

**RESOLUTION REGARDING ARCHITECTURAL GUIDELINES FOR
MILL RIDGE NORTH ADOPTED BY UNANIMOUS WRITTEN
CONSENT OF BOARD OF DIRECTORS OF MILL RIDGE NORTH
SECTION 1. COMMUNITY IMPROVEMENT ASSOCIATION**

We, the undersigned, being all of the members of the Board of Directors of MILL RIDGE NORTH, SECTION 1, COMMUNITY IMPROVEMENT ASSOCIATION (the "Association"), a Texas non-profit corporation organized under the Texas Non-Profit Corporation Act, as presently constituted, do by this writing consent to the following actions and adopt the following resolution:

WHEREAS, that certain instrument entitled "Amendment of Declaration of Covenants, Conditions and Restrictions" (the "Declaration") filed of record in the Official Public Records of Real Property under Film Code No. 029-85-1167, et seq., and County Clerk's File No. H678762 restricts every lot within Mill Ridge North, a Harris County subdivision, according to the map or plat thereof filed in Volume 288, Page 112 of the Map Records of Harris County, Texas; and

WHEREAS, Article VI of the Declaration empowers the Board of Directors of the Association (the "Board") to protect the aesthetic integrity of Mill Ridge North by prohibiting any building, fence, wall or other structure from being commenced, erected or maintained on any lot within Mill Ridge North or any exterior addition to or change or alteration therein from being made until plans and specifications shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography; and

WHEREAS, the Board desires to establish procedures for the orderly review of construction plans and specifications and guidelines with respect to the design, location, height, orientation, quality of workmanship, and types and colors of acceptable materials of exterior additions, structures, and improvements on lots in Mill Ridge North, so that a harmonious exterior design within Mill Ridge North is consistently maintained.

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby adopts the following procedures and guidelines relating to buildings, additions, improvements, and structures, which shall supplement the Declaration.

I. OVERVIEW

The Board has established these architectural guidelines to help assure uniform and fair interpretation of the Declaration and of these guidelines. The guidelines are intended to provide all lot owners in Mill Ridge North with information relating to the type, color and quality and grade of materials which may be used in the construction of various kinds of structure and improvements, and the sizes and locations of such improvements and structures, and information relating to the procedure utilized by the Association with respect to applications for proposed improvements and structures and allocations thereto.

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These procedures and guidelines may be amended by the Board from time to time as its deems necessary and appropriate.

II. ARCHITECTURAL REVIEW PROCEDURES AND GUIDELINES

A. Application Procedure

1. Applications.

All applications of approval to make any exterior changes, additions or improvements must be submitted to the Board in writing by completing the application form currently in use by the Board. Complete and final plans and specifications for any exterior addition, change, alteration or improvement should be attached to the application. All applications, additional information, or request for appeal shall be mailed or delivered to the office of the managing agent of the Association, not to members of the Board.

The Board reserves the right to request any additional information it deems necessary to properly evaluate any application. In the event that the Board requests additional information, the application shall be considered incomplete and denied until such information is submitted to the Board and the sixty (60) day requirement for approval of the application, as described in Article VI of the Declaration, shall not begin until such information is received. In the event that the Board requests additional information and the information is not received within sixty (60) days from the date of the Board's request, the application shall be considered denied; however, the applicant may thereafter submit a new application with the requested information to the Board for its review.

2. Board Decisions.

Board members shall consider each application for compliance with the restrictive covenants of the Declaration and with these guidelines. The decision of a majority of members to approve or disapprove an application shall be considered the decision of the Board. All decisions of the Board shall be confirmed by the signatures of a majority of Board members.

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

In accordance with the Declaration, but subject to paragraph 1, above, any application that is not approved or disapproved within sixty (60) days of the date of its receipt shall be deemed to have been automatically approved provided, however, that (i) any such approval shall extend only to architectural guidelines

and not to any of the use restrictions set forth in the Declaration and (ii) in no event shall non-action be deemed to constitute approval of an application for any change, addition, or improvement or any other item that would violate the provisions of the Declaration. Unless otherwise stated in the Board's written response, all approved exterior changes, additions or improvements shall be completed within thirty (30) days of the date construction, installation or erection is commenced unless an extension is otherwise approved by the Board.

