



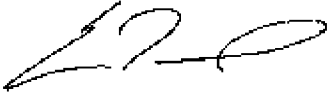
Records of Real Property of Grimes County, Texas on June 6, 2024 under Clerk's File No. 2024-340604, which documents were filed for record for the purpose of complying with Section 202.006 of the Texas Property Code.

Additional Dedicatory Instrument(s). In addition to the Dedicatory Instruments identified in the Notice and the Supplemental Notices, the following document is a Dedicatory Instrument governing the Association:

- **Architectural and Site Design Guidelines for Saddle Creek Forest Property Owners Association, Inc.**

This Ninth Supplemental Notice is being recorded in the Official Public Records of Real Property of Waller County, Texas and in the Official Public Records of Real Property of Grimes County, Texas for the purpose of complying with Section 202.006 of the Texas Property Code. I hereby certify that the information set forth in this Ninth Supplemental Notice is true and correct and the document attached to this Ninth Supplemental Notice is a true and correct copy of the original.

**SADDLE CREEK FOREST PROPERTY OWNERS ASSOCIATION, INC.**

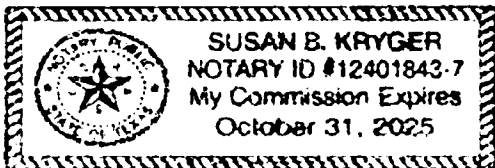
By:   
Eric B. Tonsul, authorized representative

THE STATE OF TEXAS     §  
  §  
COUNTY OF HARRIS     §

BEFORE ME, the undersigned notary public, on this day personally appeared Eric B. Tonsul, authorized representative of Saddle Creek Forest Property Owners Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and in the capacity therein expressed.

SUBSCRIBED AND SWORN TO BEFORE ME on this the 7<sup>th</sup> day of June, 2024, to certify which witness my hand and official seal.

  
Notary Public in and for the State of Texas





I hereby certify that I am the duly elected, qualified and acting Secretary of the Association and that the foregoing Architectural and Site Design Guidelines was approved by not less than a majority vote of the Board as set forth above and now appears in the books and records of the Association, to be effective upon recording in the Official Public Records of Waller County and Grimes County, Texas.

TO CERTIFY which witness my hand this the 7th day of June, 2024.

**Saddle Creek Forest Property  
Owners Association, Inc.**

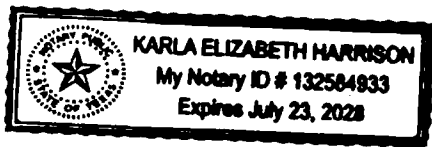
By: *Ralf-Peter Moss*

Ralf-Peter Moss - Secretary

THE STATE OF TEXAS     §  
  §  
COUNTY OF Waller     §

BEFORE ME, the undersigned notary public, on this 7 day of June, 2024, personally appeared Ralf-Peter Moss, Secretary of Saddle Creek Forest Property Owners Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purpose and in the capacity therein expressed.

*Karla Elizabeth Harrison*  
Notary Public in and for the State of Texas



# **EXHIBIT "A"**

## **SADDLE CREEK FOREST Architectural and Site Design Guidelines**

Revision 007  
05/21/2024

# SADDLE CREEK FOREST

## Architectural and Site Design Guidelines

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# SADDLE CREEK FOREST

## Architectural and Site Design Guidelines

### 1. Introduction

#### 1.1 Objective of the Guidelines

This document is intended to establish the guidelines for developing properties in the residential community known as Saddle Creek Forest in Waller and Grimes Counties, Texas. The standards of design expressed in this document describe the "vision" of the community through procedures that are clearly outlined and informative and consistent with the requirements in the Saddle Creek Forest Governing Documents.

Our intent is to expedite your process of building an exceptionally high-quality residence. We may review and revise these Guidelines, as necessary to reflect changing conditions.

#### 1.2 Relationship to Legal Documents

These guidelines are intended to be complimentary to the Governing Documents of Saddle Creek Forest. A listing showing the other documents and the established Order of Precedence is provided as an attachment to this document.

#### 1.3 Community Master Plan

Saddle Creek Forest is a planned gated community that includes approximately 1048 acres located on Riley Road in Waller and Grimes Counties. The community includes three lakes, parks, playgrounds, picnic areas, day stables with riding arena and walking / riding trail.

Throughout the development of Saddle Creek Forest, it is the intent of the Saddle Creek Forest Property Owners Association to protect the natural features of the property. Consequently, these Design Guidelines will reflect that concern in their approach toward the design, review, and construction of residences within Saddle Creek Forest.

### 2. Organization & Responsibilities of the Architectural Review Board

#### 2.1 Mission and Functions

The Saddle Creek Forest Architectural Review Board (ARB) has been established by the Saddle Creek Forest Property Owners Association (Association) to ensure an attractive, compatible, and aesthetically pleasing community. **REF#1-9.2, REF#10-5.2**

The ARB works with the Governing Documents to determine the approvability of projects submitted to them. The final decision of the ARB may be based on purely aesthetic considerations.

The Association reserves the right to revise the structure of the architectural review process, and to revise and update the design guidelines as well as the performance and quality standards to respond to future changes. **REF#1-9.3**

#### 2.2 Membership

The ARB is comprised of 3 to 5 members appointed by the Association. The Association shall appoint a member of the Board of Directors to act as the principal contact (Board Liaison) to the ARB, pursuant to the restrictions of Texas Property Code 209. The right to appoint members to the ARB shall be retained by the Association Board of Directors. The ARB will appoint one member to act as the principal contact (ARB Liaison) with the Board of Directors. **REF#1-9.2, REF#10-5.2.**

#### 2.3 Scope of Responsibility

The ARB has the following responsibilities: **REF#1-9.2 & 9.3.**

- A. Evaluating each of the plans submitted by an owner for adherence to the design guidelines and compatibility of the design with the adjoining sites and common spaces.
- B. Recommending approval of all new construction.

# SADDLE CREEK FOREST

## Architectural and Site Design Guidelines

- c. Monitoring the design and construction process in order to ensure conformance with the Governing Documents.
- d. Enforcing the Design Guidelines through special assessment or self-help as described in the Governing Documents.
- e. Interpreting the Governing Documents and Design Guidelines at the request of the owners.
- f. Recommending approval of all modifications to existing structures, including but not limited to walls, fences, material replacements, renovations, additions and landscaping.

