. The addition must be opened to the main structure and be serviced by central heat/AC and electrical. All such improvements must be designed to building code standards. Room additions may be denied for other reasons (structural integrity, architectural suitability, etc.). Building permits as required by the applicable municipality (city, county, etc.) must be submitted with the "Request for Home Improvement Approval" form. In some instances, the RMC will grant approval with the provision that a copy of the permit must be received by the ACC within thirty (30) days of the approval letter.

O. Satellite Dishes & Antennas

Satellite dishes and antennas must comply with Federal Communications Commission guidelines and regulations. All radio frequency receiving devices of any configuration and type must be erected behind the home and not protrude above the roof line(s) of the primary structure/home. Every reasonable effort possible must be made to limit the views to these devices from adjacent properties. Corner lots shall not install such devices closer to the corner street than the mid-point of the primary structure/home.

P. Birdhouses and Feeders

Harper's Preserve possesses a diverse natural habitat visited annually by migrating song birds. The installation of bird houses particularly those designed to attract Purple Martins is encouraged. Additionally, song bird feeders are also encouraged. Each Owner erecting either feeders or birdhouses shall be responsible for the maintenance of the devices including repairs, painting and "righting" of support posts.

Q. Yard Ornaments

The front yard of a home is typically a source of pride and an area where Owners desire a "higher finish" than in other parts of the lot. The front yard is also a part of the "public domain" in that it is visible to the public right of way (street) and forms a part of the overall community image and character. For this reason, high degrees of personalization with

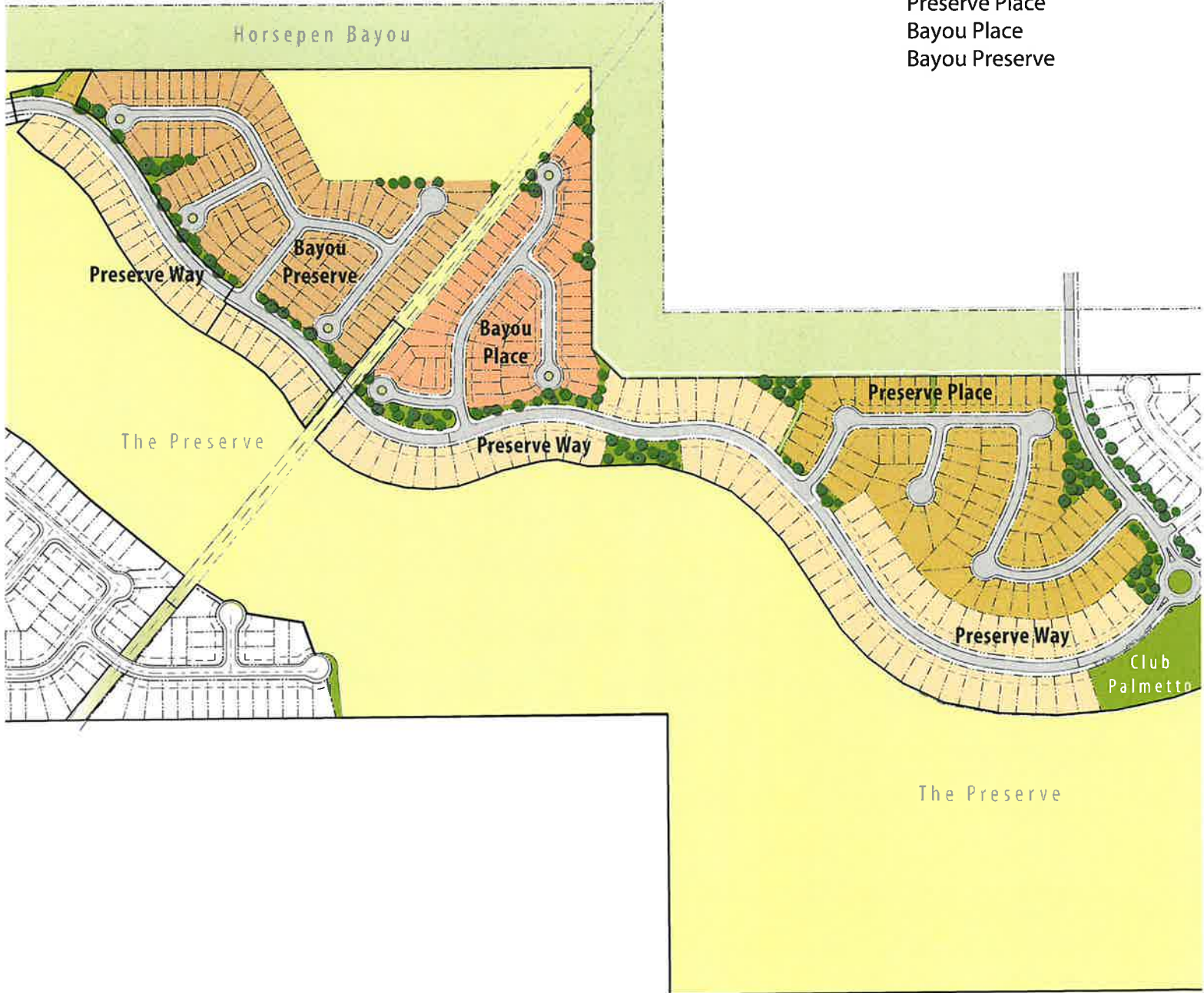
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regard to “fixtures” such as statuary, bird baths, arbors and other forms of garden ornament are prohibited in the front yard. Yard ornaments located within rear yard (where wrought iron fencing is used) shall require approval from the HPCA. Benches on porches and behind hedges are permitted. The use of exotic tropical materials, either fruit bearing or not, such as banana trees, Sago Palms, Queen Palms, Washingtonia Robusta palms, Bamboo and other materials not capable of withstanding the occasional prolonged hard freeze conditions experienced in the region are not permitted in the front yard (or rear yard where wrought iron fencing is used).

4. Exhibits – the following pages.

Exhibit MP-1a
Preserve Village
Central

Neighborhoods:
Preserve Way
Preserve Place
Bayou Place
Bayou Preserve



**Exhibit MP-1b
Preserve Village
East**

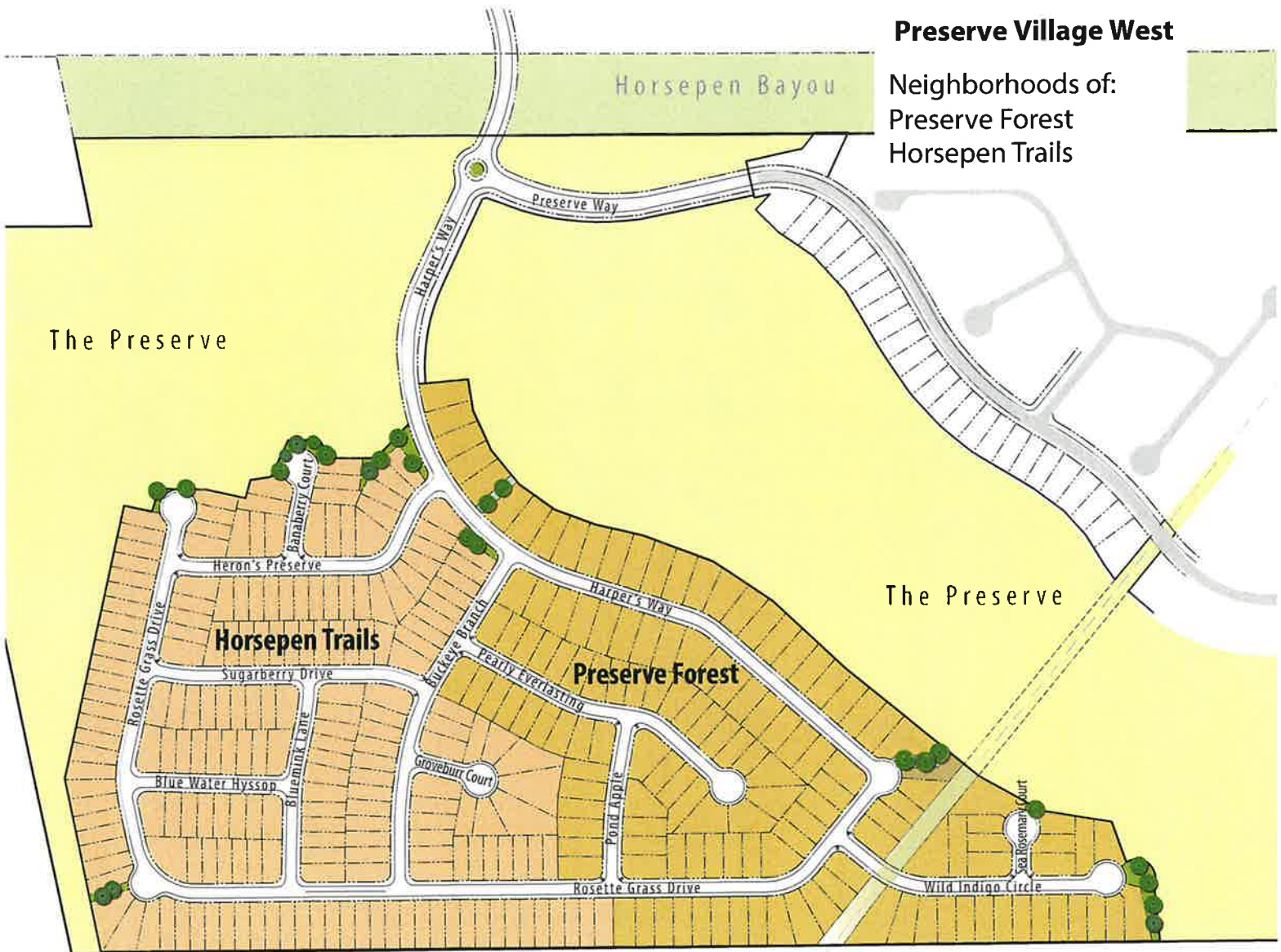
Neighborhoods:
Palmetto Place
Bayou Oaks
Harper's Hammock
Pine Preserve



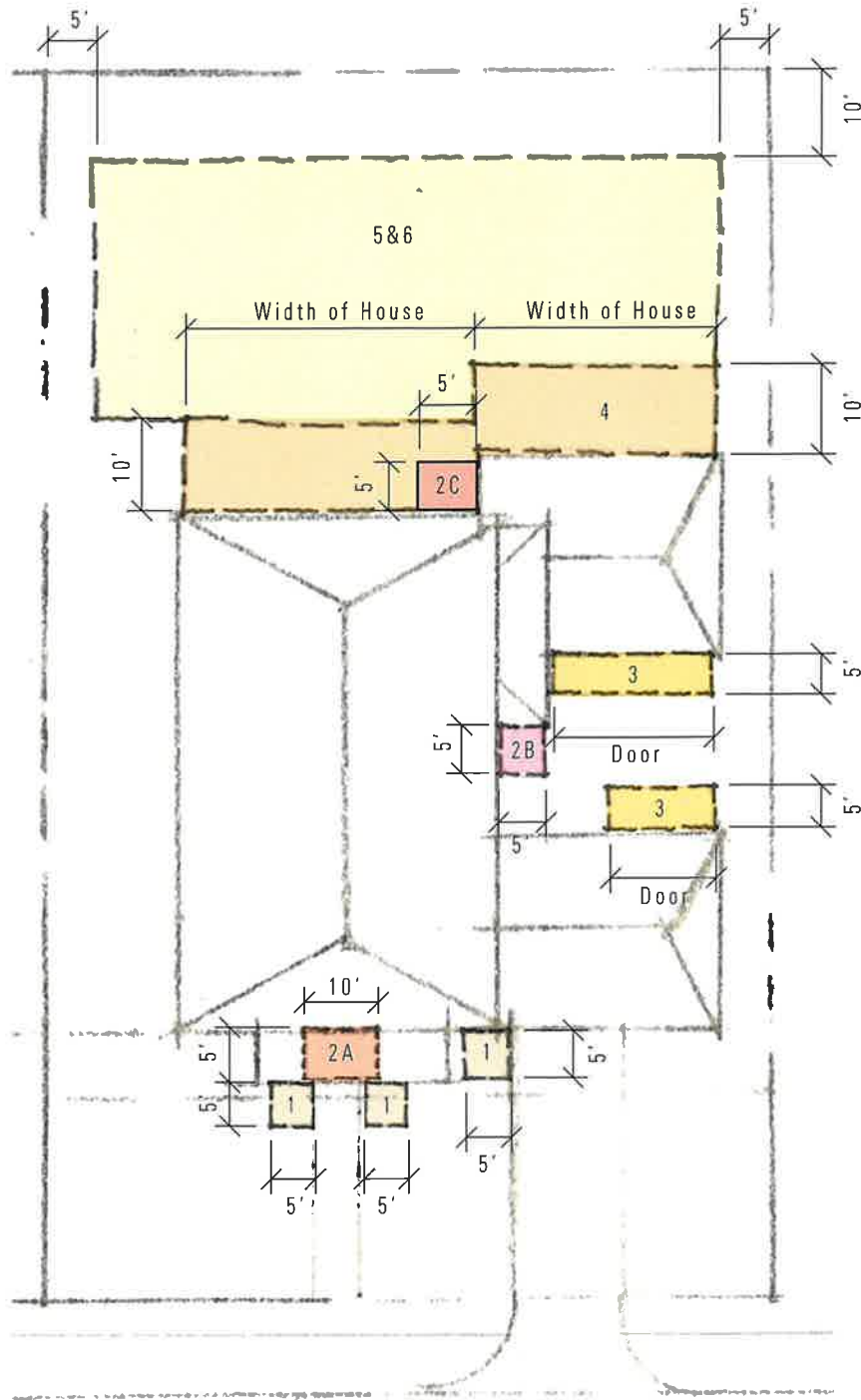
Exhibit MP-1c

Preserve Village West

Neighborhoods of:
Preserve Forest
Horsepen Trails



**Exhibit MP-4
Lighting Zones
Permitted**









Lighting Zones - Permitted

NTS

- | | |
|--|--|
| 1 Zone 1 | 3 Zone 3 |
| 2A Zone 2A | 4 Zone 4 |
| 2B Zone 2B | 5&6 Zone 5 & 6 |
| 2C Zone 2C | |

Exhibit MP-5 Lighting Fixtures Permitted

Permitted Lighting Fixture Types by Lighting Zones									
Type	Example Light Types Permitted								
	Path Light	Soffit Light, Can	Sconce	Uplights	Bollard light	Down light, Can	Underwater		
Max. Mounting Height by Fixture Type	30"	10'	9'	18-24"	42"	10'	N/A		
1									
2	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
a	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
b	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
c	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
3	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
6	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

- Notes:
- 1 All lighting shall be shielded to prevent spill over into adjoining property or public right-of-way
 - 2 The maximum footcandle level at a property line shall not exceed .25 footcandles
 - 3 Uplighting permitted in the rear yards shall illuminate the rear elevation of the home and landscape within the zone. No glare or spillover shall be permitted.
 - 4 The fixtures illustrated above are shown to illustrate the types of lights permitted, not the manufacturer, model or color/finishes required or permitted.
 - 5 Homeowners are encouraged to use LED Lighting with a color temperature range between 4000°-5000° Kelvin whenever possible.

**Exhibit MP-8
Cast Stone Address Block**



ArkConcrete

Model ABSL

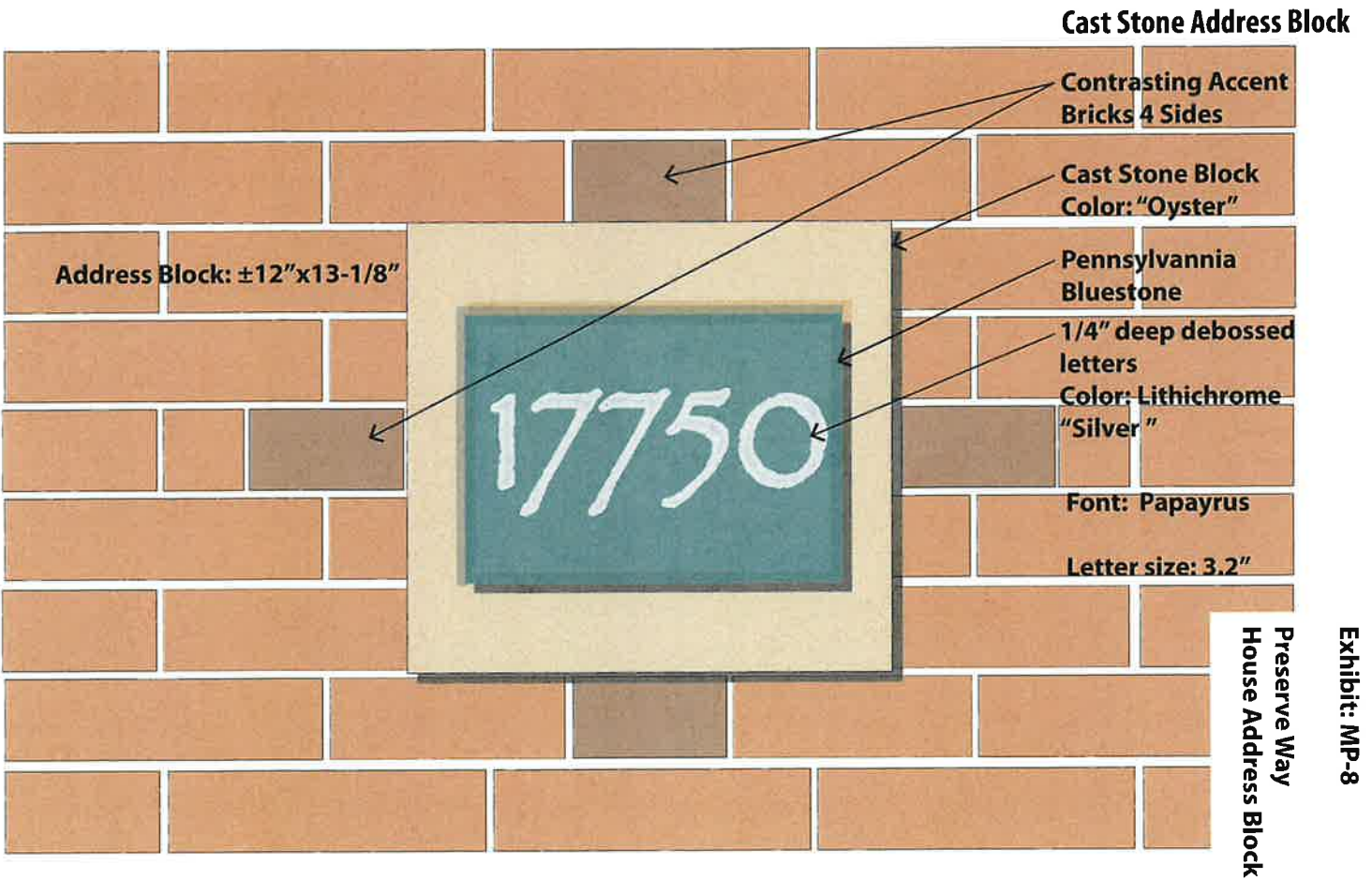
Color: "Oyster"

Text Font: "Georgia"

Text Size: 3"

SLA Studio Land
092016

Scale: Actual Size



**Exhibit MP-10a
Neighborhood Plan**

**Preserve Village
Neighborhoods:**

- Preserve Way
- Palmetto Place
- Bayou Place
- Preserve Place



Masonry Percentage Key

- 100% Rear Masonry
- 100% Side Masonry
- 100% Front Masonry

This document represents preliminary information and is not intended to constitute an offer of any financial product or service. It is provided for informational purposes only and is not intended to be used as a basis for any investment decision. The information contained herein is subject to change without notice. For more information, please contact your financial advisor.

Exhibit MP-10A

**Additional Masonry Requirements Plan
Southeast Village**

Palmetto Preserve
Bayou Oaks
Harper's Hammock
Pine Preserve



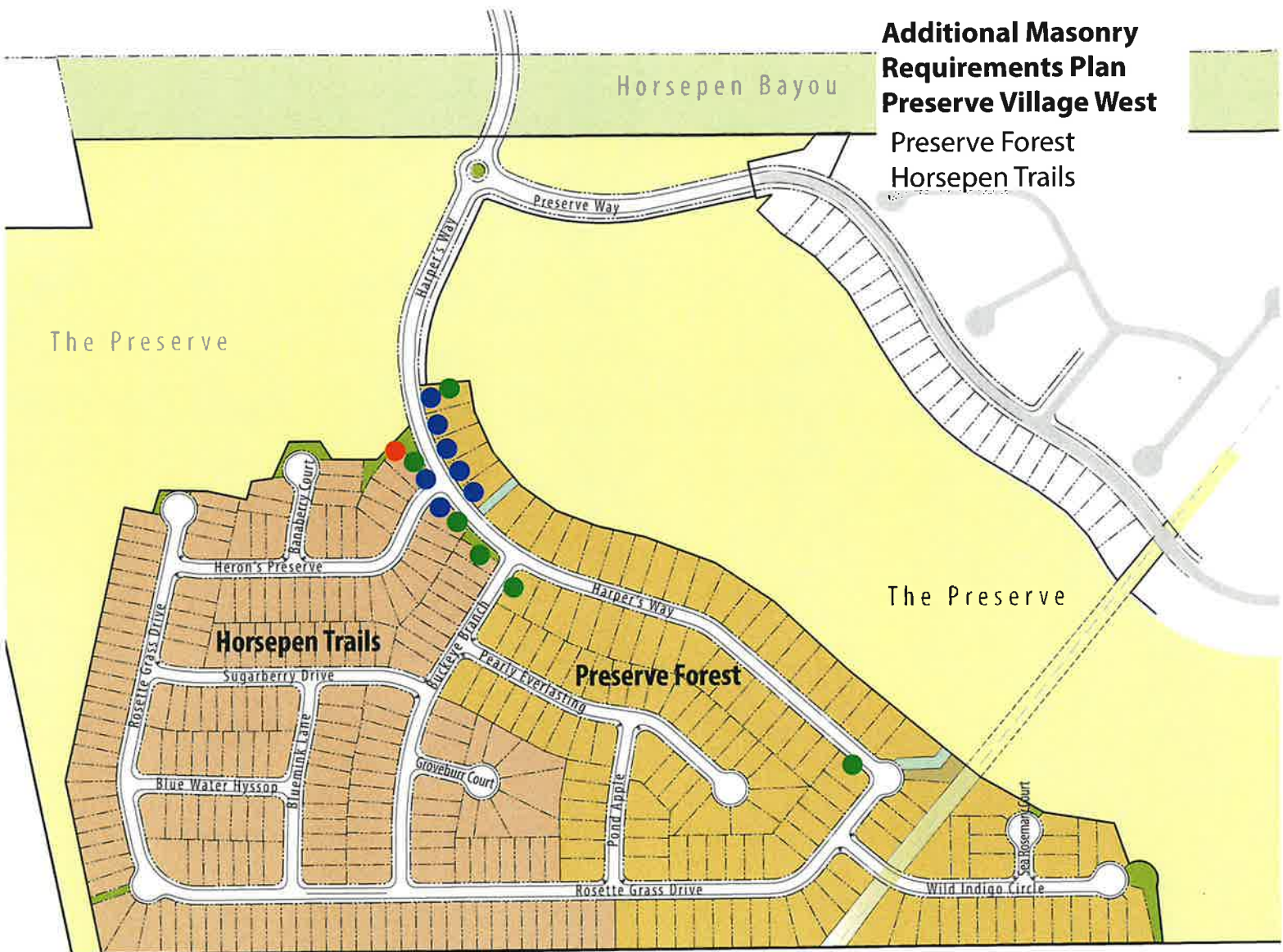
Increased Masonry Legend

- 100% masonry on the sides of the home, on the 1st level. The elevation materials and detail should go to the side fence line, and not stop 2' over the corner or less than the side fence setback location.
- 100% masonry on the rear of the home, on the 1st level.
- 100% masonry on the front of the home, 1st & 2nd levels.




Exhibit MP-10c

Additional Masonry Requirements Plan Preserve Village West

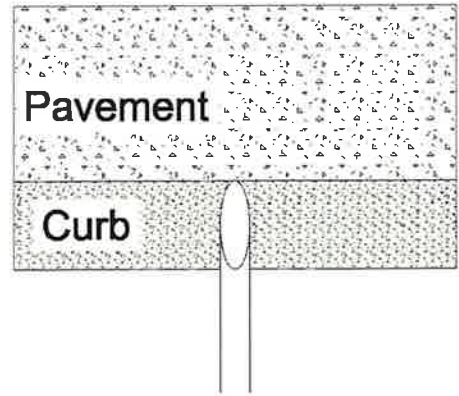
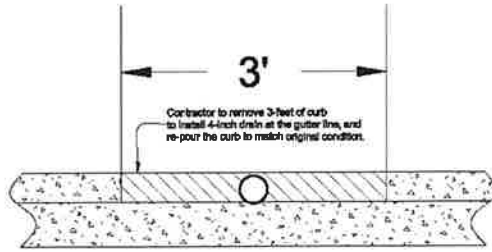
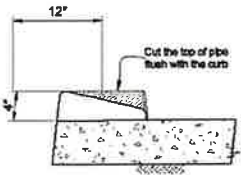
Preserve Forest
Horsepen Trails



Increased Masonry Legend

-  100% masonry on the sides of the home.
-  100% masonry on the rear of the home, on the 1st level.
-  100% masonry on the front of the home, 1st & 2nd levels.

FILE: \\P01\PROJ\217511\609 - Harper Preserve\DC\PE\Drawings\JC - Client\609034 - 80-2016-4-03.dwg Aug 30 2016 4:43 pm 04



Curb Cut for Drains
HARPER'S PRESERVE
 MONTGOMERY COUNTY, TEXAS
 AUGUST 2016



JONES | CARTER

Texas Board of Professional Engineers Registration No. F-439
 8701 New Trails Drive, Suite 200 • The Woodlands, Texas 77381
 281.963.4039

JONES & CARTER, INC.

Exhibit MP-11
 Drainage
 Requirements

SECTION V

MASTER LANDSCAPING STANDARDS

Exhibit Master List

- Appendix “A” Approved Plant List
- ML-1 Master Street Tree Plan
- ML-2 Landscaping Charts (all lot sizes)
- ML-3 Interior Zoning Diagram
- ML-4 Corner Zoning Diagram
- ML-5 Street & Yard Tree Depiction Exhibit
- ML-6 Horsepen Bayou Rear Yard Landscaping Requirements
- ML-7 Corner Lot Side Yard Reforestation
- ML-8 (Not Used)
- ML-9b Preserve Way South Side Streetscape Detail
- ML-10 South Side of Preserve Way Entry Fence & Landscape
- ML-11 Rear Metal Fence Screening for Green Spaces, Open Spaces & Side Screening
- ML-12 Bed Edging Detail

www.HarpersPreserve.com

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V. MASTER LANDSCAPING STANDARDS

1. Landscaping Standards

A. Landscaping Character

The landscaping materials for Harper’s Preserve are to be dominantly native and/or drought resistant non-invasive species. The concept of the Harper’s Preserve Master Plan calls for the use of compatible species in areas immediately adjacent to the community open space areas so that the adjoining residential landscape does not combat the goals of the open space preservation areas instituted as a part of the overall community development plan. The approved Harper’s Preserve Plant List is located in **Appendix A** of the Guidelines.

B. Initial Construction Requirements for Landscaping

The following exhibits listed below summarize the minimum quantity, sizes and maximum number of species by plant type for both interior and corner lots for the Initial construction by the Builder for all lot types.

Landscaped Bed Borders: Bricks, boulders and/or architectural blocks shall not be permitted for use as a border for landscape beds. Landscaping metal edges and/or an equivalent may be permitted. For questions contact the ACC.

Preserved Yard Trees: Note that the determination of where front yard ornamental or canopy trees are to be located is documented on **Exhibit ML-2** shall only be required where the front yard contains no preserved forested area. If preserved trees are located in the yard. The number of trees and location should be marked on the plot plan.

The list of preferred plant species, i.e. shrubs and plants, ground cover and vines, trees, perennials, lawns, etc. are listed in Harper’s Preserve Approved Plant Material List, **Appendix A**. The grass requirement to be used in the front, side and back yard is Common Bermuda unless otherwise approved by the ACC.

C. Street Tree & Front Yard Tree Requirements

The Builders are required to plant street trees on each residential lot as described on **Exhibits ML-1 through ML-7**. The street and yard tree concept is intended to express the street hierarchy and lot sizes while creating an overall unified Village theme. Consideration will be given on a case by case basis for modification or exemption from the front yard tree planting requirements in the event that site conditions, resulting from existing vegetation or site plan variance due to existing conditions, make impractical the adherence to the yard tree planting requirements described therein.

Street and Yard trees have a required Gallon and Caliper size. Both are the minimum standards. For example, if the gallon size meets the requirement but the caliper does not, you must increase the gallon until the caliper requirement is met and vice versa.

The ornamental yard tree should be placed in between the planting bed and the row in addition to required canopy tree.

The required trees planted shall match the number, species and sizes as described in these exhibits and should be evenly distributed along the street. Grouping is not permitted.

D. Preservation Criteria

It is a requirement that all builders wherever possible preserve significant stands of or individual existing trees (specimen trees greater than 6” caliper). When measuring the caliper of the tree, an accurate measurement will be taken 12” above the ground.

Any clearing five feet beyond the building pad or five feet beyond the driveway requires the written approval of the HPCA. Temporary fencing is to be furnished and installed by the builder immediately after clearing but prior to beginning form work for the slab, in order to protect easily damaged vegetation. Notwithstanding the restriction on understory clearing, the Owner may remove “rhus radicans” (poison ivy) vines at their discretion.

Substantial stands of natural vegetation exist on many of the lots in Harper’s Preserve in certain areas. This vegetation (understory, mid-growth and canopy) is required to be protected by orange snow fence during construction and is to be integrated into the final landscape treatment to the maximum extent practical. All preservation areas within a lot must be protected using 7’ metal “T”-Posts and orange snow fencing as close to the drip line of the trees being protected as possible. These areas must be fenced immediately following the clearing. Construction vehicles, materials and debris

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must be kept out of all preservation areas. Failure to comply will result in a per day fee for incorrect installation by the NCC. The fee amount is set by the Association. For a list of fees, please contact the Association.

E. Reforestation Criteria

Builders are required to reforest all corner lots and the front lots along Preserve Way in accordance with **Exhibit ML-7**, "Corner Lot Side Yard Reforestation & Fencing" and **Exhibit ML-1**.

The Reforestation Zone is a native forest area containing preserved existing trees, shrubs, understory plants and seedlings or it may be a forest "rebuilt" with at least a minimum density of native plants. Typical reforestation zones will include both.

The natural vegetation must be supplemented with appropriate landscaping so as to present a completed appearance which should include sodding, seeding, pine bark or planting to cover bare or erosion prone areas.

In keeping with Harper's Preserve's concept of preservation of the natural forest environment, native plant material should be utilized for all landscape efforts. A list of trees and shrubs is provided in **Appendix A**.

The installation of a landscape irrigation system for all newly landscaped reforested areas is encouraged.

If ornamental plants are used in the front yard of a re-forested lot, the plant material must be confined to areas outside of the Reforestation Zone and in conformance with the Harper's Preserve approved plant list. Ornamentals include all of the commonly used exotics such as Crape myrtle, Indian Hawthorne, Cleyera, Azalea, Asian Jasmine, Dwarf Yaupon, other "compact" Hollies, Pittosporum, Camelia, Ornamental Pears, Junipers, Gardenia, Liriope and seasonal bedding plants

F. Above Minimum Standard Landscaping

Preserve Way Streetscape - Along Preserve Way, a unique streetscape character is designed to function as an important part of the overall community image/character. This will be accomplished through deep building setbacks, address monument markers, a continuous ornamental grass hedge plus a wide pedestrian trail on the west side of the street. These additional landscape features along Preserve Way are depicted on **Exhibits, ML-10, ML-12, ML-13 and MP-2 (Irrigation)**.

Each plant and plant count must meet the gallon size requirement in the guidelines. Annuals do not count as 1 gallon plants. Additional plants are encouraged but crowding the landscaping is discouraged.

In the event that the Owner desires to landscape a lot in excess of minimum standards, such landscaping shall conform to all of the landscaping standards referred to herein and be subject to ACC Approval. Of particular concern is the limitation on the number and types of species, extent of the beds into the front lawn area and the mix of plant types within the various zones.

Typical home site has been divided into distinct landscape zones, as described in **Exhibits ML-3, ML-4**, and Builder Minimum Landscape Planting for Interior and Corner Lots". These zone dimensions are not intended to be rigidly rectilinear as diagrammed but rather the planting areas should average the intended area through geometric balance.

Other than along street edges of corner lots, the rear yards are not restricted with respect to plant material, type and quantities other than every rear yard shall be "covered" in a maintainable and aesthetically acceptable manner to the NCC and that said planting shall conform to **Appendix A**, "Harper's Preserve Approved Plant Material List".

We prefer for no edging because it is subject to damage. Natural stone and or brick edging is not permitted. If bed containment is needed, steel edging to be installed per specs in Guidelines. See **Exhibit ML-12**. HOA will not be responsible for damage done to the edging, lighting, or any other items due to mowing activities.

G. Screening

All homes shall provide a concrete pad for trash and/or recycle can(s) on side of homes with access gates located behind the front yard fence (see **Exhibit MT-13 in Section VI**). The following items should also be properly screened from view along the front street: utility meters (must be located a minimum 8' behind front face of home and foundation plant below meter); "non-natural wood" colored playground equipment (variances may be granted for toddler's equipment); pet enclosure; transformers, pedestals, air conditioning condensers and other mechanical equipment; propane tanks used for outdoor kitchens or barbeques; exterior light sources if not concealed by fixture design, swimming pools; and other permitted vehicles (if any).

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H. Tree Preservation

In as much possible, existing trees shall be preserved in the front yards of all homes. Consideration should be given to the health of the trees and their proximity to the building foundation(s). It is strongly recommended that rear yard trees also be preserved where feasible. In particular, the homes fronting Preserve Way have been given deep setbacks and are specifically planned in this way to enable the preservation of the forested character of the site through front yard tree preservation. Tree preservation may have an impact on lot drainage. To further preserve the natural forested environment, drainage must be designed to maintain the natural ground elevations and natural drainage patterns as much as possible. As a result, some lot areas may not be dry at all times of the year, and in some extreme cases, the natural grade can cause isolated pockets that may trap standing water for a time period; however this condition is a normal byproduct of tree preservation.

I. Required Mirrored Driveway Mitigation

A solid single row of dwarf wax myrtle shrub set 3’ off of one driveway edge from 10’ back of right of way line to garage face.

J. Artificial Turf

Artificial turf may be used in the rear and side yards which are fully enclosed with opaque fences (no metal picket fences) provided that:

- i. Artificial turf is properly drained and do not impede any drainage from neighboring properties or cause excessive runoff onto neighboring properties. Owner’s which have artificial turf in the rear and/or side yard shall be responsible for ensuring proper drainage is maintained.
- ii. If used in connection with pets, artificial turf must be cleaned periodically with a regular frequency so as to not emit any offensive odor for neighboring property owners.
- iii. Artificial turf grass blades are of medium height and green in color simulating the color and look of real Bermuda grass. Color sample pictures and specifications must be submitted with any application.
- iv. If a portion of the lawn is to be used a soft court putting green (required to be designated on the application and shown on a plot plan), this portion may have blades with a short height , green in color, simulating a putting green surface.

Artificial Turf may be used in rear and side yards which are enclosed with metal picket fences provided that:

- i. Artificial turf grass blades are of medium height and green in color simulating the color and look of real Bermuda grass. Color sample pictures and specifications must be submitted with any application.
- ii. The rear landscape standards for Lots that are required to have metal picket fences (including but not limited to the number of trees to be planted and shrub planting requirements with mulch) must also be maintained. Shrubs with mulch must also border any areas between any artificial turf and rear and side metal picket fences so as to buffer the visible differences between adjacent rear/side yards
- iii. Artificial turf is properly drained and does not impede any drainage from neighboring properties or cause excessive runoff onto neighboring properties. Owner’s which have artificial turf in the rear and/or side yard shall be responsible for ensuring proper drainage is maintained
- iv. If used in connection with pets, artificial turf must be cleaned periodically with a regular frequency so as to not emit any offensive odor for neighboring property owners.
- v. If a smaller portion of the lawn is to be used a soft court putting green (which is required to be identified on the application and shown on the plot plan), this portion may have blades with a short height , green in color, simulating a putting green surface provided that the putting surface does not dominate the rear portion of the lawn (as determined in the sole discretion of the ARC). The purposes is to maintain the dominant portion of the rear yard that simulates the appearance of a natural Bermuda yard.
- vi. The ARC may impose additional and/or different standards, in its sole discretion to meet the intended spirit of these requirements to blur the differences between years and/or to address any unique and/or unusual circumstances and/or to address rear yards that may also contain certain types of improvements which utilize large portions of the rear yard area (for example a pool).

In addition:

- i. Artificial turf needs to be installed to have a seamless finish.

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- ii. It must be well maintained with any portions that are damaged, showing wear, uneven or non-uniform color variations and/or discoloration to be immediately replaced.
- iii. Artificial turf will not be allowed on the visible portions of the side yard or front yard.