B. General Guidelines

The Board shall consider the following factors upon the review of each application for an exterior addition, change, or alteration:

1. harmony of external design and location in relation to surrounding structures and topography;
2. quality of workmanship materials;
3. dimension, shape, height, and location (Note: The Board may not grant permission to construct or place an improvement upon or across any utility easement; consent to encroach upon any utility easement must be obtained in writing from the owner of the easement; the Board may grant permission to construct or place an improvement upon or across a drainage easement, provided that the Board may revoke its consent if it determines that the improvement materially impedes or adversely affects drainage or the intent which the easement was dedicated; in the event that the Board revokes its consent, the homeowner shall bear the responsibility to remove the improvement at his sole cost and expense.);
4. harmony and appeal of exterior design;
5. structural, mechanical, electrical, and plumbing details; and
6. nature, kind, type, and color of materials.

Provided, however, that the approval of an application shall not be construed as a warranty or representation by the Board that the change, addition or improvement, as proposed or as built, complies with any or all applicable statutes, ordinances or building codes, or as a warranty or representation by the Board of the fitness, design or adequacy of the proposed construction.

C. Specific Guidelines

1. Exterior Fences.

- a. Pickets. All fences situated parallel to the front lot line or parallel to a side street adjacent to a corner lot shall be constructed with the pickets on the outside so that no posts or rails are visible from the street in front of the lot or from the side street.
- b. Gates. All gates shall be constructed with materials consistent with the fence material.
- c. Color and Acceptable Materials.
 - i. Wood Fences. No wood fence may be painted. Wood fences may be stained in acceptable earthtone colors with the prior approval of the Board. A stain color sample shall be included with the application submitted by the owner to the Board.
 - ii. Other Fences. Fence of any other material above must be approved by the Board. Chain link and wire fences are not permitted, if visible to any street or other lot.
 - iii. Perimeter Fences. Fences located on lots which make the perimeter of Mill Ridge North must be constructed of vertical picket and horizontal rot board supported by galvanized steel pipe set in concrete.
- d. Setback Lines. Fences may not be constructed on a lot forward of any applicable setback line, unless approved in writing by the Board.
- e. Maintenance of Fences. All fences shall be properly maintained to prevent disrepair.
- f. Height. Fences or walls located on interior side or rear lot lines shall be six (6) feet in height; the height of the fences and walls located elsewhere on a lot must also be six (6) feet in height, unless otherwise approved by the Board. It is understood if a fence or wall crosses a ditch or gully the height of the fence or wall at that point only may exceed the maximum height requirements set forth herein.

2. Swimming Pools.

An application for the construction of a swimming pool, spa or jacuzzi must include a plot plan showing the proposed location of the swimming pool, spa or jacuzzi

in relation to the property lines, building lines, existing structures and existing or proposed fences. The application shall also include a timetable for the construction of the pool, spa or jacuzzi. No swimming pool, spa or jacuzzi shall be approved unless the area in which the pool is to be located is either enclosed by a six foot (6') fence or such a fence is proposed to be constructed in conjunction with the swimming pool. During construction, the pool area shall be enclosed with a temporary fence or barrier, unless a fence already exists. If a portion of an existing fence is removed during construction, a temporary fence or barrier must be erected to fully enclose the area in which construction is taking place. Further, no building materials shall be kept or stored in the street overnight. Excavated material shall either be used on site or immediately removed from the premises by the pool contractor. The construction of all swimming pools must be in compliance with the national electrical code and include the installation of a ground fault circuit interrupter. There shall be no surface discharge on the lot or to an adjacent property. No swimming pools may be enclosed with screens. No swimming pool, spa or jacuzzi shall be constructed in a manner to impede drainage on a lot or to cause water to flow on an adjacent lot.