**Final approval of all site preparation, construction, remodeling or exterior improvements is retained by the Association. That authority is hereby delegated to the ARB, provided absolute alignment to the governing documents exists. ANY VARIANCE FROM THE GOVERNING DOCUMENTS OF SADDLE CREEK FOREST CANNOT BE GRANTED BY THE ARB. VARIANCE ON THE DESIGN GUIDELINES REQUIRES APPROVAL BY A VOTE OF A MAJORITY OF THE BOARD OF DIRECTORS OF THE ASSOCIATION AT A REGULARLY SCHEDULED OPEN MEETING.**

### 2.4 Enforcement Powers

Any structure or improvement that is placed on any home site without ARB approval is considered to be in violation of these guidelines and the Covenants. The ARB has the power to issue a stop work order and request that the non-conforming structure be brought into compliance at the owner's expense. Should the owner fail to comply with the requests of the ARB, the ARB will act in accordance with Article 9.9 of the Covenants to bring the non-conforming item into compliance. The details of the enforcement process are defined in the Governing Documents Enforcement and Fine Policy, **REF#I-9.9**

Any amendments to the Architectural Design Guidelines shall be prospective only and shall not apply to require modifications to or removal of structures previously approved once the approved construction or modification has commenced. **REF#I-9.3(a) & 9.5**

The ARB retains the right to inspect properties at various times during the construction process. The ARB is charged with the responsibility of providing the Association with a final inspection report indicating that the property has been developed according to approved drawings, that the property is complete, and that the property is ready for occupancy. **REF#I-11.5 & 11.6**

### 2.5 Limitation of Liability

Approval by the ARB does not constitute a representation of warranty as to the quality, fitness, or suitability of the design or materials specified in the plans. Owners should work with their architect, builder and/or contractor to determine whether the design and materials are appropriate for the intended use. In addition, approval by the ARB does not assure approval by any governmental agencies that require permits for construction. Owners are responsible for obtaining or ensuring that their architect or contractor obtains all required permits before commencement of construction. The Saddle Creek Forest POA, its board members, any committee, or member of any of the foregoing shall not be held liable for any injury, damages, or loss arising out of the manner or quality of approved construction on or modifications to any home site. In all matters, the ARB and their members shall be defended and indemnified by the Saddle Creek Forest POA as provided in Article 4.6 of the Covenants. **REF#I-9.8 & 4.6**

## 3. The Design Review Process

### 3.1 Permit Applications

Permit application forms are available on request from the ARB or via the TownSq website/app and are to be completed by the Property Owner and/or Builder. The Property

# SADDLE CREEK FOREST

## Architectural and Site Design Guidelines

Owner will be responsible for the application, all work performed under the approved permit, and will be the primary contact for all matters relating to these Guideline requirements and activities associated with the Property. Instructions for completion and method of submittal are included on the Permit forms. There are different categories of Permits depending on the activity and/or structure, and a list of Category Definitions and the corresponding schedule of Fees are provided from the ARB along with the Permit Forms. Each Permit includes a Drainage Impact Form and an Acknowledgement Form to be completed and signed by the Owner. The required deposits and fees are defined for each different Permit category and are listed in the Fee schedule. **FORMS-Permits & Fees**

Category 4, 5 and 6 projects can only be performed on property with a dwelling or on a property that is a combined build site with a property with a dwelling. All renovations, additions, or improvements to existing structures shall be approved by the ARB. The Owner shall submit plans showing the nature of the work to be performed with all of the appropriate fees, if any.

An Owner may remodel, paint, or redecorate the interior of structures on his Lot without approval. The regular maintenance of landscaping, including replacement of trees, shrubs, flowers, etc. may be performed without approval. However, modifications to the interior of porches, screened porches, patios, and similar portions of a Lot visible from outside the structures on the Lot shall be subject to approval. **REF#I-9.1**

If the owner of a corner lot wants to locate the house such that the build line along the street should be swapped between the two streets, the property owner will first talk with the relevant County Engineer and get preliminary approval from the County. Once that takes place, then the property owner will present documentation to that extent to the POA Board of Directors to request their approval for the change. Any replatting or other activities required by the County will be paid for by the property owner including, but not limited to updates of POA documentation.

### 3.2 Review of Plans

The ARB will review the property owners' design submissions. The ARB review process shall not exceed 30 days from electronic receipt and confirmation that all required documents have been submitted and received. The review will not commence until all fees have been paid to the POA. The ARB is responsible for reviewing the architectural and site requirements in accordance with the Governing Documents. **REF#I-9.3(b)**

Once the ARB members have had the opportunity to review and comment on the submittals, the ARB majority will make the final decision. Submission requirements are outlined in **Section 5.0** of these guidelines. **REF#I-9.3**

In the event that submittals are found to be incomplete or not in compliance with the Governing Documents or relevant fees have not been paid, the owner shall be notified, and the permit application will be denied. Once the submittals have been made compliant and complete the review process cycle and 30 day review period shall begin again.

### 3.3 Conditions of Approval/ Rejection of Plans

Approval by the ARB shall in no way relieve the owner of responsibility and liability for the adherence to any applicable ordinances, codes or the Governing Documents. Plans submitted for review, or any portion thereof may be disapproved upon any grounds, which are consistent with the purpose and objectives of the ARB, including purely aesthetic considerations. **REF#I-9.3(b)**

### 3.4 Architectural and Contractor Requirements

All plans for the construction of dwellings within Saddle Creek Forest shall be designed and drawn by an architect who is registered and licensed or an experienced professional home designer. Foundation Plans shall be approved and stamped by an engineer who is registered and licensed in the State of Texas. Septic System plans shall be approved and stamped by a

# SADDLE CREEK FOREST

## Architectural and Site Design Guidelines

Sanitary Engineer who is registered and licensed in the State of Texas. Other buildings or significant structures such as barns or secondary metal buildings within Saddle Creek Forest shall be designed by an experienced supplier of such structures. **REF#I-9.1**

### 3.5 Final Review after Rejection Notice

During final review, the designer submits a final set of construction drawings for the project. These drawings should address all the conditions imposed by the ARB and restrictions. The ARB reserves the right to make design comments on any plan during this review.

### 3.6 Additional Meetings with the ARB

If an application is denied or conditions are unacceptable, the applicant may request an additional meeting to discuss the plans with the ARB or an ARB representative. If an applicant is not satisfied with the decision of the ARB after the additional meeting, the applicant may request an appeal through the Saddle Creek Forest Property Owners Association Board of Directors. The process of appeal is defined within the 209 Hearing Policy. **REF#22**

### 3.7 Variances

From time to time, the Design Guidelines or existing site conditions may impose an undue hardship that may inhibit construction on a particular home site. In such case, the applicant may submit a written request for a variance to the ARB. Only the Association through its Board of Directors has the authority to grant variances to the Governing Documents. No variances are allowed unless the applicant has received a written notice of approval from the ARB. Any variance granted is unique and does not set any precedent for future decisions of the Association or the ARB. **REF#I-9.6 & 9.7**

### 3.8 Construction Deposit

The Construction Deposit amount has been established and published by the ARB. The purpose of the deposit is to assure compliance to workplace clean site standards. The Owner of the property may be charged the costs associated with correction of work not deemed to be in compliance with established clean site standards or to remedy damage to POA property at the discretion of the ARB or Saddle Creek Forest POA Board of Directors. Inspection costs in excess of the prepaid Site Inspection Cost amount will also be charged against this deposit. Additional review and other charges may also be deducted from the deposit, and the balance of the deposit will be refunded to the Property owner upon completion of home construction, completion of all open items from the Final Inspection, and receipt of the Construction Deposit Refund Application. **REF#I-9.2**

### 3.9 Design Review Fees

Design review fees can be established and published by the Saddle Creek Forest Property Owners Association. The intent of these fees is to cover all expenses related to the processing of applications for construction. The Association reserves the right to change or waive these fees from time to time without prior notice. The Construction Deposit (if imposed) must be included with the submission. Permits submitted without all fees and deposits paid will be considered incomplete and the permit will be denied and returned to the Owner. The Association reserves the right to change the amount at any time without notice. All fees will be recorded to the property owner's account by the property management company. **REF#I-9.2 & FORMS-Fees**

### 3.10 Final Approval

The final approval letter is issued to the Property owner by the ARB after approval of the submitted plans for construction. Construction can only begin after receipt of the

# SADDLE CREEK FOREST

## Architectural and Site Design Guidelines

approval letter. Any work begun prior to the approval of the project is subject to an “Unapproved Construction” fine.