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2. APPENDIX A: HARPER'S PRESERVE APPROVED PLANT MATERIAL LIST

Small Trees (Ornamental Trees)

Species	Common Name	Reforestation
Bumelia celastrina	Tropical Buckthorn	Yes
Cercis canadensis	Redbud	Yes
Chionanthus virginicus	Fringe Tree	No
Comus florida	Dogwood	No
Diospyros virginiana	Eastern Persimmon	No
Hamameys Virginiana	Witch Hazel	No
Lagerstroemia indica	Crepe Myrtle	No
Malus Spp.	Crabapple	No
Pistacia texana	Texas Pistache	Yes
Prunus mexicana	Mexican Plum	No
Pyrus calleryana bradfordii	Bradford Pear	No
Sophora spp.	Mountain Laurel	No

Medium & Large Trees (Canopy Trees)

Species	Common Name	Reforestation
Acer Rubrum "Drummondii"	Swamp Maple	Yes
Betula nigra	River Birch	No
Carya illinoensis	Pecan	No
Celtis laevigata	Southern Hackberry	Yes
Fraxinus americana	White Ash	No
Fraxinus pennsylvanica	Green Ash	Yes
Juglans nigra	Black Walnut	No
Liquidamber styraciflua	Sweetgum	Yes
Liriodendron tulipifera	Tulip Tree	No
Magnolia grandiflora	Southern Magnolia	No
Ostrya virginiana	American Hop Hornbeam	No
Pinus taeda	Loblolly Pine	Yes
Platanus mexicana	Mexican Sycamore	No
Platanus occidentalis	American Sycamore	No
Quercus falcata	Swamp Red Oak	Yes
Quercus glaucooides	Lacey Oak	No
Quercus michauxii	Swamp Chestnut Oak	No
Quercus macrocarpa	Bur Oak	Yes
Quercus shumardii	Shumard Oak	No
Quercus texana	Red Oak	No
Quercus texana nuttall	Nuttall Oak	Yes
Quercus virginiana	Live Oak	No
Taxodium distichum	Bald Cypress	Yes
Ulmus crassifolia	Cedar Elm	Yes

Shrubs, Dwarf Shrubs & Plants

Species	Common Name	Reforestation
Azalea	Azalea	No
Abelia grandiflora prostrata	Dwarf Abelia	No
Berberis thunbergii	Pigmy Barberry	No

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<i>Gardenia radicans</i>	Dwarf Gardenia	No
<i>Hesperaloe parviflora</i>	Red Yucca	No
<i>Ilex Spp.</i>	Holly-Yaupon	No
<i>Lantana horrida T</i>	exas Lantana	No
<i>Nandina domestica nana</i>	Dwarf Nandina	No
<i>Poliomintha longifolia</i>	Mexican oregano	No
<i>Penstemon baccharifolius</i>	Red Penstemon	No
<i>Pittosporum tobira</i>	Dwarf Pittosporum	No
<i>Rosemarinus officinalis</i>	Rosemary	No
<i>Salvia leucantha</i>	Mexican Brush Sage	No

Small Shrubs & Plants

Species	Common Name	Reforestation
<i>Abelia Spp.</i>	Abelia	No
<i>Anisacanthus wrightii</i>	Hummingbird Bush	No
<i>Aucuba japonica</i>	Aucuba	No
<i>Buxus Spp.</i>	Boxwood	No
<i>Callicarpa americana</i>	American Beauty Berry	Yes
<i>Chaenomeles japonica</i>	Flowering Quince	No
<i>Gardenia Spp.</i>	Gardenia	No
<i>Hydrangea macrophylla</i>	Hydrangea	No
<i>Opuntia compressa</i>	Lowprickly pear cactus	No
<i>Malvaviscus drummondii</i>	Turk's Cap	Yes
<i>Opuntia engelmannii texana</i>	Flaming prickly pear cactus	No
<i>Opuntia engelmannii linguiformis</i>	Cow's tongue prickly pear cactus	No
<i>Opuntia leptocarpa Mackenson</i>	prickly pear cactus	No
<i>Pavonia lasiopetala</i>	Rock Rose	No
<i>Pistacia texana</i>	Texas Pistachio	Yes
<i>Raphiolepis indica</i>	Indian Hawthorne	No
<i>Spiraea prunifolia</i>	Bridal Wreath Spirea	No
<i>Yucca pallida</i>	Paleleaf Yucca	No
<i>Yucca torreyi</i>	Spanish Bayonet Yucca	No

Medium Shrubs & Plants

Species	Common Name	Reforestation
<i>Azalea indicum Indica</i>	Azalea	No
<i>Buddleia Spp.</i>	Butterfly Bush	No
<i>Camellia Spp.</i>	Camellia	No
<i>Elaeagnus fruitlandi</i>	Silverberry	No
<i>Feijoa sellowiana</i>	Pineapple Guava	No
<i>Hibiscus coccineus</i>	Texas Star Hibiscus	Yes
<i>Hibiscus syriacus</i>	Althea	No
<i>Ilex Spp.</i>	Holly-Yaupon	Yes
<i>Ilex decidua</i>	Possumhaw	Yes
<i>Jasminum Spp.</i>	Jasmine	No
<i>Lagerstroemia indica "dwarf"</i>	Dwarf Crepe Myrtle	No
<i>Leucophyllum frutescens</i>	Texas Sage	No
<i>Ligustrum texanum</i>	Wax Leaf Ligustrum	No
<i>Lonicera fragrantissima</i>	Winter Honeysuckle	No

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Malvaviscus drummondii	Turk's Cap	Yes
Crinum americanum	Crinum Lily	No
Liriope Spp.	Lily Turf	No
Lupinus texensis	Bluebonnet	No
Lantana camara	Lantana	No
Ophiopogon japonicum	Monkey grass	No
Opuntia compressa	Low prickly pear cactus	No
Opuntia engelmannii texana	Flaming prickly pear cactus	No
Opuntia engelmannii linguiformis C	ow's tongue prickly pear cactus	No
Opuntia leptocarpa	Mackenson prickly pear cactus	No
Osmunda cinnamomea	Cinnamon Fern	Yes
Osmunda regalis	Royal Fern	Yes
Saururus cernuus	Lizardtail	No
Sedum Spp.	Sedum	No
Verbena peruviana	Peruvian Verbena	No
Vinca minor and major	Vinca	No
Woodwardia aereolata	Chain Fern	Yes

Grasses Lawn and Ornamental

Species	Common Name	Reforestation
Cynodon dactylon	Common Bermuda	No
Buchloe dactyloides	Buffalo Grass	No
Bouteloua gracilis	Blue Grama	Yes
Bouteloua curtipendula	Sideoats Grama	No
Muhlenbergia capillaris	Gulf Muhly	Yes
Muhlenbergia lindheimeri	Lindheimer Muhly	Yes
Schizachyrium scoparium	Little Bluestem	No
Stipa tenuissima	Mexican Feather Grass	Yes

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Street Tree Pictures



Mexican White Oak Tree (Monterey Oak) and leaf pattern



Live Oak Tree and leaf pattern

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Cedar Elm Tree and leaf pattern



Southern Sugar Maple Tree and leaf pattern

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Nuttall Oak Tree and Leaf Pattern



Quercus shumardii

Shumard Oak and Leaf Pattern

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3. **Exhibits** – the following pages.

Exhibit ML-1a

**Preserve Village
Central
Master Street Tree Plan**

Preserve Way
Preserve Place
Bayou Place
Bayou Preserve



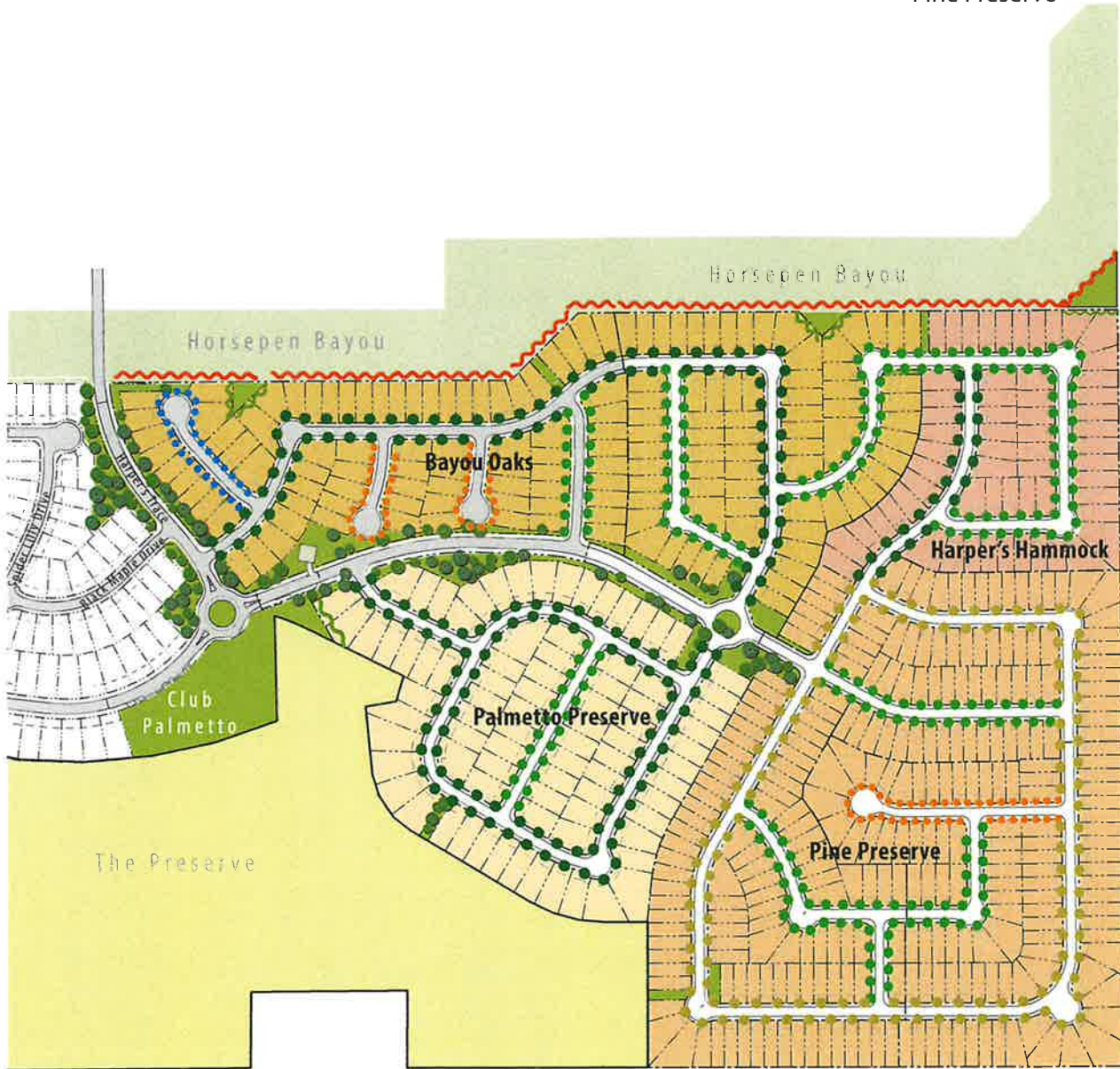
Preserve Village Street Tree Type By Street

Tree Symbol	Lot Orientation Front Side	Tree Symbol	Front Yard Tree(s)
● ● ● ● ●	● ●	Live Oak	Ornamental Tree
● ● ● ● ●	● ●	Mexican White Oak	Canopy Tree
● ● ● ● ●	● ●	Cedar Elm	Canopy Tree
● ● ● ● ●	● ●	Shumard Oak	Canopy Tree
● ● ● ● ●	● ●	Freeman Autumn Blaze Maple	Ornamental Tree
● ● ● ● ●	● ●	Nuttall Oak	Canopy Tree
~~~~~	● ●	Reforestation Zone	N/A
~~~~~	● ●	Forestation Preservation Zone	N/A


Exhibit ML-1a

**Southeast Village
Master Street Tree Plan**

Palmetto Preserve
Bayou Oaks
Harper's Hammock
Pine Preserve



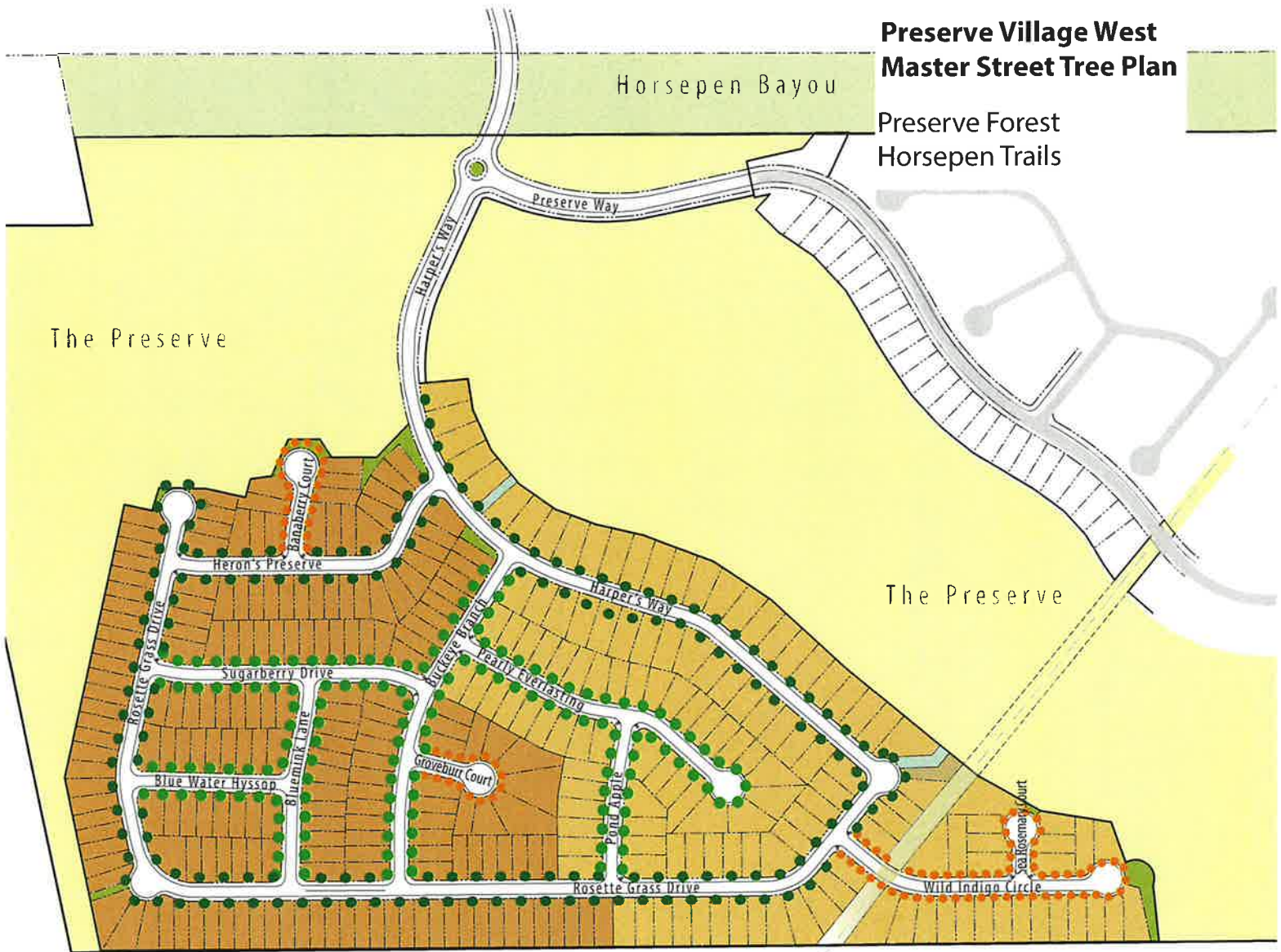
Hammock Village Street Tree Type By Street

Tree Symbol	Lot Orientation Front Side	Tree Symbol	Front Yard Tree(s)
● ● ● ● ●	● ●	Live Oak	Ornamental Tree
● ● ● ● ●	● ●	Mexican White Oak	Ornamental Tree
● ● ● ● ●	● ●	Cedar Elm	Canopy Tree
● ● ● ● ●	● ●	Shumard Oak	Canopy Tree
● ● ● ● ●	● ●	Bald Cypress	Ornamental Tree
● ● ● ● ●	● ●	Loblolly Pine	Canopy Tree
~ ~ ~ ~ ~	○ ●	Reforestation Zone	N/A
~ ~ ~ ~ ~	○ ●	Forestation Preservation Zone	N/A

Exhibit ML-1c

**Preserve Village West
Master Street Tree Plan**

Preserve Forest
Horsepen Trails



Southwest Village Street Tree Type By Street

Tree Symbol	Lot Orientation Front Side	Tree Symbol	Front Yard Tree(s)
		Live Oak	Ornamental Tree
		Mexican White Oak	Canopy Tree
		Shumard Oak	Ornamental Tree

Exhibit ML -2
Landscaping Charts – 70’ & 80’

80'+	Size Requirement	Interior Lot Quantity	Placement Zone ML-3 & ML-4	Corner Lot Quantity	Max. # species	Reference Exhibits
Street Trees						
Front Street Tree	30 gal. Minimum Height 10' and 2.5" caliper.	2	H	2	1	ML-1, ML-3, ML-4
Side Street Tree	30 gal. Minimum Height 10' and 2.5" caliper.	N/A	I	3	1	ML-1, ML-3, ML-4
Yard Trees						
Front yard Ornamental Tree	15 gal. Minimum Height 6' and 1.75" caliper.	2	A	2	1	ML-3, ML-4
AND						
Front yard Canopy Tree	30 gal. Minimum Height 10' and 2.5" caliper.	2	A	2	1	ML-3, ML-4
Side Yard Lobolly Pine, Water Oak and Sweet Gum	15 gal. Minimum Height 6' and 1.75" caliper.	N/A	Reforestation	Contiguous 1 tree per 400SF	3	ML-3, ML-4, ML-7
Landscaping						
Front Yard Planting - Shrubs	5 Gal AND 3 Gal	20/25	C, B, D	20/25	5	ML-3, ML-4
	15 Gal.	3	C, B, D	5	3	
Front Yard Planting – Ground Cover	1 Gal.	37	C, B	25	2	ML-3, ML-4
Side Yard Planting of Wax Myrtles	3 Gal.	N/A	Reforestation	Contiguous 3' OC	1	ML-3, ML-4, ML-7
Bermuda Sod Only			E & A & H			
70'-79'	Size Requirement	Interior Lot Quantity	Placement Zone ML-3 & ML-4	Corner Lot Quantity	Max. # species	Reference Exhibits
Street Trees						
Front Street Tree	30 gal. Minimum Height 10' and 2.5" caliper.	2	H	2	1	ML-1, ML-3, ML-4
Side Street Tree	30 gal. Minimum Height 10' and 2.5" caliper.	N/A	I	3	1	ML-1, ML-3, ML-4
Yard Trees						
Front yard Ornamental Tree	15 gal. Minimum Height 6' and 1.75" caliper.	2	A	3	1	ML-3, ML-4
OR						
Front yard Canopy Tree	30 gal. Minimum Height 10' and 2.5" caliper.	2	A	2	1	ML-3, ML-4
Side Yard Lobolly Pine, Water Oak and Sweet Gum	15 gal. Minimum Height 6' and 1.75" caliper.	N/A	Reforestation	Contiguous 1 tree per 400SF	3	ML-3, ML-4, ML-7
Front yard						
Front Yard Planting - Shrubs	5 Gal AND 3 Gal	20/15	C, B, D	20/15	5	ML-3, ML-4
	15 Gal.	3	C, B, D	5	3	
Front Yard Planting – Ground Cover	1 Gal.	35	C, B	22	2	ML-3, ML-4
Side Yard Planting of Wax Myrtles	3 Gal.	N/A	Reforestation	Contiguous 3' OC	1	ML-3, ML-4 ML-7
Bermuda Sod Only			E & A & H		1	

For lots that rear to open spaces, Horsepen Bayou or the trail system see ML-6

For the lots on the south side of Preserve Way see ML-10,

For Preserve & Open space (any type of metal fence) Rear and Side Screening see ML-11

All Metal Fencing must be lined with wax myrtles on the inside of the whole fence (except the return and/or rear gates) with 2 Lobolly Pines on each corner of the back yard*****Additional Exhibits and further direction in the guidelines may apply*****

Exhibit ML -2
Landscaping Charts – 60' & 50'

60'-69'	Size Requirement	Interior Lot Quantity	Placement Zone ML-3 & ML-4	Corner Lot Quantity	Max. # species	Reference Exhibits
Street Trees						
Front Street Tree	30 gal. Minimum Height 10' and 2.5" caliper.	2	H	2	1	ML-1, ML-3, ML-4
Side Street Tree	30 gal. Minimum Height 10' and 2.5" caliper.	N/A	I	3	1	ML-1, ML-3, ML-4
Yard Trees						
Front yard Ornamental Tree	15 gal. Minimum Height 6' and 1.75" caliper.	2	A	2	1	ML-3, ML-4
OR						
Front yard Canopy Tree	30 gal. Minimum Height 10' and 2.5" caliper.	1	A	2	1	ML-3, ML-4
Side Yard Loblolly Pine, Water Oak and Sweet Gum	15 gal. Minimum Height 6' and 1.75" caliper.	N/A	Reforestation	Contiguous 1 tree per 400SF	1	ML-3, ML-4, ML-7
Landscaping						
Front Yard Planting - Shrubs	5 Gal AND 3 Gal	15/15	C, B, D	15/15	5	ML-3, ML-4
	15 Gal.	2	C, B, D	3	3	
Front Yard Planting – Ground Cover	1 Gal.	10	C, B,	10	2	ML-3, ML-4
Side Yard Planting of Wax Myrtles/Screening	3 Gal.	N/A	G, F	Contiguous 3' OC	1	ML-3, ML-4, ML-7
Bermuda Sod Only			E & A & H			
50'-59'	Size Requirement	Interior Lot Quantity	Placement Zone ML-3 & ML-4	Corner Lot Quantity	Max. # species	Reference Exhibits
Street Trees						
Front Street Tree	30 gal. Minimum Height 10' and 2.5" caliper.	1	H	1	1	ML-1, ML-3, ML-4
Side Street Tree	30 gal. Minimum Height 10' and 2.5" caliper.	N/A	I	2	1	ML-1, ML-3, ML-4
Yard Trees						
Front yard Ornamental Tree	15 gal. Minimum Height 6' and 1.75" caliper.	2	A	2	1	ML-3, ML-4
OR						
Front yard Canopy Tree	30 gal. Minimum Height 10' and 2.5" caliper.	1	A	1	1	ML-3, ML-4
Side Yard Loblolly Pine, Water Oak and Sweet Gum	15 gal. Minimum Height 6' and 1.75" caliper.	N/A	Reforestation	Contiguous 1 tree per 400SF	1	ML-3, ML-4, ML-7
Front yard						
Front Yard Planting - Shrubs	5 Gal AND 3 Gal	10/15	C, B, D	10/15	5	ML-3, ML-4
	15 Gal.	2	C, B, D	3	3	
Front Yard Planting – Ground Cover	1 Gal.	10	C, B,	10	2	ML-3, ML-4
Side Yard Planting of Wax Myrtles	3 Gal.	N/A	Reforestation, G, F	Contiguous 3' OC	1	ML-3, ML-4 ML-7
Bermuda Sod Only			E & A			

For lots that rear to open spaces, Horsepen Bayou or the trail system see ML-6

For the lots on the south side of Preserve Way see ML-10,

For Preserve & Open space (any type of metal fence) Rear and Side Screening see ML-11

All Metal Fencing must be lined with wax myrtles on the inside of the whole fence (except the return and/or rear gates) with 2 Loblolly Pines on each corner of the back yard*****Additional Exhibits and further direction in the guidelines may apply*****

Exhibit ML -2
Landscaping Charts – 40'

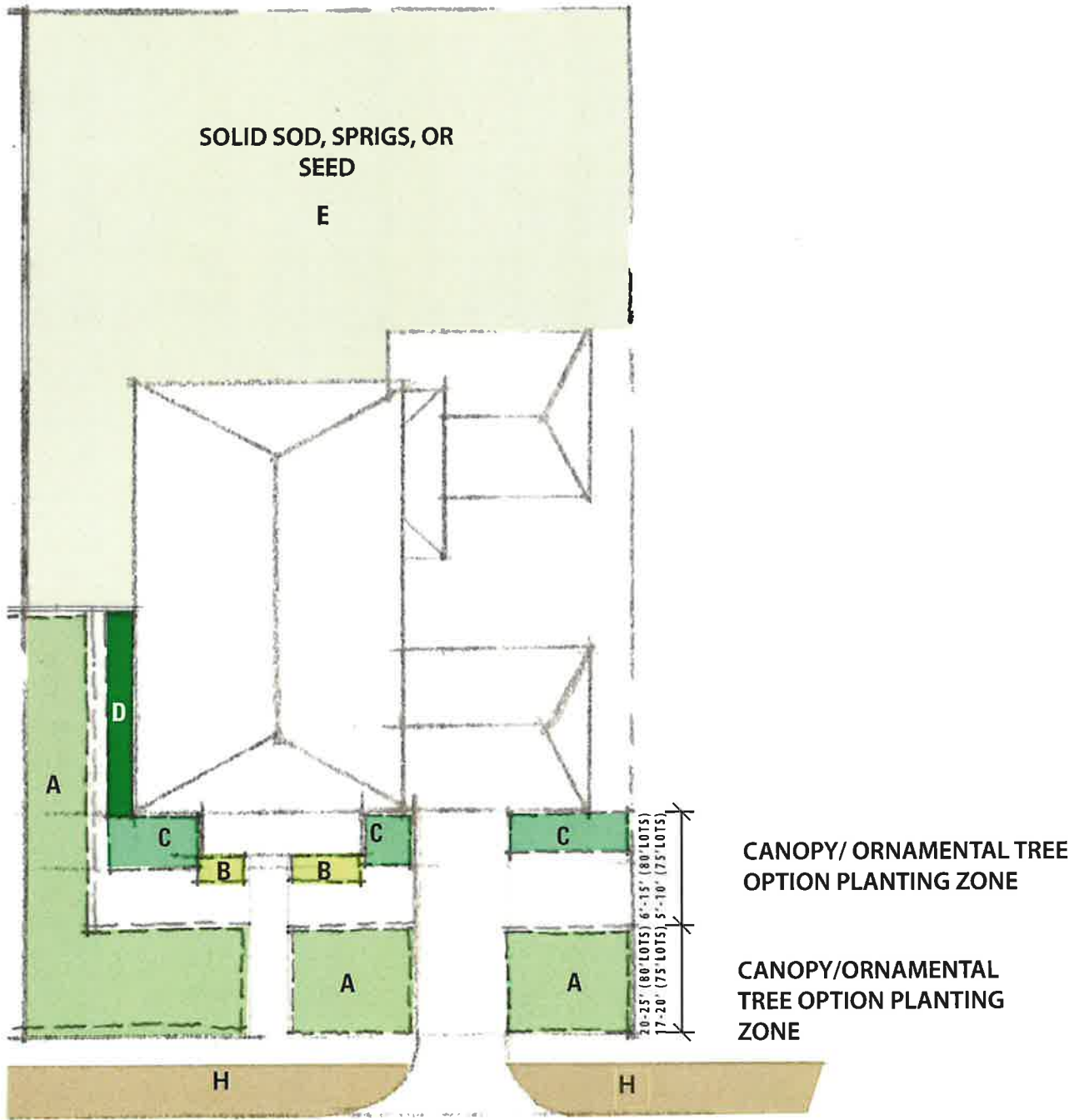
For cul-de-sac conditions see ML-8, ML9

40'-49'	Size Requirement	Interior Lot Quantity	Placement Zone	Corner Lot Quantity	Max. # species	Reference Exhibits
Street Trees						
Front Street Tree	30 gal. Minimum Height 10' and 2.5" caliper.	1	H	1	1	ML-1, ML-3, ML-4
Side Street Tree	30 gal. Minimum Height 10' and 2.5" caliper.	N/A	I	2	1	ML-1, ML-3, ML-4
Yard Trees						
Front yard Ornamental Tree	15 gal. Minimum Height 6' and 1.75" caliper.	1	A	1	1	ML-3, ML-4
OR						
Front yard Canopy Tree	30 gal. Minimum Height 10' and 2.5" caliper.	1	A	1	1	ML-3, ML-4
Side Yard Lobolly Pine, Water Oak and Sweet Gum	15 gal. Minimum Height 6' and 1.75" caliper.	N/A	Reforestation	Contiguous 1 tree per 400SF	1	ML-3, ML-4, ML-7
Front yard						
Front Yard Planting - Shrubs	5 Gal AND 3 Gal	10/10	C, B, D	10/10	5	ML-3, ML-4
	15 Gal.	2	C, B, D	2	2	
Front Yard Planting – Ground Cover	1 Gal.	10	C, B,	10	2	ML-3, ML-4
Side Yard Planting of Wax Myrtles	3 Gal.	N/A	Reforestation, G, F	Contiguous 3' OC	1	ML-3, ML-4 ML-7
Bermuda Sod Only	E & A & H					

For lots that rear to open spaces, Horsepen Bayou or the trail system see ML-6
 For the lots on the south side of Preserve Way see ML-10,
 For Preserve & Open space (any type of metal fence) Rear and Side Screening see ML-11
 All Metal Fencing must be lined with wax myrtles on the inside of the whole fence (except the return and/or rear gates) with 2 Loblolly Pines on each corner of the back yard*****Additional Exhibits and further direction in the guidelines may apply*****

If there are any issues finding the amount of 5 gallon plants required, you can use three (3) - 3 gallon plants for every two (2) - 5 gallon plants.

**Exhibit ML-3
Interior Zoning Plan**

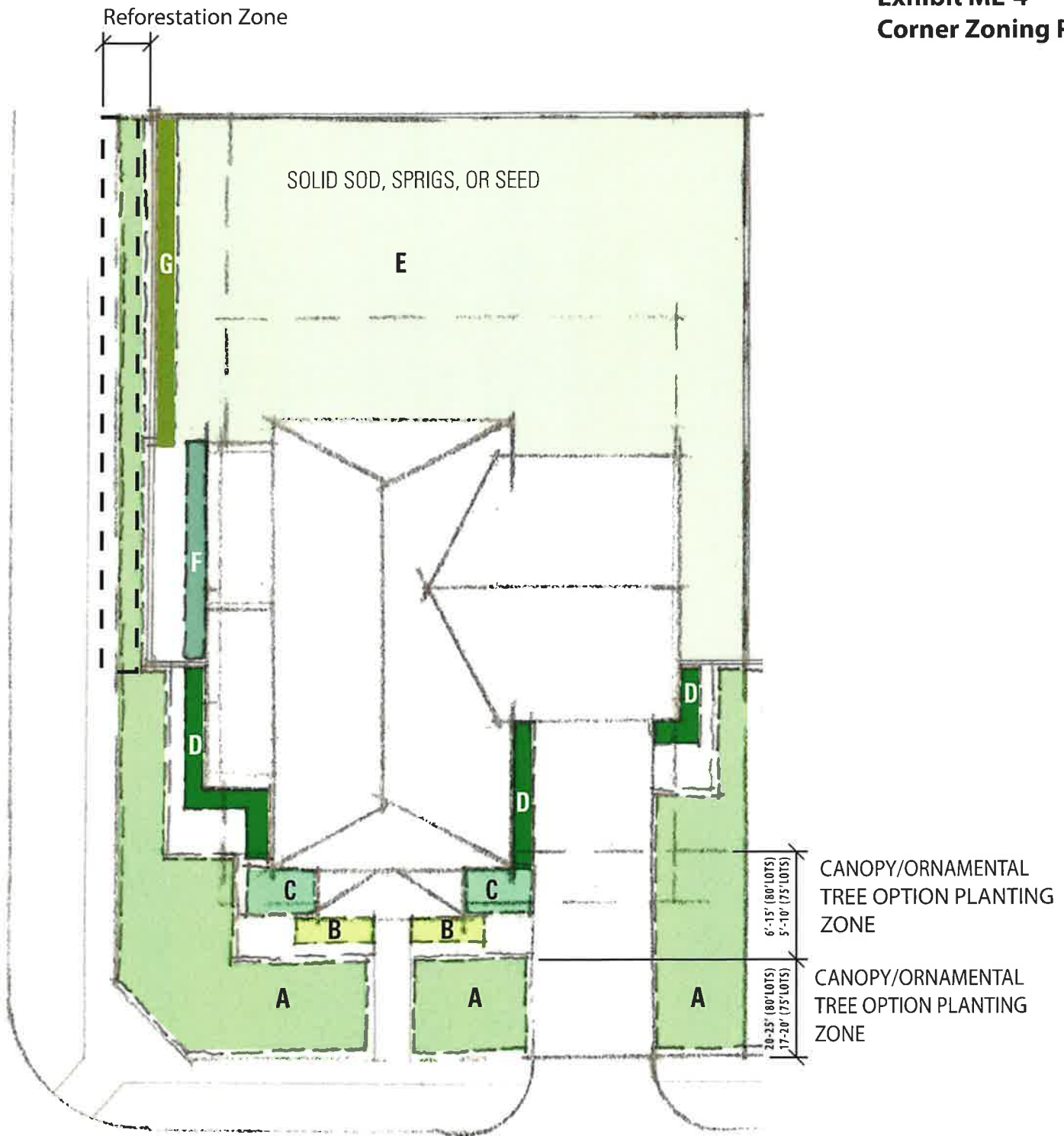


Builder Minimum Landscape Planting-Interior Lots

Not To Scale

- | | | |
|-----------------|-----------------|-----------------|
| A Type A | D Type D | H Type H |
| B Type B | E Type E | |
| C Type C | | |

**Exhibit ML-4
Corner Zoning Plan**



Builder Minimum Landscape Planting-Corner Lots

Not To Scale

- | | |
|---|---|
| A Type A | D Type D |
| B Type B | E Type E |
| C Type C | F Type F |
| | G Type G |

Exhibit ML-5 Street & Yard Tree Depiction Exhibit

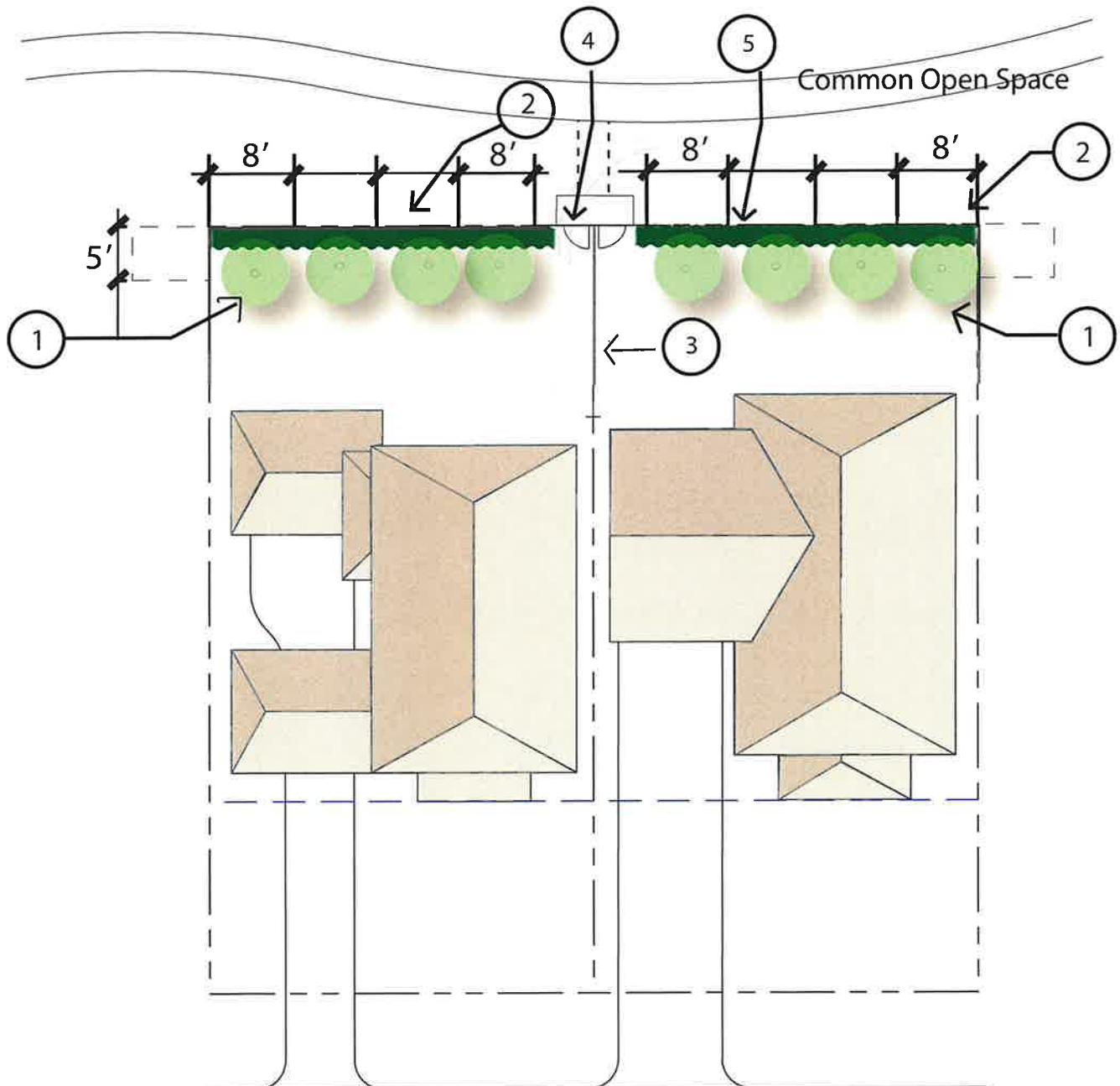
This diagram is meant to show spacing of trees on each lot and lot type. The trees should not be clustered together but spread out with a 30'-40' distance between each street tree. Yard trees should be layered behind street trees a reasonable difference to create depth on each lot.



Do not disturb the last 20' of preserved trees on the lot. Only reforest if the trees are disturbed or not there.

HORSEPEN BAYOU

Exhibit ML-6
Horsepen Bayou Forested Lots
Pipeline Easement Rear condition
Rear Yard Landscape Requirements



Reforestation Detail Callout Legend:

Scale: 1" = 20'-0"

1. A minimum of 2 Loblolli Pines and 2 Shumard Oak trees 15 Gal. shall be installed along the metal fence in an irregular planting arrangement as to simulate a natural forest condition. Wax Myrtles 3 gal 3' oc must be planted along any metal fence.

2. See MT-12
3. See MF-12
4. See MF-12
5. See MF-12

This exhibit is depicted 3 times throughout the whole of the Architectural Guidelines
For Paving Information see MT-12
For Landscaping Information see ML-6
For Fencing Information see MF-12

**Exhibit ML-7
Corner Lot Side Yard
Reforestation**

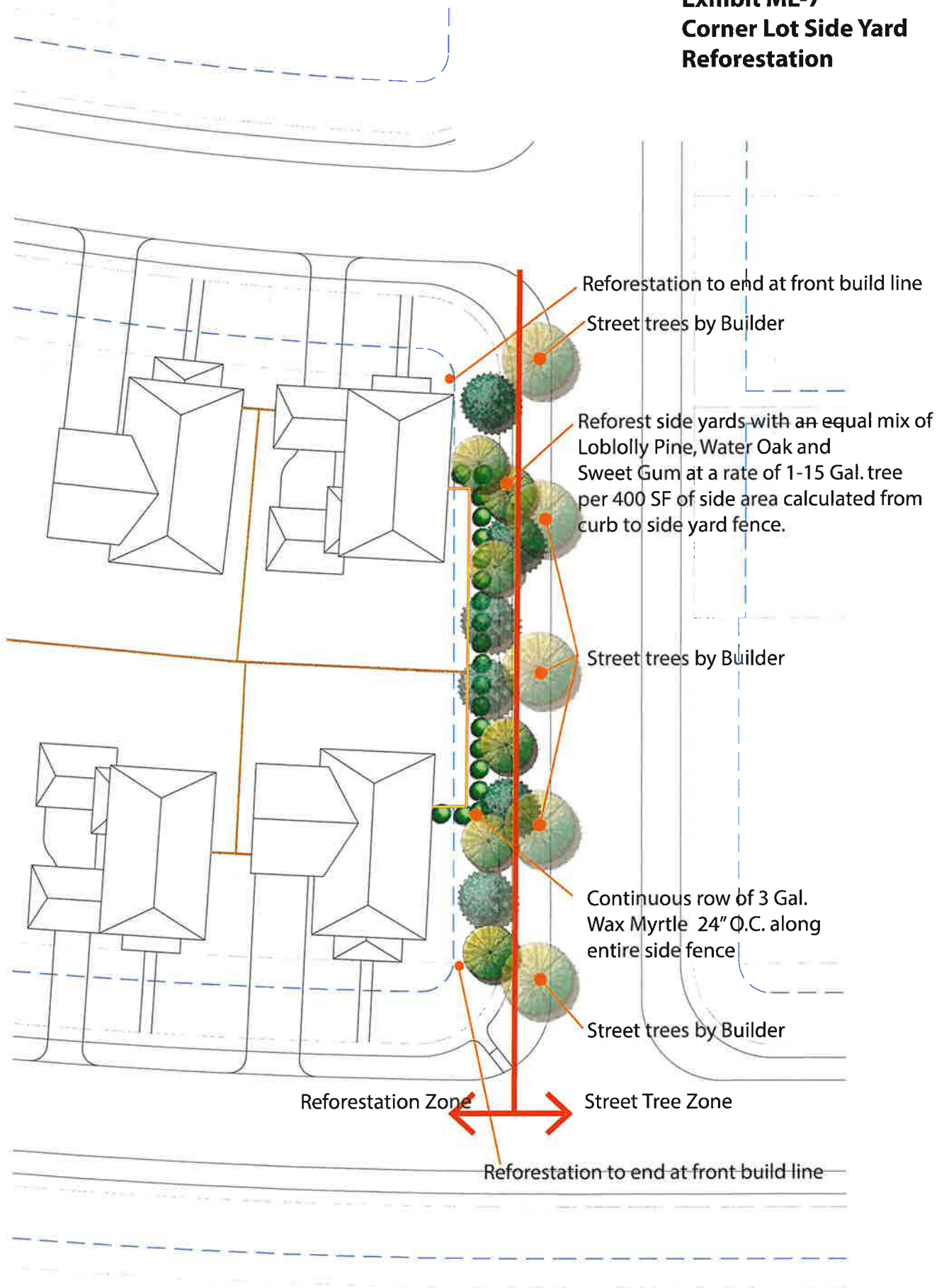
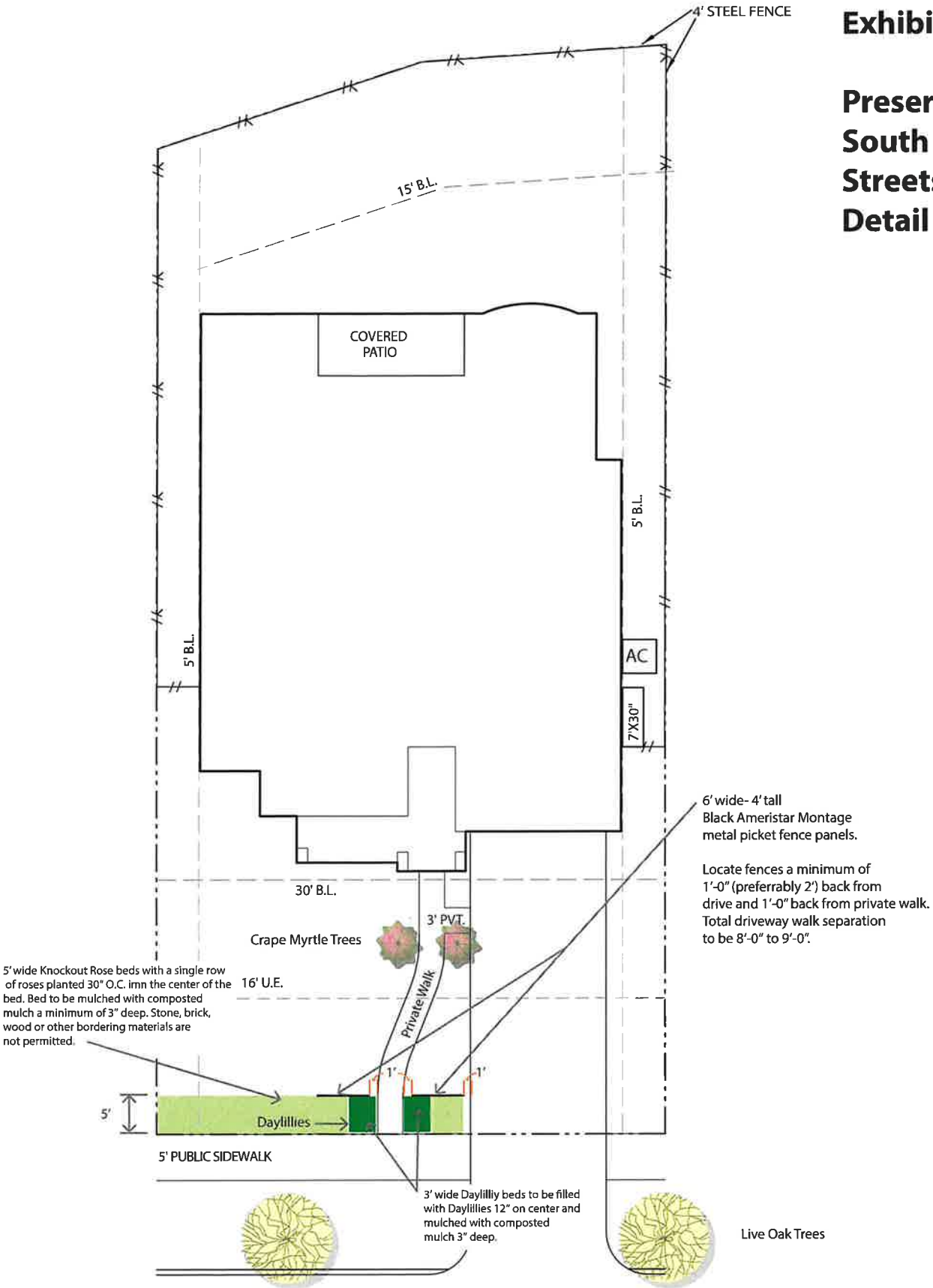


Exhibit ML-9B

Preserve Way South Side Streetscape Detail



This condition is only on the Preserve side of Preserve Way between Harpers Trace and Harpers Way.

