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 }
COUNTY OF HARRIS } KNOW ALL MEN BY THESE PRESENTS:

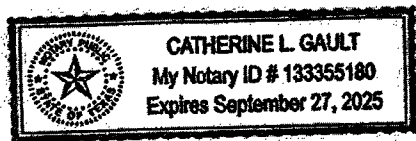
THAT the attached documents, entitled "Bylaws of University Park Patio Homes Homeowners' Association, Inc.", "University Park Patio Homes Property Rental Policy", "University Park Patio Homes Use Restrictions and Architectural Guidelines", "University Park Patio Homes Home Improvement Application for Architectural Review Committee", and "University Park Patio Homes (UPPH) HOA Bid Policy" are true, correct and complete photocopies of the original documents which were adopted in connection with the development and administration of University Park Patio Homes Homeowners' Association, Inc., a Texas Non-Profit Corporation, and all of the properties governed thereby. Such documents constitute a portion of the "dedicatory instrument", as such term is defined within Section 202.001(1) of the Texas Property Code, save and except those which have previously been filed/recorded in the Official Public Records of Real Property of Harris County, Texas. The attached documents are hereby filed/recorded in compliance with the mandate of Section 202.006 of the Texas Property Code.

All facts recited and statements made herein are true, correct and in all respects accurate."

Mary Ellen Strebeck
Mary Ellen Strebeck, Managing Agent
University Park Patio Homes Homeowners'
Association, Inc.

SUBSCRIBED AND SWORN TO BEFORE ME on this the 20th day of May, 2022.

Catherine L. Gault
NOTARY PUBLIC - STATE OF TEXAS



RP-2022-231707



University Park Patio Homes Use Restrictions and Architectural Guidelines

**Rev. 5
March 15, 2022**

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New or revised guidelines in BOLD text.

Established	June 4, 1996
Rev. 1	January 22, 2007
Rev. 2	April 23, 2010
Rev. 3	March 7, 2016
Rev. 4	August 2, 2018
Rev. 5	March 15, 2022

UNIVERSITY PARK PATIO HOMES Use Restrictions and Architectural Guidelines

I. OVERVIEW

The University Park Patio Homes Owners' Association Declarant (Developer) has established these Architectural Guidelines (Guidelines) in accordance with the authority granted to them by provisions of the Declaration of Covenants, Conditions and Restrictions (DCC&R's). The Guidelines are established to assure uniform and fair interpretation of the DCC&R's. The Guidelines are intended to provide all lot homeowners in University Park information about the type, color, quality, and grade of material which may be used in construction of various kinds of improvements, the size and location of such improvements, and the procedure followed by the Association for reviewing applications for proposed improvements.

These procedures and Guidelines may be amended by the Board from time to time as it deems necessary and appropriate. The Restrictions of Use in the DCC&R's may be revised only by an instrument signed by those homeowners owning at least two-thirds (2/3) of the lots within the subdivision. In case of conflict between the DCC&R's and the ARC Guidelines, the DCC&R's will take precedence. Any applicable state or federal regulations take precedence over the DCC&R's.

II. BOARD OF DIRECTORS

In accordance with Article IV of the DCC&R's of the University Park Patio Homes Owners' Association, the Board of Directors will appoint an Architectural Review Committee (ARC) to assist in reviewing and evaluating applications for improvements to homes, structures, and properties (lots) within the Subdivision in accordance with the DCC&R's and these Guidelines. The ARC may make recommendations to the Board regarding changes to the Guidelines and recommend approval of variances. Only the Board may approve variances from the Guidelines.

III. ARCHITECTURAL REVIEW COMMITTEE (ARC)

To achieve the purposes for which the ARC has been established, the following operating rules apply:

1. **Composition:** The ARC will be composed of three (3) members, each of whom is a current resident of University Park. **Board Members, their spouses, and other household members may not serve on the ARC.**
 - a. **The Board Liaison:** This position will be a current member of the University Park Board and will act as a liaison between the Board and the ARC for routine matters. The member will not be a voting member of the ARC.

b. **The Chair:** This member will act as the head of the ARC. He or she will be appointed annually by the Board and will be a voting member of the ARC. HOA Board members may not be members of the ARC.

2. **Meetings:** The ARC will meet at least monthly to review applications for improvement. These meetings may be conducted via electronic medium at the discretion of the Committee as applications are received. At a minimum, **two (2) members** must be present to convene a meeting at which voting will occur.
3. **Attendance:** Any voting member of the ARC who is absent from three (3) consecutive meetings without valid cause will be considered to have resigned and will be replaced in accordance with the established procedures. A letter advising the individual of this action will be sent by the Management Company at the direction of the Board or the ARC Chair. Under certain circumstances, this attendance requirement may be waived by the Board at the request of the ARC Chair.
4. **Voting:** The Chairperson and the ARC Members each have one (1) vote. If the application or action concerns a property owned or occupied by one of the members of the ARC, that person's voting rights will be temporarily suspended to avoid any conflict of interest. If there are not sufficient voting members in attendance, the Board Member will not have voting rights.
5. **Records:** Copies of all applications, decisions, recommendations, appeals and meeting agenda will be kept by the Management Company. It is the responsibility of the Chair to forward all such material to the Management Company.
6. **Removal:** Any ARC Member may be removed from the ARC, with or without cause, by a majority vote of the Board. In the event of removal, a successor shall be selected by the Board and shall serve for the unexpired term.
7. **Compensation:** No member shall receive compensation for any service rendered to the ARC.

IV. ARCHITECTURAL REVIEW PROCEDURES

Plans and specifications for improvements are to be approved in advance. No special consideration will be given in those instances when post-construction approval is requested.