3. Outbuildings.

- a) General Rules. Any type of building that exists on a lot which has a floor and/or walls and/or a permanent roof, but is not attached to the residential dwelling or to a detached garage on the lot, shall be considered an outbuilding, including tool and/or storage sheds, gazebos, and children's play structures. Only outbuildings not exceeding ten feet (10') in length, ten feet (10') in width and nine feet (9') except as provided in 3.b in height shall be permitted on a lot. The standard type, quality and color of the materials used in the construction of the outbuilding shall be harmonious with those of the main residence on the lot. An outbuilding: (i) shall be located in the rear portion of the lot; and (ii) may not be located on the rear utility easement unless the outbuilding is moveable. Outbuilding locations must also conform to the building front and side setback restrictions. No outbuilding may be located on a lot such that it impedes drainage from the lot or causes water to flow onto an adjacent lot. Further, if an outbuilding is to be constructed on a lot, the lot must be enclosed by a six foot (6') fence, or such fence must also be proposed concurrent with the application for approval to construct the play structure. A fence approved in conjunction with an application to construct a play structure must be completed within thirty (30) days of the date that the play structure construction begins.
- b) Children's Play Apparatus. For the purposes hereof, a children's play apparatus shall mean any type of children's swing sets, play sets, climbing structure, slides, or raised play sets. A maximum of two (2) children's play apparatuses are allowed on a residential lot. The maximum dimensions for each play apparatus are ten feet (10') in width by fifteen

feet (15') in length by nine feet (9') in height. The play apparatus may have no more than two (2) vertical beams with a single horizontal support member between them extending above the nine foot (9') height restriction of the play apparatus. The sole permitted purpose of these extending beams is to support a tarpaulin for a shade area. The beams and their accompanying horizontal cross member may not exceed ten feet (10') in height, measured from the ground. Tarpaulin colors will only be approved if harmonious with the color of the residential dwelling. Play apparatuses may only be located behind the front and side building setback lines.

4. Patio Covers.

The standard, type, quality and color of the materials used in the construction of a patio cover must be harmonious with the standard, type, quality and color of the materials used in the construction of the main residence; provided, however, that corrugated roofs for patio covers shall not be permitted under any circumstances. Roofing materials on patio covers shall conform to the provisions relating to roofing materials set forth in Article VII, Section 15 of the Declaration and Section 9 of these Guidelines.

5. Decks.

All decks must be approved by the Board with respect to location and the standard, type, color and quality of the materials used in construction. Appropriate fences may be required by the Board if any portion of a proposed deck would otherwise be visible from the street or an adjacent lot. No deck shall impede drainage on the lot or cause water to flow on an adjacent lot. No deck other than a second level balcony attached to the main residence which is a part of the original design shall be constructed more than fifteen inches (15") above the ground.

6. Garages.

All garages must appear to be functional and capable of housing cars. No garage conversions which alter the exterior appearance of the garage so that the garage no longer appears operable will be approved by the Board.

7. Exterior Lighting.

- a) Changes to Existing Lighting. Outside lighting which was installed at the time of original construction or which was installed after original construction with the approval of the Board may be replaced with a new fixture provided that the wattage of the new fixture does not exceed the wattage of the existing fixture or 150 watts, whichever is greater. Existing gas lighting may be converted to an electric incandescent bulb

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provided that (a) the incandescent bulb is clear glass type, (b) the wattage of the bulb does not exceed 100 watts, and (c) the lighting color is white.

b) New Lighting.

- i. Security Lighting. Security lighting shall be permitted with the Board's approval so long as the total wattage for all security lights does not exceed 300 watts per fixture. All security lighting shall be mounted behind the back plane of the house. No pole mounted security lights (including sodium vapor and mercury vapor) shall be permitted. No security light fixture shall be allowed above the eaves of the house or garage. Exceptions to mounting security lighting behind the back plane of the house and/or allowing security lighting above the eaves of the house or garage may be granted by the Board if the design and location of the house and/or garage on a lot warrant an exception.
- ii. Landscape Lighting. Exterior landscape lighting shall be permitted with the Board's approval so long as the lighting is located within flower beds, shrubs and/or trees and is neither sodium vapor nor mercury vapor.
- iii. Gas Lights. Two (2) gas lights per lot shall be permitted with the Board's approval; provided that the gas lighting color is white.
- iv. Annoyances. All new lighting which is approved by the Board shall be subject to a ninety (90) day trial period to assure that the lighting is not objectionable to surrounding residents. The ninety (90) day period shall commence on the date of the Board's written approval of the lighting. If, at the end of the ninety (90) day period, the Board determines that the lighting is not unreasonably offensive or an annoyance to surrounding residents, the Board's approval shall be final; otherwise, the lighting shall be removed or modified in accordance with the decision of the Board.