Preserve Way

Exhibit ML-10

**South Side of Preserve Way
Entry Fence & Landscape**



**Exhibit ML-11
Rear Metal Fence screening
for Green Spaces, Open Spaces
and Side Screening
(not along horsepen Bayou)**

Any metal fences facing an open space,
green space or lake must be screened with
5-Gal Dwarf Wax Myrtles 24" O.C.

Where Condensers cannot be located on
opposite side from amenity, they must be
screened with 5-Gal Dwarf Wax Myrtles 24" O.C.
if they are visible.

10' from front of home.

24' of transition metal fence

Continuous row of 5 Gal.
Dwarf Wax Myrtle 24" O.C.

30 Gal. Loblolly Pine Tree,
2.5" Caliper and 10' tall
on the rear corners of each lot

24' of transition metal fence

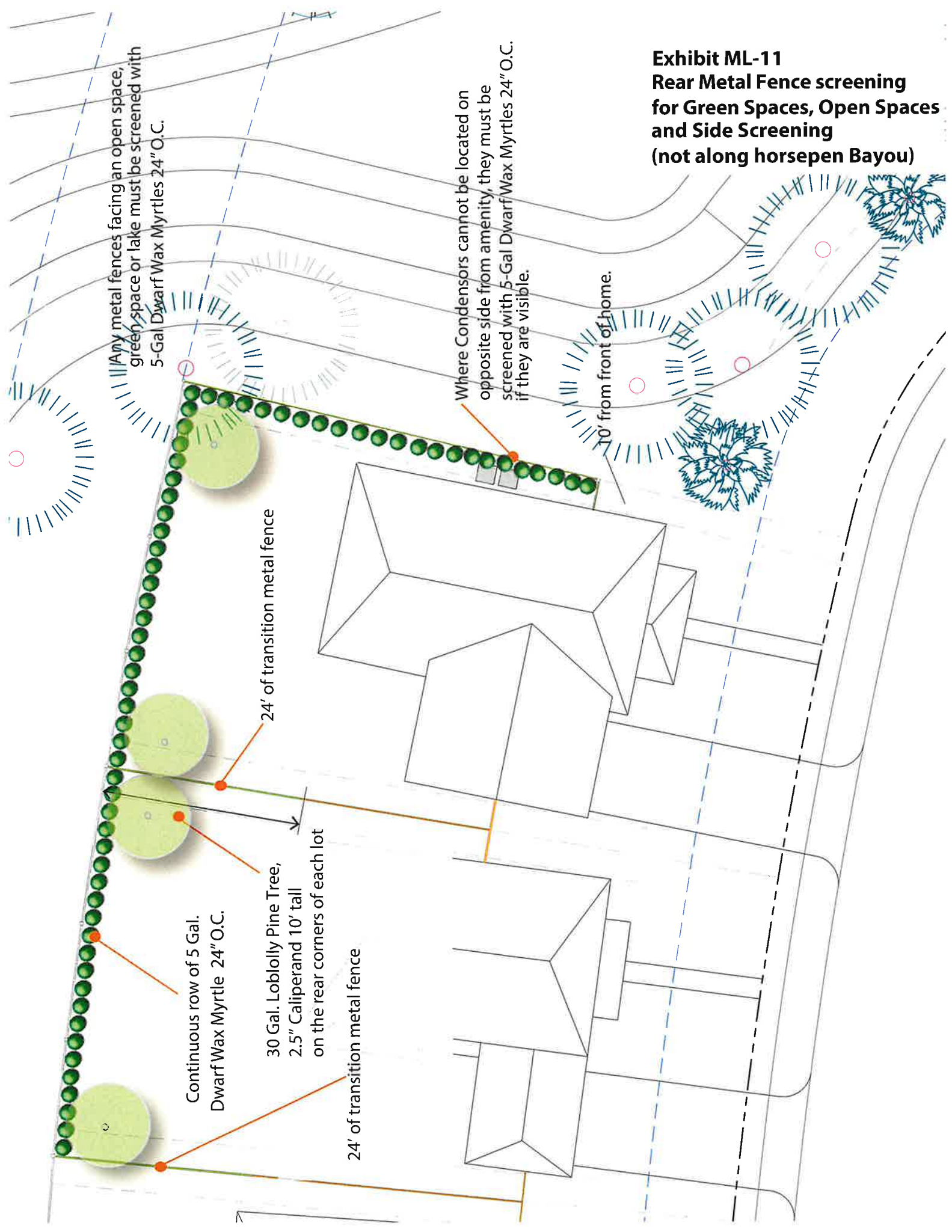
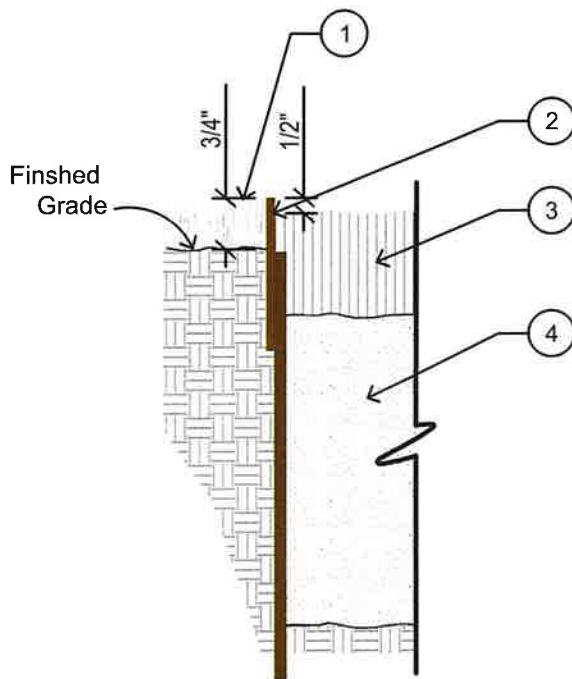


Exhibit ML-12
Bed Edging Detail



DETAIL CALLOUT LEGEND

1. Turf
2. 4" Tall steel edging, with 3/4" of steel edging to be above finished grade. Steel stakes to be 36" on center max on alternate sides.
3. 2" Shredded mulch
4. Prepared soil mix depth to be per planting details & Specifications.
5. Contractor shall place steel edging at all shrub beds adjacent to turf or gravel, unless otherwise noted on the plans.
6. Finish to be powder coated Color to be Brown.



Steel Edging Detail

Not to Scale

SECTION VI MASTER FENCING STANDARDS

Typical Fence Exhibit Master List

MF-1	Fence Type Key map
MF-2a	Community Fence – Type 1
MF-2b	Community Fence – Continued
MF-3	Not Used
MF-4	Metal Picket fence Standards – Type 2 & 3
MF-5	Internal Side & Rear Yard Wood Fence Detail (Type 5)
MF-6	Type 2, 3 & 5
MF-7	Corner Lot Side Yard Fencing
MF-8	Preserve and open Space Rear and Side Fences
MF-9	South side of Preserve Way Entry Fence
MF-10	Not Used
MF-11	Not used
MF-12	Horsepen Bayou Forested Lots Rear Yard Fencing Req
MF-13	Builder Minimum Landscape Planting Cul-de-Sac Lots
MF-14	Builder Minimum Fencing at Cul-de-Sac Lots
MF-15	Preserve Way Streetscape Fencing Elements

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Perimeter Security Fence Exhibit Master List (continued)

- PF-2-A Driveway Security Fence Slide Gate (60’-80’ Lots)
- PF-2-B Driveway Security Fence Slide Gate Landscape & Irrigation (60’-80’ Corner Lots)
- PF-2-C-1 Driveway Security Fence, Slide Gate, Pedestrian Gate & Sidewalks (60’-80’ Lots)
- PF-2-C-2 Driveway Security Fence Slide Gate Landscape & Irrigation (60’-80’ Corner Lots)
- PF-3-A Driveway Security Fence Swing Gate (40’-59’ Lots)
- PF-3-B Driveway Security Fence Swing Gate Landscape & Irrigation (40’-59’ Lots)
- PF-3-C-1 Driveway Security Fence, Swing Gate, Pedestrian Gate & Sidewalks (40’-59’ Lots)
- PF-3-C-2 Driveway Security Fence Landscape & Irrigation (40’-59’ Lots)
- PF-5 4’ Sidewalk Construction Details
- PF-7 Security Driveway Gate & Address Marker-Logo Plaque
- PF-8 Security Fence & Buffer Landscape
- PF-9 Security Fence Ameristar Gate Standards
- PF-12 Security Fence Masonry Column within Property Corner
- PF-13 Type 2, 3 & 5 Fences

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VI. MASTER FENCING STANDARDS

1. Fencing Standards

A. Fences by HPCA

- i. The HPCA may, at its sole discretion, erect fences along the side and rear property lines of lots. Typically, these walls will be located outside of a residential lot but in some cases, such walls and/or fences may fall “on the lot line”. Owners may not attach structures, cabling or vines to a HPCA constructed fence or wall or otherwise modify such fence. Fence materials and dimensions will vary by location. See fence types and locations on the “Fence Type Key Map” (See **Exhibit MF-1**).

B. Community Fence by Builder or HPCA

- i. Materials – Community Fence shall be constructed of “Hardi Plank” and shall be single-faced with 1"x6" pickets placed side-by-side and with staggered tops as illustrated on the “Community Fence Detail” (See **Exhibit MF-2**). Fence posts shall be 4"x4" cedar, set in concrete and spaced no more than eight (8) feet apart. Community fence shall be painted on both sides with two (2) coats of Sherwin Williams 6163 Grassland. Fence posts must be trimmed to not be visible within public view.
- ii. Location & Layout – Community Fence shall be constructed in location as illustrated per **Exhibit MF-1**, “Fence Type Key Map” and detailed further on **Exhibit MF-6** and **Exhibit MF-7**. Community Fence shall be constructed with boards faced out to street or reserve and must stop a minimum of 10’ (and maximum of 20’) back from building front face. For Patio home product, Community Fence shall be constructed with boards faced out to street or reserve and must stop a minimum of 5’ (and maximum of 15’) back from building front face unless otherwise approved by the ACC or NCC.

C. Metal Fence by Builder or Homeowner

- i. Materials – Metal Fence shall be constructed of welded steel panels detailed further on **Exhibit MF-4** and shall be black in color.
- ii. Location & Layout – 4’ Rear Metal Fence shall be constructed in locations along lakes and open space areas as shown on **Exhibit MF-1**, “Fence Type Key Map” and further illustrated on MF-11 “Horsepen Bayou Fencing Rear Yard elements” and **Exhibit MF-8**, “Lake & Open Space Rear and Side Fences & Screening”. Rear yard Metal Fences on corner lots are to turn and continue along the side property line for approximately 24 feet and meet side yard fence and transition as shown on **Exhibit MF-6**. In addition, 4’ Metal Fence and Driveway Gate shall be installed along front yard of lots facing Preserve Way as illustrated per **Exhibit MF-15**. For Cul De Sac Lots see **Exhibit MF-13** and **Exhibit MF-14**.

D. Rear Yard Fence by Builder or Homeowner (not visible from public right of way)

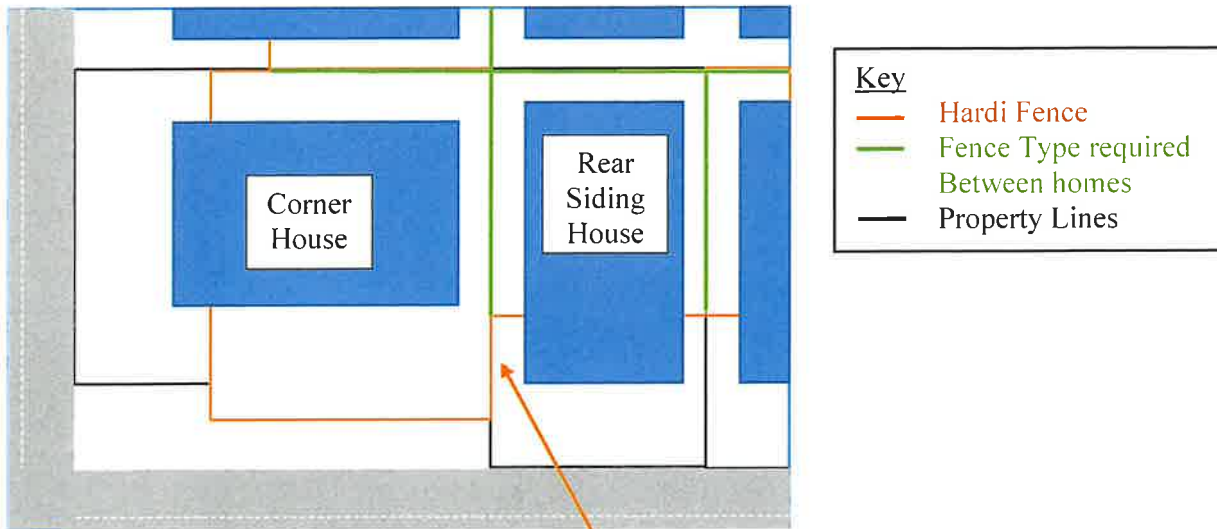
- i. Materials - Wood for all fences other than where metal picket fences are required. Fencing that includes diagonal and horizontal planks (except for rot boards and caps), vinyl or plastic fencing, chain link fencing or any other fencing not approved by the NCC or RMC is strictly prohibited.
- ii. Good Neighbor Fences – Rear fences along adjoining lots shall be constructed as “Good Neighbor” fences with alternating good side out panels. No wood fences should be visible along streets, open spaces and perimeter conditions within the community. Pickets should be dog eared.

Location: 40’, 50’ & 60’ lots that do not have metal fencing.

- iii. Good Neighbor Fences– Rear side fences along adjoining lots shall be constructed as Type 5 Fence (See **Exhibit MF-5**) in which good side fence faces each lot. No wood fences should be visible along streets, open spaces and perimeter conditions within the community.

Location: All 70’ & 80’ lots that do not have metal fencing.

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Hardi Fence transition between corner fence & rear neighboring fence – to be completed or replaced by the last builder to complete their home. Hardi-fences shall not be permitted in front of front building lines of a Lot (as determined by the ACC).

E. Side Yard Fence by Builder or Homeowner (not including Community Fence)

- i. Materials - Wood for all fences other than where metal picket fences are required. Fencing that includes diagonal and horizontal planks (except for rot boards and caps), vinyl or plastic fencing, chain link fencing or any other fencing not approved by the NCC or RMC is strictly prohibited.
- ii. Good Neighbor Fences - Side fences along adjoining lots shall be constructed as “Good Neighbor” fences with alternating good side out panels (except for side fences which have metal picket in the rear and have exterior yard visibility). No wood fences should be visible along streets, open spaces, or from public areas within the community (except those incidental portions of a side fence that may be visible through the rear view through a metal picket fence which should be double boarded). Picket Style should be dog eared fences. Pickets should be dog eared.

Location: 40', 50' & 60 lots that do not have metal fencing.

- iii. Good Neighbor Fences– Side fences along adjoining lots shall be constructed as Type 5 Fence (See **Exhibit MF-5**) in which good side fence faces each lot. No wood fences should be visible along streets, open spaces and perimeter conditions within the community (except those incidental portions of a side fence that may be visible through the rear view through a metal picket fence which should be double boarded).

Location: All 70' & 80' lots.

- iv. Double Board Requirement- Those side fences that are visible through a rear metal picket fence should be double boarded (not Good Neighbor). These conditions may occur where lots border a lake, parks and greenspaces and they have a view of such lake, park or greenspace.

Location: 40', 50' & 60 lots that do have metal fencing.

F. Front Yard Fence by Builder or Homeowner

- i. Not permitted except for 4' Metal Fence installed by the builder along the front of select Lots located on Preserve Way per **Exhibit MF-17** “Preserve Way Streetscape Elements - Additional”.

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2. Rear Yard & Side Yard Access Gates

- A. All homes shall provide a minimum 3' wide solid hardi-plank and latching gate access to side yard preferably on garage side of home facing the street and in any event on the side that has the concrete pad for the garbage cans. In addition to the rear yard access from the front yard, lots whose rear lot lines abut a park or open space may have a 4' wide latching and closing access gate to such park or open space areas. The gate shall be constructed of the same materials as the fence and detailed consistent with the fence.
- B. All homes can have one hardi access gate on each return of both sides of the home except on corners unless otherwise approved by the ARC. See **Exhibit MF-2b** for the detail

3. Fence Maintenance

- A. All fences, whether constructed by the HPCA, Builder, or Owner shall be maintained consistent with the Community-Wide Standard. In the event a fence or wall is damaged or destroyed, the Owner shall repair, repaint and/or recondition the same at Owner's Expense within three (3) weeks of the damage.

4. Driveway Gates

- A. Only permitted where indicated on MF-1 (unless otherwise approved by the ARC)- Gates shall be constructed of metal pickets and shall be "in line" with front metal fence. Gate design must be approved by the HPCA. Mechanical and electrical gate operating equipment must be screened from public view. (See **Exhibits MF-9, MF-11, MF-15, MF-16**)

5. Perimeter Security Fences and Security Measures

A. Overview

- i. Owners in Harper's Preserve (the "Community") may, subject to approval by the Architectural Control Committee (the "ACC") for Harper's Preserve Community Association, Inc., a Texas non-profit corporation (the "Association"), install security measures on the Owners Lot intended to promote security for their own Lot. Owners are also responsible for adhering to and promoting the design, harmony and aesthetics of the Community. To the extent an Owner is authorized by law to build or install security measures, including, but not limited to, a security camera, motion detector, or security/perimeter fencing, the Owner must still submit a request to the ACC for architectural approval in accordance with Article VI of the First Amended and Restated Declaration of Covenants, Conditions, Restrictions and Easements filed under Montgomery County Clerk's File No. 2011011454 (the "Declaration") for the construction or installation of the Improvements and pay any Architectural Review Fees. The ACC may require the use of, or prohibit, specific materials, colors and designs and may require specific locations for the security measures.
- ii. While a small fraction of the Lots in the Community were originally designed to include some Front Yard (as hereinafter defined) fencing along certain main entry ways, Front Yard fencing is discouraged for the majority of the Lots and homes in the Community as the vast majority of the Lots and Improvements constructed thereon and adjacent thereto in the Community were not originally designed and constructed with Front Yard fences or Perimeter Security Fences (as hereinafter defined). However, if an Owner wishes to install security fencing in the Front Yard, all Front Yard Security Fences (as hereinafter defined) must adhere to the aesthetic, dimensional, design and landscape requirements set forth in the Design Guidelines and, in some cases, construction and/or re-construction of Improvements, landscaping and irrigation may be required to be modified to accommodate and/or retrofit the future design and construction of Perimeter Security Fences. Owners may also need to accommodate easement holders who have pre-existing access and/or other easement rights to certain areas of a Lot (including the Front Yard for matters such as utilities and/or maintenance).

B. Defined Terms

All defined terms shall have the meaning ascribed to them in the Declaration unless otherwise defined herein. A couple of newly defined terms are as follows:

- i. "**Perimeter Security Fence**" for the purposes hereof shall mean a fence that is ground-mounted abutting the boundary line of the Owner's Lot and installed in a contiguous manner around the entirety of the Lot boundaries but located wholly within the boundary of the Owner's Lot. Access requirements, heights,

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manufacturer, dimensions, materials, colors, design and all other specifications and improvements as more particularly prescribed by the Architectural Guidelines must be adhered to. A Perimeter Security Fence shall also include a Front Yard Security Fence (as hereinafter defined). Perimeter Security Fencing as a security measure shall not consist of barbed wire, razor wire, chain link, vinyl or any other material that is not approved in advance and in writing by the ACC. Electrically charged fencing as a security measure is prohibited. A Front Yard Security Fence (hereafter defined) is also included as a portion of the total Perimeter Security Fence enclosure.

- ii. **“Front Yard”** for the purposes hereof shall mean and refer to (a) as to interior Lots, the front yard area of the residence between the street (on the one hand) and the dwelling exterior and fencing located at or behind the front building line that runs from the side fence to the dwelling (on the other hand) including areas of the front yard portion of the Lot that are exposed to and visible from the street that may be fenced within a metal picket Perimeter Security Fence (if any) and (b) as to corner Lots, the front yard area of the residence between the street (on the one hand) and the dwelling exterior and fencing located at or behind the front building line that runs from the side fence to the dwelling (on the other hand) including areas of the front yard portion of the Lot exposed to and visible from a street that may be fenced within a metal picket Perimeter Security Fence (if any), and that portion of the side yard area exposed to and visible to the street, between the street (on the one hand) and the dwelling exterior and/or the solid privacy fence (on the other hand). Front Yard shall not include patios, porches, courtyards, and yard areas (front, back or side yard areas) of the Lot not intended to be exposed to and/or visible from a street, unless otherwise defined by the ACC.
- iii. **“Front Yard Security Fence”** shall mean a ground-mounted continuous decorative metal picket fence (which may also be comprised of additional decorative materials including but not limited to address markers, community logos, columns, caps, pedestrian gates, vehicular gates, hardware and related decorative improvements) as set forth in the Architectural Guidelines which fully encloses the Front Yard at the property boundary lines meeting the access requirements, heights, manufacturer, dimensions, materials, colors, design and all other specifications and improvements necessary for accommodation of the design and construction of Front Yard Security Fences (as may be more particularly set forth in the Architectural Guidelines). Areas of Perimeter Security Fencing not considered to be in the Front Yard, shall be required to meet the fencing requirements of the Architectural Guidelines for those specific areas.

C. Architectural Guidelines

In addition to the provisions herein, the Architectural Guidelines include additional information, exhibits, depictions and requirements to address and/or demonstrate aesthetic, dimensional, design and landscape requirements and, in some cases, construction and/or re-construction of improvements, landscaping and irrigation that may be required to be modified to accommodate and/or retrofit the future design and construction of a Perimeter Security Fence. Depictions may include some color coded and keyed information and in the event that a color copy of such information is needed, Owner’s should contact the ACC. If there is any conflict between these standards and the other information contained in the Architectural Guidelines, the ACC may use its sole discretion to determine which shall control depending on the specific circumstances of the application and the Lot configuration.

D. Exhibits

In addition to the other standards and requirements contained in the Architectural Guidelines, the following Exhibits contain the prescribed requirements which must be adhered to in the application for and construction of Perimeter Security Fences:

- PF-2-A Driveway Security Fence Slide Gate (60’-80’ Lots)
- PF-2-b Driveway Security Fence Slide Gate Landscape & Irrigation (60’-80’ Corner Lots)
- PF-2-C-1 Driveway Security Fence, Slide Gate, Pedestrian Gate & Sidewalks (60’-80’ Lots)
- PF-2-C-2 Driveway Security Fence Slide Gate Landscape & Irrigation (60’-80’ Corner Lots)
- PF-3A Driveway Security Fence Swing Gate (40’-59’ Lots)
- PF-3-B Driveway Security Fence Swing Gate Landscape & Irrigation (40’-59’ Lots)
- PF-3-C Driveway Security Fence, Swing Gate, Pedestrian Gate & Sidewalks (40’-59’ Lots)
- PF-3-C-2 Driveway Security Fence Landscape & Irrigation (40’-59’ Lots)
- PF-5 4’ Sidewalk Construction Details
- PF-7 Security Driveway Gate & Address Marker-Logo Plaque

Harpers Preserve – The Preserve’s Architectural Guidelines

PF-8	Security Fence & Buffer Landscape
PF-9	Security Fence Ameristar Gate Standards
PF-12	Security Fence Masonry Column within Property Corner
PF-13	Type 2, 3 & 5 Fences

E. Maintenance and Damage

Any security measure approved by the ACC built or installed must be in good working order, properly maintained, and may not fall into a state of disrepair or become an eye sore. Any damage to or liability resulting from the design and/or construction of any security measure including but not limited to Perimeter Security Fences shall be the sole responsibility of and at the sole cost and risk of the Owner.

F. Cameras/Motion Detectors

Where approved, security cameras and motion detectors must be installed on the Owner’s home and shall not be located on any fence, tree or pertinent structure in the yard and may only pointed in a manner intended to surveil the areas within and at the boundary of the Owner’s Lot (and not any neighboring property) as may be more particularly prescribed by the Architectural Guidelines (including but not limited to the Harper’s Preserve Residential Planning and Design Standards).

G. Approval Not a Guarantee

An approval of an application for a security measure by the ACC is not a guaranty of compliance with laws, ordinances, codes, drainage requirements, easements or otherwise and the Owner assumes all risks, expenses and liabilities associated with safety and security measures including a regulatory authority (including but not limited to a Municipal Utility District, City or County) requiring removal of perimeter fencing or a security measure for any reason. Any approvals received from the ACC is not a guarantee of safety or security and the Association and ACC do not provide security and is not responsible for the safety and security of the Community. The Owner shall be solely responsible for coordinating with emergency services (911) to make arrangements for access in cases of an emergency and including any such access devices as part of the initial application to the ACC for approval.

H. No Encroachments

Owners shall be responsible to ensure that all Perimeter Security Fences and related improvements that encroach into and/or cross an existing recorded easements are not prohibited by such easements and any such easements that do prohibit such activity shall require the express written consent of the easement holder prior to the construction of any improvements related to Front Yard Security Fence. All Perimeter Security Fence footings cannot be located within the road right-of-way (public or private) and/or in any area beyond the Owner’s property line. Any Perimeter Security Fence that violates the term of any existing easement, ordinance, and/or regulation or which encroaches outside of the Owner’s property line may be required to be removed and/or relocated at the sole expense of the Owner. ACC approvals for an Owner’s proposed improvements do not constitute written Association approvals for any encroachments on any property and/or easements held by, owned by and/or which are for the benefit of the Association.

I. Tree Spacing

All Front Yard Security Fences must allow for seven (7’) feet between any tree and the Front Yard Security Fence to provide adequate mowing space for Front Yard maintenance equipment. Any tree that is closer than seven (7’) to a Front Yard Security Fence must be relocated by the Owner, at the sole cost and expense of the Owner, to meet this requirement prior to the installation of the Front Yard Security Fence. For purposes herein, whether vegetation is considered to be a “tree” shall be determined by the ACC, in its sole and absolute discretion. Any tree moved resulting from the Front Yard Security Fence construction must be guaranteed for twelve (12) months (365 days) after the issuance of a Certificate of Compliance by the Association. If any relocated tree does not survive in a healthy thriving state as determined by the Association, then the Owner, at the Owner’s sole cost and expense, shall be responsible for replacing the damaged, diseased, or dead tree "in-kind" in both caliper, size and species. The Property Owner must then guarantee the replacement tree for twelve (12) months after the Association accepts the replacement tree as a bona-fide in-kind replacement.

Harpers Preserve – The Preserve’s Architectural Guidelines

J. Public Sidewalk Spacing

There must be at least two (2') feet between the Perimeter Security Fence and the public sidewalk (public sidewalk widths shall be as ultimately prescribed by the Architectural Guidelines). In the event that there is not two (2') feet 'between the Perimeter Security Fence at the property line and the public sidewalk, the Owner must , at the Owner's sole cost and expense, remove the existing public sidewalk and install a new public sidewalk within the adjacent street right-of-way in accordance with the local governing jurisdictions regulations (or in the case of private streets, the applicable homeowner association regulations) so that there is two (2') feet of space between the public sidewalk and the Perimeter Security Fence in accordance with the Architectural Guidelines along with any required public sidewalk transitions near the side or rear property boundaries or at wheel chair ramps at corners to match existing public sidewalks/ramps. Any adjustments to tree planting locations (including the installation of tree grates if spacing between the relocated sidewalk and the curb creates spacing issues for street trees), water meters, utility manholes, inlets, blow off valves and other utility infrastructure necessary to accommodate and Perimeter Security Fence shall be at the sole cost and expense of the Owner. The existing driveway must meet the relocated sidewalk "flush" on the street side of the relocated sidewalk. The sidewalk slope between existing driveway and the street side edge of the relocated sidewalk cannot exceed a two (2%) percent slope.

K. Irrigation

The area between the back of street curb and the Perimeter Security Fence (including the two [2'] foot area between the public sidewalk and the Perimeter Security Fence) must be irrigated using the same electric programmable sprinkler system as is used for the remainder of the Owner's yard and landscaped in a manner that meets the requirements and specifications set forth in the Architectural Guidelines. Any landscape material and/or trees planted and/or re-located in connection with the installation of Perimeter Security Fences that does not survive in a healthy state must be promptly replaced by the Owner, at the Owner's sole cost and expense, so as to maintain a consistent and continuous landscape edge condition.

L. Vehicular Gate with Electric Automatic Remote-Controlled Opener

All residences that contain a Front Yard Security Fence must also contain an electric automatic vehicular driveway gate across the driveway at the front property boundary line which can be opened automatically with a remote-controlled transmitting device. The vehicular access gate must be left in the open position when necessary to provide required access to the Association for Front Yard Maintenance in accordance with routine Front Yard Maintenance requirements and easements provided to the Association. All driveway gates must be a single gate and must slide along the inside of the Lot boundary and/or swing in toward the residence depending on Lot width (as more particularly prescribed by the Architectural Guidelines). The use of solar operated gate openers is strictly prohibited.

M. Pedestrian/Delivery Gate and Private Sidewalk

Any residence that contains a Front Yard Security Fence must also contain a three (3') foot – six (6') foot wide pedestrian gate and a four (4') foot concrete sidewalk which is extended from the fronting street curb across the public sidewalk (within a public or private street right-of-way) to the front door of the residence (which may allow for pedestrian access and/or package delivery to a residence) and which is not blocked by the vehicular gate when the vehicular gate is open (as more particularly prescribed by the Architectural Guidelines).

N. Access and Deliveries

Owners are responsible for providing access to their front porch for any delivery service delivering packages to the Owner's home. Delivered packages of any and all kinds must not be left outside of the Perimeter Security Fence, in the road right-of way or the Front Yard of a home. If packages are to be left outside the home, they must be left at the front door (preferably on a porch). Packages left in a road right-of way and/or Front Yard, may be removed and disposed of by the Association.

O. Signage and Pet Restrictions

No signage (other than address and logo signage prescribed in the Architectural Guidelines) shall be installed on any Perimeter Security Fence. No unattended (meaning without the physical presence of the Owner or Owner's caretaker) pets shall not be permitted to be kept, stored and/or housed in the Front Yard area of a Lot which is enclosed by the Front Yard Security Fence.

Harpers Preserve – The Preserve’s Architectural Guidelines

P. Applications

For all application for Perimeter Security Fences or any security measure submitted by Owner, such Owner must provide:

- i. The appropriate ACC application signed by the Owner of the Lot
- ii. The payment in full for any required Architectural Review Fee(s)
- iii. All full and complete set of scaled construction plan design drawings and specifications showing all areas to be modified (and sealed by the appropriate professionals, as required by the ACC) scaled at 1" = 20' in 11" X 17" format which include (i) all existing improvements; (ii) all easements and all building setbacks; (iii) any proposed modifications to existing improvements; and, (iv) all proposed improvements in sufficient detail for the ACC to reasonably and accurately verify compliance of all plans and specifications submitted by the applicant with all requirements of the Architectural Guidelines for such security measures and Perimeter Security Fences. Such details may include but are not limited to the following: (i) fence and gate design elevation(s), materials and locations; (ii) address marker and logo details; (iii) gate hardware and automatic opener details and locations; (iv) footing designs and details sealed by a registered professional structural engineer; (v) sidewalk details with respect to surface finish, dimensions, expansion joints, steel reinforcement and connection and transitions to existing paved surface and locations; (vi) tree details, landscape buffer, planting, landscape planting, tree type and locations meeting the minimum tree spacing requirements, relocation plans for associated irrigation, tree placement, tree staking, root ball backfill and drip emitters for the moved/replaced street tree(s) and locations; (vii) irrigation construction plans, specifications and details; (viii) restoration effort plans to areas that are disturbed during construction (including storm water pollution prevention devices); and (ix) other information that conforms to the Architectural Guidelines (or that may be necessary in the discretion of the ACC) to comply with and/or effectuate the intent of the Architectural Guidelines in light of the specific configuration of the particular Lot.
- iv. A current updated sealed survey by a registered professional land surveyor (to scale at 1" =20') of the Lot showing all existing improvements within the Lot and improvements within any areas required to be modified outside of the Lot between the Lot line and street curb or adjacent to the Lot in accordance with requirements herein.

Q. Construction Inspection Requirements

On or before seven (7) business days prior to the pouring of any concrete footings, foundation, driveway or sidewalk, and prior to pouring any public/private sidewalk areas on the Lot and/or within the public (or private) street rights-of-way, the Owner shall contact the Association’s inspector and pay the costs to obtain a form board, rebar placement and support, rebar wiring, slip joint dowel placement, sand bed preparation and construction form and reinforcement inspection (and any re-inspection as necessary). Property lines must be accurately staked in the field by a surveyor and visible during the Association’s inspector’s inspection reasonably sufficient to verify distance and spacing requirements. Upon the receipt of written approval for reinforcement inspection from the Association inspector, the Owner can proceed with the concrete pours; however, the Owner shall be solely responsible for rectification of any field changes that are not in compliance with the plans despite any construction inspections.

R. Post Construction Inspection and Certificate of Compliance

Upon completion of Perimeter Security Fence, the Owner is required to, at Owner’s sole cost and expense, accomplish the following:

- i. Prior to the post construction inspections, the Owner shall be required to provide a sealed “As Built” survey sealed by a registered professional land surveyor in 11" x 17" format at 1"-20' scale to the Association’s inspector that accurately depicts all of the locations of the Perimeter Security Fence (and all related improvements) as constructed for verification against the ACC approved plans (which contains no fence encroachments) and also includes the relative distances and/or relationships between:
 - a. The Perimeter Security Fence and the following:
 - All sidewalks (both public and private)

Harpers Preserve – The Preserve’s Architectural Guidelines

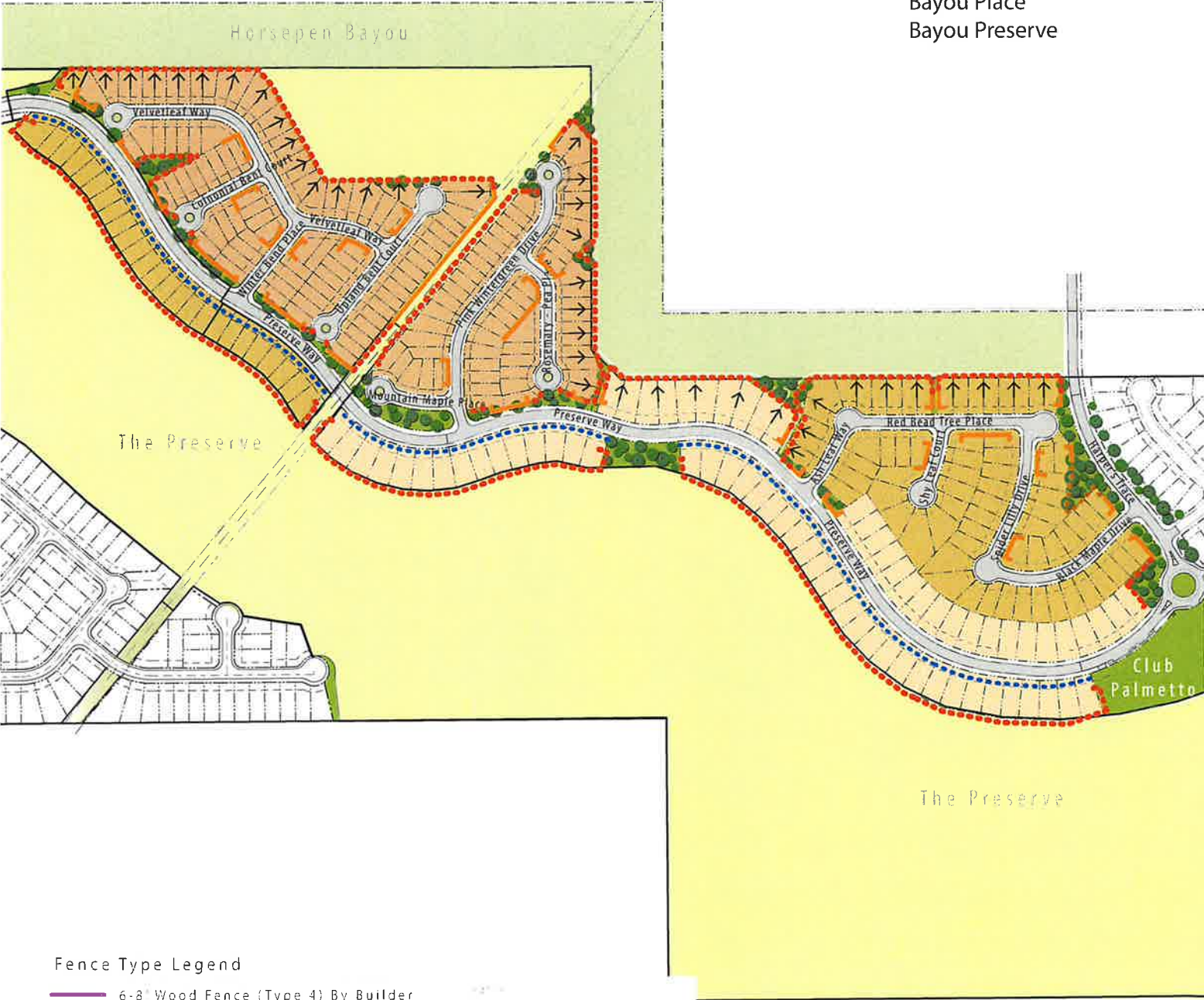
- Trees
 - Existing property lines (including encroachments)
- b. Any relocated sidewalk and the following:
- Trees (and root ball)
 - Backs of curb in the adjacent street (may need multiple measurement points if the street is curved) and the property line
 - Connections of sidewalks via transition to existing sidewalks located outside of the Lot (with dimensions depicted between the property line and public sidewalk and the curb and public sidewalk at the transition points)
- ii. On or before five (5) business days after substantial completion of all Improvements in accordance with the approved Perimeter Security Fence plans, the Owner shall contact the Association’s inspector and pay the costs to obtain post construction inspection(s) as may be required to obtain a Certificate of Compliance issued by the ACC for the constructed improvements with the approved plans. In the event that any deficiencies are noted, the Owner shall be required to promptly correct same and continue the same inspection process (including Owner’s payment of inspection fees to the Association’s inspector) for re-inspection until a Certificate of Compliance from the ACC is achieved.