### 3.11 Refund of Construction Deposit/Unused Inspection Prepay

A request for refund of the Construction Deposit and any unused Inspection Prepay may be made after the final inspection. To receive the refund, all identified deficiencies identified during the final and previous inspections must be rectified. In addition, for all new home construction, a final survey must be provided which shows, as a minimum, the following:

- The boundary lines of the property
- All creeks, swales and other drainage elements
- 100-year floodplain, if applicable
- Drainage and Utility Easements as well as Maintenance Easement on lake front property
- Build Line
- Outline of house
- Driveways, both primary and secondary, down to and including the street
- All permanent flatwork/hardscape (patios, decks, walkways, parking areas, etc.)
- All Fences and Gates, if applicable
- Any Retaining Walls, if applicable
- Pool or Spa Location, if applicable
- All Accessory Structures (detached garage, shop/barn, shed, etc.)
- Location of Underground or Above Ground Propane Storage Tank, if applicable
- Location of Water Well and associated equipment, if applicable
- Location of Fixed Electrical Generator and slab, if applicable
- Proposed Location of Rainwater Harvesting System, if applicable
- All improvements that were included as part of the permit must be included on the survey

## 4. The Construction Process

### 4.1 Clearing Only

For a Clearing Only Permit, a culvert is not required for access to the property. Pictures of the roadside ditch areas of the property are required to be submitted prior to any work starting. See **Section 6.1** for recommendations regarding removal of trees and shrubs from the property during clearing. The ARB encourages retaining perimeter trees and brush for privacy screens.

During lot clearing, a temporary culvert may be installed by the Property Owner to allow for access to the site for heavy equipment without damaging or blocking drainage in the ditch. No crushed concrete is allowed for temporary access. After completion of clearing, the temporary culvert must be removed, and the ditch must be brought back to its original condition before the Clearing Only Permit deposit will be refunded. See **Section 8.0** for information regarding permanent culverts. See **Appendix A** for minimum required culvert sizing.

If a New Home Construction Permit is filed for the site within 3 months (90 days) of the approval of the Clearing Only Permit, then the permits will be combined and converted into a New Home Construction with Site Clearing Permit. The Site Inspection Fee (Compliance Fee) and the Construction Damage (Construction Deposit) fees from the Clearing Only Permit will be applied to the combined permit fee requirements. **FORMS-Permits & Fees**

### 4.2 Construction Time Limit

The exterior of all dwellings and other structures must be completed within one (1) year after the construction of same has commenced, except where such completion is impossible

# SADDLE CREEK FOREST

## Architectural and Site Design Guidelines

or would result in great hardship to the owner or builder due to strikes, fires, national emergency, or natural calamities as deemed by the ARB. **Commencement of construction shall be identified as the date that forms for the foundation are placed.** If an extension is needed, the Property owner may submit a written extension request to the Board of Directors, including projected completion date. Failure to complete the project within the deadline will result in a special assessment, self-help measures, or other enforcement rights as set forth in the Covenants. If construction has not commenced within one (1) year after the date of the final approval, it shall be deemed to have expired unless the applicant, prior to such expiration date, has requested and received an extension in writing from the Board of Directors. **REF#I-9.3(b)**

### 4.3 Builder's Sign

Builder signs shall be installed at the start of the New Home Construction. The sign shall remain properly installed throughout construction. All signs must be approved by the ARB. All signs must be placed no less than ten (10) feet from the front property line and twenty-five (25) feet from either property sideline. The sign should be located within twenty-five (25) feet of the construction entrance onto the property. The sign must be professionally painted and lettered, cannot be any higher than forty-eight (48) inches from the ground to the top of the sign and shall be no larger than thirty-six (36) inches by thirty-six (36) inches. The sign must include the builder's name, phone number and the property address.

Subcontractor signs are not allowed on the property. Temporary signs indicating the property address are required during construction. Signs and markings prohibiting trespass are permitted as per Texas state law. Any additional signage or displays found on a jobsite may be removed at any time without warning. **REF#I-9.4(b)(i)**

### 4.4 Portable Toilet

One portable toilet is required for each new home construction site requiring more than seven (7) days of construction. No new home construction may be started without a portable toilet. The portable toilet may not be placed on the road right of way or Association easement/ditch. The Portable toilet must be located behind the builder's sign. **Contractors, supervisors, inspectors etc. are not permitted to use restroom facilities at any Saddle Creek Forest amenity.**

### 4.5 Construction Site Access

A construction entrance must be installed prior to the start of any work on the lot. Culverts used for temporary construction entrances may be plastic (HDPE) or reinforced concrete pipe or RCP, but only reinforced concrete pipe may be used as permanent culvert materials. (See **Appendix A** for culvert sizing). Culverts will be kept clear during construction. The construction entrance will be maintained until a permanent entrance has been constructed then returned to pre-construction condition. The entrance must be built to eliminate the tracking of mud onto paved roads. Property owners are responsible for keeping mud, dirt, etc. off the roadway. Excessive mud, dirt or other construction debris tracked onto roads must be removed. Property owners will be responsible for any damage to roads, road shoulders and ditches. All repairs to damaged areas must occur during the course of construction. No dumping or burning of debris is allowed in the roads, road shoulders or ditches. Contractors, subcontractors and suppliers shall observe all posted speed limits and other signage throughout the Saddle Creek Forest development.

No construction is to be performed on Sundays or on the following Holidays: Easter, Fourth of July, Thanksgiving, Christmas and New Year's Day. Workers must start no earlier than

# SADDLE CREEK FOREST

## Architectural and Site Design Guidelines

6:30 am and leave the job site by 7:00 pm each day. An exception to the work hours may be approved by the ARB with advance request for pouring of the concrete foundation only; the Owner should provide advance notice to neighbors of the exception.

### 4.6 Erosion

The Property Owner is responsible for any and all Storm Water Pollution Prevention Plan (SWPP) requirements, control measures, periodic inspections, and necessary repairs or remediations. The Property owner is solely responsible for controlling erosion of the property onto adjacent properties, drainage easements or structures. No construction shall begin in absence of a required SWPPP. Should periodic inspections discover failure to act in exercising this requirement, work will be ordered stopped and the Association may authorize remediation and correction of deficiencies. Costs for the correction of all deficiencies by the POA will be deducted from the Construction Deposit.