8. Exterior Materials.

- a) Masonry. The exterior of all buildings shall be primarily of masonry exterior. A sample of the brick or other masonry to be used may be submitted with the application. The exposed portion of any chimney that is exposed as a part of the

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exterior wall shall be brick or other masonry to match the remainder of the residence. The exposed part of a chimney that is not a part of the exterior wall and that pierces the roof shall be constructed of brick or other masonry to match the remainder of the residence or may be stucco.

- b) Paint. At least two (2) color samples or "paint chips" of the proposed exterior color of any new addition or improvement must be attached to each application submitted to the Board. Further, the existing exterior color of the main body of a house, garage or other improvement on a lot, as well as any trim or accent color, shall not be changed without first submitting an application with at least two (2) color samples or paint chips to the Board and receiving its written approval. The Board has established and shall maintain a chart depicting the acceptable colors and shades for the exteriors of homes and other improvements on lots within the subdivision. Each color sample or paint chip shall be compared to the colors and shades of colors set forth on the color chart to assure that each approved color is harmonious with the color scheme established for the subdivision.

9. Roofing Materials and Additions.

- a) Materials. A sample of the proposed shingle to be placed on any existing roof or any new improvement must be attached to each application submitted to the Board as provided by Article VII, Section 15 of the Declaration. Roofs must be of either #1 perfection 18" wood shingles, tile or composition of the Timberline type or equal. Additionally, the color must be harmonious with the color scheme established in Mill Ridge North.
- b) Roofing Additions. No solar panels or similar types of additions shall be permitted on the front of the roof ridge line and/or gable of a structure.

10. Antennae.

As provided in Article VII, Section 16 of the Declaration no radio or television aerial wires or antenna shall be maintained on any portion of any lot forward of the front building lines of said lot; nor shall any free standing antenna of any style be permitted to extend more than feet (10') above the roof of the main residential structure on said lot.

11. Satellite Dishes.

Satellite dishes may be approved by the Board only if the following minimum requirements are met:

- a) Each satellite dish shall be situated in the back portion of the lot so that it is not visible from any point in the street in front of the lot or, if a corner lot, any point in the side street. The rear portion of the lot must be enclosed with at least a six foot (6') fence or such a fence must be proposed in conjunction with the application for approval to erect the satellite dish.
- b) No portion of a satellite dish may be visible from ground level from any other lot or street at any time.
- c) No portion of a satellite dish may be situated upon an easement.
- d) The color of a satellite dish shall be harmonious with the color of the house and improvements on the lot or of black mesh type material. As a condition of approval, the Board may require additional screening through landscaping. No cable or wiring shall be visible from the street in front of the lot or any side street.

12. Basketball Goals.

Basketball goals should be mounted either (i) on the garage wall or roof with the backboard parallel to the automobile entrance, (ii) on the garage-to-house breezeway cover or (iii) on a rigid steel or aluminum pole. Wooden poles shall not be permitted. The rim must be of heavy gauge steel. The backboard supports must be firmly attached to the structure. Nails, by themselves, are not permitted. Mounting supports may be of wood, steel, or aluminum, but they must be painted an acceptable color as outlined in Section 8. Painting, of these guidelines. All goals must be a minimum of ten (10') feet behind the front building line of the dwelling on the lot that extends from the front of the house or garage parallel to the street. If the front/side building line is defined by the garage, then the goal must at least twenty (20) feet from the curb line. A pole mounted goal must not be within ten (10') feet of the adjoining neighbor's amenities (air conditioning unit, shrubbery, gas meter, etc.) unless properly protected (i.e., by fence or shrubbery) or unless the written consent of the neighbor is obtained. No pole mounted goals will be allowed along the neighbor's adjoining side of a driveway if a neighbor's first story house window(s) are exposed. The pole must be a manufacturer's weather resistant finish and be either black or in a color consistent with the Board's house painting guidelines under Trim (Section 8). An application for approval to erect a basketball goal must include either a