6. Exhibits – the following pages.

Exhibit MF-1a

**Preserve Village
Fence Type Key Map**

Preserve Way
 Preserve Place
 Bayou Place
 Bayou Preserve



Fence Type Legend

- 6-8" Wood Fence (Type 4) By Builder
- 4' & 6' Metal Picket Fences (Type 2 & 3) by Builder
- 6" Community Fence (Type 1) by Builder
- 6" Community Fence (Type 1) by HPCA
- 4" Metal Picket Fence Panels (Type 2)
- Type & Size to be determined. Contact ACC before constructing fence to find out Fence Type
- Gate Location on lots with required rear gates.

1. This site plan shows the proposed fence types for the Preserve Village development. The fence types are shown in various colors and line styles as defined in the legend. The fence types are shown on the lots and along the streets. The fence types are shown on the lots and along the streets. The fence types are shown on the lots and along the streets.

Exhibit MF-1a

**Southeast Village
Fence Type Key Map**

Palmetto Preserve
 Bayou Oaks
 Harper's Hammock
 Pine Preserve



Fence Type Legend

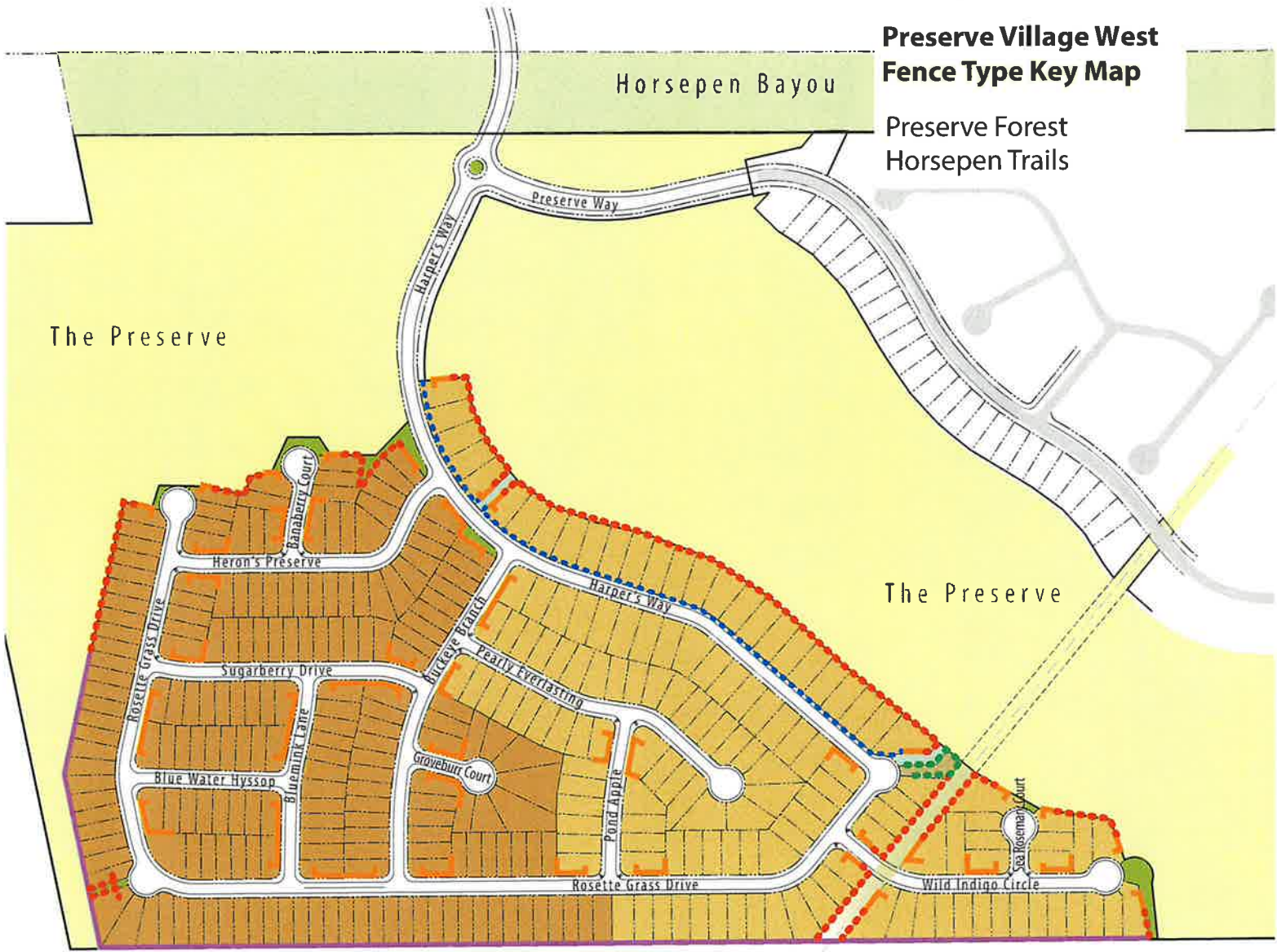
- 6-8" Wood Fence (Type 4) By Builder - Uniform height as determined by Developer
- 4' Metal Picket Fences (Type 2 & 3) by Builder
- 6" Community Fence (Type 1) by Builder
- 6' Community Fence (Type 1) by HPCA
- 4' Metal Picket Fence Panels (Type 2) By Builder
- Type 3 Size to be determined. Contact ACC before constructing fence to find out Fence Type
- Gate Location on lots with required rear gates.

MF 1a
 1. All fences shall be constructed in accordance with the requirements of the ACC and the HPCA.
 2. All fences shall be constructed in accordance with the requirements of the ACC and the HPCA.
 3. All fences shall be constructed in accordance with the requirements of the ACC and the HPCA.
 4. All fences shall be constructed in accordance with the requirements of the ACC and the HPCA.
 5. All fences shall be constructed in accordance with the requirements of the ACC and the HPCA.
 6. All fences shall be constructed in accordance with the requirements of the ACC and the HPCA.
 7. All fences shall be constructed in accordance with the requirements of the ACC and the HPCA.
 8. All fences shall be constructed in accordance with the requirements of the ACC and the HPCA.

Exhibit MF-1c

**Preserve Village West
Fence Type Key Map**

Preserve Forest
Horsepen Trails

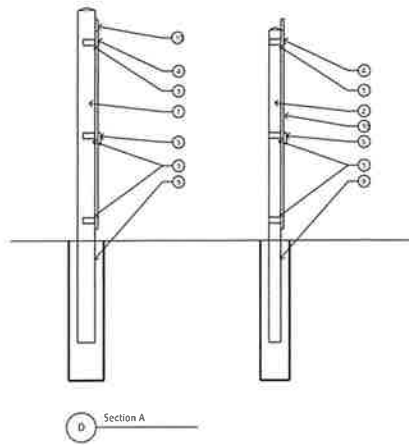
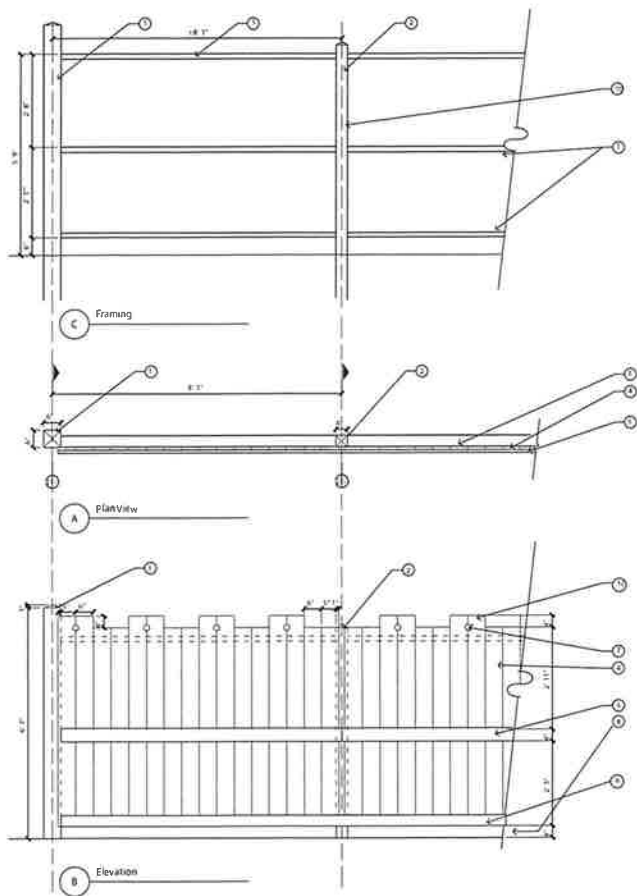


Fence Type Legend

- 6-8' Wood Fence (Type 4) By Builder
- 4'&6' Metal Picket Fences (Type 2 & 3) by Builder
- 6' Community Fence (Type 1) by Builder
- 6' Community Fence (Type 1) by HPCA
- 4' Metal Picket Fence Panels (Type 2)
- Type & Size to be determined. Contact ACC before constructing fence to find out Fence Type

Notes

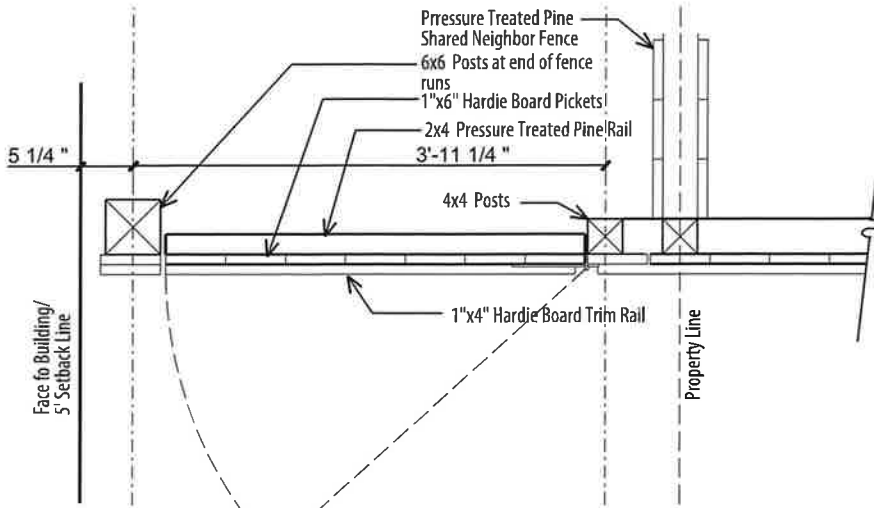
1. Interior fences to be constructed by the Builder are not restricted.
2. Rear yard metal picket fences on corner lots are to 4' and cannot exceed 1/2 the property line for 20' - 30' and metal picket fences (Type 2) are to be determined by the Builder.
3. Front yard development may change fence type. See attached.
4. A 1/2' setback from a street by fences shall be maintained. See ACC.
5. Note 11 for all fence types provided in memo to JG, 1/18/10.



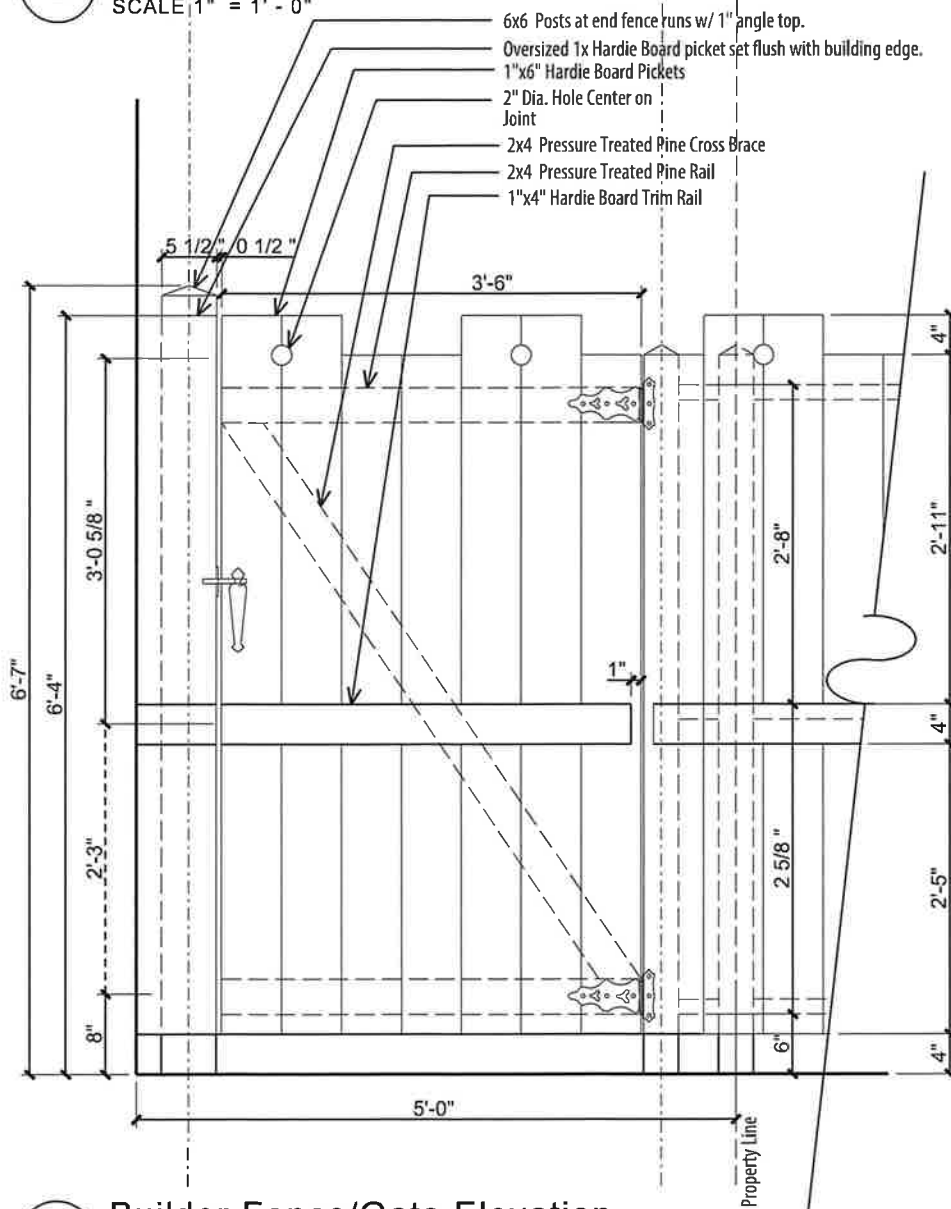
- DETAIL CALLOUTS (All details this Sheet)**
1. 6" x 6" Cedar Posts @ Ends of Fence Runs
 2. 4" x 4" Cedar Posts
 3. 2" x 4" Stringer Behind
 4. 1" x 6" Hardi Plank Boards
 5. 1" x 4" Trim Rail Hardi Plank
 6. 1" x 4" Wood Board - treated and painted pine.
 7. 2" Diameter Holes, Centered on Joint
 8. 4" Bottom Gap
 9. 12" Diameter Drilled Footing depth per Builder's structural
 10. Paint front and back of fence, including support members Color Sherwin Williams "Grassland".

Exhibit MF-2a
Type 1
Community Fence
 (Continued on
 next page)

Exhibit MF-2 b
Type 1
Community Fence
Gate
 (Continued)



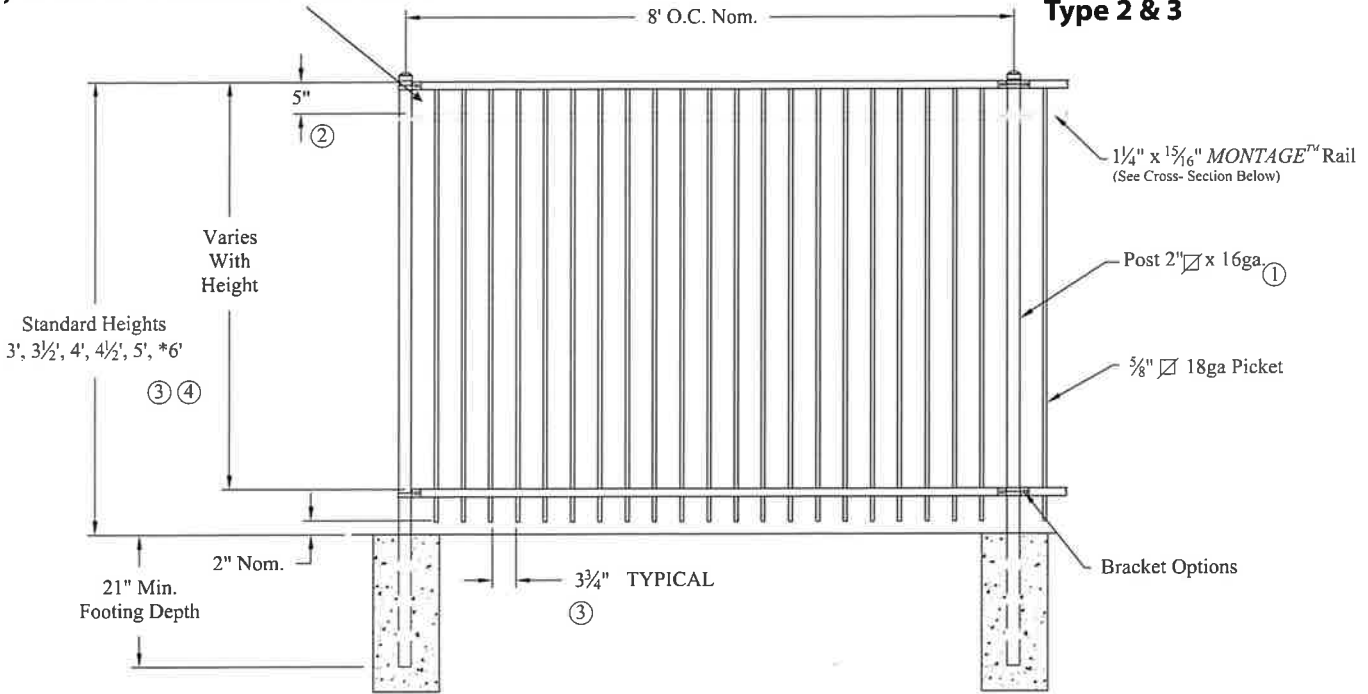
B **Builder Fence/Gate Plan**
 SCALE 1" = 1' - 0"



A **Builder Fence/Gate Elevation**
 SCALE 1" = 1' - 0"

No circles or X's or any other symbols to be located in the fence.

**Exhibit MF-4
Metal Picket Fence Standards
Type 2 & 3**

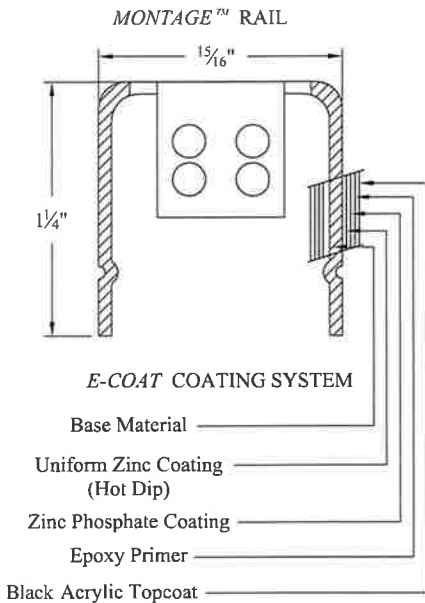


NOTES:

- 1.) Post size depends on fence height and wind loads. See *MONTAGE™* specifications for post sizing chart.
- 2.) Third rail required for *Double Rings*.
- 3.) Available in 3" air space and/or Flush Bottom on most heights.
- 4.) Three rails required for 6' tall.

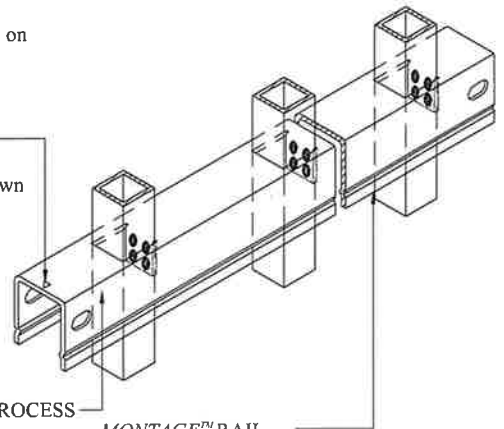
RAKING DIRECTIONAL ARROW

Welded panel can be raked 45" over 8' with arrow pointing down grade.

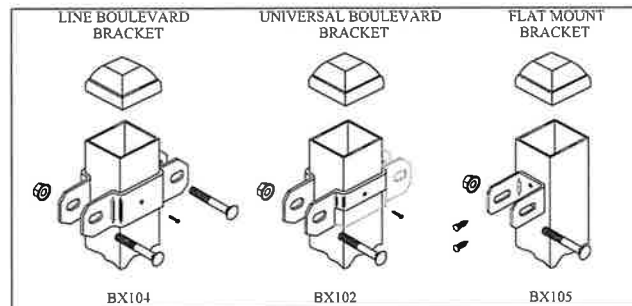


PROFUSION™ WELDING PROCESS

No exposed welds, Good Neighbor profile - Same appearance on both sides



MONTAGE™ RAIL
Specially formed high strength architectural shape.



Values shown are nominal and not to be used for installation purposes. See product specification for installation requirements.

RMISO

**RESIDENTIAL WELDED STEEL PANEL
PRE-ASSEMBLED**

Title: **MONTAGE MAJESTIC 2/3-RAIL**

DR: CI SH . 1 of 1 SCALE: DO NOT SCALE

CK: ME Date 7-19-11 REV: c



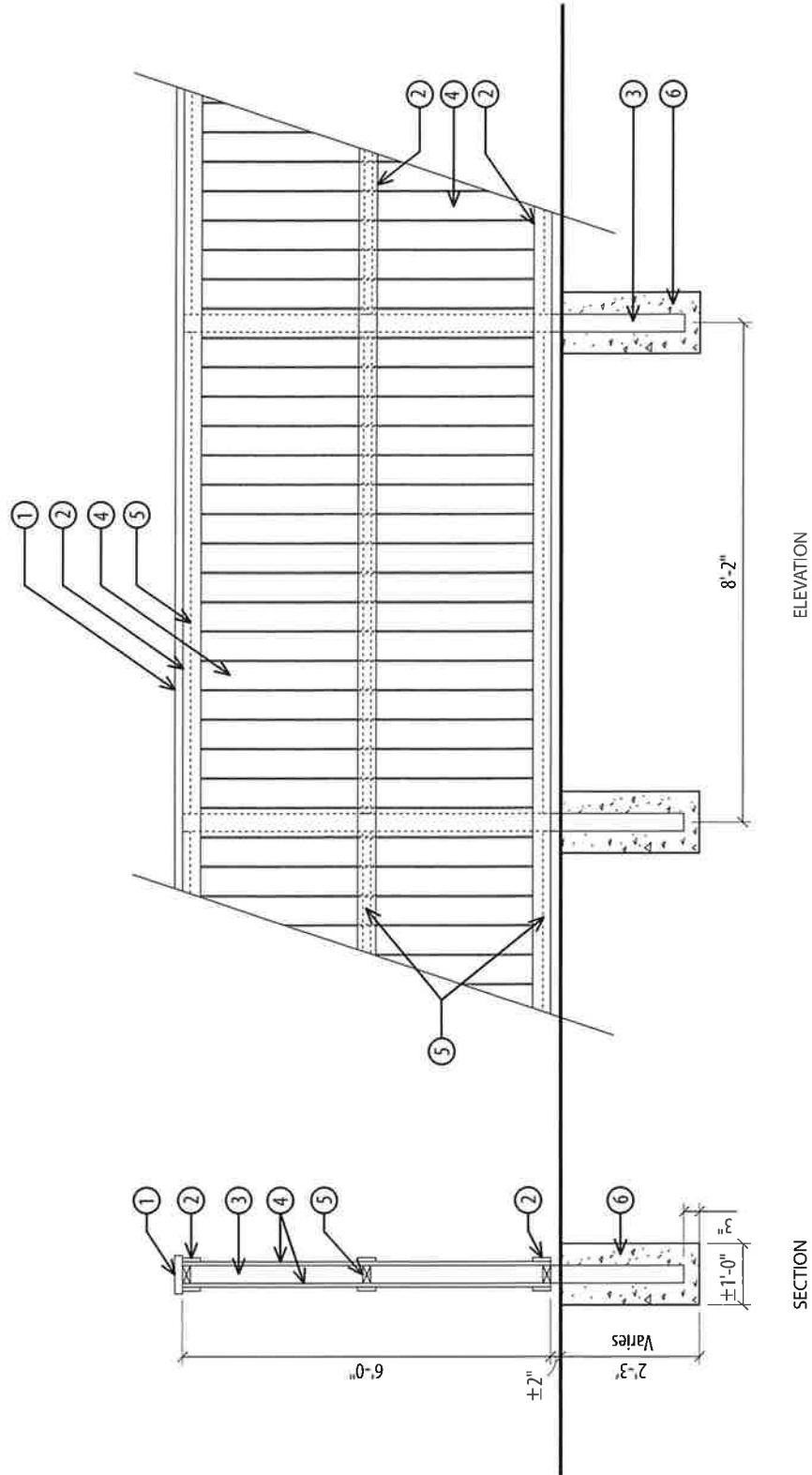
AMERISTAR®

1555 N. Mingo
Tulsa, OK 74116
1-888-333-3422
www.ameristarfence.com

**Exhibit MF-5
Internal Side and Rear Yard
Wood Fence Details
Type 5 Fence**

Callout Legend

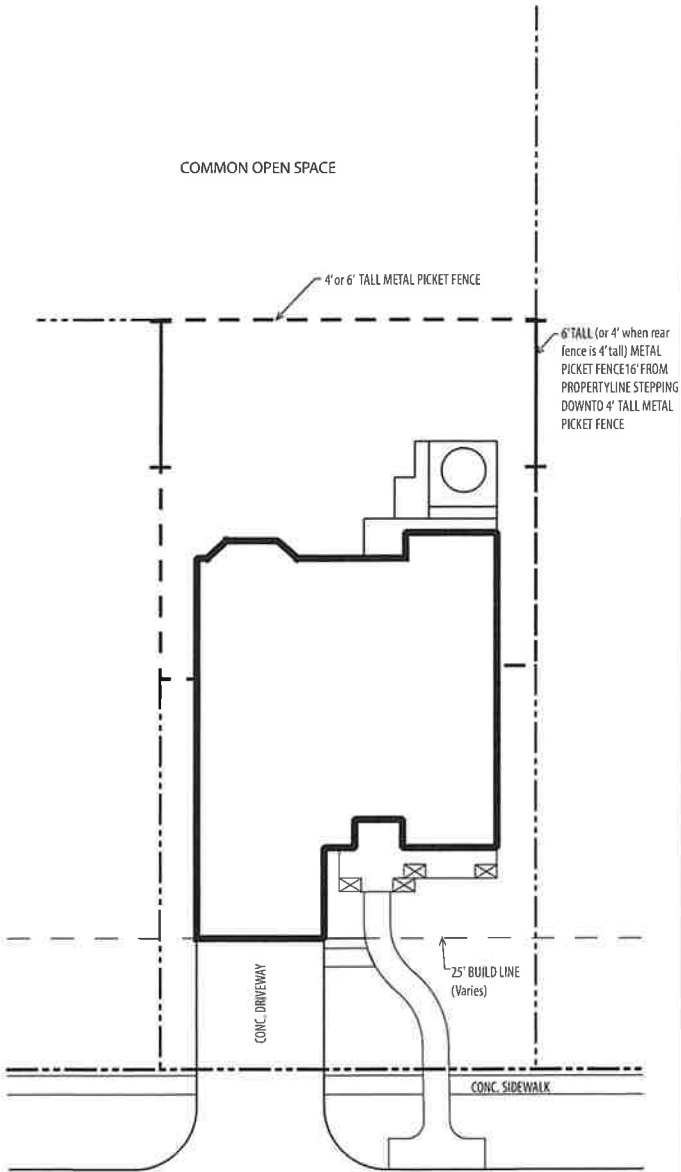
1. 2" x 8" Treated cedar cap
2. 1" x 4" Cedar Trim fence rail, both sides
3. 4" x 4" Treated SLP / Cedar post
4. 1" x 6" Cedar pickets
5. 2" x 4" Treated SLP nailer
6. Concrete footing



**Exhibit MF-6
Type 2, 3, & 5 Fences**

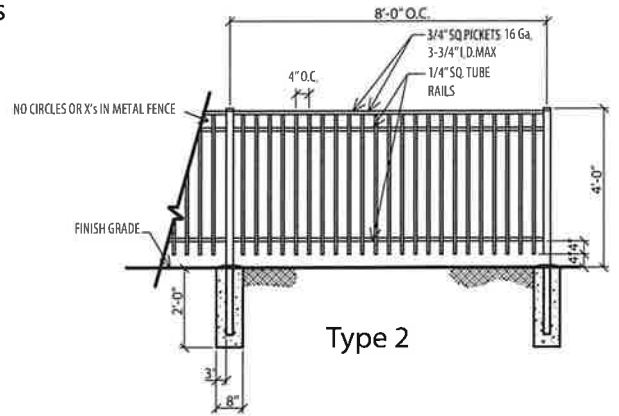
SITE LAYOUT

Common Open Space Lots

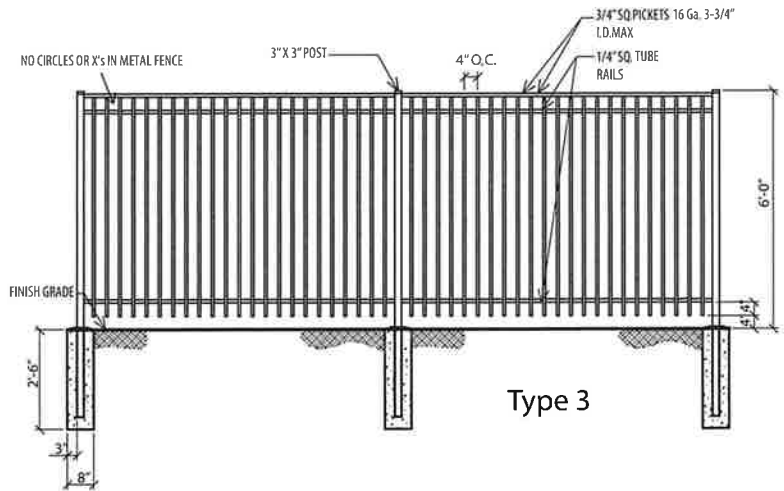


SITE LAYOUT

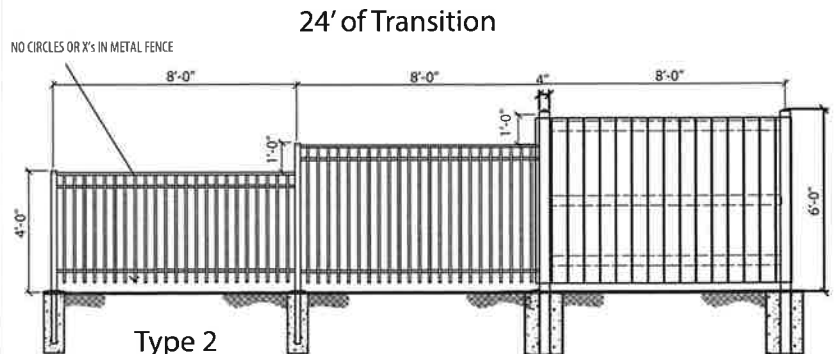
Fences



4' Metal Picket Common Open Space Fence



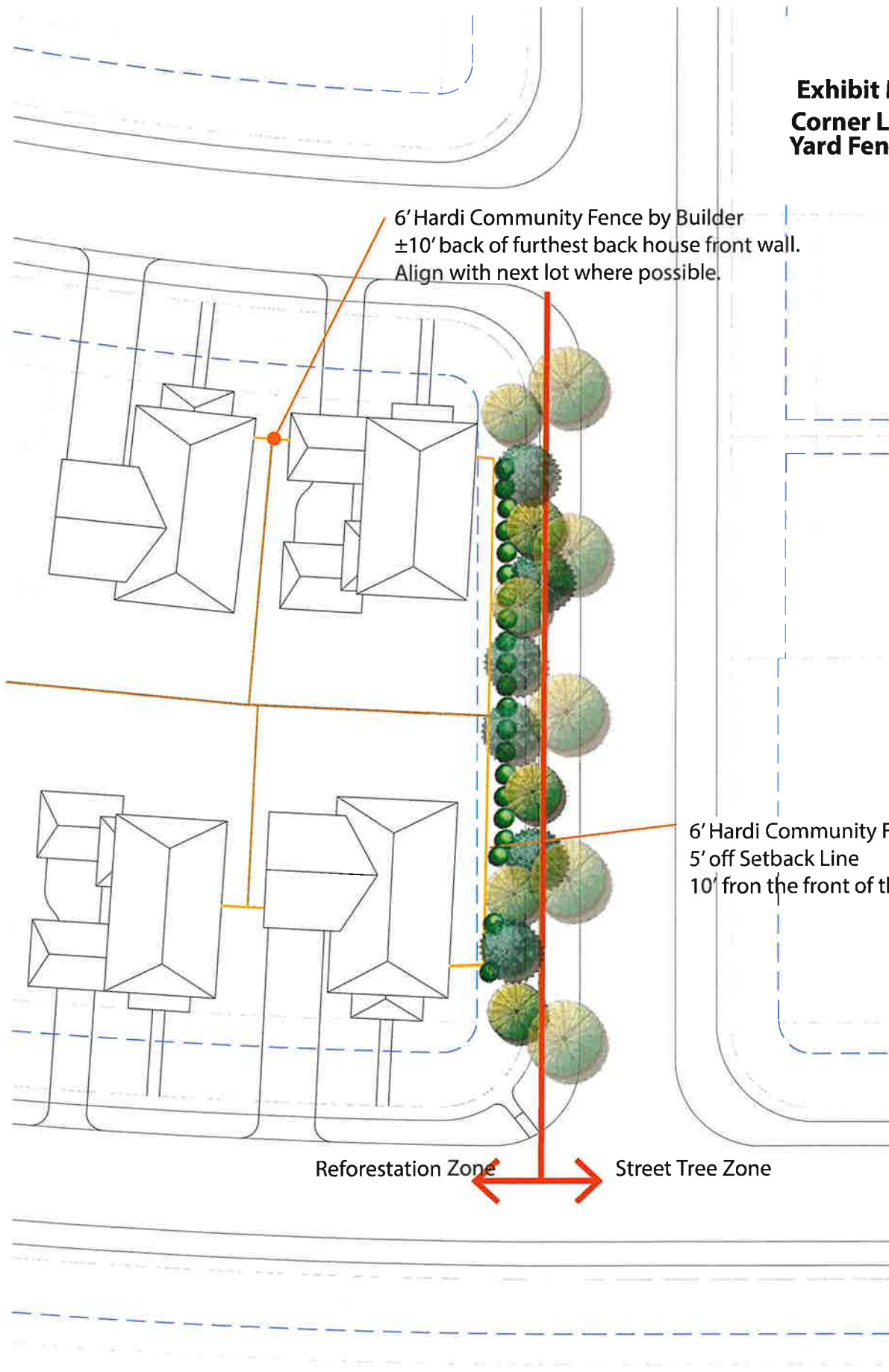
6' Side Lot Metal Picket Fence



4' to 6' Fence Stair Step Transition Metal Fence

Wood Fence
Double Boarded Wood Fence Per Guidelines

**Exhibit MF-7
Corner Lot Side
Yard Fencing**



6' Hardi Community Fence by Builder
±10' back of furthest back house front wall.
Align with next lot where possible.