1. **General:** An item can come before the ARC as follows:
 - a. A homeowner (or his/her representative) shall submit an application for improvement to the Management Company using a Home Improvement Application (HIA) form currently in use by the ARC.
 - b. An unapproved improvement may come to the attention of the Board, ARC or the Management Company. The Management Company will send a letter to the homeowner

requesting an application be submitted. If no application is received within thirty (30) days, the Management Company will report this to the Board, which will take appropriate action.

- c. If the unapproved improvement appears to be in violation of the DCC&R's or the Architectural Guidelines, the initial notification/request to the homeowner will be a registered letter, which may request the homeowner to correct the improvement to follow the DCC&R's as well as the Architectural Guidelines. Failure to correct the violation may result in the HOA taking appropriate legal action.
 - d. If an HIA was submitted and approved, but the final construction varies from the detail in the HIA such that it does not comply with the DCC&R's or the Architectural Guidelines, the Association has the right to require the homeowner to remove or correct the change.
2. **Applications:** All applications for approval to make any exterior changes, additions, or improvements must be submitted to the Management Company in writing by completing the Home Improvement Application (HIA). The Management Company shall coordinate application processing on behalf of the ARC.

Plans and specifications for any exterior change, addition, or improvement should be attached to the application. For room additions and sunrooms, applications must be accompanied by a detailed scale drawing or blueprint showing the three-dimensional relationship to the existing structure. Applications must also include a plot plan showing the location of the improvement in relation to all lot boundary lines, the residence, the easements and the building setback lines. Requirements for a plot plan may be satisfied by using a Google aerial view (or similar) of the house and yard with marked installation points. Applications must also include a detailed material list and include the name, address, and business phone number of the contractor or installer, if applicable.

Applications may be returned or rejected for failure to provide any of these required items.

The ARC reserves the right to require certified architectural and/or engineering drawings. All applications, additional information, or requests for appeal shall be mailed or delivered to the office of the Management Company, not to members of the Board or ARC.

The ARC reserves the right to request any additional information it deems necessary to properly evaluate any application. In the event that the ARC requests additional information, the application shall be considered incomplete until such information is submitted to the ARC and the forty-five (45) day requirement for approval of the application, as described in the DCC&R's, shall not begin until such information is received. In the event that the ARC requests additional information and the information is not received within forty-five (45) days from the date of the request, the application shall be denied. However, the applicant may thereafter submit a new application with the requested information to the ARC for its review.

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- 3. ARC Decisions:** ARC committee members shall consider each application for compliance with the DCC&R's and these Guidelines. The decision of a majority of members to approve or disapprove an application shall be considered the decision of the ARC.

ARC decisions shall be conveyed in writing by the Management Company 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 DCC&R's, any application that is not approved or disapproved within forty-five (45) days of the date of its receipt shall be deemed to have been automatically denied. 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 DCC&R's. Unless otherwise stated in the ARC's written response, all approved exterior changes, additions or improvements shall be completed within forty-five (45) days of the date construction, installation, or erection is commenced.

- 4. Board of Director Appeals:** In the event the ARC disapproves an application, the applicant may submit a written appeal to the Management Company for review by the Board. The Board and the Homeowner may work to resolve any issues via informal processes. However, the Homeowner has the right to submit a written request for a hearing to discuss and verify facts and resolve the matter in issue before a committee appointed by the Board or before the Board if the Board does not appoint a committee. The association shall hold a hearing under this section not later than the 30th day after the date the Board receives the Homeowner's request for a hearing and shall notify the Homeowner of the date, time, and place of the hearing not later than the 10th day before the date of the hearing. The Board or the Homeowner may request a postponement, and, if requested, a postponement shall be granted for a period of not more than 10 days. Additional postponements may be granted by agreement of the parties. The Homeowner or the association may make an audio recording of the meeting. All decisions of the Board shall be final.
- 5. Status of Application During Appeal:** During the appeal period, the decision of the ARC on the original application shall remain in effect. Further, an appeal of a decision of the ARC shall not be considered a new application resulting in approval of the original application if a response to request for reconsideration is not submitted by the ARC or the Board of Directors within forty-five (45) days of the date of its receipt.
- 6. Community-wide Variance:** To remain consistent with changes in state laws and new technology, the Board may issue community-wide variances to revise or expand any portion of these Guidelines. This variance will remain in effect until incorporated into a subsequent revision of these Guidelines.

V. RESTRICTIONS OF USE

The following Restrictions of Use are excerpts from the DCC&R's and have been condensed. Homeowners should have received copies of the DCC&R's at closing. Additional hard copies are

available, at cost, from the Management Company or electronic copy can be made available without cost from the Management Company or on OurParkBench.com. The Restrictions of Use in the DCC&R's may be revised only by an instrument signed by those homeowners owning at least two-thirds (2/3) of the lots within the subdivision.