For additional information concerning TCEQ permitting requirements, you can access their web site. Refer to the following website link to determine if you will need to obtain a permit from the TCEQ:

[Stormwater Discharges from Construction Activities: Am I Regulated?](#)

### 4.7 Drainage

Natural established drainage patterns shall not be impaired. Streams may not be dammed, impounded, diverted or used for any other purpose without the prior written consent of the Board of Directors. No Owner or resident may obstruct or rechannel the drainage flows of drainage swales, storm sewers or storm drains. **REF#I-10.9**

No person shall alter the grading of any Lot without prior approval as per the Covenants. No person may fill in or pipe any roadside or lot-line swale, except as necessary to provide a minimum driveway crossing. Nor may any person pipe, fill in or alter any lot line swale used to meet Waller or Grimes County regulations. **REF#I-10.10**

Typically, the entry and exit flow patterns of a Lot must be maintained. The POA will not be responsible for altered drainage patterns due to modifications on the property. All lots have drainage easements around the entire perimeter of the property. No structures are allowed on easements along roads and only limited improvements are allowed on other easements. A topographic survey with existing topographic references shown, and indicating current and proposed impacts, is required to be submitted to the ARB prior to construction. **FORMS-Permits**

If Significant or Major Impact on the drainage into or out of a property is anticipated, a Drainage Plan must be provided to the ARB that describes in writing how drainage will be redirected, identifies any natural creek or water flow patterns already established on the lot, the impact of any change affecting neighboring properties including written permission from a neighbor if their property is to be accessed, and a detailed drainage drawing showing elevations, contours, swales, etc. Any modifications to creeks or registered outfalls on properties must be reviewed and approved by the relevant County Engineer prior to changes being made.

Using text or hand-drawn pictures, describe any changes in the natural flow of rainwater that would result from the intended property improvement. Possible causes of such changes include, but are not limited to, blockage, redirection, concentration, etc. For example, if a cedar fence is planned to rest on the ground and would block natural flow, describe how this condition is being resolved.

# SADDLE CREEK FOREST

## Architectural and Site Design Guidelines

### 4.8 Site Maintenance

Only usable construction materials may be stored on a construction site. Dumpsters must be installed on site prior to foundation form removal and remain until such time as trash and construction debris can be removed daily.

Discarded construction materials, refuse and debris must be contained within a trash dumpster or removed daily from the site, and must never be visible from a street. Any property where construction debris is visible from the street will be ordered to stop work and remove debris. If trash is not removed on a regular basis, Saddle Creek Forest ARB will remove the trash and all costs for the removal activity will be deducted from the Construction Deposit.

Storage or placement of materials within any right of way or easement is not permitted at any time. No fires are allowed on construction sites. No petroleum-based products or other potentially hazardous or toxic substances may be disposed of on any lot or any drainage ditch, stream, or lake.

### 4.9 Right to Enter and Inspect Property for Compliance

The right of entry and inspection is specifically reserved by the ARB, its agents, and representatives to visit all or any portion of the Owner's property to verify compliance with the requirements of the ARB during the entire construction period. A representative of the ARB will make monthly inspections during the entire construction period unless conditions warrant otherwise. The Owner will be notified in writing with a copy as appropriate to the builder of any items and exceptions noted in the inspection report and all such items and exceptions must be completed or resolved by the next inspection. **REF#I-9.9**

### 4.10 Conduct of Workers

No alcohol or drugs are permitted on site. Animals are prohibited. Firearms are prohibited. No harassing or loud behaviors are permitted. Workers shall not be allowed to travel the property unnecessarily or use the amenities. Additional violations may result in the contractor being denied access to the property. **FORMS-Violation Fines**

### 4.11 Revisions and Changes During Construction

No changes to approved construction documents may be made during construction without prior, written approval of the ARB. All required documentation must be submitted along with the revision request. Failure to obtain written approval for any revision during construction may result in a stoppage of work; any costs incurred by the ARB may be deducted from the Construction Deposit.

### 4.12 Alterations, Remodeling, Improvements, Repainting of Approved Structures

Any exterior change to an existing structure requires approval from the ARB before commencing work. All exterior changes or renovations shall be submitted to the ARB for approval as outlined in Article 9 of the Covenants. All construction shall be subject to the construction regulations set forth in Section 4.0 of these guidelines. **REF#I-9.3(b), 9.4(a)**

## 5. Specific Submission Requirements

### 5.1 Plan Submission Requirements for Design Review

The following submission requirements must be met prior to obtaining final approval for

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construction: **REF#I-9.3(b)**

**Note:** Landscaping plans may be submitted separately but must be submitted at least thirty (30) days prior to home completion, as per Section 9.1 of these guidelines.

- A. **EXISTING CONDITIONS** -minimum scale 1" = 20'-0". Must include the following information:
- I. Owner's Name
  - II. Designer's Name
  - III. North Arrow and Scale
  - IV. Property Lines with Dimensions and Bearings
  - V. Setback Lines
  - VI. Easement Lines
  - VII. Adjacent Street Names
  - VIII. Outline of Exterior Walls, Decks and Driveways.
- B. **SITE PLAN** -minimum scale 1" = 20' -0". Must include the following information:  
(May be added to the existing conditions map.)
- I. Proposed Location of Home
  - II. Dimension from Corner of Foundation to Adjacent Property Line or the closest point of the foundation to the property line.
  - III. Proposed Driveway, including dimensions (shown to the street)
  - IV. Proposed Culvert Size
  - V. Proposed Fences and Gates, including dimensions
  - VI. Proposed Retaining Walls, including dimensions
  - VII. Proposed Pool or Spa Location, including associated equipment
  - VIII. Proposed Accessory Structures (out building, trellis, etc.)
  - IX. Finished Floor Elevation (FFE) of First Floor and Garage
  - X. Proposed Two-Foot Contour Lines
  - XI. Location of Underground or Above Ground Propane Storage Tank, if applicable
  - XII. Proposed Location of Water Well and associated equipment, if applicable
  - XIII. Proposed Location of Fixed Electrical Generator, including type and dimensions of support pad, if applicable
  - XIV. Proposed Location of Rainwater Harvesting System, including dimensions, if applicable

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### C. ARCHITECTURAL PLANS - minimum scale 1/4" = 1'-0"

#### FLOOR PLANS

- I. All Window and Door Openings Shown
- II. Roof Overhang with a Dashed Line
- III. Total Square Footage
- IV. Heated Square Footage of Structure - Refer to Supplemental Declaration of Covenants, Conditions and Restrictions for Saddle Creek Forest Article 3, Section 3.1 paragraphs (a) and (b)

#### BUILDING ELEVATIONS

- I. Front, Rear and Two Side Elevations including roofline elevation above slab
- II. All Elevations Labeled so they correspond with Site Plan
- III. Exterior Finish shown, including Paint Color, and Color Number
- IV. All Decks and Terraces shown

#### LANDSCAPE PLANS - minimum scale 1" = 20'-0"

- I. Owner's Name
- II. Designer's Name, Address, Phone Number and email address, as applicable
- III. North Arrow and Scale
- IV. Property Lines with Dimensions and Bearings
- V. Location of all Structures (including Decks, Trellises, Fences, etc)
- VI. Location of Pavement and Utilities
- VII. Location of All Lawn Areas and Shrub Bed Lines
- VIII. Location of All Proposed Plant Material
- IX. Plant List with Quantities, Botanical Name, Common Name and Size
- X. Location and Specifications of All Exterior Lighting Fixtures

## 6. Architectural Guidelines

### 6.1 General Standards

Homes must be designed for conformity with the Governing Documents. All structures must be sited within the setbacks. Plans submitted for review, or any portion thereof, may be disapproved upon any grounds, which are consistent with the purpose and objectives of the ARB, including purely aesthetic considerations. **REF#1-9.3(b)**

Property Owners are encouraged to leave as many trees as safely possible, and to leave an uncleared perimeter (trees and underbrush undisturbed) to provide a visual screen around the back and sides of the property to help maintain the aesthetics of the community. Consideration should also be given to wildfire safety as per U.S. and Texas Forest Service

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recommendations.