6' Hardi Community Fence
5' off Setback Line
10' from the front of the home

Reforestation Zone

Street Tree Zone

Exhibit MF-8 Preserve & Open Space Rear and Side Fences

This exhibit is depicted 2 times throughout the whole of the Architectural Guidelines
For Landscaping Information see ML-11
For Fencing Information see MF-8

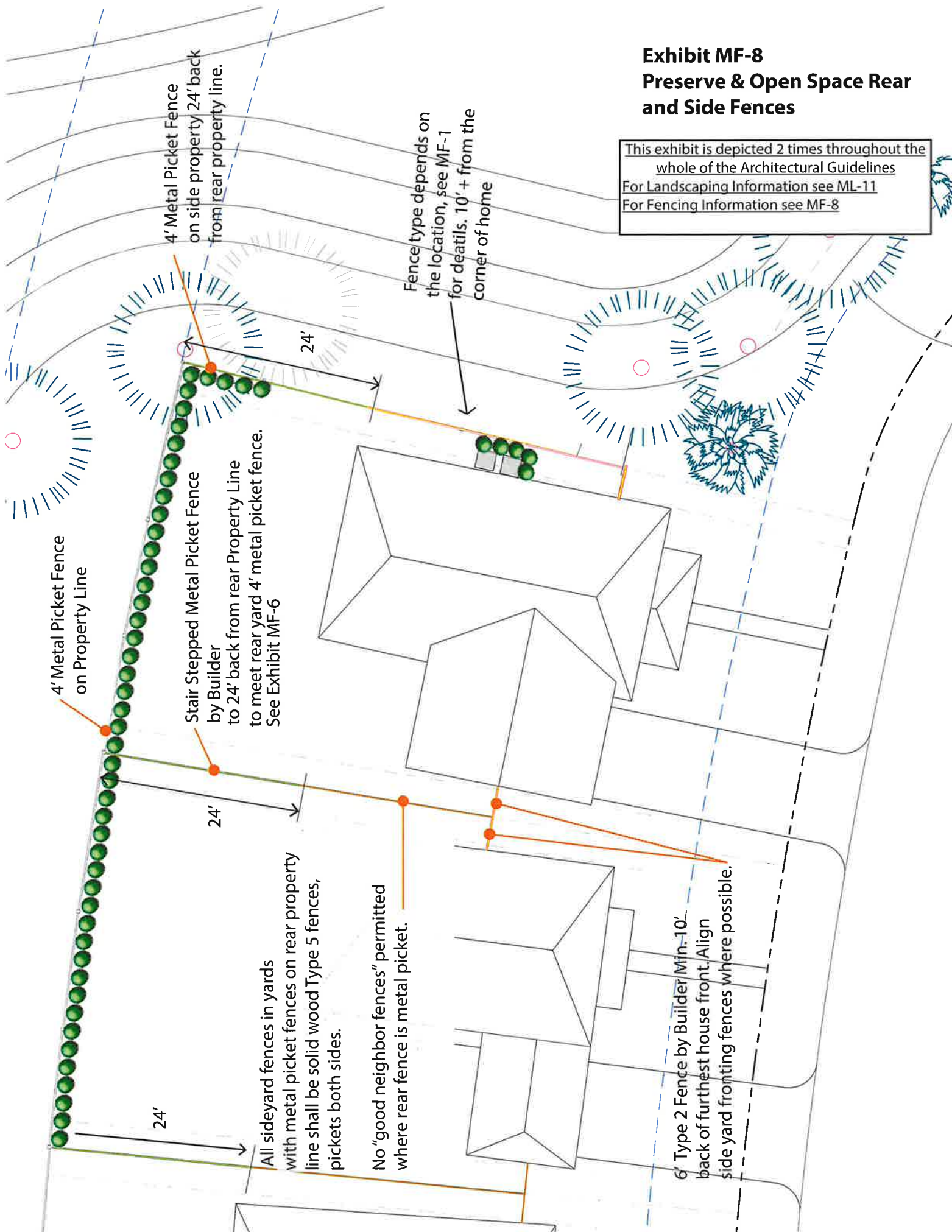


Exhibit MF-9

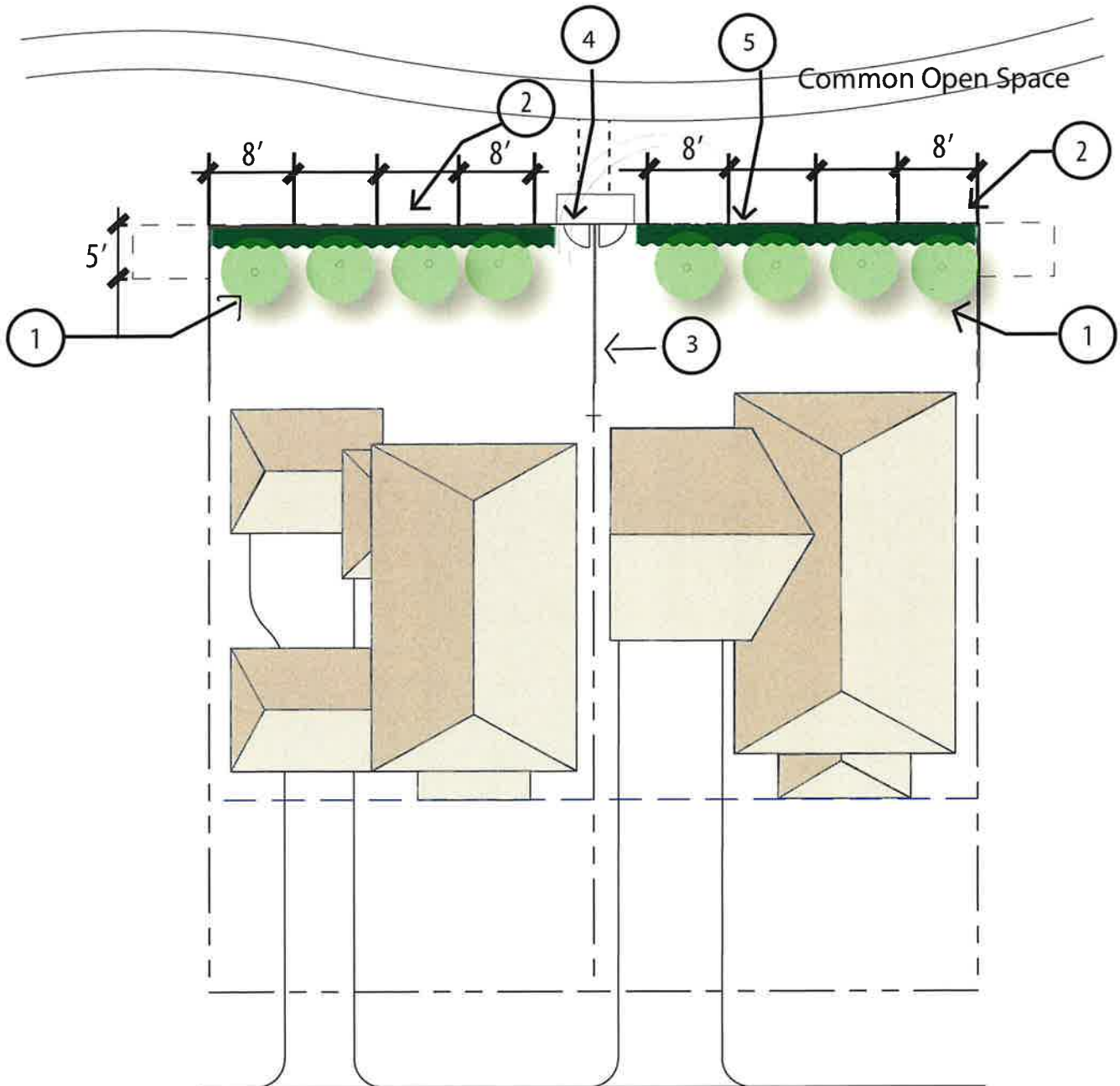
**South Side of
Preserve Way
Entry Fence**



Do not clear or disturb the last 20' of preserved trees on the lot. Only reforest if the trees disturbed or not there.

HORSEPEN BAYOU

**Exhibit MF-12
Horsepen Bayou Forested Lots
Rear Yard Fencing Requirements**



Reforestation Detail Callout Legend:

Scale: 1" = 20'-0"

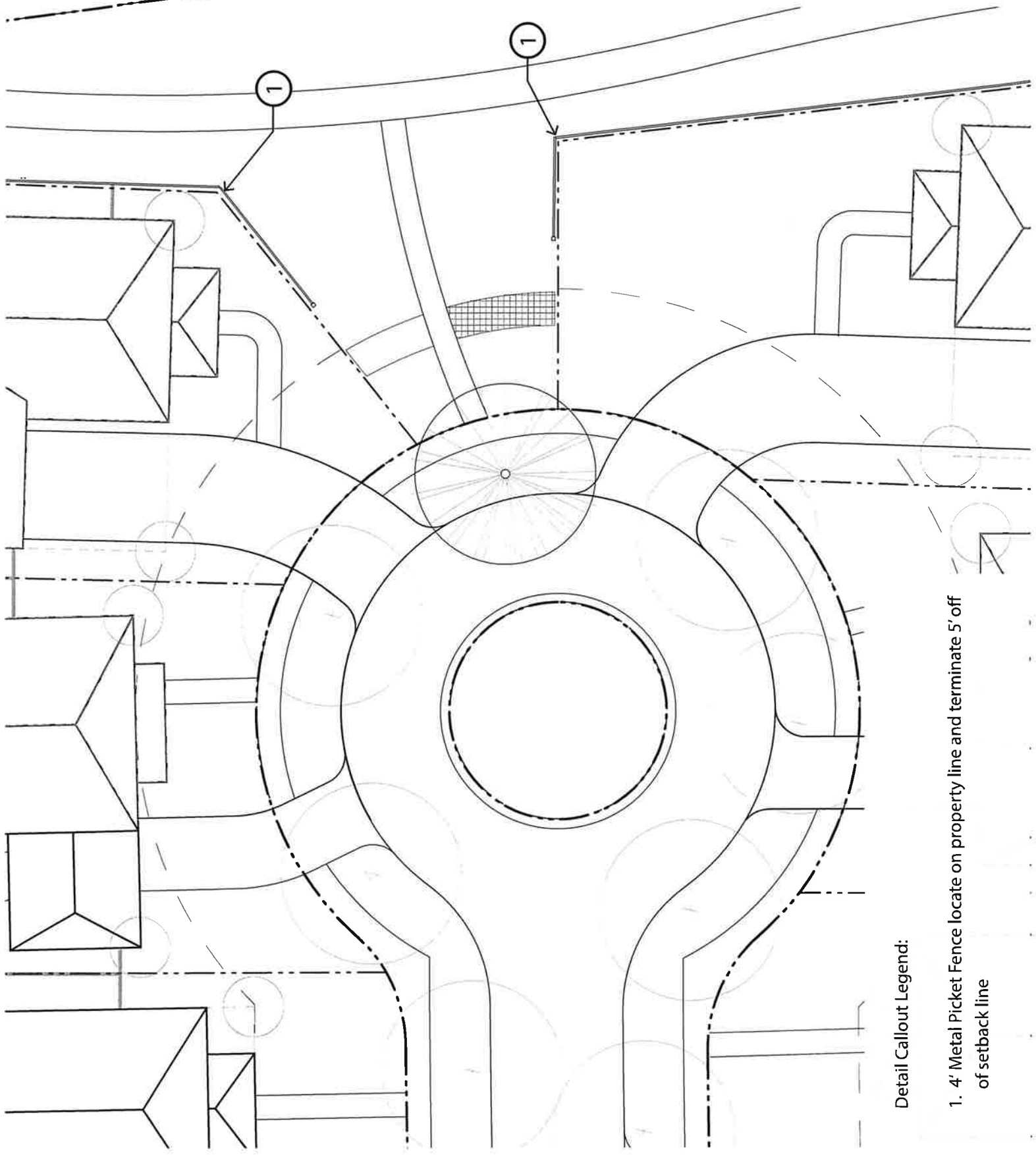
- 1. See ML-6
- 2. See MT-12
- 3. Metal Picket Fence Height Transition per Guidelines
- 4. 3' Gate by Builder
- 5. 4' Metal Picket Fence by Builder with 8' wide panel.

This exhibit is depicted 3 times throughout the whole of the Architectural Guidelines

For Paving Information see MT-12
 For Landscaping Information see ML-6
 For Fencing Information see MF-12

Harper's Trace

**Exhibit MF-13
Builder Minimum Landscape Planting
Cul-de-Sac Lots**



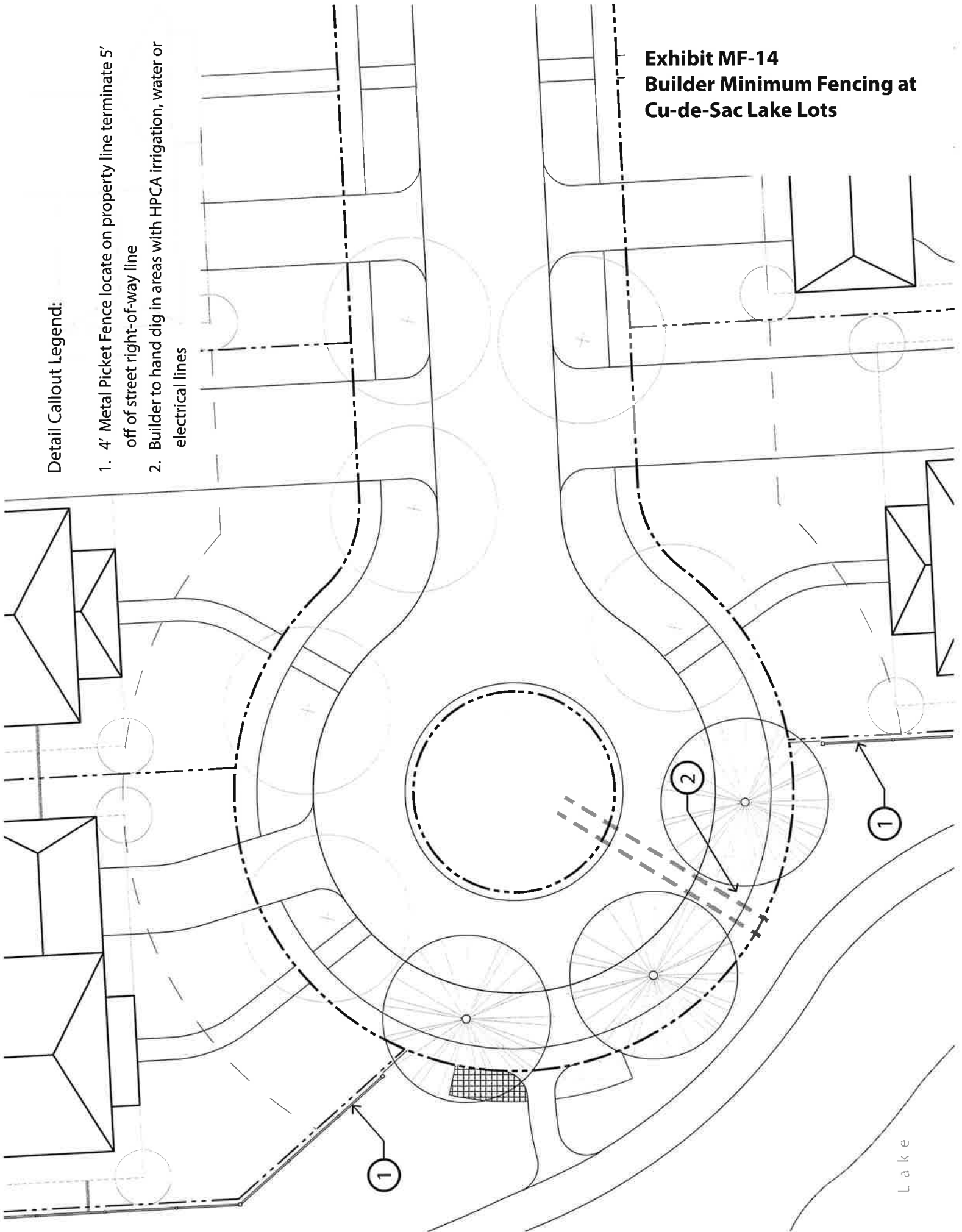
Detail Callout Legend:

- 1. 4' Metal Picket Fence locate on property line and terminate 5' off of setback line

**Exhibit MF-14
Builder Minimum Fencing at
Cu-de-Sac Lake Lots**

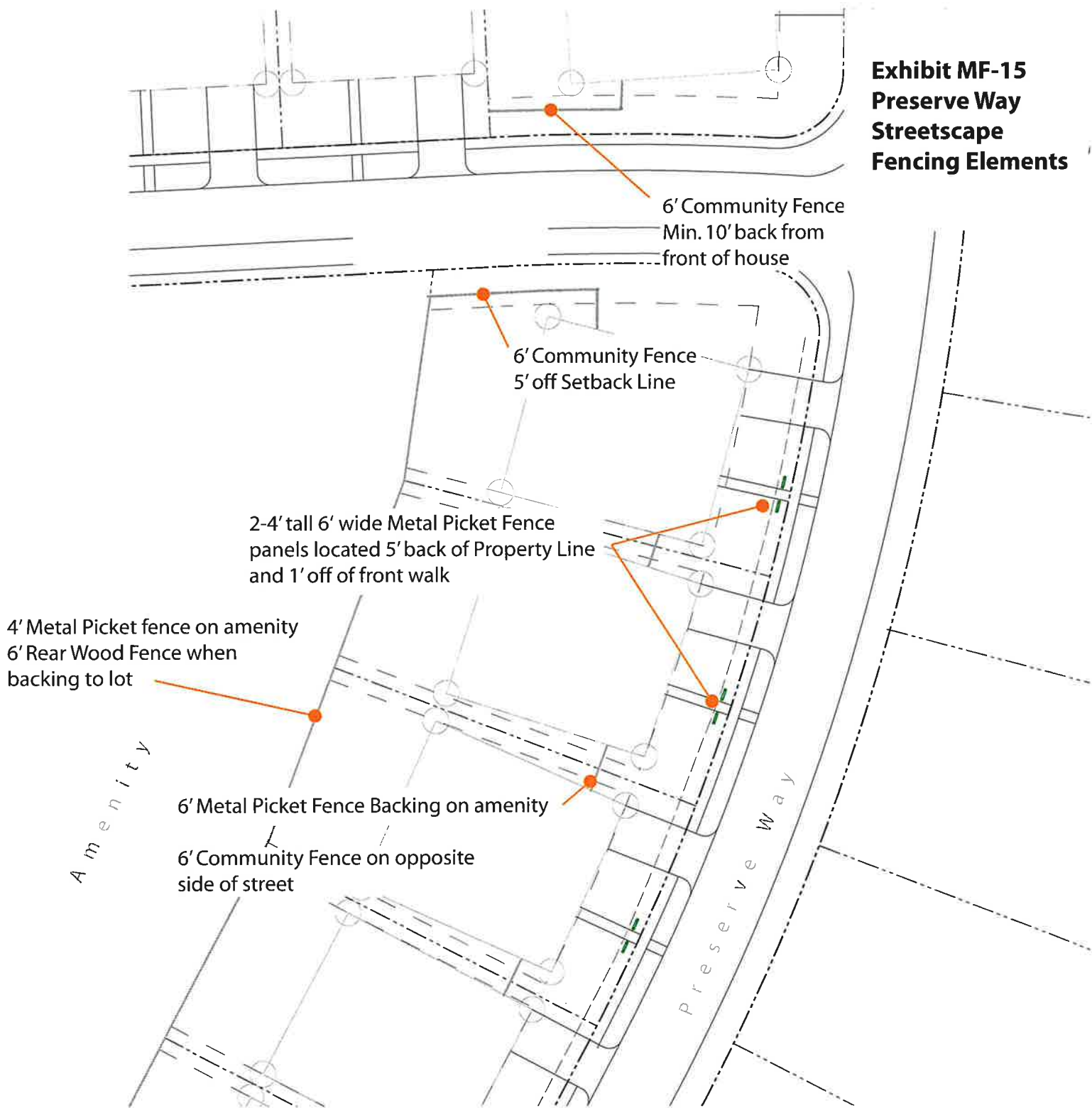
Detail Callout Legend:

1. 4' Metal Picket Fence locate on property line terminate 5' off of street right-of-way line
2. Builder to hand dig in areas with HPCA irrigation, water or electrical lines



L a k e

**Exhibit MF-15
Preserve Way
Streetscape
Fencing Elements**



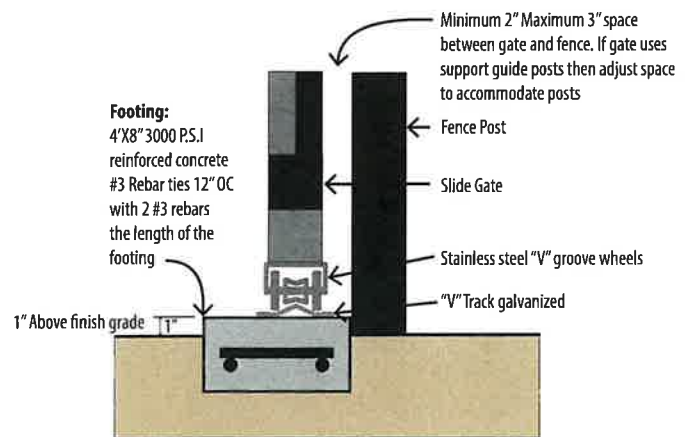
*This condition is only on the Preserve side of Preserve Way between Harpers Trace and Harpers Way.

Exhibit PF-2-A 60', 70', 80' & Wider Lot Sizes Driveway Security Fence Slide Gate

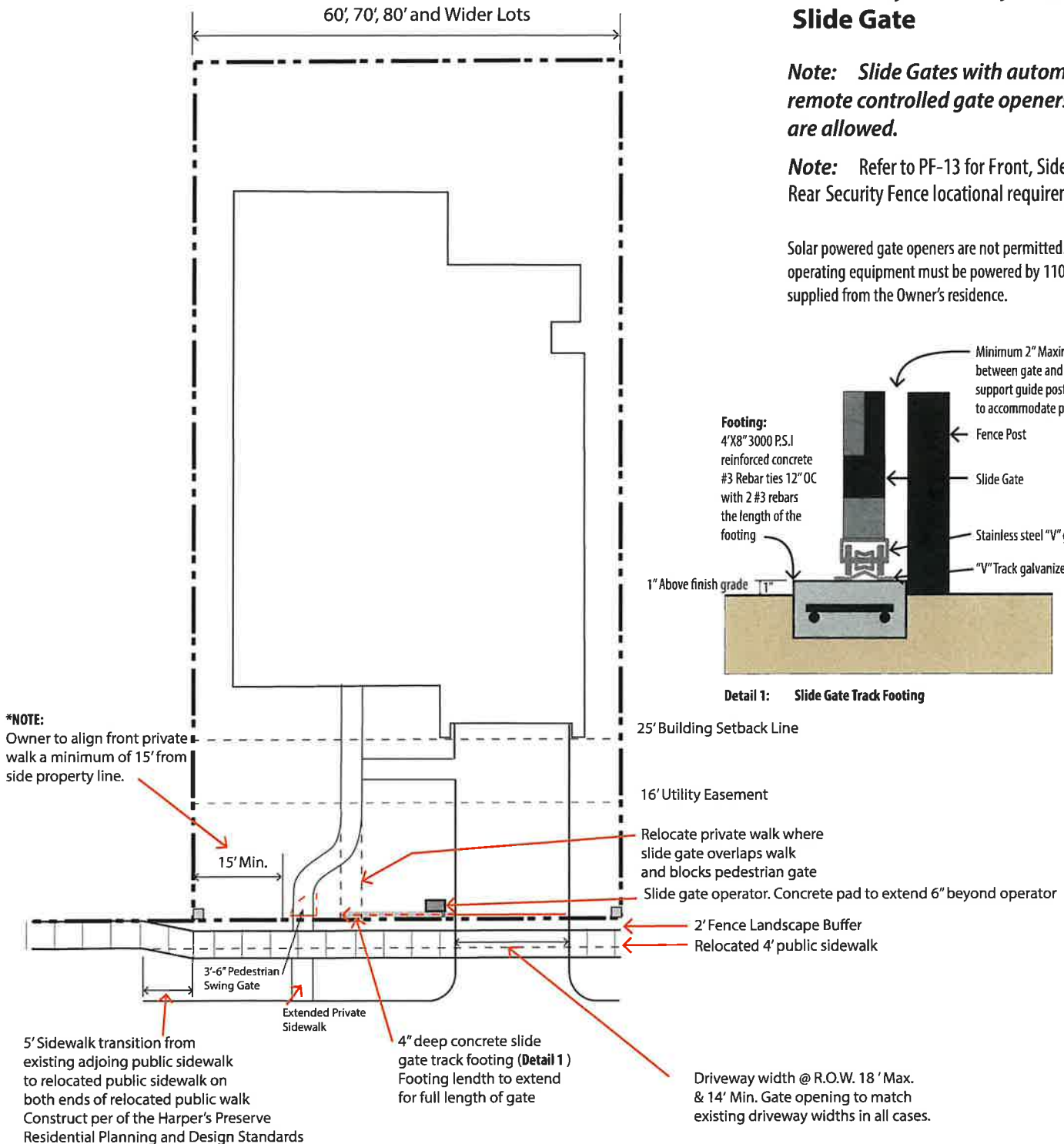
Note: Slide Gates with automatic remote controlled gate openers only are allowed.

Note: Refer to PF-13 for Front, Side & Rear Security Fence locational requirements

Solar powered gate openers are not permitted. Motors and operating equipment must be powered by 110 volt electricity supplied from the Owner's residence.



Detail 1: Slide Gate Track Footing



***NOTE:** Owner to align front private walk a minimum of 15' from side property line.

5' Sidewalk transition from existing adjoining public sidewalk to relocated public sidewalk on both ends of relocated public walk Construct per of the Harper's Preserve Residential Planning and Design Standards

Driveway width @ R.O.W. 18' Max. & 14' Min. Gate opening to match existing driveway widths in all cases.

Exhibit PF-2-b 60', 70' & 80' & Wider Corner Lots Driveway Security Fence Slide Gate Landscape & Irrigation

Note: Slide gates with electric automatic remote controlled openers only. Gate must slide away from closest property line.

Note: Refer to PF-13 for Front, Side & Rear Security Fence locational requirements

Irrigation Notes: Owner is to repair and replace all irrigation equipment within the front yard area in order to accommodate modifications for front yard security fencing standards including mainlines, lateral lines, valves, spray heads and coordinate with the HPCA in reconnecting the front yard system to the main line. Repaired and replaced equipment is to be per the HPCA equipment standards in type and kind and the turf and street tree areas of the adjacent street right of way must also be modified accordingly as part of Owner's irrigation area.

Owner is to irrigate the ornamental grasses and evergreen shrubs with an additional valve separated from the lawn irrigation. The shrub irrigation is to be a drip system with the emitter tubes stapled every 3' and buried at 4" below top of mulch.

Ornamental grasses & evergreen shrubs are to be separately valved.



Grass and Shrub Bed Mulch:

Excavate and place 4" of mulch in the beds. The mulch must contain a range of particle sizes from sawdust to pieces 1" in diameter. The mulch should be fully composted so that all organics are broken down in a rich fertile mix and free from visible non-composted cellulose/wood. Beds are to be edged with brown steel 4" "Permaloc" edging staked at all joints and corners with brown steel 12" steel stakes.

Acceptable local sources for such mulch include, but are not limited the following:

Nature's Way Resources
101 Sherbrook Circle
Conroe, TX 77385

Prior to any other local source being selected by the site developer, it must be approved by HPCA.

Softscape Legend

Plant Material	Size	Spacing
Gulf Coast Muhly Grass	5 Gal.	30" O.C.
Dwarf Wax Myrtle	5 Gal.	30" O.C.

Exhibit PF-2-C-1 60', 70' & 80' & Wider Corner Lots Driveway Security Fence, Slide Gate, Pedestrian Gate & Sidewalks

Note: Refer to Exhibit PF-2-A for Front, Side & Rear Security Fence Gate Details & Exhibit PF-2-C-1 for Gate(s) & Fencing layout requirements

Gate Notes:

Swing gates with electric automatic remote controlled openers must swing towards closest side property line. **Slide gates** with electric automatic remote controlled openers must not block pedestrian gate when fully opened.

Solar powered gate openers are not permitted. Motors and operating equipment must be powered by 110 volt electricity supplied from the Owner's residence. The electrical supply must be underground and installed per the governing electrical code(s) and be designed an electrical engineer and installed by a licensed electrician.

Fencing and Sidewalk Notes:

In the event there is less than 24 inches of setback between the property line and the public sidewalk (in the street right of way), the public sidewalk must be removed and relocated by the Owner at Owner's expense to accommodate required landscaping/irrigation. All front yards which have security fencing must include a private sidewalk from the front door to the street curb via a pedestrian gate in the security fence to accommodate pedestrian traffic and deliveries.

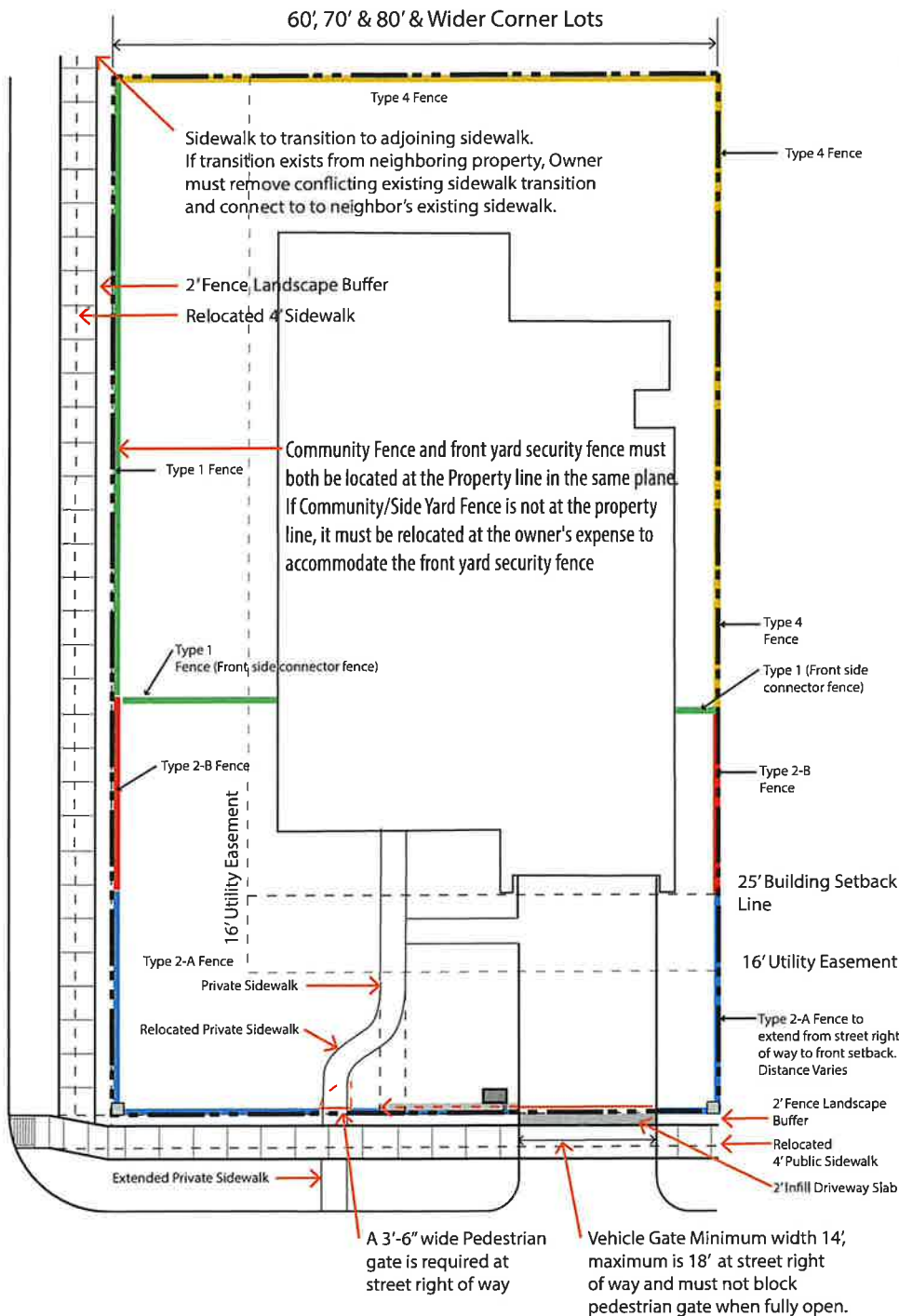
Relocated sidewalks must be connected to the remaining existing walks using an expansion joint with slip dowels between the existing sidewalk and the relocated sidewalk. The existing sidewalk must be cleanly saw cut at the point of connection between the existing sidewalk and the relocated sidewalk.

The use of any pet enclosure materials attached to Security Fence such as metal wire fabric fencing, plexiglass, plastic or fiber netting, wood or metal slats is strictly prohibited.

Driveway Notes:

The relocated public sidewalk must meet the residual streetside driveway top of surface.

The 2' driveway infill slab must be connected to the remaining driveway using an expansion joint with slip dowels between the existing drive and infill drive. The 2' infill drive must have #3 rebars 12" O.C. both ways.



Fence Legend

Type	Name	Height	Material
Green	Type 1 Community	6'	Hardiplank (Corner side lots and front side connectors only)
Blue	Type 2-A Security	4'	Metal Picket (Side transitions only)
Red	Type 2-B Security	5'	Metal Picket (Side, rear and front lot lines)
Yellow	Type 4 Privacy	6'	Wood (Interior lot lines only)

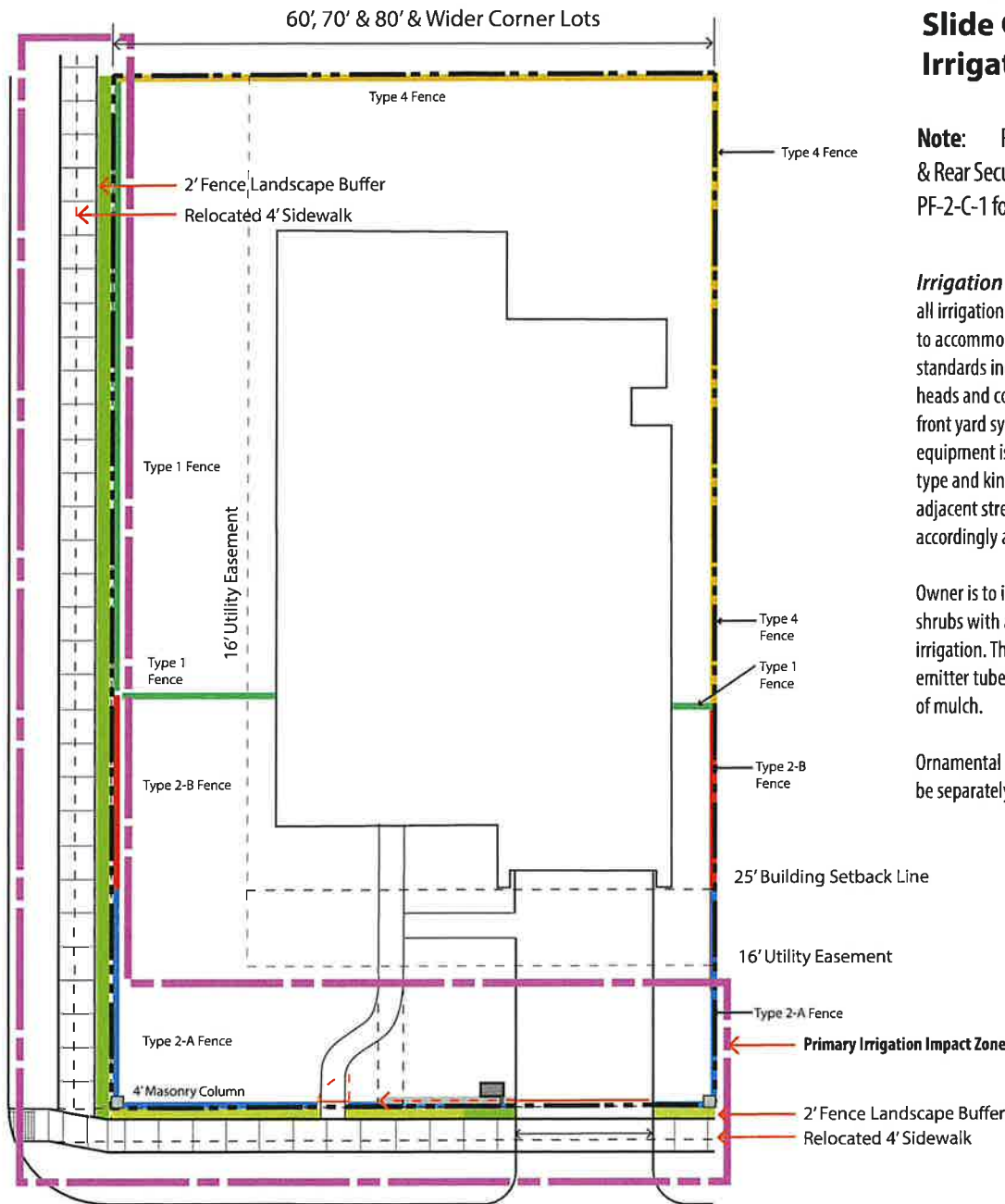
Exhibit PF-2-C-2 60', 70' & 80' & Wider Corner Lots Driveway Security Fence Slide Gate Landscape & Irrigation

Note: Refer to Exhibit PF-2-A for Front, Side & Rear Security Fence Gate Details & Exhibit PF-2-C-1 for Gate(s) & Fencing layout requirements

Irrigation Notes: Owner is to repair and replace all irrigation equipment within the front yard area in order to accommodate modifications for front yard security fencing standards including mainlines, lateral lines, valves, spray heads and coordinate with the HPCA in reconnecting the front yard system to the main line. Repaired and replaced equipment is to be per the HPCA equipment standards in type and kind and the turf and street tree areas of the adjacent street right of way must also be modified accordingly as part of Owner's irrigation area.

Owner is to irrigate the ornamental grasses and evergreen shrubs with an additional valve separated from the lawn irrigation. The shrub irrigation is to be a drip system with the emitter tubes stapled every 3' and buried at 4" below top of mulch.

Ornamental grasses & evergreen shrubs are to be separately valved.



Grass and Shrub Bed Mulch:

Excavate and place 4" of mulch in the beds. The mulch must contain a range of particle sizes from sawdust to pieces 1" in diameter. The mulch should be fully composted so that all organics are broken down in a rich fertile mix and free from visible non-composted cellulose/wood. Beds are to be edged with green steel 4" "Permaloc" edging staked at all joints and corners with 12" brown steel stakes.

Acceptable local sources for such mulch include, but are not limited the following:

Nature's Way Resources
101 Sherbrook Circle
Conroe, TX 77385

Prior to any other local source being selected by the site developer, it must be approved by HPCA.

Softscape Legend

Plant Material	Size	Spacing
Gulf Coast Muhly Grass	5 Gal.	30" O.C.
Dwarf Wax Myrtle	5 Gal.	30" O.C.

Exhibit PF-3-A
40', 45', 50' & up to 59' wide
Lot Sizes Driveway Security
Fence Swing Gate

Note: Gates with automatic remote controlled gate openers only are allowed and must swing towards the closest property line

Solar powered gate openers are not permitted. Motors and operating equipment must be powered by 110 volt electricity supplied from the Owner's residence.

Note: Refer to PF-13 for Front, Side & Rear Security Fence locational requirements

Note: Slide Gate Option must not be used with lot widths of 40', 45', 50' up to 59' widths.