1. **Single Family Residential Use:** Article VI, Section 6.1, page 20. Each lot shall be used for single family residence purposes. No part of the property shall ever be used or caused to be used or allowed or authorized in any way, directly or indirectly, for any business, commercial, manufacturing, mercantile, storing, vending, or other such nonresidential purposes.
2. **Prohibition of Offensive Uses:** Article VI, Section 6.4, page 21. No activity which may become an annoyance or nuisance to the neighborhood or which shall in any way unreasonably interfere with the quiet enjoyment of each homeowner of such homeowner's lot or which shall degrade property values or distract from the aesthetic beauty of the Property, shall be conducted thereon. No repair work, dismantling, or assembling or boats, motor vehicles or other machinery shall be done in any driveway or adjoining street.
3. **Garbage and Trash:** Article VI, Section 6.6, page 21. No refuse, garbage or plant material may temporarily be stored or allowed to accumulate except in enclosed sacks, bags or containers, screened from view. Trash may be put out for collection no earlier than 6:00 p.m. on the day preceding trash pick-up. Hard-sided trash containers must be returned to an area screened from view no later than midnight the day of the pick-up.
4. **Clothes Drying:** Article VI, Section 6.7, page 22. No outside clothesline or outside facility for drying or airing clothes, household fabric or any other article visible from the street will be permitted.
5. **Animal Husbandry:** Article VI, Section 6.8, page 22. No animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot, except dogs, cats or other common household pets (not to exceed a total of two) provided they are not kept, bred or maintained for commercial purposes. Notwithstanding the foregoing, no animals or fowl may be kept on the Property which result in an annoyance or are obnoxious to residents in the vicinity. Animals are not permitted to roam the Property and must be controlled on a leash if they are not enclosed in a yard. Each homeowner, tenant or guest of a homeowner shall have the absolute duty and responsibility to clean up after such animals to the extent they have used any portion of the lot of another homeowner or any common area.
6. **Signs and Billboards:** Article VI, Section 6.9, page 22. Only one sign of not more than **four (4) square feet** will be allowed for advertising the dwelling for sale or lease. Other signage is limited and should comply with the portion of the DCC&R's addressing those stipulations.
7. **Treatment Facilities:** Article VI, Section 6.11, page 23. No lot shall be used for the operation of a boarding or rooming house, residence for transients, group home, family

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home, community home, day care center, rehabilitation center or treatment facility.

8. **Antenna/Satellite Dishes:** Satellite dishes and antennas are permitted to the extent allowed by federal regulation rule (47 C.F.R. Section 1.4000). This rule prohibits restrictions that impair the installation, maintenance or use of antennas used to receive video programming. The rule applies to video antennas including direct-to-home satellite dishes that are less than one meter (39.37") in diameter, TV antennas, and wireless cable antennas. The rule prohibits most restrictions that: (1) unreasonably delay or prevent installation, maintenance or use; (2) unreasonably increase the cost of installation, maintenance or use; or (3) preclude reception of an acceptable quality signal. Homeowners may use a working satellite dish less than one meter (39.37") in diameter. Any satellite dish or antenna should be installed in the back of the house unless precluded by poor reception. Satellite dishes no longer in use should be removed by the homeowner. For more information, go to fcc.gov.
9. **Storage of Automobiles, Boats, Trailers, Other Vehicles and Equipment: DCC&Rs** Article VI, Section 6.3, page 21. No campers, recreational vehicles, buses, inoperative vehicles of any kind, camp rigs off truck, trailers, boats or boat rigging shall be parked or stored on any public street, right-of-way, front yard area or on driveways. Only legal, operable vehicles with current registration may be parked in the driveways. Per DCC&Rs, City of Pasadena ordinance, and State of Texas law, vehicles cannot obstruct a sidewalk.

VI. ARCHITECTURAL GUIDELINES

The following Guidelines are intended to further ensure consistency in decisions and assist in expediting the decision process. The Guidelines are intended to augment the University Park DCC&R's and not replace or override them. All are based on the specific rules established by the appropriate governing documents. These Guidelines may be amended by addition, deletion or alteration at any time the Board deems appropriate.

Precedents: While the ARC will make every reasonable attempt to be fair and equitable, the ARC will not necessarily be bound by past decisions. The ARC reserves the right to disapprove applications for improvements that require a variance from the established Covenants if it believes that such changes are not in the best interest of University Park.

From time to time the ARC will make a decision that, in retrospect, is not in the best interests of the community. The ARC reserves the right to recognize such a situation document it in the minutes of a meeting and no longer permit its use as a precedent. The same right applies if the ARC makes an error in allowing a change or addition to these Guidelines.

A. Landscaping/Yard/Exterior

1. **Landscaping/Tree Removal and Replacement:** In general, the addition, removal, or movement of trees in the front yard is not acceptable without formal review and approval by the ARC including those that create a non-acceptable condition upon installation and those that grow to be non-acceptable. The stump of any tree removed will be ground below grade

and the area sodded. Trees and bushes should not touch or impinge on neighboring residence roof. No overhanging tree limb or branch may be less than 12 feet above the street or eight (8) feet above sidewalk surface. In general, removal is discouraged unless the tree is diseased, dead, severely damaged or poses a hazard. Homeowners are not required to replace removed trees.

2. **Yard Ornaments and Fixtures:** All lawn ornaments, installed outside of the fenced portion of the property, whether temporary or permanent, shall conform to the general restrictions of the DCC&Rs. This includes the prohibition of certain materials (such as plastics or non-natural materials) and the limits to reasonably subdued earth-tone colors compatible with the neighborhood. All such items must be kept in the same quality of repair as required of the home and land.

Ornaments include, but are not limited to, such items as planters, decorations, statues, bird baths, lawn ornaments, and other decorative items. Lawn furniture, permanent or temporary, is not allowed in the front of the fenced area. Acceptable materials are wood (either painted or unpainted to blend into the natural background), brick, stone, or cement/concrete, pottery, clay and tile. In order for an item to qualify for acceptance it must blend with the composition and tone of the surrounding area and the overall community. Exceptions can only be made by the ARC. Acceptable ornaments, such as statues, sculptures, bird baths, fountains, etc. shall be of a size proportional to the surrounding landscape and composed of natural wood, wrought iron, brick, stone, clay, pottery, or concrete. The test for permissibility for this class of items will be the extent to which its texture and size blends into the overall landscape of the surrounding properties. As a general rule, the number of front yard ornaments should not exceed six in number with none over 18 inches (18") in height, with commensurate other limited dimensional proportions. The ARC will be the final authority for acceptability.