### 6.2 Modular Construction

No modular home or manufactured home shall be placed, erected, constructed or permitted within the development. "Modular home and manufactured home" shall include any prefabricated or pre-built dwelling which consists of one or more transportable sections or components and shall also be deemed to include manufactured building, manufactured home, modular building, modular home, barndominium, modular construction, and prefabricated construction as defined by the Texas State Building Code. Prefabricated accessory structures such as sheds and gazebos, must be reviewed and approved in strict accordance with the Governing Documents. **REF#I-9.4(b)(iii)**

### 6.3 Utility Lines

Overhead utility lines, including lines for cable television, are not permitted except for temporary lines as required during construction. **REF#I-9.4(v)**

### 6.4 Dwelling Size / Minimum Standards

All dwellings must have no less than twenty-two hundred (2,200) square feet of living area, excluding porches and garages. One and one-half (1½) and two (2) story houses must have no less than fourteen hundred (1,400) square feet of living area, excluding porches and garages, on the ground floor. **REF#I-9.4(vi)**

Per the Saddle Creek Forest plats, there is a fifteen (15) foot building line along all side and back lot lines of the properties unless otherwise shown on the recorded plat. There is a fifty (50) foot building line across the front of all property as shown on the recorded plat. **REF#26, REF#27, REF#28, REF#29, and REF#30**

There are two (2) walking/riding easements within Saddle Creek Forest. There is a fifteen (15) foot walking/riding easement in front of all lots, commencing at the property line and continuing outward 15' from said property line outwards toward the road, which may include the current drainage ditch. The rear fifteen (15) feet of all lots in Saddle Creek Forest that back up to the community outside perimeter boundary is also established as a walking/riding easement. Fences may not be built in these easements. **REF#21**

Improvements on all Lots must be built on a concrete slab or on a pier foundation, constructed with concrete and rebar.

All shingle roofs must have a minimum of thirty (30) year life. Specialized shingles designed primarily (1) to be wind resistant, (2) provide heating and cooling efficiencies greater than those provided by customary shingles, (3) provide solar generation capabilities, may be installed subject to the following restrictions: **REF#14**

- a. The color and appearance of the shingles must be submitted to the ARB for approval
- b. The shingles must be of equal or superior quality and durability to standard roofing shingles otherwise authorized for use

Construction of all dwellings and other improvements commenced on any Lot shall be completed as to exterior finish and appearance within one (1) year from the date of commencement. Construction duration extensions due to extenuating circumstances may be requested by the owner. If approved by the BOD, it may have additional conditions for the extension.

Refer to Supplemental Declaration of Covenants, Conditions and Restrictions for Saddle

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Creek Forest, for Sections 1, 2, 3, 4, and 6. **REF#4, #5, #6, #7 and #8-3.1(a) & (b)**

### 6.5 Exterior Color Guidelines

All exterior colors of any structures must be natural or earth tones and must complement the surrounding landscape. The ARB may, in its sole discretion, approve other color schemes so long as such colors complement the subdivision. **REF#1-9.3(b)**

### 6.6 Address Signage

9-1-1 addressing in unincorporated areas provides emergency responders with the location of residences, businesses, and other structures. In the event of an emergency, it is vital that the address is posted at the entrance to the property and clearly visible from the road.

The owner or occupant of the dwelling has responsibility to post the assigned 9-1-1 address numbers. If you have more than one residence (i.e., main dwelling and guest house) using a single entry you will need to post both addresses at the road entrance AND on each residence so there is no confusion for emergency responders.

Address numbers should be clearly visible from the road at the entrance to your property. The ideal spot for numbers to be seen clearly from both directions is facing the road on a mailbox or permanent post or marker at the entrance of the property. The numbers should ***not*** be posted on a gate as they will not be seen from both directions when the gate is open. Address numbers should also be posted on the mailbox for the postal carrier. Note that if you locate your mailbox on a street different from the preassigned address for the property, for example, on a corner lot, e911 may reassign the address for the property to the street with the mailbox. Check with your county 911 Coordinator for confirmation of the correct address. A mailbox shall not be installed on an unimproved property. Further details are available from the county 911 coordinators.

## 7. Site Requirements: Accessory and Decorative Structures

### 7.1 Outbuildings

Each home site is limited in the number of outbuildings as defined in the Governing Documents.

Lots consisting of one and one half (1½) acres or less shall have no more than two (2) buildings, with the primary residence being considered one building. A detached garage, barn, workshop, etc., shall each be considered as a separate building for the purposes of this paragraph. No guesthouse shall be built on Lots consisting of one and one half (1½) acres or less. A Lot consisting of more than one and one half (1½) acres may have a maximum of three (3) buildings, including the primary residence. Said Lots may have a guesthouse so long as such guesthouse: (i) contains a minimum of five hundred (500) and no more than one thousand (1,000) square feet of enclosed space, and (ii) is built during or after completion of construction of the primary residence. An outbuilding which contains a kitchen and bathroom will be considered to be a guesthouse.

Outbuildings, or detached accessory structures may be a detached guesthouse, garage, playhouse, workshop, shed, doghouse, barn, gazebo or other structure greater than one hundred fifty (150) square feet. Detached garages, workshops and barns must be erected, altered or placed on the property either during or after construction of the primary residence. Outbuildings such as detached garages, workshops, and barns shall have an interior square footage no larger than fifty percent (50%) of the living area of the primary

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residence as defined by the County Appraisal District. Covered porches, Lean-to covered parking areas, or other roof overhangs for Workshops Detached garages, and barns shall **not** be included in the overall square footage of the outbuilding. Additionally, the total covered area of the outbuilding (roofed area(s), cannot exceed 160% of the interior area of the outbuilding itself. Workshops, barns and detached garages may be the same height as the primary residence, but no taller (measured from the top of the slab to the peak of the roof).

All primary residences must have a garage, whether detached or attached, and such garage must hold a minimum of two (2) cars and a maximum of four (4) cars, and must have finished interiors (sheet rocked, taped/floated and painted). Detached garages must be at least thirty (30) feet behind the front wall of the main dwelling. No carports shall be allowed. Porticos may be allowed by the ARB on a case-by-case basis. **REF#4, #5, #6, #7 and #8-3.1(a) & (b)**

The location and appearance of outbuildings shall be submitted and approved by the ARB prior to construction. Outbuildings should be architecturally compatible and complementary in earth tone colors with the primary residence and must be reviewed and approved in strict accordance with the Governing Documents. **REF#1-9.4(b)(iv)**

Attached Garage Definition - For building count purposes only, the required garage as per the DCCRs can be considered as attached provided it has a common roof and concrete flat work attached to the main dwelling and is separated from the main dwelling by no more than fifty (50) feet. The requirements for separate buildings as per the DCCRs will still apply to this structure. This definition is only applied for the purpose of establishing the building count on the property. **REF#25-III (F)(c)(I).**

### 7.2 Arbors and Trellises

Arbors and Trellises (sometimes called Pergolas) are permitted. Location, elevations and finishes must be submitted to the ARB for approval prior to beginning construction.