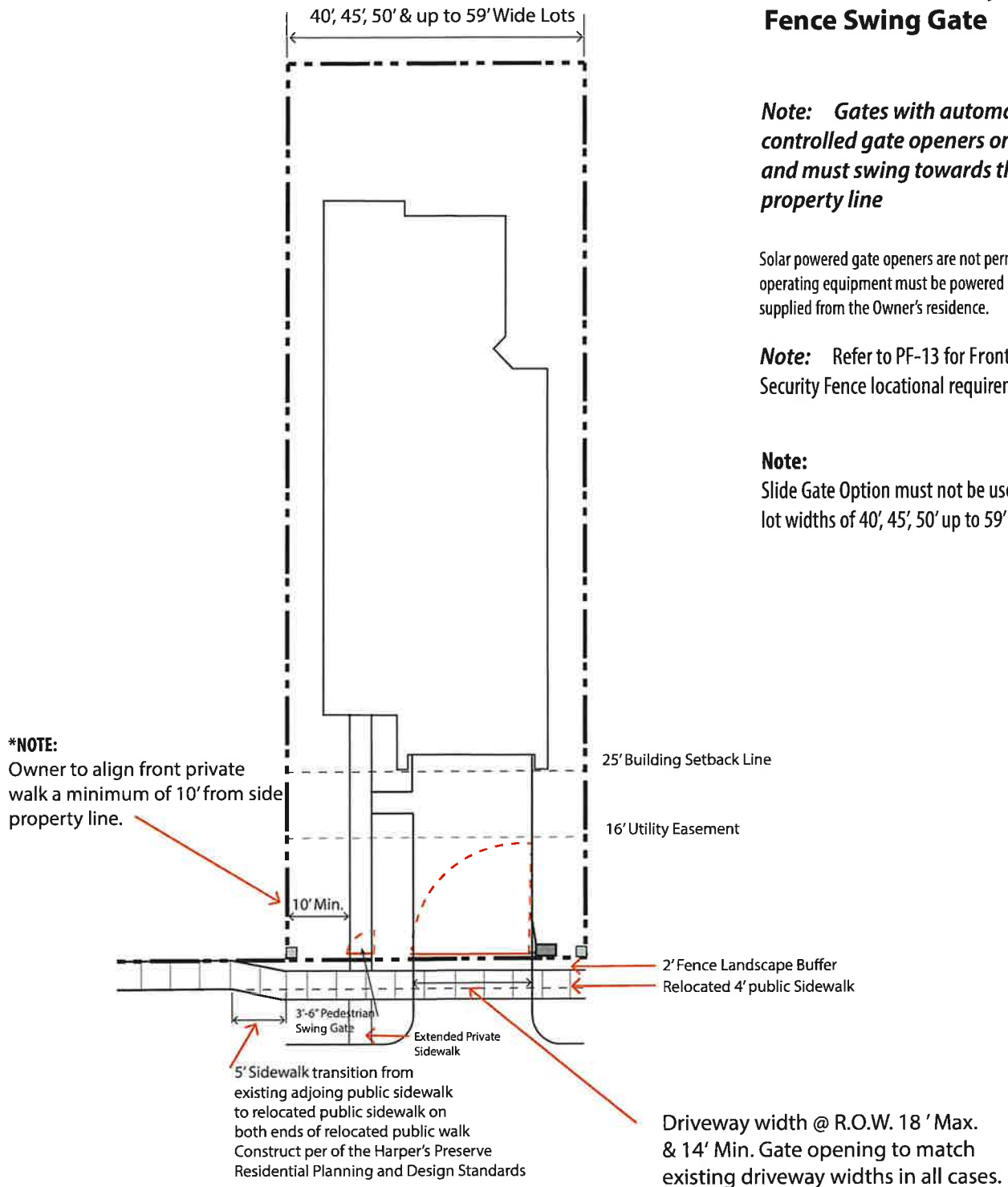


Exhibit PF-3-B 40', 45', 50' & up to 59' Lot Sizes Driveway Security Fence Swing Gate Landscape & Irrigation

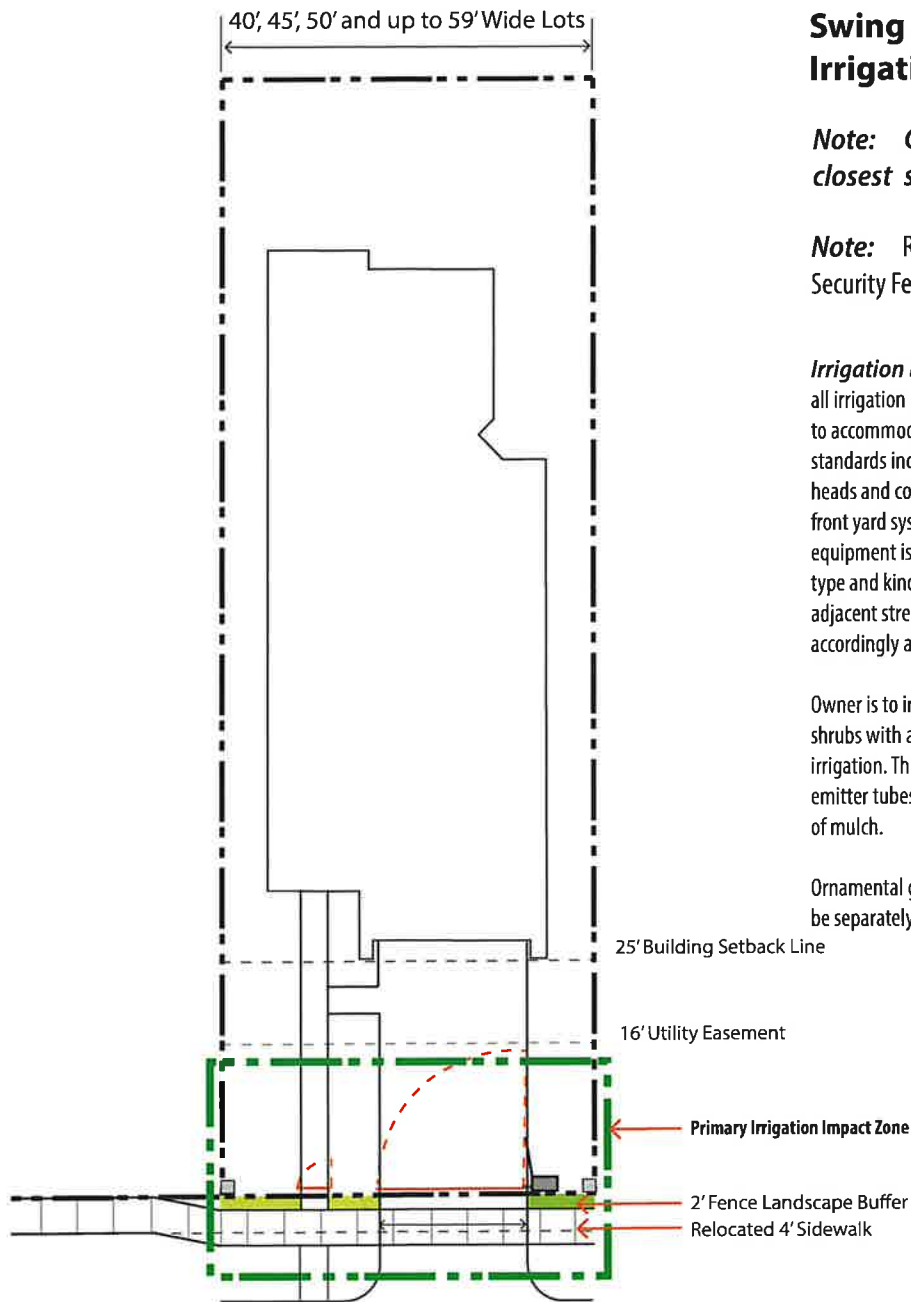
Note: Gate must swing towards closest side property line

Note: Refer to PF-13 for Front, Side & Rear Security Fence locational requirements

Irrigation Notes: Owner is to repair and replace all irrigation equipment within the front yard area in order to accommodate modifications for front yard security fencing standards including mainlines, lateral lines, valves, spray heads and coordinate with the HPCA in reconnecting the front yard system to the main line. Repaired and replaced equipment is to be per the HPCA equipment standards in type and kind and the turf and street tree areas of the adjacent street right of way must also be modified accordingly as part of Owner's irrigation area.

Owner is to irrigate the ornamental grasses and evergreen shrubs with an additional valve separated from the lawn irrigation. The shrub irrigation is to be a drip system with the emitter tubes stapled every 3' and buried at 4" below top of mulch.



Ornamental grasses & evergreen shrubs are to be separately valved.



Grass and Shrub Bed Mulch:

Excavate and place 4" of mulch in the beds. The mulch must contain a range of particle sizes from sawdust to pieces 1" in diameter. The mulch should be fully composted so that all organics are broken down in a rich fertile mix and free from visible non-composted cellulose/wood. Beds are to be edged with brown steel 4" "Permaloc" edging staked at all joints and corners with brown steel 12" steel stakes.

Softscape Legend

Plant Material	Size	Spacing
 Gulf Coast Muhly Grass	5 Gal.	30" O.C.
 Dwarf Wax Myrtle	5 Gal.	30" O.C.

Acceptable local sources for such mulch include, but are not limited the following:

Nature's Way Resources
101 Sherbrook Circle
Conroe, TX 77385

Prior to any other local source being selected by the site developer, it must be approved by HPCA.

Exhibit PF-3-C-1 40', 45' & 50' up to 59' Wide Lot Sizes Driveway Security Fence, Swing Gate, Pedestrian Gate & Sidewalks

Note: Refer to Exhibit PF-2-A for Front, Side & Rear Security Fence Gate Details & Exhibit PF-2-C-1 for Gate(s) & Fencing layout requirements

Gate Notes:

Swing gates with electric automatic remote controlled openers must swing towards closest side property line.
Slide gates with electric automatic remote controlled openers must not block pedestrian gate when fully opened.

Solar powered gate openers are not permitted. Motors and operating equipment must be powered by 110 volt electricity supplied from the Owner's residence. The electrical supply must be underground and installed per the governing electrical code(s) and be designed an electrical engineer and installed by a licensed electrician.

Fencing and Sidewalk Notes:

In the event there is less than 24 inches of setback between the property line and the public sidewalk (in the street right of way), the public sidewalk must be removed and relocated by the Owner at Owner's expense to accommodate required landscaping/irrigation. All front yards which have security fencing must include a private sidewalk from the front door to the street curb via a pedestrian gate in the security fence to accommodate pedestrian traffic and deliveries.

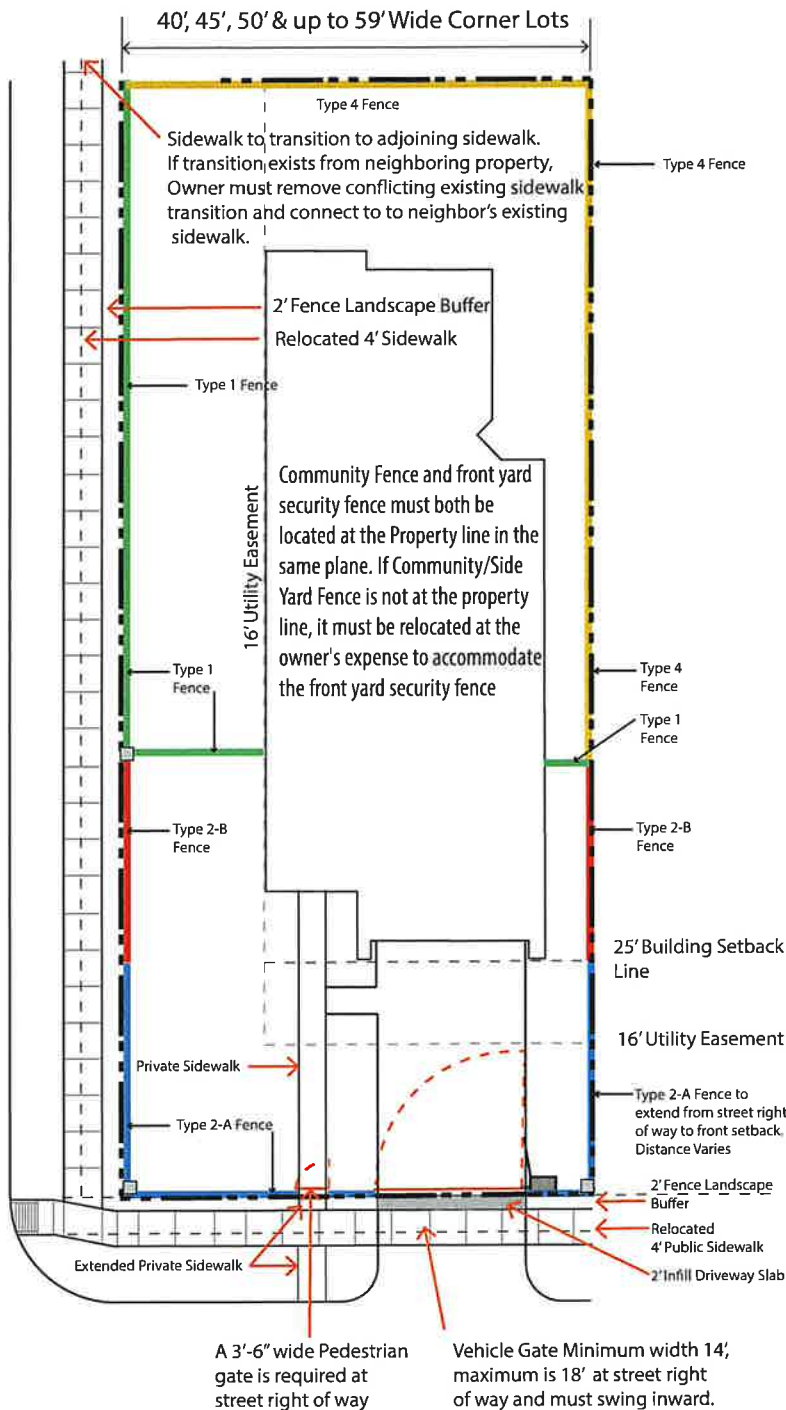
Relocated sidewalks must be connected to the remaining existing walks using an expansion joint with slip dowels between the existing sidewalk and the relocated sidewalk. The existing sidewalk must be cleanly saw cut at the point of connection between the existing sidewalk and the relocated sidewalk.

The use of any pet enclosure materials attached to Security Fence such as metal wire fabric fencing, plexiglass, plastic or fiber netting, wood or metal slats is strictly prohibited.

Driveway Notes:

The relocated public sidewalk must meet the residual streetside driveway top of surface.

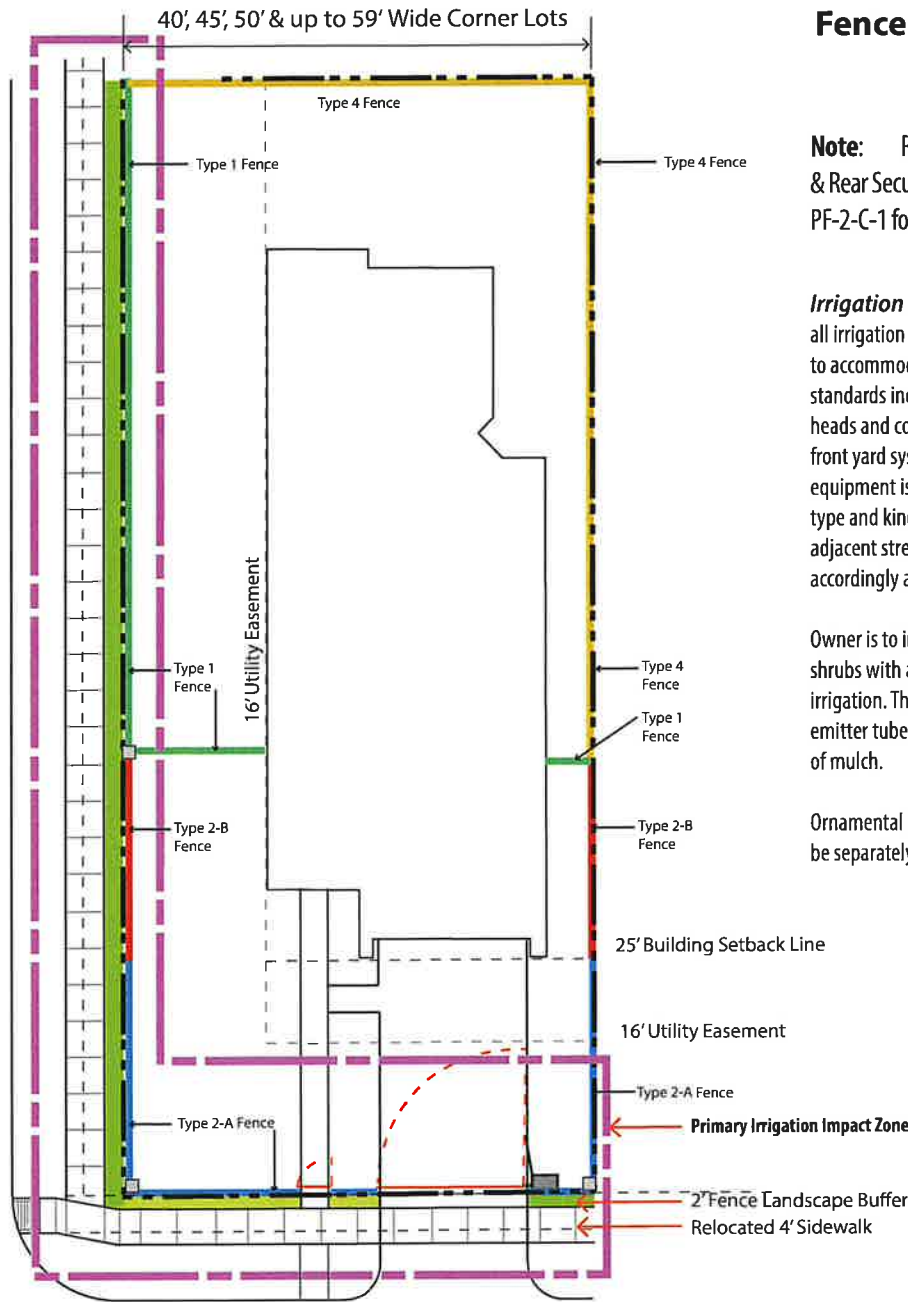
The 2' driveway infill slab must be connected to the remaining driveway using an expansion joint with slip dowels between the existing drive and infill drive. The 2' infill drive must have #3 rebars 12" O.C. both ways.



Fence Legend

Type	Name	Height	Material
	Type 1 Community	6'	Hardiplank (Corner side lots and front side connectors only)
	Type 2-A Security	4'	Metal Picket (Side transitions only)
	Type 2-B Security	5'	Metal Picket (Side, rear and front lot lines)
	Type 4 Privacy	6'	Wood (Interior lot lines only)

Exhibit PF-3-C-2 40', 45' & 50' up to 59' Wide Lot Sizes Driveway Security Fence Landscape & Irrigation



Note: Refer to Exhibit PF-2-A for Front, Side & Rear Security Fence Gate Details & Exhibit PF-2-C-1 for Gate(s) & Fencing layout requirements

Irrigation Notes: Owner is to repair and replace all irrigation equipment within the front yard area in order to accommodate modifications for front yard security fencing standards including mainlines, lateral lines, valves, spray heads and coordinate with the HPCA in reconnecting the front yard system to the main line. Repaired and replaced equipment is to be per the HPCA equipment standards in type and kind and the turf and street tree areas of the adjacent street right of way must also be modified accordingly as part of Owner's irrigation area.

Owner is to irrigate the ornamental grasses and evergreen shrubs with an additional valve separated from the lawn irrigation. The shrub irrigation is to be a drip system with the emitter tubes stapled every 3' and buried at 4" below top of mulch.

Ornamental grasses & evergreen shrubs are to be separately valved.

Grass and Shrub Bed Mulch:

Excavate and place 4" of mulch in the beds. The mulch must contain a range of particle sizes from sawdust to pieces 1" in diameter. The mulch should be fully composted so that all organics are broken down in a rich fertile mix and free from visible non-composted cellulose/wood. Beds are to be edged with brown steel 4" "Permaloc" edging staked at all joints and corners with brown steel 12" steel stakes.

Acceptable local sources for such mulch include, but are not limited the following:

Nature's Way Resources
101 Sherbrook Circle
Conroe, TX 77385

Prior to any other local source being selected by the site developer, it must be approved by HPCA.

Softscape Legend



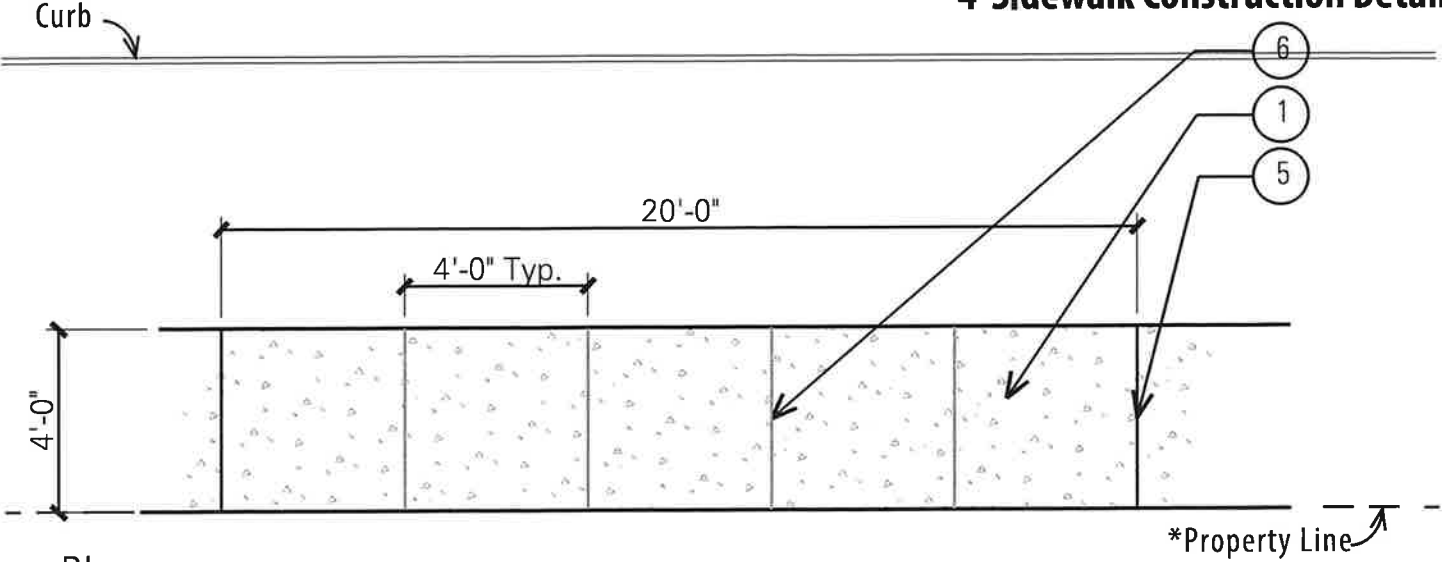
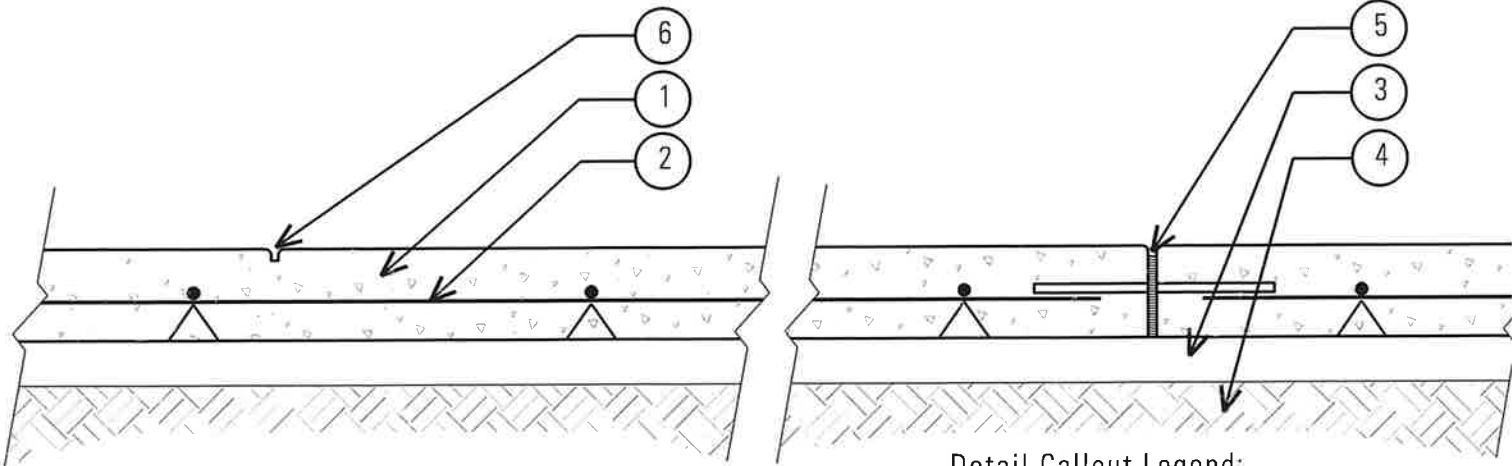
Plant Material	Size	Spacing
 Gulf Coast Muhly Grass	5 Gal.	30" O.C.
 Dwarf Wax Myrtle	5 Gal.	30" O.C.

Exhibit PF-5
4' Sidewalk Construction Details



Plan
 Not to scale



Section
 TYP. 4' WIDE WALK CONCRETE DETAIL
 Not to scale

- Detail Callout Legend:**
1. 4" Thick Conc. Slab, 3000 PSI.
 2. #3 Rebar, 12" O.C. Each Way W/ Rebar Support Chair Every 18" O.C.
 3. 2" Thick Compacted Sand Base.
 4. 90% Compacted Subgrade.
 5. Expansion joint. every 20lf
 6. Score joint.

Note:

All side walks to have picture frame tool finish 3" wide at joints with light broom finish perpendicular to direction of traffic. All sidewalks built by Builder shall be located along and adjacent to the property line inside the right-of-way unless there is a Perimeter Security Fence.

***Note For Location with Perimeter Security Fences:**
 All public sidewalks along road rights of way must be placed 2' inside the road right of way to maintain a 2' landscape buffer distance from Perimeter Security Fences.

Eternastone Information:

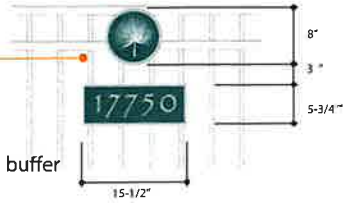
Sourcing

Eternastone
 14611 Ormond Court
 Houston Texas 77095
 Phone: (281) 856-7066
 bill.s@eternastone.com

Colors:

Eternastone: Harper's Green
 Letter Logo Paint Color: Harper's Silver

Eternastone plaque and address marker to be connected to gate with tamper proof connectors.



2' wide Gulf Coast Muhly Grass fence buffer hedge per Exhibits PF-3A & 3B.

4' high x 16'-18' wide Vehicular Gate to match with 5/8" pickets "Ameristar" Montage fence for houses with front yard security fences.

Harper's Preserve Logo & address plaque affixed to every vehicle gate where security fences are permitted

Centerline Gate centered over drive

Gate post to be min. 4" dia. or per manufacturer's recommendation whichever is greater.



NOTE: The use of any pet enclosure materials attached to Security Fence such as metal wire fabric fencing, plexiglass, plastic or fiber netting, wood or metal slats is strictly prohibited

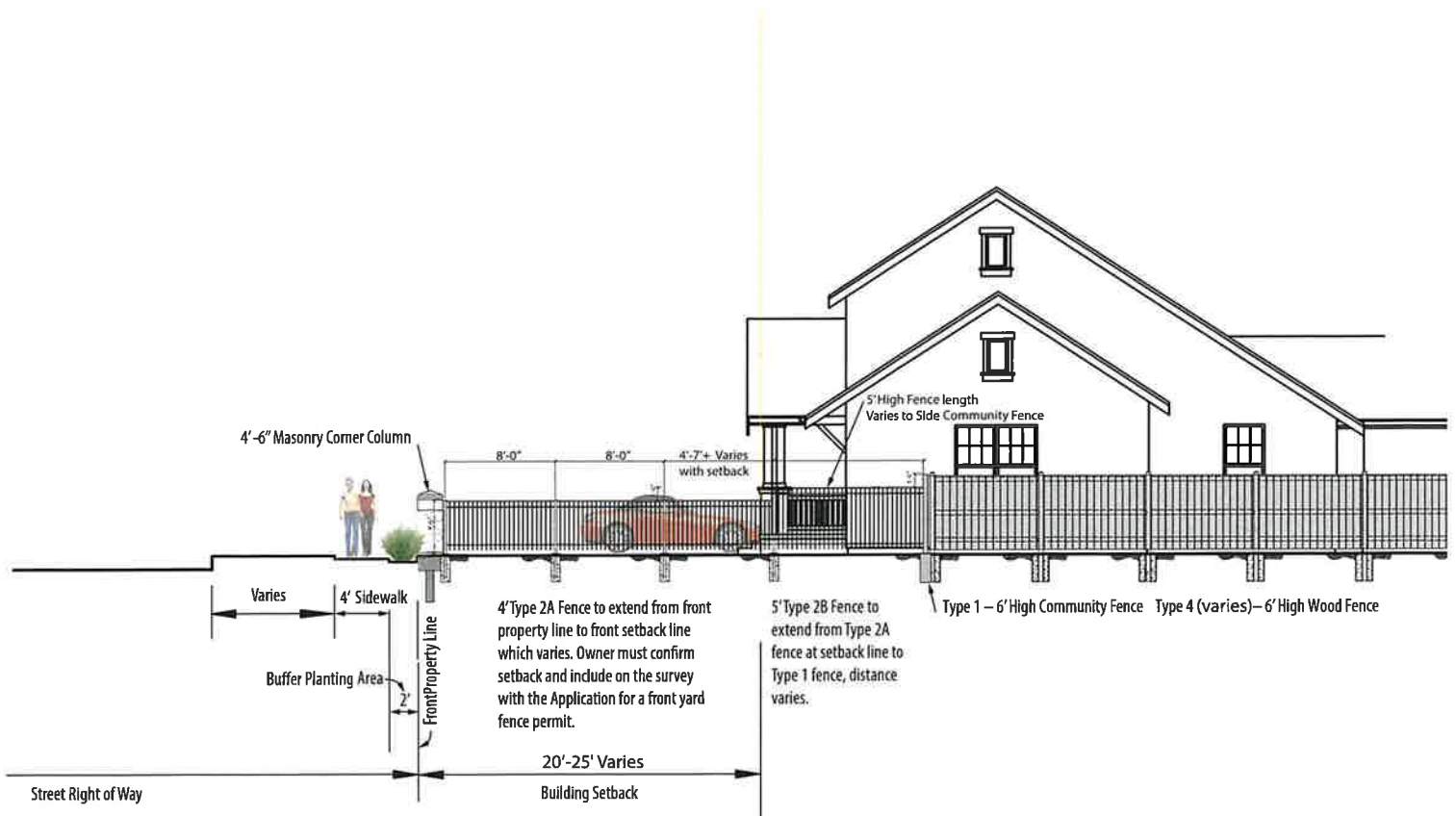
Gate widths to match existing driveway width at property line.

4' High metal picket security fence with 3/4" pickets along frontage and partial sides of houses Transitions to 5' fence high fence at front setback line

Wax Myrtle hedge per Exhibits PF-3A & 3B. on gate operator side of driveway only.

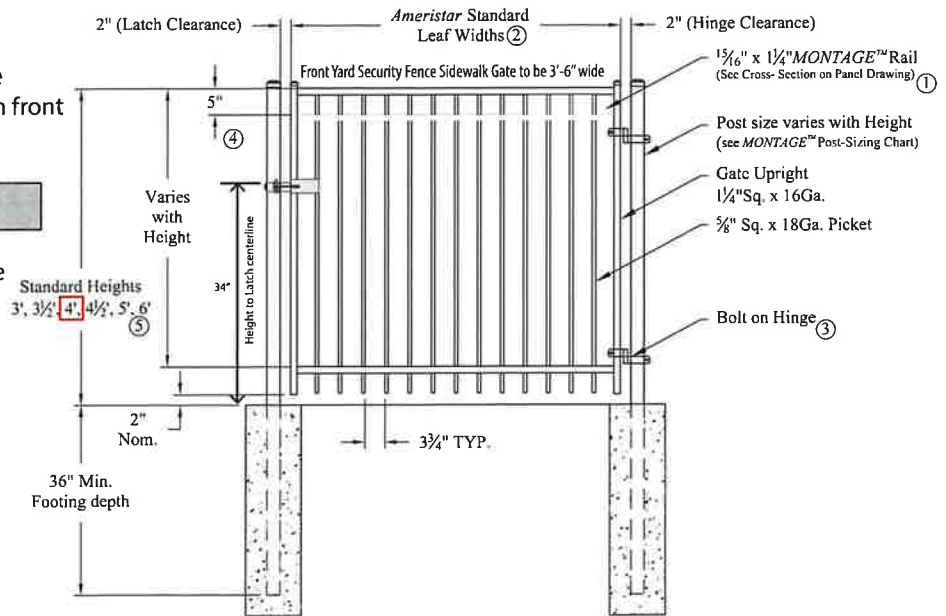
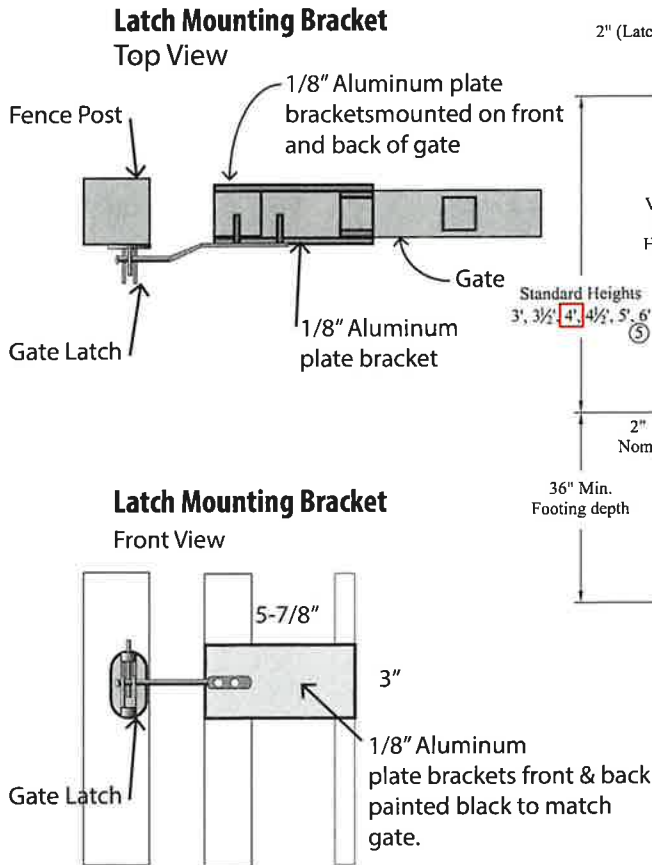
**Exhibit: PF-7
 Security Driveway Gate and Address Marker/Logo Plaque**

**Exhibit PF-8
Security Fence and Buffer
Landscape
Typical Section/Elevation**



Note: The use of any pet enclosure materials attached to Security Fence such as metal wire fabric fencing, plexiglass, plastic or fiber netting, wood or metal slats is strictly prohibited.

Exhibit PF-9 Security Fence Ameristar Gate Standards



- NOTES:**
- Single gate Arrangement*
- 1.) Post size depends on fence height, weight and wind loads. See MONTAGE™ specifications for post sizing chart.
 - 2.) See Ameristar gate table for standard out to outs. Custom gate openings available for special out to out/leaf widths.
 - 3.) Additional styles of gate hardware are available on request. This could change the Latch & Hinge Clearance.
 - 4.) Third rail required for Double Rings.
 - 5.) Available in 3" air space and/or Flush Bottom on most Heights

Gate Latch Type:



Available from Grainger

Self-Latching Gate Latch, 1-3/8 In.

Item# 1XMP1
UNSPSC# 31162407

NOTES:

1. Harper's Preserve Front Yard Security Fence Heights. See Exhibit PF-13
2. Harper's Preserve Front Yard Security Fence Gate Lock (if requested) to be as approved by the ARC
3. Pedestrian Gate width to be 3' -6" wide
4. The use of any pet enclosure materials attached to Security Fence such as metal wire fabric fencing, plexiglass, plastic or fiber netting, wood or metal slats is strictly prohibited.

RESIDENTIAL WELDED STEEL GATE

Title: MONTAGE MAJESTIC 2/3-RAIL SGL & DBL GATE		
DR: CI	SH . 1 of 1	SCALE: DO NOT SCALE
CK: ME	Date 11/18/09	REV: a



AMERISTAR®

1555 N. Mingo
Tulsa, OK 74116
1-888-333-3422
www.ameristarfence.com

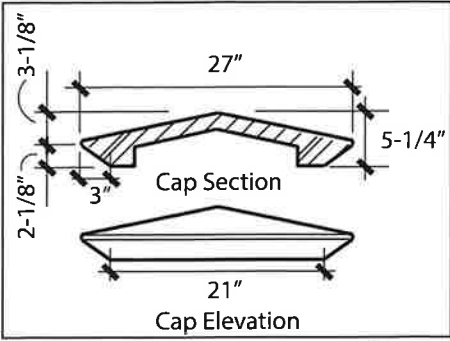
RMISOG

Exhibit PF-12
Security Fence
Masonry Column
within Property Corner

Eternastone Information:
Sourcing
 Eternastone
 14611 Ormond Court
 Houston Texas 77095
 Phone: (281) 856-7066
 bill.s@eternastone.com
Colors:
 Eternastone: Harper's Green
 Letter Logo Paint Color: Harper's Silver

Masonry column and metal picket security fence must abut front and side yard property lines. Fence-column components must not trespass on the street right-of-way or neighbor's property.