3. **Park Benches:** Park benches shall be permitted in common areas. **Park benches shall be installed in concrete and approved by the ARC.** If maintenance on a park bench is deemed excessive, it will be removed. Park benches shall not be approved in the front yard of homes.
4. **Driveways:** Homeowners are required to maintain driveways in good condition. Homeowners must repair deep cracks (excludes spider cracks) and uplifts of concrete, such as caused by tree roots, and remove or eliminate weeds and grass within the driveway. Driveways should be cleaned to remove mold, mildew, and excessive stains. Concrete driveway widening shall not be permitted.
5. **Garden Hoses:** Garden hoses may be stored neatly mounted or in a container especially designed for garden hose storage. Hoses also may be stored on a hose reel device.
6. **Pools:** An application for the construction of a swimming pool, spa, hot tubs or Jacuzzi, collectively referred to as "pool", must include a plot plan showing the proposed location of the pool in relation to the property lines, building lines, existing structures and existing or proposed fences. The application shall also indicate the direction for construction access.

No swimming pool shall be constructed in a manner to impededrainage on a lot or to cause water to flow on an adjacent lot. Above ground swimming pools are not permitted. Free standing hot tubs are permitted, but should not be visible from the street.

7. **Storage/Outbuildings:** Only one (1) outbuilding not exceeding one hundred (100) square feet and eight feet (8') 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. No exterior portion of an outbuilding shall be made of metal. An outbuilding shall be located in the rear portion of the lot but may not be located on a utility easement. Outbuildings must also conform to the building front and side setback restrictions and shall not be placed within six feet (6') of the community perimeter fence. No outbuilding shall impede drainage from the lot or cause water to flow onto an adjacent lot.
8. **Drought Resistant Landscaping:** The Association does not prohibit a homeowner from installing drought-resistant landscaping or water-conserving natural turf. Prior to installation of the landscaping or drought-resistant natural turf the homeowner shall submit an HIA for review by the ARC that shall include a detailed layout or plan of the landscaping or water-conserving natural turf for approval to ensure, to the extent practicable, maximum aesthetic compatibility with other landscaping in the subdivision.
9. **Front Yards:** In order to comply with neighborhood standards, front yards must appear neat, uncluttered and maintained. That requires watering to ensure lawns and garden areas stay alive, and keeping front lawn and front garden/flower areas free of weeds and debris. Dead vegetation, dead branches from shrubs and trees, refuse, waste, trash and litter must be removed from the yard. Pots that are empty, cracked, broken or otherwise beyond repair must be removed. Maintenance of the yard and beds, other than services provided by the community landscaping company, is the responsibility of the individual homeowner.
10. **Back Yards:** Zero-lot-line patio homeowners have a permanent easement into their neighbor's yard for maintenance and repair of the side of the house within their neighbor's yard. As such, homeowners must allow access to their yards consistent with DCC&R Article VIII, Easement and Utilities and are prohibited from planting vegetation or placing objects against their neighbor's brick wall. Homeowners may be **required to remove any plantings** or objects. Additionally, homeowners must keep any flammable and heat-producing items (grills, stoves, heaters, etc) at least ten feet away from the wall or fence next door.

B. Repairs and Improvements

1. **Quality of Repairs and Improvements:** Repairs and improvements are required to be of equal or better quality than original construction and of the same type. While there is no specific requirement for the homeowner to apply to the ARC for such in kind repairs, the quality of such work may come under the scope of the ARC's responsibilities if the repair is done in such a way as to detract from the appearance of the neighborhood.

2. **Painting:** The existing exterior color of the main body or trim of a house, garage, or other improvement on a lot shall not be changed without prior written approval of the ARC. Acceptable paint color is Sherwin Williams exterior satin latex SW 7567 "Natural Tan", formerly SW 2431, or equivalent.
3. **Emergency and Disaster Reaction:** Disasters such as fire and weather may cause significant construction and repair activity to take place. Temporary repairs or structures (those that are present for no longer than six (6) months during reconstruction) will be acceptable under such a condition. Reconstruction in the form that existed before the disaster will be acceptable without approval by the ARC.

Temporary protective action in the event of certain weather conditions, such as hurricane warnings, will not require approval of the ARC. All such installations must be completely removed and the property restored to its original condition within 15 days of the passing of the emergency. This rule specifically applies to, but is not limited to, the boarding of windows and doors during a hurricane threat.

4. **Standby Electric Generators:** A homeowner may not operate, install or maintain a permanently installed standby electric generator without submitting and obtaining approval from the ARC prior to installation.

The HIA must include a catalogue or manufacturer data sheet of the generator which includes dimensions, material, color and sound reduction properties as well as a plot plan that shows the proposed location of the generator and any vegetation or structure intended to screen the generator.

No generator may be located in the front yard of a residence or in a common area whether or not owned by the HOA. Generators may not be installed in enclosed areas or next to windows to minimize the danger of carbon monoxide entering a residence.

The location of the generator must be on the homeowner's property and should take advantage of screening provided by existing or proposed structures or vegetation and of manufacturer-supplied enclosures to reduce visibility and emitted sounds of the generator.

Any and all electrical, plumbing and fuel-line connections for a generator must be installed by a licensed contractor. Homeowner is responsible to obtain all required permits and comply with all applicable governmental health, safety, electrical and building codes.

Testing of any generator may only be conducted during normal business days between 10 a.m. and 5 p.m.

No homeowner may use a generator to generate all, or substantially all, of the electrical power for a residence except when utility-generated electrical power to the residence is not available or is intermittent due to causes other than non-payment for utility services to the residence.