### 7.3 Fences and Walls

Walls, fences and gates must be approved prior to commencement of construction by the ARB. No fence shall be constructed to cause blockage of drainage outfalls. No fence shall be more than six (6) feet high, except for wooden privacy fences of six foot-six-inch (6'6") allowing for a maximum six (6) inch rot board or those surrounding tennis/sports courts whose proposed height shall be submitted to and subject to approval by ARB on a case-by-case basis. All walls, fences and gates shall be constructed according to the following standards: **REF#1-9.4(b)(vii)**

All walls and fences facing an interior road must be constructed of either:

- I. Rock of the same type as the primary dwelling on the lot
- II. Masonry of the same type as the primary dwelling on the lot
- III. Iron
- IV. A combination of iron, rock and/or masonry, in which the rock and masonry shall match the primary dwelling on the lot
- V. Minimum of three (3) horizontal rail white, black or brown vinyl fence (equestrian style fence)
- VI. Minimum of three (3) horizontal rail stained or painted wood fence (paint/stain color to be approved by ARB)

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VII. Split natural wood rail

VIII. Vinyl picket

Sideline privacy fences may not extend beyond the front of the home.

Pipe fencing may be permitted on any rear or side property line not facing an interior road and shall consist of two and three-eighths (2-3/8) inch pipe with ten (10) foot spacing and fifty-two (52) inch in height. A single top rail consisting of the same size pipe will be placed on top of line posts. The area between the posts shall be Tightlock or Solidlock Mesh tensile steel class III galvanized wire or equal. All piping must be painted black with panels left in natural color or painted black. All gates that front a road must be of a decorative nature and constructed of iron or wood. Standard aluminum ranch gates are not permitted. Chain link or similar fencing material may not be constructed, used in the construction of, or maintained on any tract except in connection with tennis and/or sports courts. Tennis and/or sports court fencing must be constructed of green-coated chain link fence material. The ARB reserves the right to disapprove any fence that, in its sole opinion, may not meet the intended plan for the area.

Aesthetics are subjective and opinions regarding the appropriateness of fencing proposed on individual properties may not be approved on other properties; approval of fences on other properties in no way obligates future approvals.

Mesh panels for the purpose of containment of domestic pets should be compatible with fence materials and are appropriate on all fence types.

Privacy fencing will only be permitted between properties and shall be wood. Wooden privacy fencing with a rot resistant or pressure treated wooden rot board shall not be more than six feet six inches (6'-6") high and the rot board shall not be greater than six (6) inches wide. All other privacy fencing shall not be more than six (6) feet high. Privacy fencing must be installed at least four (4) feet back from the adjacent front wall of the residence.

Privacy fencing cannot extend beyond the fifty (50) foot maintenance easement on lake front properties. Fencing along lake front properties must have an unlocked access gate to allow access to the 50' maintenance easement. **REF#12, REF#13**

Cross fencing intended to compartmentalize pasture areas for the purposes of limiting access and egress of horses may be barbed or smooth wire and must not be more than five (5) feet high.

Pool fencing will be reviewed on a case-by-case basis but in no case will approvals conflict with any current Texas guidelines or requirements. **REF#14**

### 7.4 Security Measures

Before any security measure contemplated by Section 202.023(a) of the Texas Property Code ("Code") is constructed or otherwise erected on a Lot, an ARB application must be submitted to the Association and approved in writing in accordance with the Declaration. The following information must be included with the application:

- I. Type of security measure.
- II. Location of proposed security measure.
- III. General purpose of proposed security measure.
- IV. Proposed construction plans and/or site plan.

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Security fencing must be approved by the ARB, who shall have the discretion to determine any types of approvable security measure fencing.

The following types of security fencing are approvable:

- A. Fencing that complies with this section, as described above.

The following types of security fencing are prohibited:

- A. Barbed wire fencing
- B. Razor wire fencing
- C. Chain link fencing

Security measures, including but not limited to, security cameras and security lights shall not be permitted to be installed in a manner that the security measure is aimed/directed at an adjacent property which would result in an invasion of privacy, or cause a nuisance to a neighboring Owner or resident. If the proposed security measure fencing is located on one or more Lot lines with adjacent Lot(s) ("Affected Lots"), all Owners of record of the Affected Lots must sign the ARB application evidencing their consent to the security measure fencing before the requesting Owner ("Requesting Owner") submits the ARB application to the ARB. In the event that the Affected Lot Owner(s) refuse to sign the ARB application as required by this section, the Affected Lot Owner(s) and Requesting Owner hereby acknowledge and agree that the Association shall have no obligation to participate in the resolution of any resulting dispute. A security measure may be installed only on an Owner's Lot, and may not be located on, nor encroach on, another Lot, street right-of-way, Association Common Area, or any other property owned or maintained by the Association.

**REF#24-1&2**

### 7.5 Swimming Pools and Spas

Above ground swimming pools are prohibited. Small plastic or inflatable "kiddie" pools are excluded from this restriction. Bubble covers for below ground swimming pools are prohibited. Pools may not be installed on the front or side yard of any home. All plans for swimming pools, hot tubs and spas must be submitted to the ARB for approval. Swimming pools which are installed in the rear yards of lots that are adjacent to other lots may be subject to additional screening requirements as imposed by the ARB.

Pools and spas are required to be fenced or otherwise secured in accordance with Texas State regulations. Stand-alone hot tubs are required to have a cover that can be secured or locked.

### 7.6 Clotheslines

There shall be no outdoor clothesline on any home site.

### 7.7 Sport Courts

Private sport courts shall be permitted on tracts that are 3 acres or larger and must meet all setback requirements. Sport courts shall be placed in the rear yard of the home and must be approved by the ARB. The location and finish of basketball goals shall be submitted and approved prior to construction.

### 7.8 Camping

No camping is permitted on the property.

### 7.9 Burning / Campfires

Open Burning is not permitted on property within Saddle Creek Forest prior to occupancy.

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by Owner(s), Residents or Non-residents. Burning of certain materials after completion of home is covered in other sections of the Governing Documents. **REF#17**

### 7.10 Flags and Flagpoles

An Owner may display (1) the flag of the United States of America; (2) the flag of the State of Texas; and/or (3) an official flag or replica flag of any branch of the United States Armed forces on their property. Only one (1) freestanding flagpole or mounted flagpole bracket may be utilized per residence. No displayed flags shall exceed three (3) feet in height, and five (5) feet in length. Additional details and restrictions are found in the POLICY REGARDING DISPLAY OF FLAGS. **REF#14-V**

### 7.11 Display of Religious Items

Before a religious display is placed on an Owner's property, an ARB application must be submitted and approved, including (a) type and description of the religious display; and (b) site plan indicating the location of the proposed religious display with respect to any applicable building line, right-of-way, setback or easement on the Owner's property. Additional details and restrictions are found in the DISPLAY OF RELIGIOUS ITEMS POLICY. **REF#23**

### 7.12 Decorative Mailbox

A standard mailbox on a conventional mailbox post may be installed on any lot with a dwelling at any time. Installation of a decorative mailbox with a surround of wood, stone or other material will require a permit filed with the ARB. **REF#1-9.4(a)**