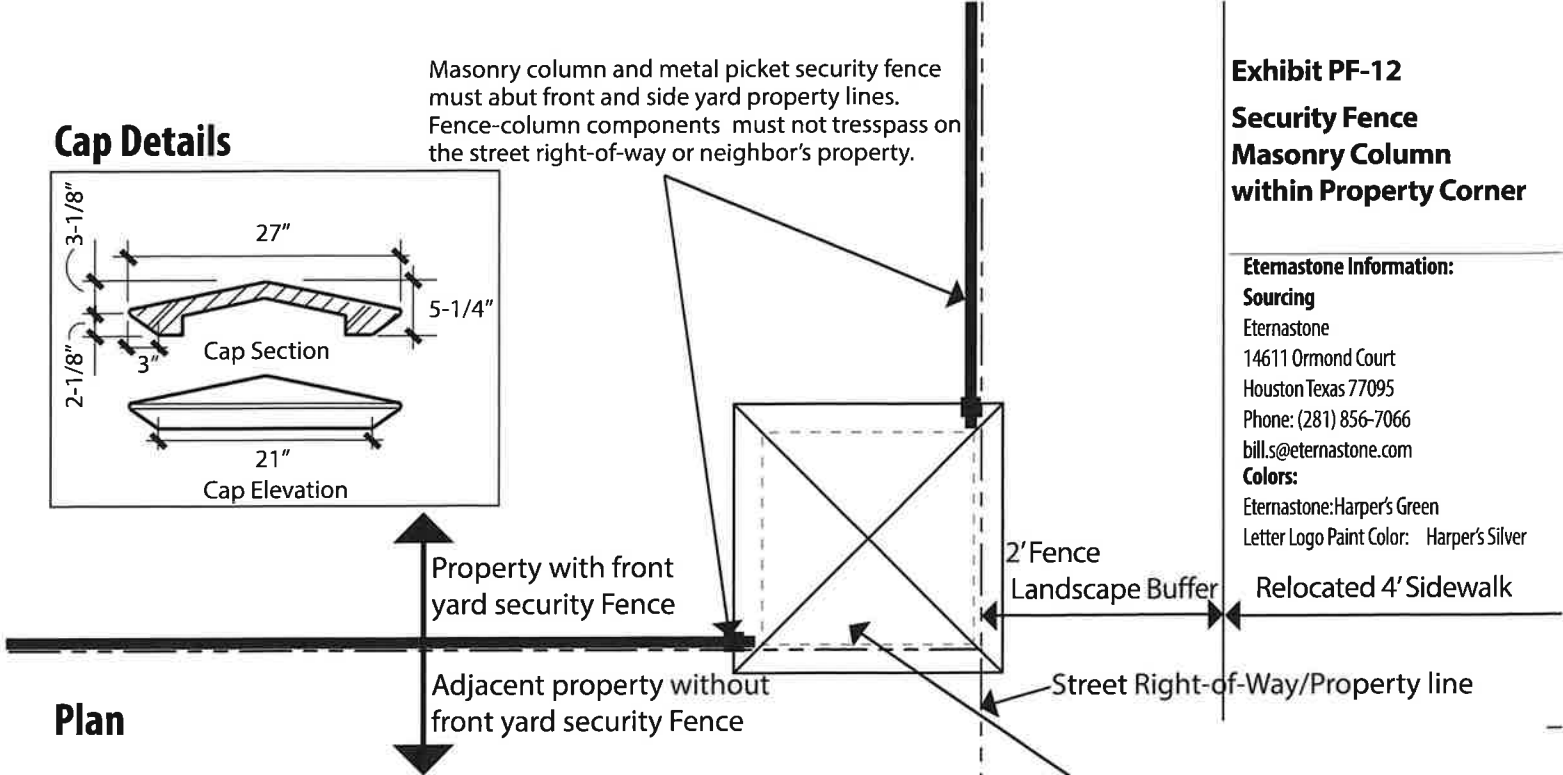
Cap Details



Property with front yard security Fence

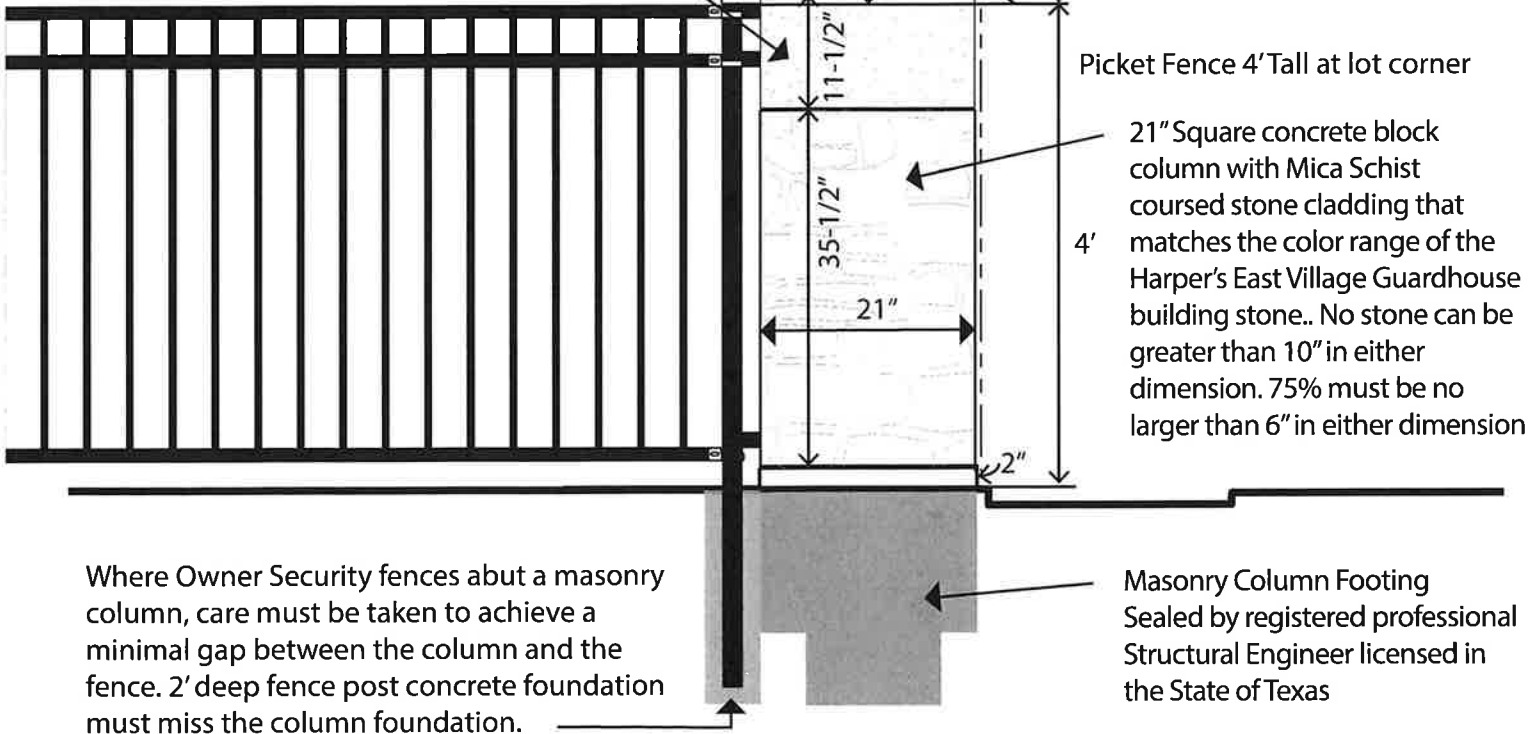
Adjacent property without front yard security Fence

Plan



Stucco per Guidelines Color
 Sherwin Williams "Grassland" SW 6163

Cap source from Eternastone .
 See cap details and contact information above



Picket Fence 4' Tall at lot corner

21" Square concrete block column with Mica Schist coursed stone cladding that matches the color range of the Harper's East Village Guardhouse building stone.. No stone can be greater than 10" in either dimension. 75% must be no larger than 6" in either dimension

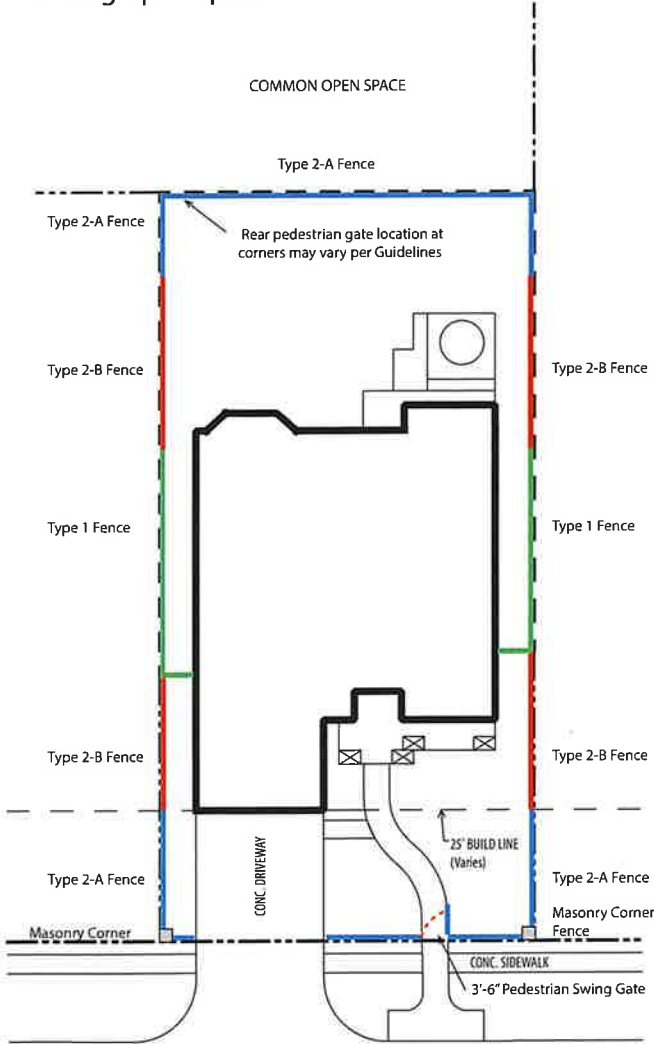
Masonry Column Footing Sealed by registered professional Structural Engineer licensed in the State of Texas

Where Owner Security fences abut a masonry column, care must be taken to achieve a minimal gap between the column and the fence. 2' deep fence post concrete foundation must miss the column foundation.

Section-Elevation

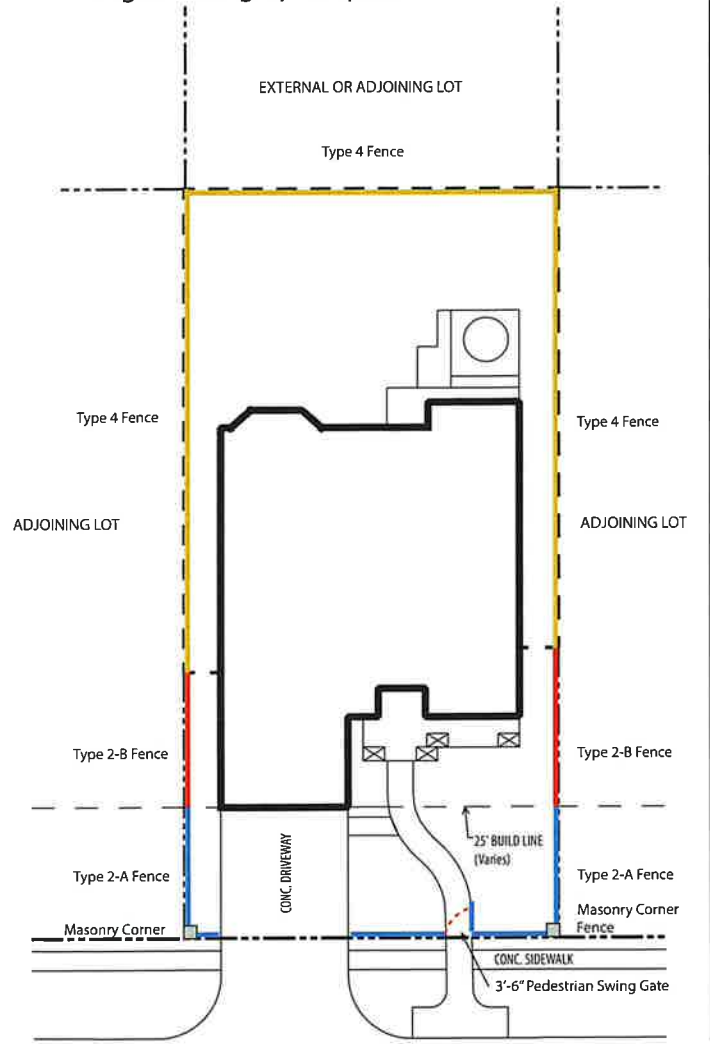
SITE LAYOUT

Perimeter fences permitted rearing or siding open space



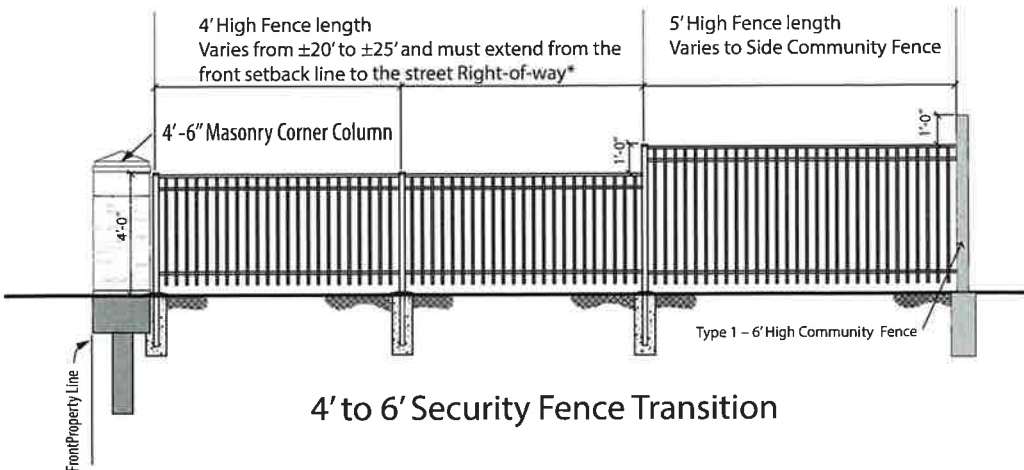
SITE LAYOUT

Perimeter fences permitted not rearing or siding open space



Type 2-A

Type 2-B



Fence Legend

Type	Name	Height	Material
Green	Type 1 Community	6'	Hardiplank
Blue	Type 2-A Security	4'	Metal Picket
Red	Type 2-B Security	5'	Metal Picket
Yellow	Type 4 Privacy	6'	Wood

* Note: See Exhibit PF-8 Security Fence and Buffer Landscape Typical Section/Elevation for details.

Note: The use of any pet enclosure materials attached to Security Fence such as metal wire fabric fencing, plexiglass, plastic or fiber netting, wood or metal slats is strictly prohibited.

SECTION VII TRAIL, WALKWAY AND HARDSCAPE STANDARDS

Exhibit Master List

MT-1	Sidewalk & Trail Plan
MT-2	Sidewalk Ramp Detail
MT-3	Wheel Chair Ramp Detail
MT-4	4’ Sidewalk Construction Details
MT-5	5’ & 7’ Sidewalk Construction Detail
MT-6	Sidewalk Transition Typical Details
MT-7	Not Used
MT-8	Not Used
MT-9	Special Paving Detail
MT-11	Not Used
MT-12	Horsepen Bayou Rear Yard Trail Requirements
MT-13	Side Yard Trash Can Storage Requirements (All Lots)
MT-14-A	Driveway Walk Permitted Single Pad
MT-14-B	Driveway Walk Permitted Double Pad

www.HarpersPreserve.com

These governing documents may be subject to change, amendment, and/or supplement from time to time and without advance notice. It is the obligation of the recipient of this information to ensure that they obtain the most recent version, amendment, supplement and/or revision of this information prior to use for any purpose. This information has been posted as a courtesy without representation or warranty of any kind (express or implied) by any party for any purpose.

VII. TRAILS, WALKWAYS & FLATWORK STANDARDS

1. Driveway Standards

A. Driveway Widths

- i. Two-car and three-car front facing garages (not swing-in garages):
 - a. May be extended a maximum of 1’ on each side of the garage door.
 - b. The 1’ expansion must be measured from the edge of garage door outwards (see picture below).
 - c. The expansion must be same material (concrete), color and finish as the existing original driveway.
 - d. Any expansion joints must match original expansion joints.
 - e. Driveways must line up with the garage door.
 - f. Driveways shall taper down to 18’ for two-car front facing garages and 22’ wide for three-car front facing garages where the driveway and street right of way line meet (which is typically, but not always, at the edge of the public sidewalk along the street located nearest to the house), shall remain 18’ along the right of way and shall not exceed 18” width to the curb (except for typical radii).
 - g. Driveways passing under a portion of the home into an auto-court may be a minimum of 10’ under the home.
 - h. All driveways must have a minimum driveway width of 14’ at the street right of way line.



- ii. Swing-in garages:
 - a. May be extended a maximum of 1’ on each side of the garage door.
 - b. The 1’ expansion must be measured from the edge of garage door outwards (see picture below).
 - c. The expansion must be same material (concrete), color and finish as the existing original driveway.
 - d. Any expansion joints must match original expansion joints.
 - e. Room for a standard depth landscape bed must remain between the house and the driveway.
 - f. The expansion must be same material (concrete), color and finish as the existing original driveway.
 - g. Any expansion joints must match original expansion joints.
 - h. Driveway must line up with the garage doors.
 - i. Driveways must taper down to 14’ wide at the street right of way line and shall maintain the 14’ width to the curb (except for typical radii).
- viii. Notwithstanding anything contained herein to the contrary, driveways for front garages along **Preserve Way** (West Village), **Lake Palmetto Drive** (East Village) and **Preserve Way** (South Village) are tapered to a maximum of 14’ wide at the street right of way line, all along the right of way and maintain this 14’ width to the curb (except for typical radii).

Harpers Preserve – The Preserve’s Architectural Guidelines

- ix. Driveways for rear loaded garages shall taper to a maximum of 14’ wide at the street right of way line and maintain this 14’ width to the curb (except for typical radii).
- x. Driveways for rear loaded garages shall taper to a maximum of 14’ wide at the street right of way line and maintain this 14’ width to the curb (except for typical radii).
- xi. All driveways must have a minimum driveway width of 14’ at the street right of way line.
- xii. Additional paved parking spaces and/or offset parking areas and related pavement that deviate from the lining up of a driveway to a garage door are not permitted on a Lot. The purpose of this provision is specifically to limit the expansion of driveways to avoid excessive concrete in the front portion of a Lot.
- xiii. Pavers, including but not limited to concrete pavers, are not allowed.

B. Driveway Locations

- i. One driveway curb cut per Lot.
- ii. No closer than 2’ from property line or farther than 5’ from property line at curb (except for patio homes).
- iii. All products shall have a 2’ planting area between driveway and home for rear loaded garages. Swing in garages must have planting areas at corners and in front of the elevation of the home to screen the foundation.
- iv. Variances may be granted to allow driveway encroachments into side lot setbacks but in no case can drainage be adversely affected by the driveway intrusion into the side setback(s).
- v. See **Exhibit MP-3** for driveway location for Lots in Patio section.

C. Sidewalks and Walkways

- i. Interconnectivity & Extension
 - a. Builder shall construct sidewalks and wheelchair ramps (“sidewalk ramps”) in accordance with City of Conroe standards and as shown on the “Sidewalk and Trail Plan” (See **Exhibits MT-1, MT-2, MT-3, MT-4, MT-5, and MT-6, MT-9**).
 - b. Concrete sidewalks must be constructed along the entire front of interior/corner lots and side width of corner lots (including wheelchair ramps) running parallel to the street and located within the street right-of-way, at the property line.
 - c. The Builder shall be responsible for the installation of sidewalks on the sides of corner lots, connecting sidewalks by builder across to adjacent Lots, connecting sidewalks across adjacent gaps in the back of cul-de-sacs or greenspaces and connecting sidewalks across adjacent gaps caused by easements between Lots or adjacent platted access points. Builders shall also be responsible for connecting sidewalks across open spaces to the community trail system. If different builders own lots on either side of a connectivity gap, each builder shall be responsible for 50% of the entire length of sidewalk extension across the gap or greenspace between lots and shall construct their respective portion with the sidewalks for the home.

D. Materials

Sidewalks shall be concrete and front yard walks shall be either (i) concrete or (ii) special paver on concrete base subject on lots and/or sections that are designated by the ARC see **Exhibit MT-9** for details. Owners shall be responsible for the costs for, maintenance, repair and replacement of all driveway pavers in their driveway and/or sidewalk required to be installed.

Residential Driveway Paver band for lots fronting Preserve Way (Street pavers are thicker)

Manufacturer:	Pavestone
Pattern:	Plaza Stone Rectangle & Square Muster K
Border:	Sailor Course
Size:	60mm (±2-3/8” ht.)
Color:	Forest Blend

Sidewalks are to be detailed the same and constructed in a consistent manner both structurally and aesthetically.

Harpers Preserve – The Preserve’s Architectural Guidelines

E. Front Yard Walks (Street to Homes)

- i. Constructed by Builder
- ii. Width-3’ minimum & 4’ maximum
- iii. A walk way is required from the front of the home to meet with either the driveway or the sidewalk at the ROW. If a front gate is required on the lot, then a walkway is required to go from the front door of the home to the ROW line to meet at the sidewalk.

F. Front & Side Sidewalks (Parallel to Streets)

- i. Constructed by Builder and/or Association in accordance with **Exhibit MT-1**, “Sidewalk and Trail Plan”

G. Trash and Recycling Storage

Builders must construct two concrete pads for trash can and (future) recycling can storage on side of home behind fence so as to be not visible from the street. See **Exhibit MT-14**. Custom trash and recycling cans must be ordered through Municipal Utility District and are shown below.

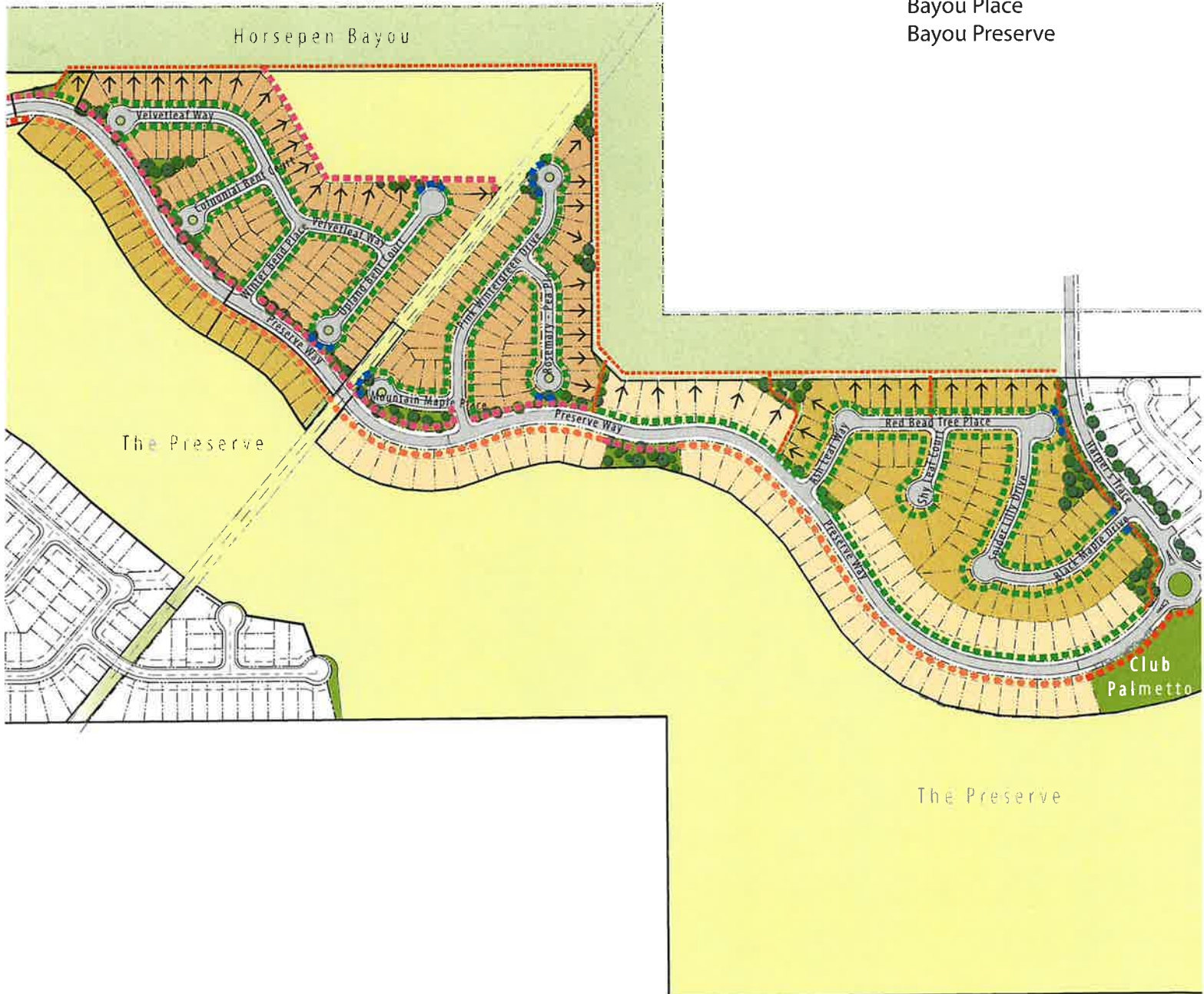


2. **Exhibits** – the following pages.

Exhibit MT-1a

**Preserve Village
Central
Sidewalk & Trail Plan**

Preserve Way
Preserve Place
Bayou Place
Bayou Preserve



Notes:

- 1. Bayou Access Gates
See Guidelines Detail.
- 2. Details for all walk & trail types provided in these guidelines.

Sidewalk & Trail Legend








-  7' Paved trail by HPCA
-  5' Walk by Builders
-  Trails by Mixed-Use
-  5' Walk by HPCA
-  4' Walk by HPCA
-  4' Connector Walk by Builders
-  4' Standard Walk by Builders
- Gate Location on lots with required rear gates.






Exhibit MT-1a

**Southeast Village
Sidewalk & Trail Plan**

Palmetto Preserve
Bayou Oaks
Harper's Hammock
Pine Preserve



Sidewalk & Trail Legend

-  7' Paved trail by HPCA
-  5' Walk by Builders
-  5' Walk by HPCA
-  4' Walk by HPCA
-  4' Connector Walk by Builders

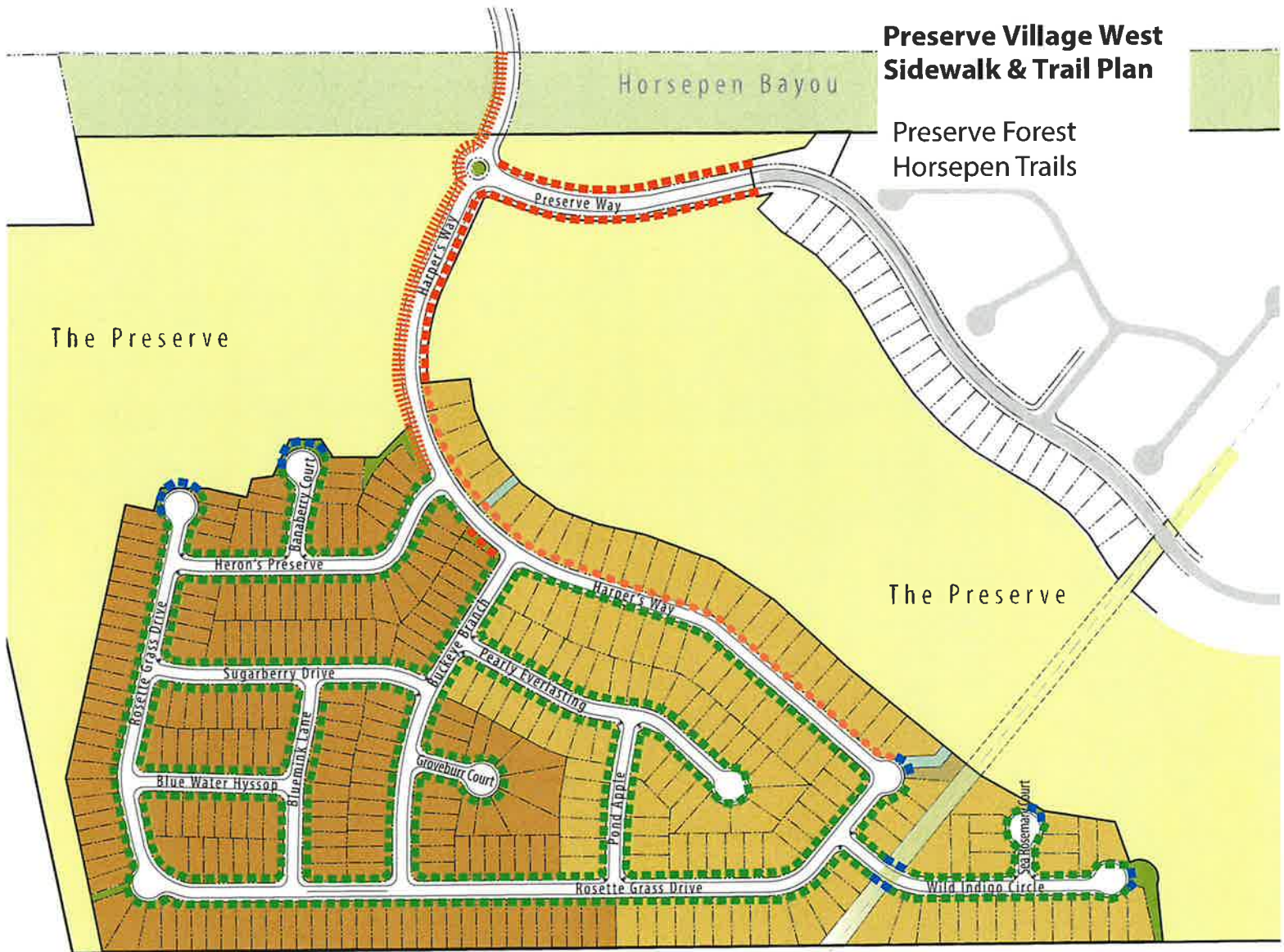
Notes:

- 1. Bayou Access Gates
See Guidelines Detail
- 2. Details for all walk & trail types provided in these guidelines

Exhibit MT-1c

**Preserve Village West
Sidewalk & Trail Plan**

Preserve Forest
Horsepen Trails



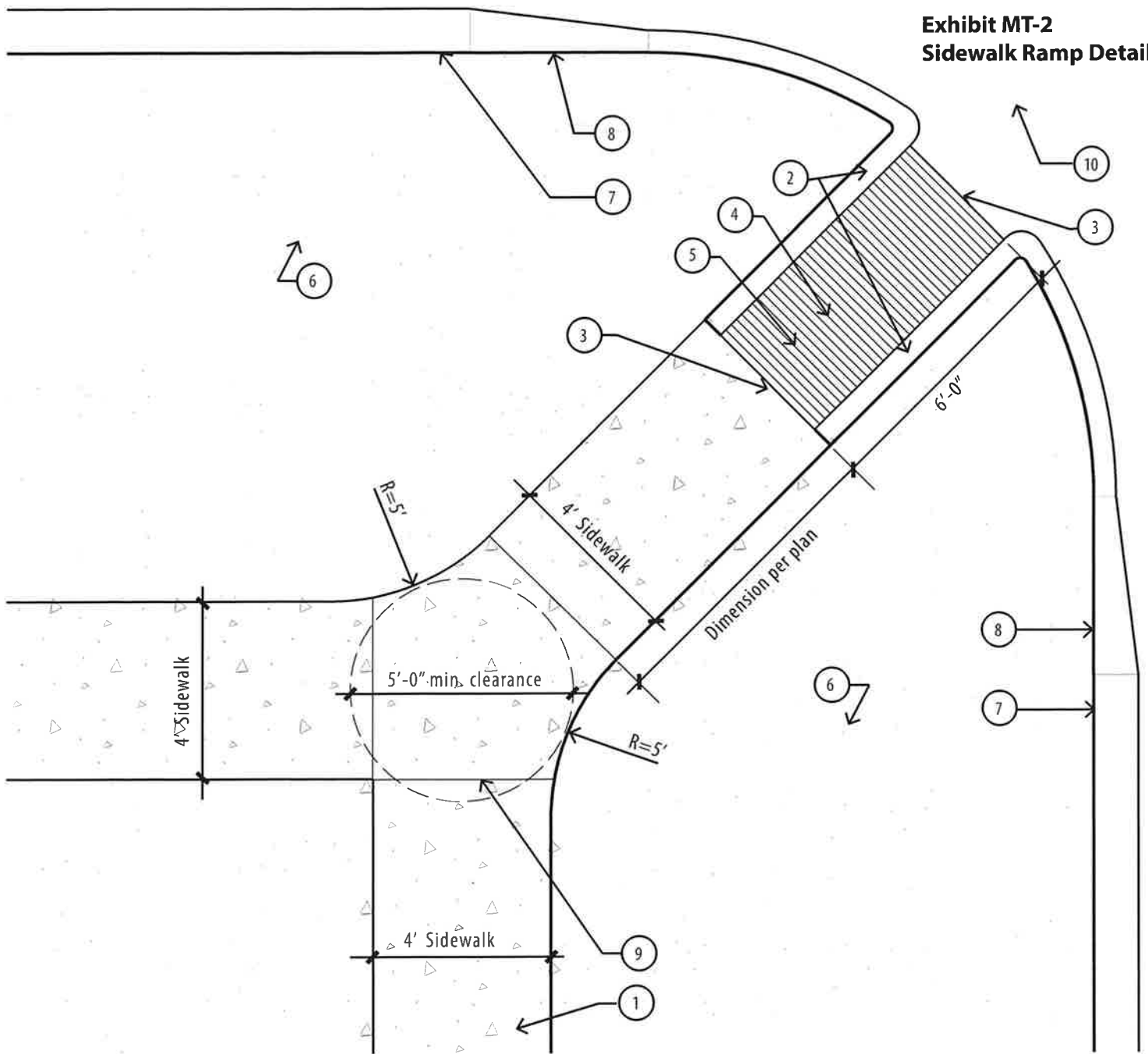
Notes:

- 1. Bayou Access Gates See Guidelines Detail.
- 2. Details for all walk & trail types provided in these guidelines.

Sidewalk & Trail Legend

- 7' Paved trail by HPCA
- 5' Walk by Builders
- Trails by Mixed-Use
- 5' Walk by HPCA
- 4' Walk by HPCA
- 4' Connector Walk by Builders
- 4' Standard Walk by Builders

**Exhibit MT-2
Sidewalk Ramp Detail**

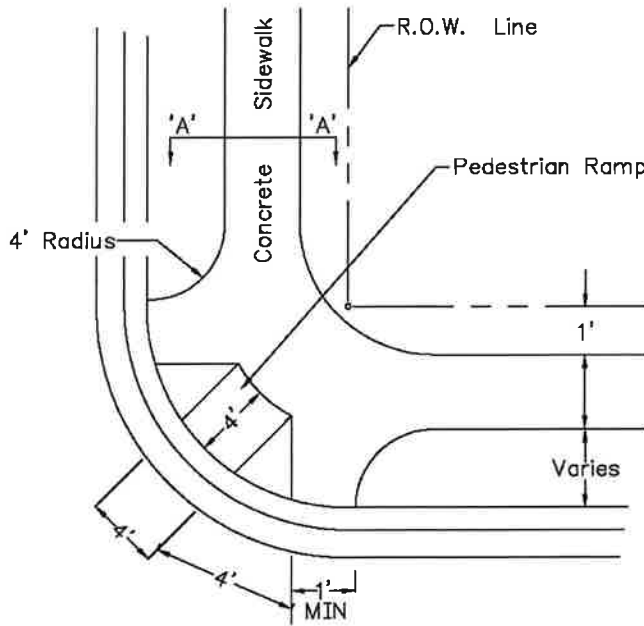


CURB RAMPS W/ NON WALKING SURFACE ADJACENT
Not to scale

Detail Callout Legend:

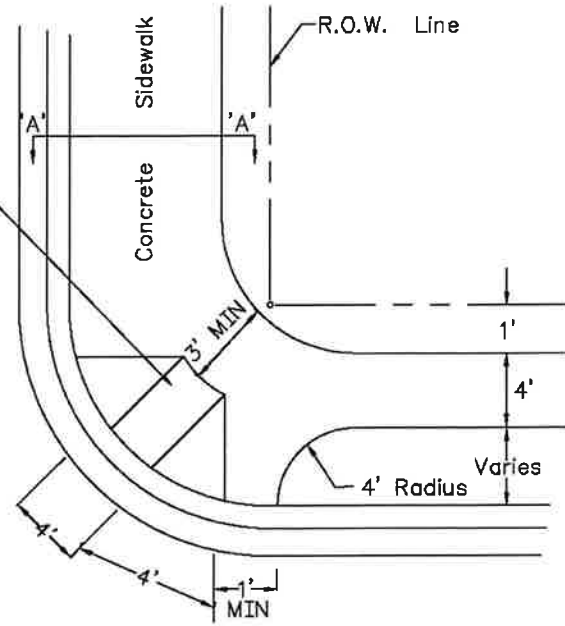
1. 4' Concrete Walk, see Exhibits B-1 & B-3-B for locations and details
2. 6" Concrete Curb, see Exhibit B-2-C: Curb Details
3. Expansion Joint
4. Integral Color Concrete Ramp Maximum Slope 1" per Foot (Color to be "Scofield C-31 Shadow Slate")
5. Grooved Concrete Texture 1/4" Deep x 3/4" Wide Space at 2" o.c. Along Entire length and as wide as ramp
6. Non Walking Surface
7. 12" Concrete Curb, see Exhibit B-2-C: Curb Details
8. Transition curb, see Exhibit B-2-C: Curb Details
9. Expansion or control joints, per plan
10. Roadway

**Exhibit MT-3
Wheelchair Ramp Details**



DETAIL A

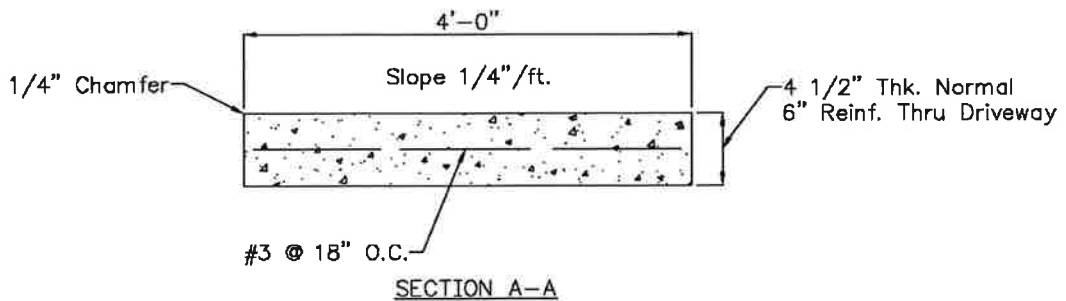
Two intersecting sidewalks
are split from curb



DETAIL A

One intersecting sidewalk
is split from curb

- NOTES:
1. For sidewalk details see Standard Drawing.
 2. Back of sidewalk radius to be reduced in order to avoid encroachment on private property in those instances where the property lines are extended.
 3. Maximum slope of ramp shall be 12.5%
 4. Ramps shall not conflict with curb inlets.
 5. Ramps shall be rough broom finished transverse to slope.



REVISIONS



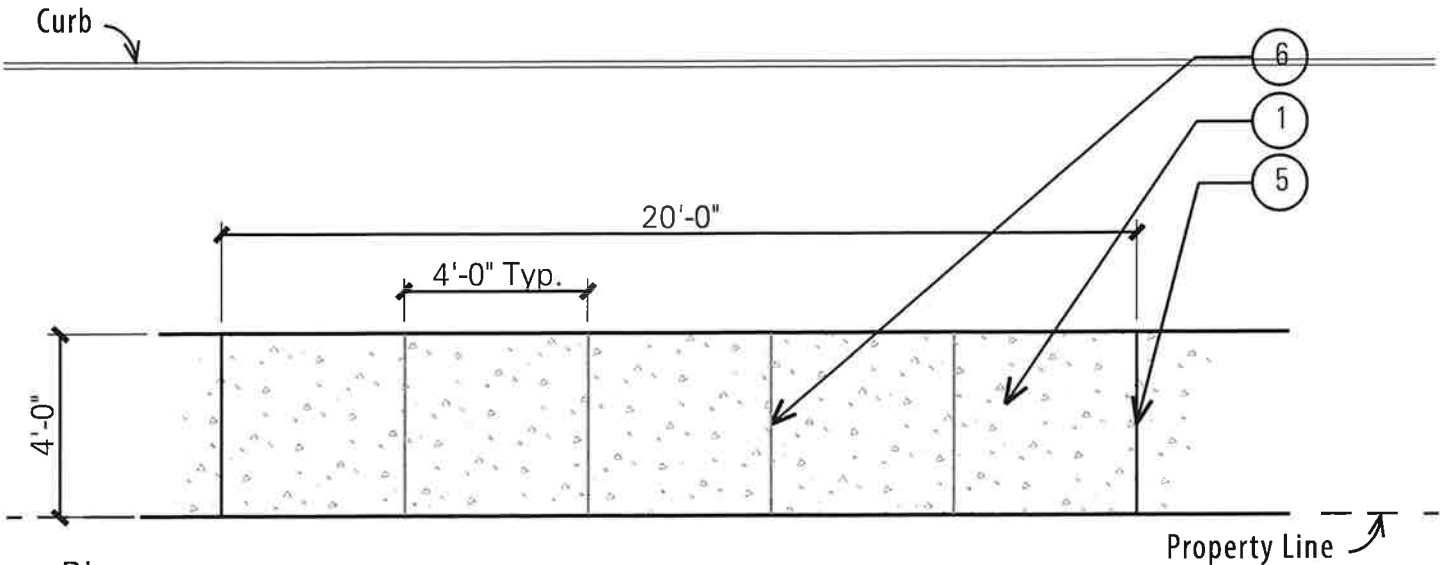
CITY OF CONROE

SIDEWALK AND PEDESTRIAN
RAMP DETAILS

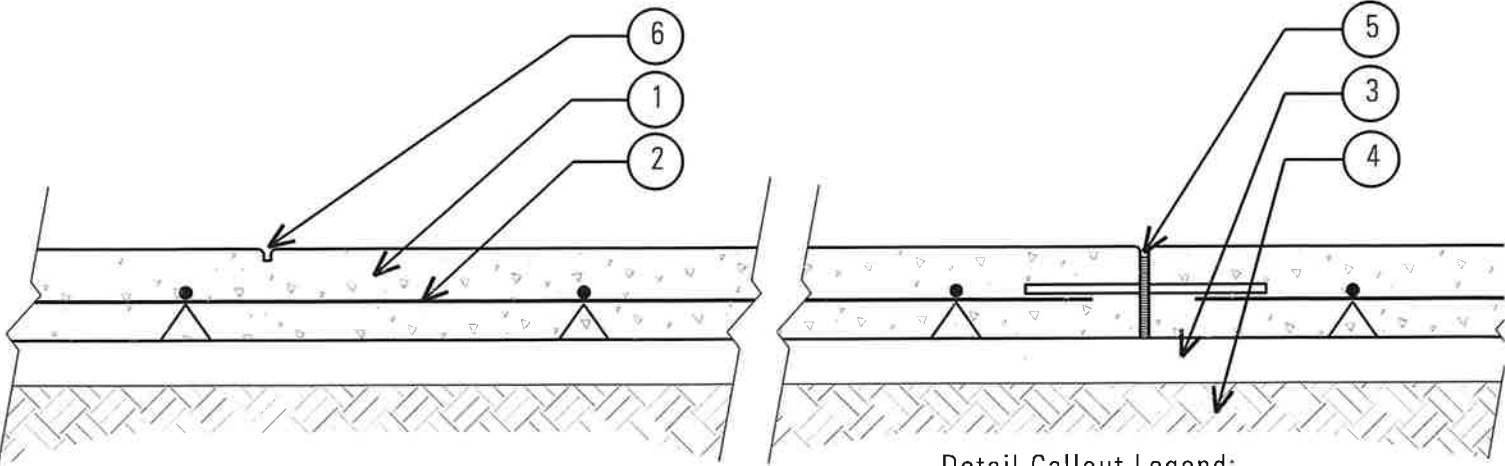
DWG. NO.
1203

P-21

**Exhibit MT-4
4' Sidewalk Construction Details**



Plan
Not to scale



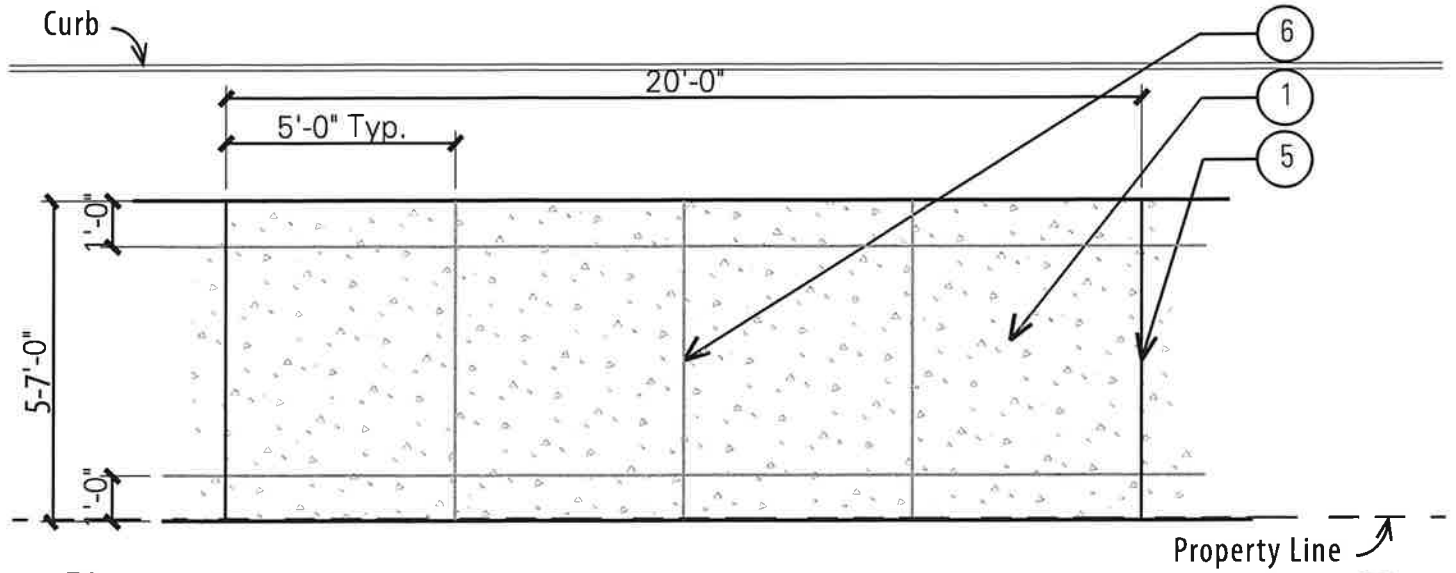
Section
TYP. 4' WIDE WALK CONCRETE DETAIL
Not to scale

- Detail Callout Legend:**
1. 4" Thick Conc. Slab, 3000 PSI.
 2. #3 Rebar, 12" O.C. Each Way W/ Rebar Support Chair Every 18" O.C.
 3. 2" Thick Compacted Sand Base.
 4. 90% Compacted Subgrade.
 5. Expansion joint. every 20lf
 6. Score joint.