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5. **Easement Encroachments:** It is not the responsibility of either the ARC or the Board to police encroachment into utility easement areas. If possible, the ARC will advise the homeowner of a possible encroachment and recommend that the homeowner seek approval or waiver from the appropriate utility. However, the ARC, Board and Association will not be liable for any expense incurred by a homeowner as a result of action by a utility if such encroachment occurs, even if the ARC approved the change or addition without comment.
 6. **Construction Materials:** Certain building materials are considered unacceptable for exterior use in University Park. Other materials may be used for specific applications only. General guidelines are as follows:
 - a. **Brick:** Generally acceptable, pending approval of color by the ARC.
 - b. **Aluminum:** Acceptable for rain gutters and window framing. All aluminum items, regardless of their application, must be painted a color compatible with the home on which it is installed. Corrugated metal and aluminum are unacceptable for roofing materials.
 - c. **Fiberglass:** Generally unacceptable for all applications unless it is made to look like wood.
 - d. **Acrylic Sheet:** Generally unacceptable for all applications.
 - e. **Hardie Plank Siding or Equivalent:** Such siding may be used to replace original wood or composition siding as long as it is made to look like the original wood siding (texture, form, quality and color will be the acceptance criteria). Any replaced or new siding must be painted Sherwin Williams SW 7567, Natural Tan or equivalent color. Most uses of plastic are unacceptable.
 - f. Canvas, canvas-type, corrugated metal, aluminum, concrete, or metal materials are unacceptable for all roofing applications.

C. Fencing

1. **Homeowner Fencing:** Use Restrictions relative to Fencing are covered in Article V, Section 5.16, page 17 of the DCC&R's. The following Guidelines supplement the Use Restrictions. No walls or fences shall be erected without prior written approval of the ARC.
 - a. **Privacy Fencing:** Fences between homes designed to provide homeowner privacy shall be maintained by the homeowners in the color, location and materials similar to original fencing. Fences may have wood colored sealant applied. Any replacement fencing shall not exceed eight (8) feet in height, including rot board, from the ground. Replacement fencing requires submittal of HIA and ARC approval.

- b. **Animal Retention:** Wire mesh utilized for animal retention may be installed on gates or yard fencing and is not subject to ARC approval as long as the following restrictions are strictly followed:
- Wire mesh shall be black in color similar to the gates/structure that are utilized and shall be securely attached.
 - Wire mesh shall be black vinyl or black painted galvanized metal material of no more than four (4) feet in height. **No other material (fabric, lattice, wood, etc) may be mounted on tubular metal fencing or gates.**
 - Installations shall be maintained in good repair.
- c. **Other Homeowner Fencing:** Brick or stone pillars may be constructed and used as fence posts. These must be of a material to match the exterior of the home and not exceed eight (8) feet in height.

All tubular steel, aluminum or similar metal fencing and gates must be approved by the ARC and must be black in color. Such metal fences and gates which allow direct access to a Homeowner's side or back yard are limited to a maximum height of six (6) feet. All other metal fences or gates constructed in other boundary areas of a Homeowner's front yard are limited to a maximum height of four (4) feet. Chain link material, wood, metal screens, metal mesh and similar materials are prohibited. Metal fences and gates must be similar in appearance and style to other UPPH homes' metal gate to the backyard, and must maintain aesthetic consistency with the neighborhood. Any gates in such a fence must open inwards toward the house. Easements, setback requirements, city permits, and building codes are the responsibility of the Homeowner.

- d. On corner lots, the fence must begin on the rear edge of the house or building line for the side of the home which is closest to the corner or on the building line. The finished or architectural side of a fence should always face the exterior or public side (street side).

2. **Perimeter Fencing.** Perimeter fences are a community property, owned, and maintained by the Association. The Association reserves an easement across the lots for the purpose of inspecting, maintaining, and repairing the exterior perimeter fencing to the extent, if any, that the Association determines to be necessary and reserves reasonable rights of access over and across the lots to the exterior perimeter fencing. In general, the Association has access to several feet of property inside the perimeter fence and residents must respect this easement.

All perimeter fences shall be maintained in the color, location, and materials identical to the original fencing. Homeowners may stain only the inside of a wood perimeter fence within the homeowner's property. Homeowners may not replace perimeter fencing without ARC approval.

Individual homeowners whose property adjoins the perimeter fence must ensure the fence is not subject or exposed to damage by adjacent plantings, trees, or land use and will be held

responsible and billed for any physical or structural damage to the perimeter fence occurring on or caused by their property. Plants that attach themselves to the perimeter fence, including but not limited to ivy, are strictly and specifically prohibited. Should any such vegetation be present the Association reserves the option to access said property via the easements and have any such vegetation removed at homeowner's expense. Bushes and trees must be kept trimmed to prevent any damage resulting from physical contact with the fence. No structure of any kind may be attached to or in contact with the perimeter fence.

In this regard the following guidelines will apply:

- a. Trees and all such large plantings will be planted such that they will not be in contact with the perimeter fence at maturity. Care shall be taken in planting trees that have large root systems that could damage the structural integrity of the fence.
- b. No vines or trellises with vines of any type are allowed to be grown or to be mounted on the perimeter fence.
- c. Raised flower beds, mulch, composting, and similar plantings are allowed provided they do not damage or compromise the structural and physical integrity of the fence. They shall not be allowed to accumulate against the perimeter fence.
- d. No structures, permanent or temporary, are allowed within six feet (6') of the perimeter fencing This does not include existing placement of homes in relation to the fence.

D. Windows/Doors/ Burglar Bars/ Screens

1. **Awnings/Sun Screens/Solar Screens:** Awnings visible from a front or side street shall not be permitted. Awnings on the rear portion of a lot must be approved by the ARC. Sun screens and solar screens are generally permitted but are restricted to black, dark brown, or dark gray and must be constructed and installed to professional standards. ARC approval of solar screens is not required provided these restrictions are strictly followed. All window screens must be in good condition and not warped, buckled, torn or deteriorated.
2. **Burglar Bars:** The use of burglar bars on the exterior of any window or door is prohibited. If burglar bars are installed on the interior windows or doors they must not be visible from the street. **Any burglar bar installation requires pre-approval from the ARC.**
3. **Security Doors:** Security doors visible from the street must be consistent with the general aesthetic appearance of the neighborhood and require pre-approval from the ARC.
4. **Storm Doors:** Storm doors, including combination window/screen doors, are generally permitted on the front of a home provided they have a simple wood or metal frame in a **cream, almond or brown color.** Full screen doors are not permitted. The door design and color are subject to review and approval by the ARC and shall be in keeping with the original door and home design. Storm doors shall be constructed of a quality material and

conform to the appearance of the rest of the community. Storm doors not visible from the street do not need ARC approval.