plot plan or a to scale drawing depicting the location the goal and its relationship to the adjoining neighbor's property. In the case of a pole mounted goal, the plan or drawing should include the neighbor's amenities and a neighbor's written consent if applicable. The homeowner must maintain the basketball goal in its original approved condition (including rim and net). If lighting is provided for the basketball area, it must comply with existing security lighting guidelines (Section 7). A good neighbor policy concerning noise and disturbing the peace must be followed.

13. Window Air Conditioners.

Window air conditioners are not allowed.

D. **Grandfather Clause**

Any building, fence, wall, structure or other improvement that was erected prior to the date of these guidelines shall be deemed in compliance with these guidelines and shall in no way affect the Board's approval or denial of any buildings, fences, wall, structure or other improvement erected or altered after the date of these guidelines.

We direct that this consent be filed with the minutes of the proceedings of the Board of Directors of the Association and in the Official Public Records of Real Property of Harris County, Texas, to constitute notice to all owners and purchasers of lots within Mill Ridge North of its existence.

This consent is executed pursuant to Article 9.10 of the Texas Non-Profit Corporation Act which authorizes the taking of action by the Board of Directors by unanimous consent without a meeting.

DATED as of June 2, 1993.

Board of Directors
Mill Ridge North, Section 1, Community
Improvement Association

Patti Mendez
Patti Mendez

7-2-93
Date

JUL 15 1993

7/2/93
Date

Carol Malmquist
Carol Malmquist

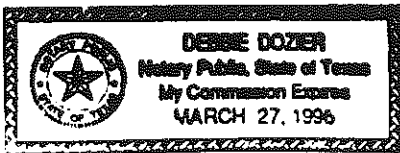
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Date

Susan Greenwade
Susan Greenwade

STATE OF TEXAS §
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COUNTY OF HARRIS §

Before me, a notary public, on this day personally appeared Patti Mendez, known to me to be the person whose name is subscribed to the foregoing instrument and, being by me first duly sworn and declared that she executed same in the capacity and consideration therein expressed.

Given under my hand and seal of office this the 2nd day of July, 1993.

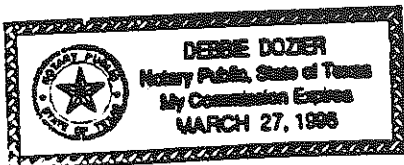


Debbie Dozier
NOTARY PUBLIC - STATE OF TEXAS

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

Before me, a notary public, on this day personally appeared Carol Malmquist, known to me to be the person whose name is subscribed to the foregoing instrument and, being by me first duly sworn and declared that she executed same in the capacity and consideration therein expressed.

Given under my hand and seal of office this the 2nd day of July, 1993.



Debbie Dozier
NOTARY PUBLIC - STATE OF TEXAS

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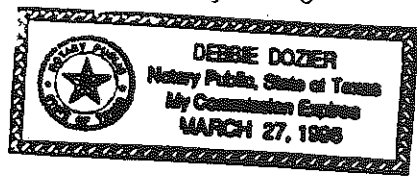
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STATE OF TEXAS
COUNTY OF HARRIS

ss.
ss.
ss.

Before me, a notary public, on this day personally appeared Susan Greenwade, known to me to be the person whose name is subscribed to the foregoing instrument and, being by me first duly sworn and declared that she executed same in the capacity and consideration therein expressed.

Given under my hand and seal of office this the 2nd day of July, 1993.



Debbie Dozier
NOTARY PUBLIC - STATE OF TEXAS

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