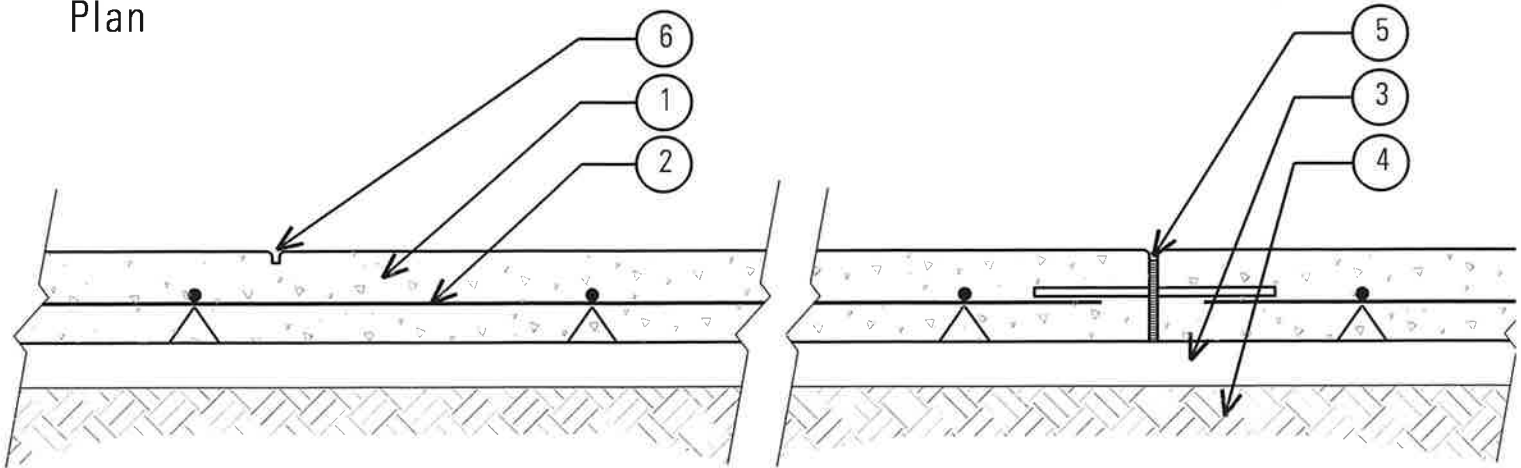
Note:
All side walks to have picture frame tool finish 3" wide at joints with light broom finish perpendicular to direction of traffic.

All sidewalks built by Builder shall be located along and adjacent to the property line inside the right-of-way.

**Exhibit MT-5
5' & 7' Sidewalk Construction Detail**



Plan



Section
TYP. 5-7' WIDE WALK CONCRETE DETAIL
Not to scale

Detail Callout Legend:

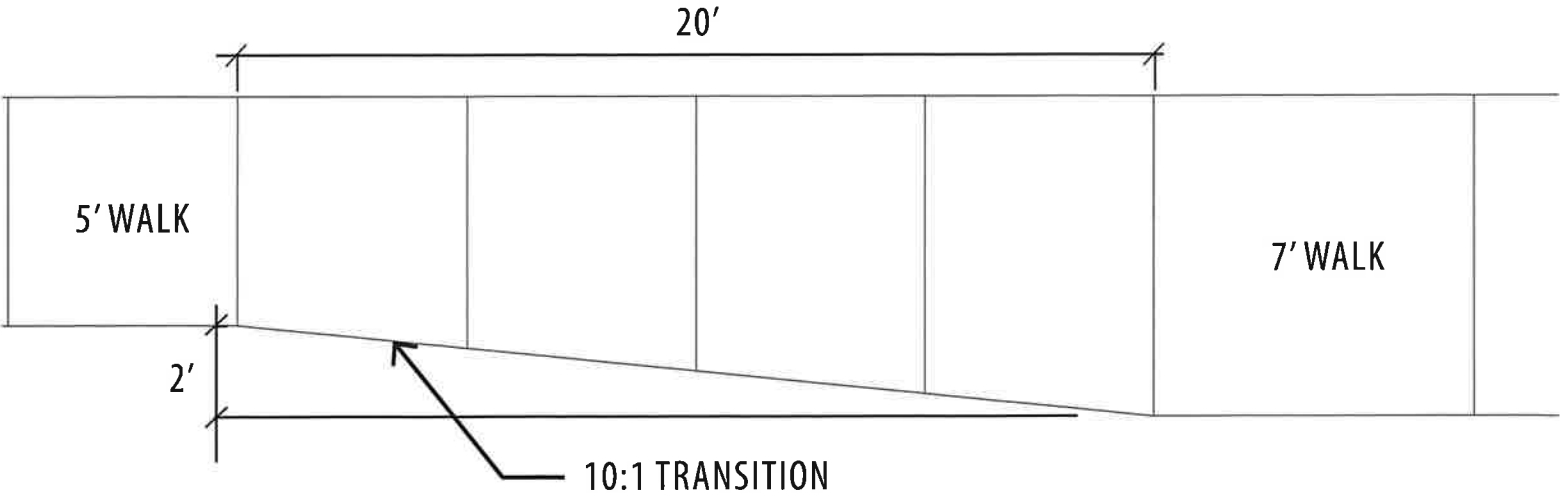
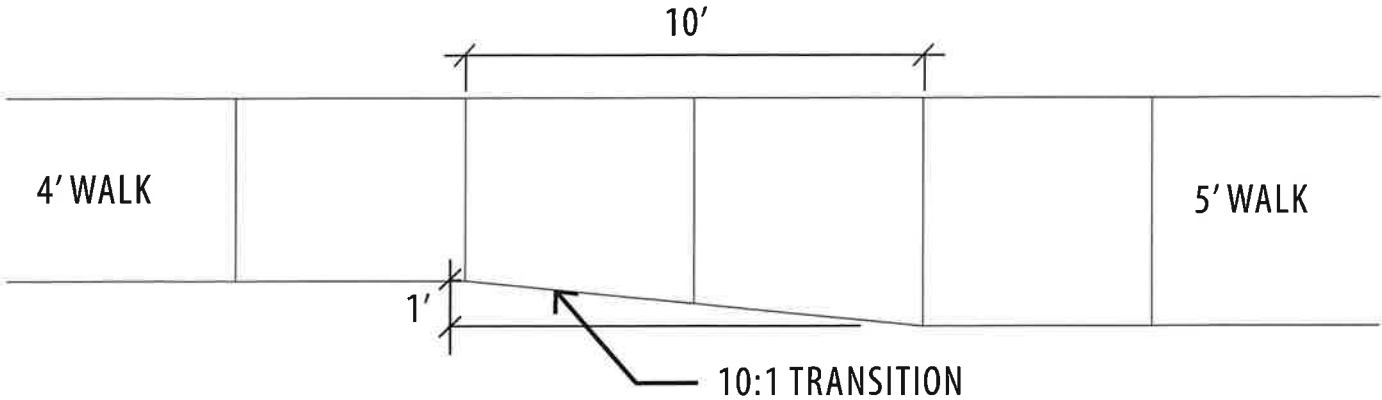
1. 4" Thick Conc. Slab, 3000 PSI.
2. #3 Rebar, 12" O.C. Each Way W/ Rebar Support Chair Every 18" O.C.
3. 2" Thick Compacted Sand Base.
4. 90% Compacted Subgrade.
5. Expansion joint. every 20lf
6. Score joint.

Note:

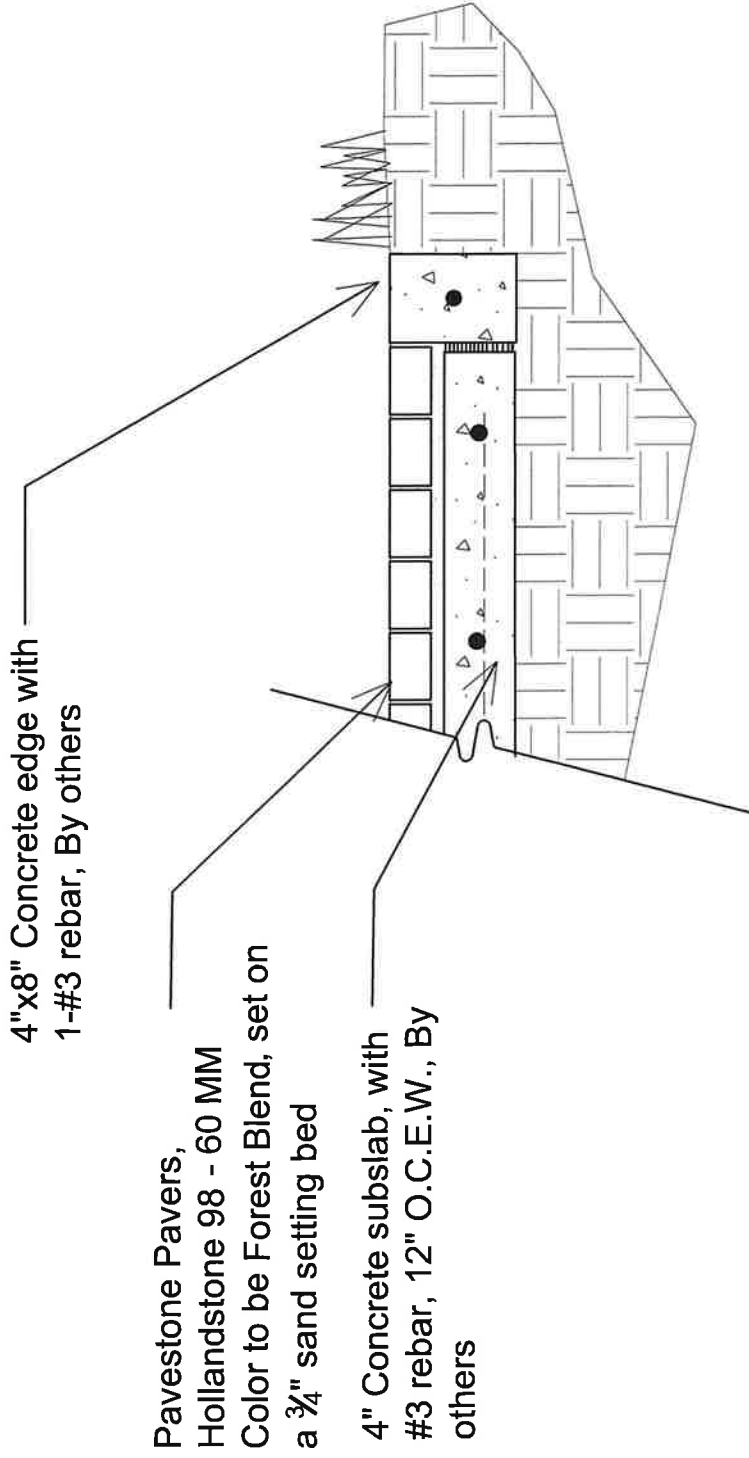
All side walks to have picture frame tool finish 3" wide at joints with light broom finish perpendicular to direction of traffic.

All sidewalks built by Builder shall be located along and adjacent to the property line inside the right-of-way. Trails to be located according to plans and/or Guidelines.

**Exhibit MT-6
Sidewalk Transition
Typical Details**



Scale: 1/4" = 1'-0"



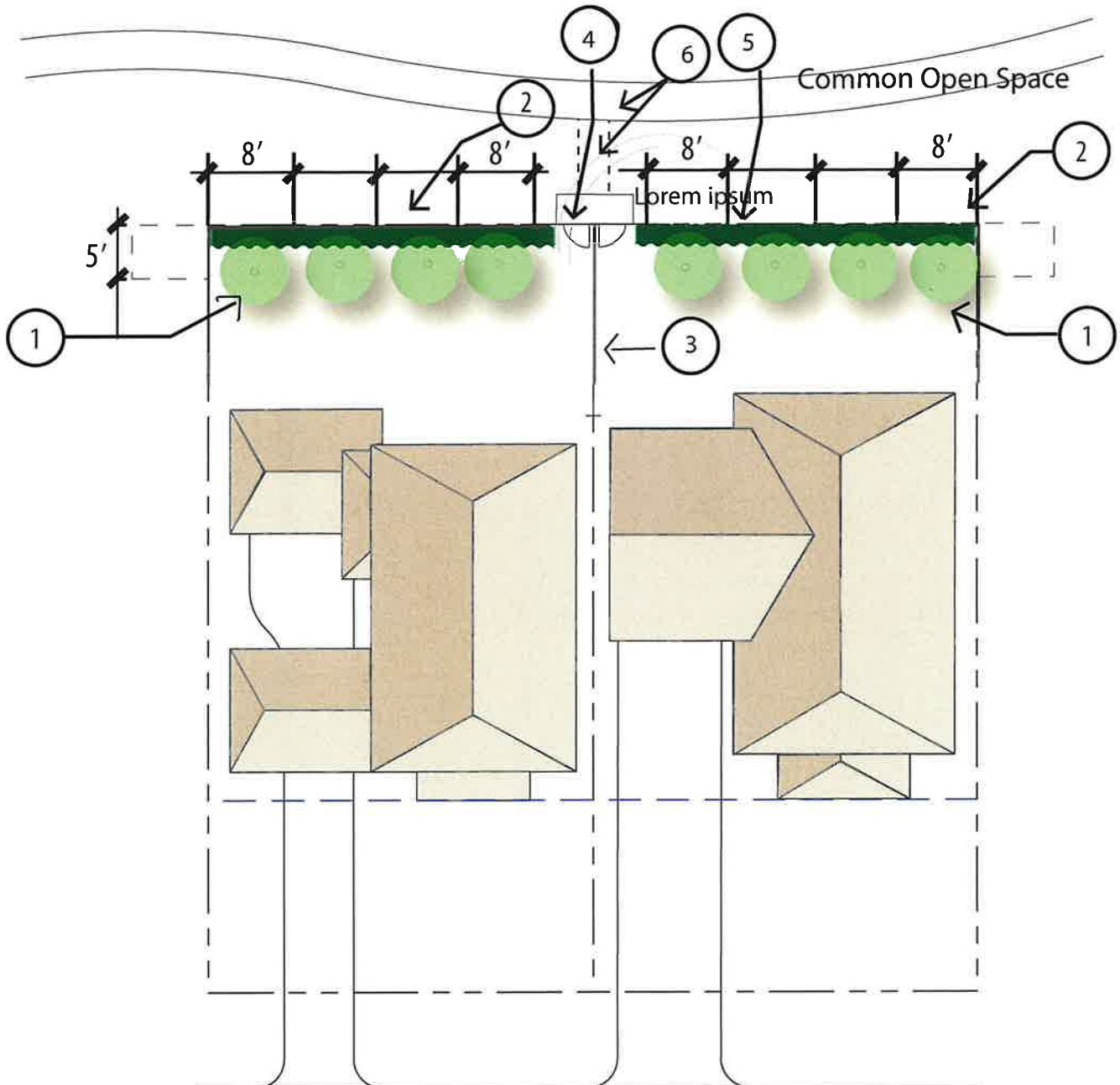
○ SPECIAL PAVING IN DRIVEWAYS

Do not clear or disturb the last 20' of preserved trees on the lot. Only reforest if the trees disturbed or not there.

HORSEPEN BAYOU

Exhibit MT-12

**Horsepen Bayou Forested Lots
Rear Yard Trail Requirements**



Reforestation Detail Callout Legend:

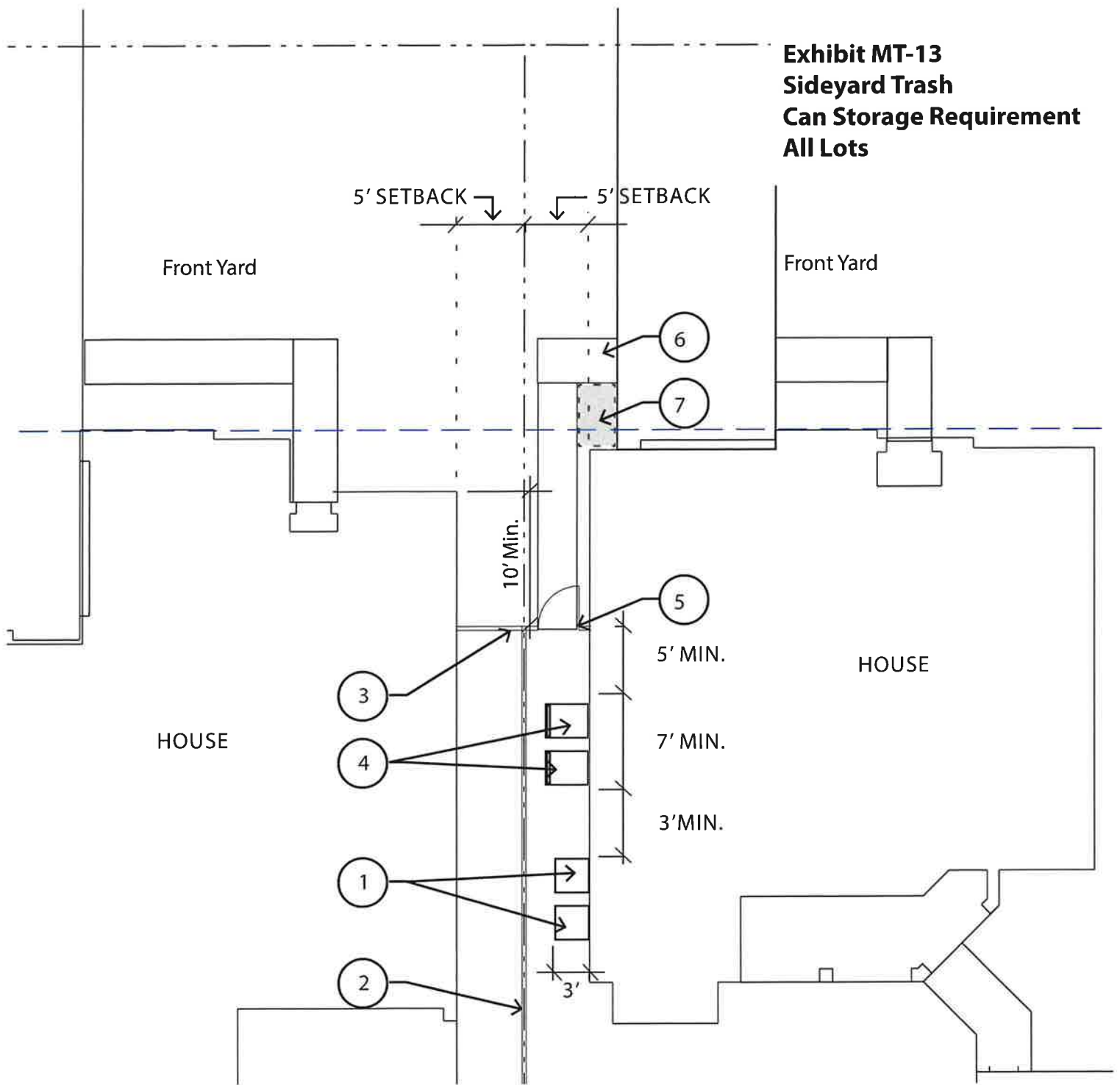
Scale: 1" = 20'-0"

- 1. See ML-6
- 2. See MF-12
- 3. See MF-12
- 4. Concrete Pad by HPCA
- 5. See MF-12
- 6. 5' connection & 5' trail by HPCA

This exhibit is depicted 3 times throughout the whole of the Architectural Guidelines

For Paving Information see MT-12
 For Landscaping Information see ML-6
 For Fencing Information see MF-12

**Exhibit MT-13
Sideyard Trash
Can Storage Requirement
All Lots**



Detail Callout Legend:

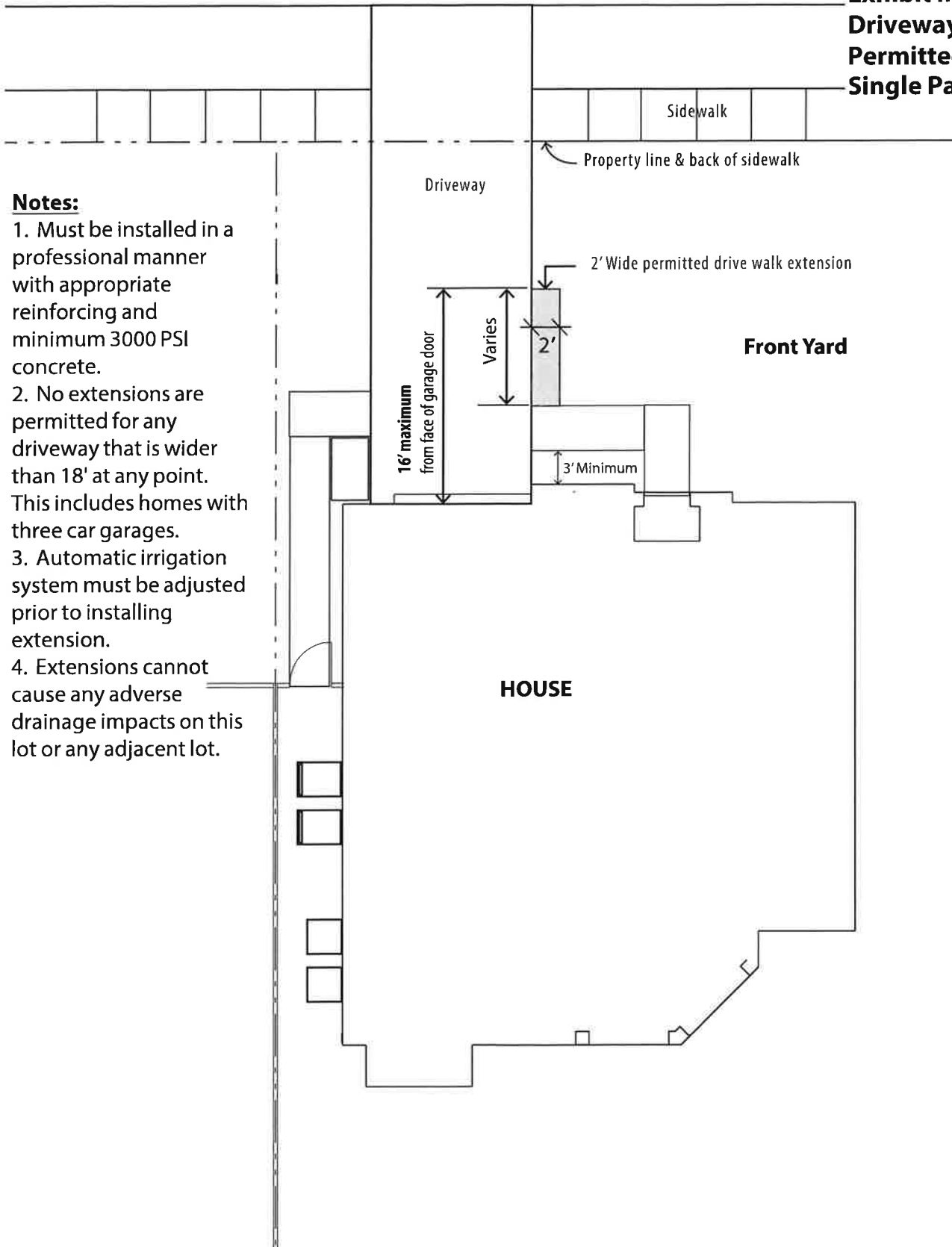
1. AC Condensors
2. Wood Fence by Builder
3. Community Fence by Builder
4. Garbage Can Slab by Builder
5. Gate by Builder. Hinge house side.
6. Optional 3' wide concrete trash access walk permitted only on on driveway side of house.
7. When Optional access walk is constructed, a 3' deep buffer planting bed is required . 3 Gal. Dwarf Wax Myrtle shrubs 24" O.C. must be used.

Note:

1. All homes shall provide a concrete pad for trash and/or recycle can(s) on side of house with access gate. Cans are to be stored in this location at all times except on pick up day(s).
2. At homeowners option, cans may be stored inside garage. However, outdoor storage pad must be constructed, per guidelines.

Street

**Exhibit MT-14-A
Driveway Walk
Permitted
Single Pad**



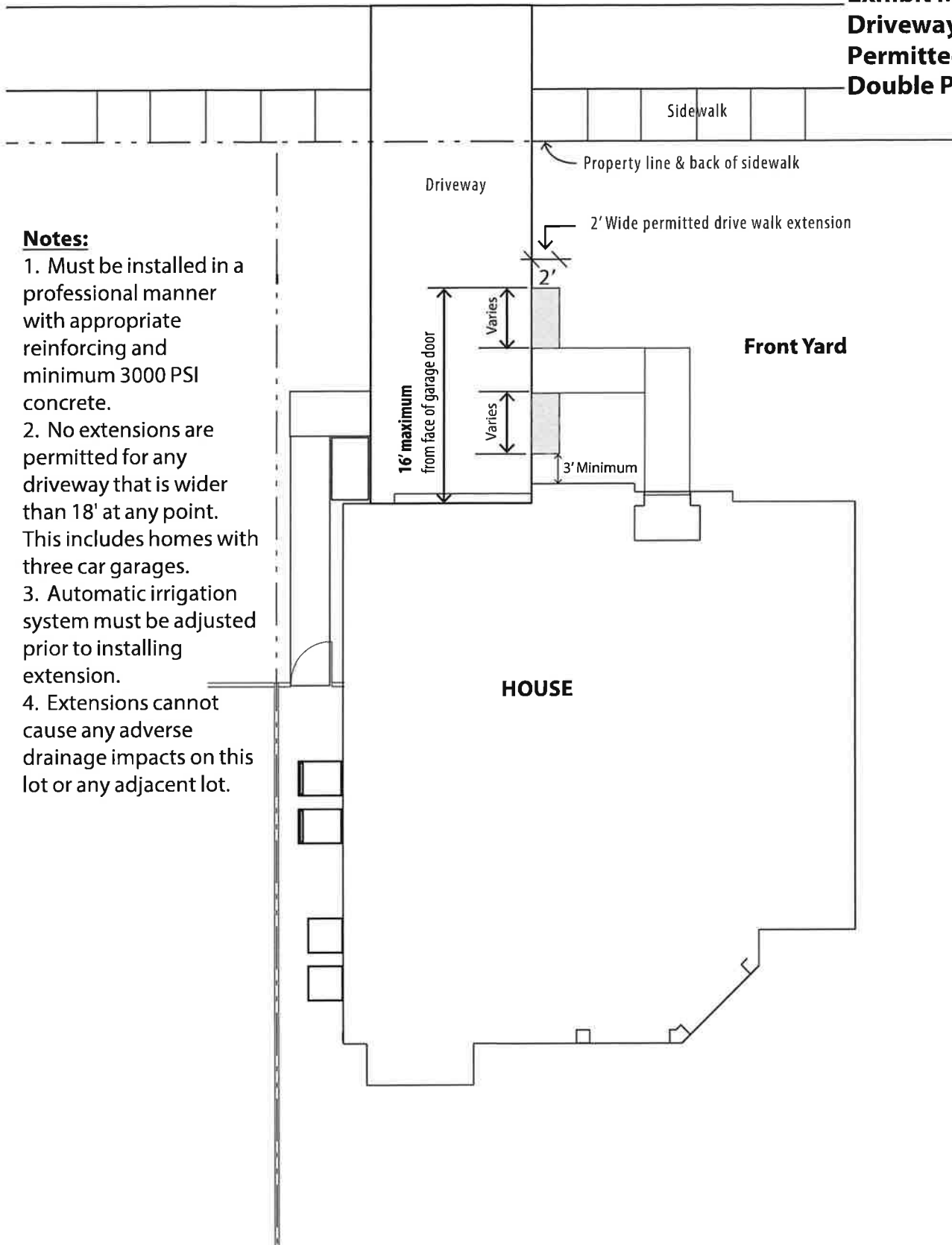
Notes:

1. Must be installed in a professional manner with appropriate reinforcing and minimum 3000 PSI concrete.
2. No extensions are permitted for any driveway that is wider than 18' at any point. This includes homes with three car garages.
3. Automatic irrigation system must be adjusted prior to installing extension.
4. Extensions cannot cause any adverse drainage impacts on this lot or any adjacent lot.

***All paving must be a minimum of 3' from face of house.**

Street

**Exhibit MT-14-B
Driveway Walk
Permitted
Double Pad**



Notes:

1. Must be installed in a professional manner with appropriate reinforcing and minimum 3000 PSI concrete.
2. No extensions are permitted for any driveway that is wider than 18' at any point. This includes homes with three car garages.
3. Automatic irrigation system must be adjusted prior to installing extension.
4. Extensions cannot cause any adverse drainage impacts on this lot or any adjacent lot.

***All paving must be a minimum of 3' from face of house.**

SECTION VIII MASTER SIGNAGE STANDARDS

Exhibit Master List

- MS-1 Builder Model Sign
- MS-2 Builder Model “Sold”
- MS-3 Builder Available Sign
- MS-4 Builder Open Sign
- MS-5 Builder Identification Sign
- MS-6 Not Used
- MS-7 Not Used

www.HarpersPreserve.com

These governing documents may be subject to change, amendment, and/or supplement from time to time and without advance notice. It is the obligation of the recipient of this information to ensure that they obtain the most recent version, amendment, supplement and/or revision of this information prior to use for any purpose. This information has been posted as a courtesy without representation or warranty of any kind (express or implied) by any party for any purpose.

VIII. MASTER SIGNAGE STANDARDS

1. Signage & Display Guidelines

All commercial signage builder advertisement and all residential homeowner signage for (i) advertisement related to the status of the home (i.e., model home, for sale, pending, sold); (ii) school spirit displays; (iii) religious displays; and (iv) any other permitted uses (which are determined acceptable at the sole discretion of the ACC) related to Harper’s Preserve must be submitted to the ACC for pre-approval prior to installation.

Builders may install one (1) sign per lot owned by the Builder advertising the home for sale (or that the home has been sold). Builders may have 1 temporary commercial model home sign on homes to be used to market and sell homes within the community. Unless otherwise approved by the NCC, the Builder’s signage is required to meet the criteria on **Exhibit MS-1, MS-2 MS-3, MS-4 and MS-5**. Use of the builder’s logo and logo color is at the discretion of the NCC. Each sign type that is utilized by the Builders in the community must be submitted and approved before installation. The ACC may exempt a Builder from meeting signage criteria in writing in the ACC’s sole and absolute discretion due to the nature of the commercial enterprise required to build out the community.

Signage and displays for existing homes for the following sign types are regulated by the ACC: (i) temporary advertisement related to the status of the home (i.e.: for sale, pending, sold) which shall meet the criteria of MS -1; (ii) school spirit; (iii) religious displays; and (iv) any other permitted uses (which are determined acceptable at the sole discretion of the ACC). Such sign types shall have signs and/or displays that do not exceed a maximum total height of four (4) feet high including structural supports (with up to one foot (1’) of the total height that can be used subgrade to stabilize the display or sign). The dimension of the actual message/symbol portion of the sign and/or display portion of the sign (excluding structure) shall not exceed 2’ x 3’. Signs and/or displays advertising “for lease” or with obscene, vulgar and/or offensive messages and symbols (as determined by the ACC) are strictly prohibited. No signs and/or displays for homes owned by residents (owners who are not Builders within the community) shall be erected on the roof, fence, or façade of any structure (except those address markers and community logos required under these Architectural Guidelines).

Residents desiring to place more than one (1) sign and/or display type in the visible portion of their yard will be required to submit to the ACC for approval. Approval of more than one (1) sign and/or display will be at the discretion of the ACC. In order to obtain approval, the ACC will require the following information from the resident:

- Picture and location of any sign and/or display currently in use
- Picture and location of any additional proposed sign and/or display

The ACC may (but is not required to) grant a waiver from these requirements to a third-party realtor marketing a home for sale on a Lot using a standard sign from their company; however, the ACC does have the right to limit the number of signs and/or displays to one (1) and if the sign and/or display design does not meet ACC approval, the ACC can require such sign and/or display to meet the general signage requirements of **MS-1** (this assumes message shall be modified accordingly as approved by the ACC since this would not be a “Builder” sign in this circumstance).

2. Exhibits – the following pages.

Exhibit: MS-1

Yard Sign

Specifications



Frame 3/4" Angle Stake

Material: Steel
PMS: Black

Panel 2'x3'

Material: .063 Aluminum
PMS: Green 7484 PC
Yellow 7499 PC
Orange 180 PC

Harper's Preserve Logotype:

PMS: White
Font: Papayrus Condensed
Size: 2" Tall

Harper's Palm Logo

PMS: 7484 PC @ 25%

Builder's Logo 14" X 22" Max.

PMS: Green 7484 PC

Builder's Phone Number:

PMS: Orange 180 PC
Font: Adobe Caslon Pro, Bold
Size: 2"

Sign Message: 4" x 22"

PMS Letters: White
PMS Panel: Green 7484 PC
Font: Adobe Caslon Pro, Bold
Size: 3"

Scale: 2"=1'-0"

Exhibit: MS-2

Yard Sign

Specifications



Frame 3/4" Angle Stake

Material: Steel
PMS: Black

Panel 2'x3'

Material: Sheet Metal
PMS: Green 7484 PC
Yellow 7499 PC
Orange 180 PC

Harper's Preserve Logotype:

PMS: White
Font: Papayrus Condensed
Size: 2" Tall

Harper's Palm Logo

PMS: 5585 PC

Builder's Logo 14" X 22" Max.

PMS:

Builder's Phone Number:

PMS: Orange 180 PC
Font: Adobe Caslon Pro, Bold
Size: 2"

Sign Message: 4" x 22"

Material: Magnetic Panel
PMS: White
Green 7484 PC
Font: Adobe Caslon Pro, Bold
Size: 3"

Scale: 2"=1'-0"

Exhibit: MS-3
Weekend Directional Sign

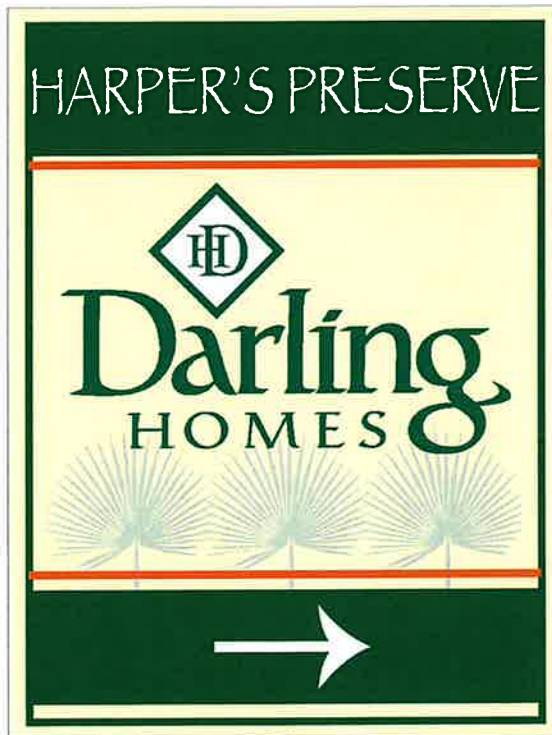
Specifications

Support 3/4" Angle Stake

Material: Steel
PMS: Black

Panel 18" x 24"

Material: Corex
PMS: Green 7484 PC
Yellow 7499 PC
Orange 180 PC



Harper's Preserve Logotype:

PMS: White
Font: Papayrus Condensed
Size: 3" Tall

Harper's Palm Logo

PMS: 7484 PC @ 25%

Builder's Logo 10-1/5" X 15" Max.

PMS: 7484 PC

Sign Arrow:

PMS: White
Size: 5-1/2" Long

Scale: 2"=1'-0"

Exhibit: MS-4
Builder "Open" Sign

Specifications

Support 3/4" Angle Stake

Material: Steel
PMS: Black

Panel 18" x 12"

Material: Corex
PMS: Green 7484 PC
Yellow 7499 PC
Orange 180 PC

Harper's Preserve Logotype:

PMS: White
Font: Papayrus Condensed
Size: 3" Tall

Sign Message: 4" x 22"

PMS: Green 7484 PC
Yellow 7499 PC
Orange 180 PC
Font: Adobe Caslon Pro, Bold
Size: 3"



Exhibit MS-5

BUILDER IDENTIFICATION SIGN

Specifications

Support 4" Square Posts
Material: 16 Ga. Steel Tube
PMS: 7484 PC

Panel 4' x 6' x 6mm
Material: 6 mm Dibond
PMS: Yellow 7499 PC
Stripe: 3/4"
PMS: 180 PC

Builder's Logo:
Max. Size: 12" Tall x 55" Wide
PMS: 7484 PC or as
otherwise approved
Copy: 3.5" tall Color 7484 PC

Palmetto Logo
PMS: 7484 PC @ 25%



Web Address: 1' Letters
Font: Myriad Pro
PMS: 7484 PC

Scale: 1"=1'-0"

FILED FOR RECORD
05/31/2022 04:18PM



COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,
COUNTY OF MONTGOMERY

I hereby certify that this instrument was filed in the file number
sequence on the date and time stamped herein
by me and was duly RECORDED in the Official Public
Records of Montgomery County, Texas.

05/31/2022



County Clerk
Montgomery County, Texas