5. **Storm Shutters:** Storm shutters or blinds must be the roll-up shutters designed to be fully retractable into a non-conspicuous receptacle. Such receptacle must be painted to match the trim of the house (Sherwin Williams SW Natural Tan). All storm shutters or blinds require prior ARC approval and may be deployed only during severe weather events.
6. **Glass Block Windows:** Glass block windows are restricted to the side and rear of the house.
7. **Exterior Storm Blinds:** All exterior storm blinds on the front of the home require prior ARC approval.
8. **Window Replacement:** ARC approval is required for replacement of any windows as noted below. The following minimum guidelines will be met: For all front-facing windows, the windows must be of the same style as the original windows with the same number and size of grids. Grids are not required on side and back windows. **All grids and window frames must be colored white, almond or Sherwin Williams SW 7567, Natural Tan or equivalent.** This criterion does not preclude replacement with thermal type windows, which must meet the same criteria as noted above. This does not apply to bathroom opaque windows, which, if replaced, will be opaque.
9. **Front Doors:** Homeowners are responsible to maintain front doors in good condition. Any replacement of a door visible from the street requires an HIA and ARC approval. Replacement doors should be in the same style as the existing door with a minimum of some glass in the door and may be any material that looks like medium or dark brown wood.

E. Gazebos/Pergolas/Patio Covers/Sun Shades/Arbors:

1. Gazebos/Pergolas/Patio Covers/Sun Shades/Arbors:

All gazebos, pergolas, patio covers, arbors, sun shades and similar type structures, whether temporary or permanent, must be approved through the HIA process. The height of any gazebo, pergola, patio cover, arbor, sunshade or similar structure must not exceed eleven (11) feet. All such structures must be located in the rear or side yard.

The standard, type, quality and color of materials used in the construction of a patio cover, pergola, gazebo and similar such structures must be harmonious with the standard, type, quality and color of materials used in the construction of the main residence. Pressure treated wood may age naturally, be stained or painted to match the residence.

Corrugated roofs shall not be permitted under any circumstances. Refer to Section relating to Construction Materials. Any roof populated with shingles shall match the quality and color of the roofing of the residence. Canvas and similar non-permanent materials are not allowed for roofing.

Aluminum, vinyl and other materials dissimilar to residential construction in the community will be evaluated on a case by case basis, but generally will not be approved. Gazebos, pergolas and similar structures are not to be used for storage.

The homeowner is responsible to determine if a gazebo, pergola or similar structure requires a building permit which is usually required for any structure that exceeds 100 square feet. Homeowners also must ensure the structure does not encroach on the utility easement shown on their plot plan and satisfies the requirements of City of Pasadena Patio Home ordinance number 91-36 which states: A side easement extending no more than five (5) feet from the privacy wall or zero lot line wall into the patio area of the neighboring lot shall be required and shall be used for maintenance and drainage purposes.

2. **Umbrellas:** Umbrellas (**defined as fabric on a folding frame mounted on a single portable central support**) such as those used for sun shading are allowed provided they blend in with the tone of the residence and are maintained in good condition. **They should be folded when not in use.**
3. **Decks:** All decks must be approved by the ARC with respect to location and the standard, type, color and quality of materials used in construction. Wood decks and those made of manufactured wood-like materials are permitted. No deck shall impede drainage on or cause water to flow on an adjacent lot. No deck shall be constructed more than three feet (3') above the ground.

F. Roofing/Vents/Lighting

1. **Roof Shingle Replacement or Repair:** Roofing replacement and repair requires an HIA and must be approved by the ARC prior to installation. The baseline specification for shingle replacement for the entire roof is GAF Timberline Weathered Wood color. This is an example, NOT a requirement. Equivalent if not exact shingles, are offered by all roofing companies. The color of the shingle needs to match the original shingle color. The HIA must include specification data, shingle style, and color. **A sample shingle must be provided with the HIA, UNLESS, the replacement shingle is one of the following:**
 - a. **GAF Timberline HD Weathered Wood**
 - b. **Certain Teed Landmark Weathered Wood (NOT Max Def Weathered Wood)**

The new roof must have the new drip edge painted the same color as the house trim as well as the gutters (i.e. drip edge must not be the color of the shingle). The shingle roof valleys must be half-cut closed valley. The debris must be cleaned from the homeowner's and neighbor's yards at the end of each workday. If the original roof has ridge vents the new roof must also have them. The project must be completed in 10 working days, weather permitting. For those homes that do not have ridge vents but instead electric roof vent fans, the homeowner may either choose to retain the electric vent fans or incorporate ridge vents. All buildings shall be roofed with composition shingles. Wood shingles are prohibited for safety

reasons. Three-tab shingles are specifically prohibited except for use as a starter and cap rows.

2. **Solar Panels:** This guideline applies to solar energy devices as defined in Section 202 of the Texas Property Law. A solar energy device is defined as a system or series of mechanisms designed primarily to provide heating or cooling or to produce electrical or mechanical power by collecting and transferring solar-generated energy. Any such devices must be installed on the property homeowner's private property and shall not encroach on adjacent properties or any Association common areas. Solar energy devices may only be installed after submittal of an HIA including a color photograph of the proposed panels and a plot plan showing where they will be installed and approval by the ARC.