## 8. Site Requirements: Driveways

### 8.1 Driveways and Culverts

Driveways must be surfaced with poured in place concrete, exposed aggregate concrete, brick pavers, hot mix asphalt paving or a combination thereof. Driveways must extend in a contiguous fashion from the street to the garage of the dwelling. Pull-through driveways which connect to the main driveway must be of the same material as the main driveway and meet the same standards. Driveways must be surfaced upon completion of construction of the dwelling section and prior to occupancy. **REF#4-3.l(a)(b), REF#S-3.l(a)(b), REF#6-3.l(a)(b), REF#7-3.l(a)(b), REF#8-3.l(a)(b)**

Culverts are required for Driveways to prevent blocking or impeding drainage flow of water. The bottom flowline of the culvert should match the flowline of the associated ditch. All Lots shall have minimum 18" diameter concrete drive culverts except as noted in the plat plans, where size is specified for any Lot requiring a minimum culvert size other than the default of 18". **See Appendix A. REF#26, REF#27, REF#28, REF#29, REF#30**

### 8.2 Secondary Entrances

Entrances to properties that are intended to provide access other than the main driveway will be considered Secondary Entrances. Entries onto the properties that are intended to provide direct access to fields, pastures or other open areas on the property will be considered Secondary Entrances. Requirements for Secondary Entrances are identical to requirements for Driveways in terms of culvert size and type. Surfacing of the secondary entrance can be identical to the above materials (8.1 Driveways and Culverts) with the following exceptions/additions:

Surfacing options for a secondary entrance shall include poured in place concrete, exposed aggregate concrete, brick pavers, hot mix asphalt paving, asphalt millings, crushed

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limestone, crushed granite, crushed concrete, caliche, tar and chip, or it may be seeded in lieu of surfacing. Seeding involves planting grass seed or laying sod to reduce the effects of erosion on the driveway and culvert. Other surfacing options may be approved at the discretion of the ARB.

In cases where a seeded surface has been chosen, the property owner may cover the culvert area and exposed fill dirt (from the street to the property line) with a compactable surfacing material to control erosion as well as to prevent tracking dirt and mud onto the community streets. Compactable surfacing materials include asphalt millings, crushed limestone, crushed granite, crushed concrete, caliche, or tar and chip. Other surfacing options may be approved at the discretion of the ARB.

In all cases of surfacing for secondary entrances, the over-arching intent is to maintain the aesthetic appeal of the community. If a loose, compactable surface material is chosen it shall be put down in a sufficient quantity that it provides total and uniform coverage to the area. Patchy or thinly spread material where the underlying soil surface can be seen is not acceptable. A minimum of 3" of compactible material shall be used.

## 9. Site Requirements: Landscaping, Irrigation and Lighting

### 9.1 Landscape and Submission Requirements

All homes are required to be landscaped. **REF#4-3.3, REF#S-3.3, REF#6-3.3, REF#7-3.3, REF#S-3.3**

The following are the requirements for landscaping: **REF#15-4**

- A. Landscaping plans must be submitted for review by the Architectural Review Board at least thirty (30) days prior to home completion. The landscape layout and plans must be approved in writing by the ARB. Such landscape layout and plans shall include all landscaping, plant types, irrigation systems, walls, walks, swimming pools, fences, or other features to be installed or constructed on any portion of the lot. The ARB shall, in its sole discretion and authority, determine whether the landscape layout and plans submitted to it for review are acceptable.
- B. Landscaping installation must be completed within ninety (90) days after the completion of home construction.
- C. No Construction Deposits will be returned until all requirements of this section are met.
- D. Landscaping shall be a well-designed balance of mature trees, shrubs, and lawn grass around the perimeter of each new home. Low water consumption landscaping turf or planted grass for new installations are recommended (i.e.: Buffalo, Blue Grama, Zoysia or Bermuda grass) but not required. Other turf products will be considered and approved by the Architectural Review Board. Acceptable grasses include common residential turf grasses found in Southeast Texas.
- E. Rocks, timbers or other landscaping materials may be acceptable with prior written approval from the ARB.
- F. Most of the exposed foundations must not be visible from the streets or must be screened by landscaping.
- G. Should landscaping die or be determined to be in ill health, the Property owner will be responsible to correct the deficiencies. Dead trees that are at risk of falling on power lines, POA property, roads, trails or other utility infrastructure is the responsibility of

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the property owner for removal.

- H. No fence, wall, hedge, or shrub which obstructs sightlines at elevations between two (2) feet and six (6) feet above the roadways shall be placed or permitted to remain on any corner Lot which obstructs sight lines as per **REF#I-10.11**, and the foliage lines of any trees must be maintained at sufficient height to prevent obstruction of such sight lines.

Plants, including trees, shrubs, vines, grasses, and all other plant materials, should be appropriate for Texas Growing Zone 8b. Plants defined as invasive - that is, non-native or alien to the ecosystem and whose introduction causes or is likely to cause economic or environmental harm or harm to human health (Executive Order 13112) - must not be used. A list of these species can be found in the Invasives Database at [www.texasinvasives.org](http://www.texasinvasives.org) and the Texas Department of Agriculture - Noxious Weed List.

### 9.2 Irrigation, Water Wells and Rainwater Harvesting

Irrigation is considered part of landscaping and requires ARB approval for installation. Irrigation may utilize either community water service ("city water") or private well water.

Water wells may be potable or non-potable. It is the responsibility of the Owner to ensure compliance with State and local testing and reporting regulations.

Rain barrels and rainwater harvesting systems owned or maintained by the Property owner require ARB approval. Rain barrels or other approved rainwater harvesting systems may be installed provided that they are screened from view of the street(s). If installed at the side of a house or in a location visible from a street, another lot or a common area, there must be reasonably sufficient area on the Owner's property as determined by the ARB, must be screened from view, be of a color consistent with the color scheme of the property, and may not display language or other content that is not typically displayed by such a device or system as it is manufactured. **REF#14, REF#15**

### 9.3 Lighting

All exterior lights shall consist of fixtures that prevent light from escaping through the top and sides of the fixture. Down lighting and Dark Sky-compliant lighting are encouraged to reduce glare, better light drives and paths, and to protect neighboring properties from bright light sources. The Night Sky Protection Act regulates outdoor lighting fixtures to preserve the state's dark sky while promoting safety, conserving energy and protecting the environment for astronomy. The International Dark Sky Association's Fixture Seal of Approval (FSA) program certifies dark sky friendly outdoor lighting, which are fixtures that are fully shielded and have low color temperature. Lighting, including security lights, shall not be permitted to be installed in a manner that the security measure is aimed/directed at an adjacent property which would result in an invasion of privacy, or cause a nuisance to a neighboring Owner or resident. **REF#24-4**

Colored lights are prohibited (does not apply to holiday lighting). Spotlights / Floodlights will be considered on a case-by-case basis, depending on orientation and location. Pole lights will be reviewed on a case-by-case basis.

All path and landscape lighting must consist of low voltage lamps. Path and landscape lighting shall have a maximum height of 36".

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### 9.4 Solar Energy Devices

A Property owner may, at their own cost, install, maintain and utilize one or more Solar Energy Device(s) for the purpose of providing heating or cooling or to produce electrical or mechanical power by collecting and transferring solar-generated energy. A Solar Energy Device installed upon the Owner's own property may only be installed on the roof of the Owner's home or in a fenced yard or patio owned and maintained by the Property owner.