Solar devices may be installed on the roof of the home, or within a fenced yard or patio. For devices mounted on the roof of the residence they will not extend beyond the perimeter boundary of the roofline or roof section to which it is attached, will conform to and be aligned to the slope of the roof. Frames, brackets, and visible piping or wiring will be of a color to match the roof shingles, black or bronze and be installed to minimize view from the front street or common area. For devices located in a fenced yard or patio, no portion of the device may extend over the top of the fence. Installed devices may not threaten public health or safety nor interfere with the use and enjoyment of land or causing discomfort or annoyance to any adjoining property homeowner or property owned or maintained by the HOA.

3. **Roof Vents:** Whirlybird, turbine or ridge roof vents may be installed only after submittal of an HIA, including a color photograph of the proposed vent and a plot plan showing where they will be installed, and approval by the ARC. Any vent will be of a color to match the roof shingles, black or bronze. Any roof vents should be installed on the back side of the roof to minimize view from the street. Installed devices may not threaten public health or safety nor interfere with the use and enjoyment of land or causing discomfort or annoyance to any adjoining property homeowner or property owned or maintained by the HOA.

4. **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 ARC 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 or 2680 lumens, whichever is greater.
- b. **Security Lighting:** Security lighting; i.e., lighting other than the original builder installed lights, shall be permitted with the ARC's approval. All security lighting shall be mounted behind the back plane of the house. Polemounted security lights are generally not approved. 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 ARC if the design and location of the house and/or garage on a lot warrant an exception.

- c. **Landscape Lighting:** Exterior landscape lighting at ground level is permitted within flower beds, shrubs, along walkways (such as solar lights lining walkways) and/or trees. Any lighting above ground level such as on a pole or tree requires ARC approval.
- d. **Gas Lights:** Two (2) gas lights per lot shall be permitted with the ARC's approval; provided that the gas lighting color is white. The pole and lights shall not extend more than seven feet (7') above the ground. Existing gas lighting may be converted to an electric incandescent bulb provided that (1) the incandescent bulb is a clear glass type, and (2) the lighting color is white.
- e. **Annoyances:** All new lighting which is approved by the ARC shall be subject to a ninety (90) day trial period after installation to assure that the lighting is not objectionable to surrounding residents. If, at the end of the ninety (90) day period, the ARC determines that the lighting is not unreasonably offensive or an annoyance to surrounding residents, the ARC's approval shall be final; otherwise, the lighting shall be removed or modified in accordance with the decision of the ARC.

G. Miscellaneous

1. **Holiday Decorations:** Holiday decorations are permitted and will not require approval. Decorations may be installed no sooner than 30 days prior to the holiday and must be removed within fifteen (15) days after the holiday for which they are intended. The ARC reserves the right to require the removal of decorations that either generate complaints or are deemed offensive. **Religious displays are permitted.**
2. **Birdhouses:** Birdhouses shall be permitted subject to the prior approval of the ARC. No birdhouse shall be situated higher than fifteen feet (15') above the ground and no more than two (2) birdhouses shall be permitted on a lot. The materials used in the construction of each birdhouse and the color of each birdhouse must be harmonious with the home and other improvements on the lot. Any birdhouse must be within the fenced area of the lot.
3. **Flags and Flag poles:** Permanent flag poles are subject to the prior approval of the ARC. One flagpole per home may be erected only on the homeowner's property provided it is not more than 20 feet in height **and is in compliance with zoning, easement, and setback requirements.** Only flags of the United States of America, the State of Texas and an official or replica flag of any branch of the United States armed forces may be displayed. A flag staff may be mounted on the house, garage or other improvement structure as long as the length of the staff does not exceed six (6) feet and the top-most part of the staff does not extend to a point higher than the highest point of the specific structure (tree, house, garage, etc.) on which it is mounted. All flags and flagpoles must be maintained in good condition. **Deteriorated flags must be removed and properly disposed of.**
4. **Weather Stations/Vanes:** Weather stations/vanes are permitted on homeowner property upon submittal of an HIA and approval by the ARC.

5. **Children's Play Structures:** For the purpose of these guidelines, a children's play structure shall mean any type of play set, climbing structure, play fort, slide, or swing set and shall be restricted to the fenced portion of the lot. The play structure shall not exceed eight feet (8') in height. No play structure shall be located on a utility easement, impede the drainage on the lot, or cause water to flow to an adjacent lot. Permanent play structures must be approved by the ARC.

6. **Political Signs:** Notwithstanding the provisions in the DCC&R's, and as adopted in Section 202 of the Texas Property Law, political signs advocating the election of one or more political candidates or the sponsorship of a political party, issue, or proposal are allowed on private property provided that such signs are not erected more than ninety (90) days in advance of the election to which they pertain and are removed within ten (10) days after such election.

Political signs must be ground mounted in a temporary manner. Only one sign is permitted per candidate, issue, or proposal. **Political signs may not exceed six (6) feet by four (4) feet in size.**

Signs may not be erected on Association property such as parks, common areas, esplanades, or perimeter fences. Signs in violation of this Association property guideline will be removed and disposed of by the Association Board.

7. **Non-political signs: In accordance with the DCC&Rs, non-political signs are limited to not more than six (6) square feet and are limited to the following:**

- a. **To advertise that home for sale or lease**
- b. **To indicate traffic control or security services**
- c. **To identify the builder or contractor while work by that entity is on-going at that residence**

8. **Construction Pods and Dumpsters:** Use of storage construction pods or dumpsters for home interior renovation, roofing installation, or household utility use is permitted for a period of 30 days without ARC approval. Pods or dumpsters that are planned to be utilized for a longer period of time require the prior approval of the ARC and submittal of an HIA with the planned removal date stipulated.

9. **Handicapped Ramps and Accommodations:** An HIA must be submitted and approved by the ARC prior to the installation of handicapped ramps and accommodations to be used for mobility and access to the family residence and facilities. The HIA must be accompanied with a description and sketch of the proposed construction, installation, and materials planned to be utilized. It shall blend, or be painted to blend, with the composition and tone of the residence. The materials, design, and workmanship will be of a quality to match that of the residence. It is recognized that each case and installation could be unique and require tailoring to the individual circumstances. The ARC will jointly participate with the homeowner on an individual case basis as necessary to assure that both individual needs and community architectural standards are accommodated. Care should be taken when adding

ramps as incorrectly constructed ramps can cause injuries. Ramps and accommodations may be temporary or permanent in nature.

10. Rain Harvesting: Rain harvesting devices (RHD) such as described in Section 202 of the Texas Property Law are permitted after submittal of an HIA and approval in writing by the ARC with the following restrictions:

- a. RHD may only be installed on a homeowner's private property and shall be located in the back of the property and not be visible from an adjoining or adjacent street. No such devices are allowed in Association owned common areas.
- b. RHD storage containers may not exceed 50 gallons each.
- c. RHD associated pipe, tubing, or ducting must be hidden such that they are not visible from the street.
- d. Guttering intended to feed an RHD must be installed in a manner which is comparable to standard guttering as originally installed. Downspouts installed at irregular angles for the sole purpose of feeding an RHD are not permitted.
- e. RHD storage containers shall be installed in the backyard and must be installed below the fence line such that they are not visible from the street or the neighboring lot(s) fence line.
- f. All RHD storage containers must have lids that provide a seal to mitigate the breeding of mosquitoes and the odor of stagnant water.
- g. Colors of collection devices shall be consistent with the color scheme of the property homeowner's home and blend in with the surroundings.

11. Basketball Goals and Hoops: Basketball goals are not allowed to be pole mounted in the driveway. No goals may be mounted on the garage or house structure.

Goals may be placed in rear (back) yards subject to setback and easement restrictions. Portable basketball goals will be allowed in the unfenced portion of the yard but must be stored out of sight in the evenings or when not in use.

To the greatest extent possible, basketball goals, posts, backboards, nets and hoops will be of colors that are not offensive to the landscaping of the neighborhood. Bright fluorescent colors (particularly nets) will not be allowed. Goals must have a full, undamaged net at all times attached to the hoop or ring. All goals and poles must be kept in a near "like new" condition including the surface and rear of the backboard.

No basketball goal or use of basketball goal which may become an annoyance or nuisance to the neighborhood or which shall in any way unreasonably interfere with the quiet enjoyment of each homeowner or which shall degrade property values or distract from the aesthetic

beauty of University Park shall be permitted to remain on any lot. University Park residents and their guest(s) are allowed to use goals on their property from 8:00 a.m. to 9:00 p.m seven days a week. Outside of these hours, goals in the unfenced portion of the yard are to be stored out of sight of other homes or from the street. Goals within the fenced area of the back yard may remain visible from other homes or from the street.

Approved: Patricia Farrell
Patricia Farrell, Board President

Date: March 15, 2020

RP-2022-231707

University Park Patio Homes

Home Improvement Application for Architectural Review Committee

In order to protect homeowner property values and privacy, improvements or changes to properties, besides flower/plant replacement, generally requires submittal of a **HOME IMPROVEMENT APPLICATION (HIA)**. This request is reviewed by the Architectural Review Committee (ARC) to ensure compliance with deed restrictions, architectural guidelines and local statutes, and to protect neighboring homeowners. If any change is made without an HIA approval or if the final construction varies in detail from the approved HIA, the Association has the right to require the homeowner to remove or correct the change.

Please fill out the entire form.

DATE: _____

LAST NAME: _____ FIRST NAME: _____

STREET ADDRESS: _____

PHONE #: _____ EMAIL: _____

NOTE: The Association will not be held responsible for ensuring compliance with restrictions regarding utility easements, building setbacks, building codes and other restrictions imposed by other local or state governing bodies or companies. Before digging or excavating anywhere in your yard, call the gas, power, telephone and cable companies for staking of the location of distribution and service lines. Some lines are located in easements and some are not.

1. Specific change/Improvement:
(A separate application must be completed for each improvement).

_____ Roof (must complete item 4 also) _____ Pergola/Patio Cover _____ Windows
_____ Fence _____ Paint _____ Other (please state): _____

2. Describe in detail the change or improvement requested:

3. Who will perform the work? _____

Phone # _____

RP-2022-231707

4. Additional information required for roofing*:

Shingle manufacturer: _____

Shingle style name (exact): _____

Shingle color name: _____

* In addition to the information above, a sample shingle must be provided with the HIA, UNLESS the replacement shingle is one of the following:

- o GAF Timberline HD, Weathered Wood
- o CertainTeed Landmark, Weathered Wood (NOT Max Definition Weathered Wood)

NOTE: Per the Guidelines, drip edge and gutters must be same color as house trim and shingle roof valleys must be half-cut closed valley

As appropriate, attach plot plan showing installation points, a color sample from the color chart or a chip of the actual paint or stain or manufacturer/dealer color photograph. The request cannot be approved without them.

I understand that the ARC has up to thirty (30) days but will act upon this request as quickly as possible and contact me regarding their decision(s). I agree not to begin property changes or improvements until the ARC informs me of their approval.

INDEMNITY AND HOLD HARMLESS AGREEMENT

Homeowner agrees to and will indemnify and hold harmless the Association, its Officers, Directors, Members, Employees, Agents and Deputies, from and against any and all liability of every kind, including all expenses of litigation, court costs and attorney's fees, for injury to or death of any person, or for damage to any property, arising out of or in connection with the above referenced request, including where such injuries, death, or damages are caused by the Association's, sole negligence or the joint or concurrent negligence of the Association and any other person or entity.

Signature of homeowner

Date

Please complete and return to:

**Community Management Solutions, Inc
2615 Bay Area Blvd.
Houston, TX 77058
Phone: 281-480-2563 Fax: 281-480-2608**

RP-2022-231707