Roof-mounted Solar Energy Devices must not: (i) extend higher than or beyond the roofline; (ii) fail to conform to the slope of the roof; (iii) include a top edge that is not parallel to the roofline; (iv) include a frame, support bracket or visible piping or wiring in a color other than silver, bronze or black. Solar Energy Devices located in a fenced yard or patio must not extend beyond or above the fence line and must be screened from view.

The Owner must submit an application to the ARB prior to installation, maintenance or use of any Solar Energy Device, regardless of location or type. A Solar Energy Device is defined by Section 171.107 of the Texas Tax Code. **REF#I4**

## 10. Additional Requirements

### 10.1 Storage of Recreational Vehicles and Equipment

The following requirements are from the Governing Document Clarifications and Interpretations Final Resolution, Section 2: **REF#IS-2**

- A. Recreational vehicles (RVs) may not be kept on the property prior to the primary residence being built. The term "recreational vehicles" includes motor homes, mobile homes, boats, jet skis or other watercraft, trailers, other towed vehicles, motorcycles, "all-terrain vehicles" (ATVs, UTVs), minibikes, scooters, go-carts, golf carts, campers, buses, commercial trucks and commercial vans.
- B. Anything with a capacity exceeding one (1) ton is considered a commercial vehicle and must comply with the restrictions set forth for RVs.
- C. A tractor in excess of 30 HP is considered to be part of this restriction.
- D. RVs may be parked on the property but shall not be readily visible; any screening proposed must be approved by the ARB and if enclosed, may be considered a separate building.
- E. If the property owner declares a trailer as necessary for the care and safety of allowed animals, the property owner may request a waiver in writing through the ARB. The ARB or its designee will then conduct an on-site visit and determine one (1) location on the property to best place the horse or stock trailer.
- F. In no case shall more than one (1) horse or stock trailer be parked on properties without being screened from view of any street.
- G. Automobiles shall only be parked on driveways or in garages.
- H. Exceptions will be considered and Property owners desiring an exception must request it in writing. All exceptions will be considered temporary and will have an expiration date stated on the approval document.
- I. Nothing in this document relieves the Property owner from compliance with other Saddle Creek Forest Governing Documents.

# SADDLE CREEK FOREST

## Architectural and Site Design Guidelines

### 10.2 Signage

No permanent or temporary sign(s) shall be constructed or placed upon any Lot covered by these Restrictions without prior written approval of the ARB. In the event a permitted sign is not properly maintained, the ARB may give the Lot owner written notice thereof. Required repairs must be made within five (5) business days of notification or the ARB shall have the right, but not the obligation, to have repairs made and charged to the sign Owner. Each Lot may have one (1) professionally made "For Sale" sign while the house on the Lot is under construction. All Builder's signs must be removed from the Lot within fourteen (14) days after the house is occupied. No other real estate signs shall be allowed in the subdivision including, but not limited to, "For Sale" signs, "Sold" signs, "For Lease" signs, "Rented" signs and/or "For Rent" signs. No signage of any type may be erected on an unimproved property. Political signs are not allowed except as permitted by Texas State law, ninety (90) days before and ten (10) days after an election. No other signs, except as provided in Article 9.4(b)(I) of the Covenants, are permitted on the property. No signage may be placed on POA property.

### 10.3 Propane Storage Tanks

The following requirements are from the Governing Document Clarifications and Interpretations Final Resolution, Section 5: **REF#IS-5**

- A. Above ground propane tanks must be screened from view of neighboring streets and Association owned property.
- B. Screening can consist of evergreen plants, a screening fence or a combination thereof.
- C. Screening must be approved by the ARB prior to installation.
- D. Screening must block the view of tank from any road (these provisions do not limit the view of tanks from neighboring properties).
- E. The plants proposed for screening must screen the view within one growing season.
- F. Proposed vegetation and proposed screening fences require ARB approval.

### 10.4 Pool, and Water Well, and Other Ancillary Equipment

Equipment associated with private swimming pools, hot tubs or spas must not be visible from the road or must be screened with vegetation and/or fencing/enclosure.

Equipment associated with private wells must not be visible from the road or must be screened with vegetation and/or fencing/enclosure. **REF#IS-5**

It is also recommended that the view of installed emergency generators, HVAC units, and other ancillary equipment external to the dwelling be screened from view from the street similar to that used for propane tanks, water well and pool equipment.

### 10.5 Garbage Cans

All garbage cans are to be located so as to be screened from view of neighboring streets and properties except on trash service days. Garbage cans may be visible anytime from 4:00 pm the day prior to trash service day until noon the day following trash service day.

# SADDLE CREEK FOREST

## Architectural and Site Design Guidelines

### APPENDIX A

#### **Minimum Driveway Culvert diameter required, other than the default 18" diameter.**

<b><u>Section 1</u></b>	Block 2	Lot 18 & Lot 24 along their east line	24" or twin 18"
		Lot 10 along the south line	24" or twin 18"
	Block 3	Lots 3,4,5,9,10,11,12,13,14 & 15 Lots 19,20,21,22 & 23	24" or twin 18" 36" or equivalent
	Block 6	Lot 13 along the east line	24" or twin 18"
<b><u>Section 2</u></b>	Block 1	Lots 44,45 & 46 along Buckskin Lots 50,51,52 & 53 along Saddle Horn	24" or twin 18"
	Block 3	Lots 7 & 8 along Steed & Rodeo	24" or twin 18"
		Lots 15,16,17 & 18 along Appaloosa & Rodeo	24" or twin 18"
		Lot 19 along Appaloosa Lot 19 along Rodeo	24" 30"
<b><u>Section 3</u></b>	Block 1	Lots 2 & 3 Lot 4	24" twin 24"
	Block 2	Lots 24,25,26,27 & 28	twin 24"
		Lots 22,23,29,36-40,47-49 along Bronco Lots 53-55 along Nathan	24" 24"
<b><u>Section 4</u></b>	Block 2	Lots 7,8 & 9	24"
	Block 3	Lot 1 along Racehorse	24"
		Lots 13,14,15,16 & 20	24"
		Lots 9-10 & 17-19	30"
	Block 4	Lots 1-2 & 6-7 along Derby	24"
	Block 5	Lots 3-5	24"
		Lots 6-7	30"
Block 6	Lots 1, 6-7, 12-16, 23-25, 34-35, 47-53	24"	
<b><u>Section 6</u></b>	Block 2	Lots 9 & 10	24"
	Block 6	Lots 7,8,9,24 & 25	24"
		Lots 16 & 17 along Sorrel Lots 18 & 19 along Roan	24" 24"

# **SADDLE CREEK FOREST**

## **Architectural and Site Design Guidelines**

### **APPENDIX B**

#### **Order of Precedence of Governing Documents**

In case of conflicts within documentation, the following is the mandated order of precedence:

1. Federal law
2. State law
3. County ordinance
4. Amendments to DCCRs (reverse chronological order)
5. Supplements to DCCRs (reverse chronological order)
6. Recorded Plats
7. Declaration of Covenants, Conditions and Restrictions (DCCRs)
8. Amendments to Articles of Incorporation
9. Articles of Incorporation
10. Amendments to the Bylaws
11. Bylaws
12. Amendments and Supplements to the Design Guidelines
13. Design Guidelines
14. Adopted Policies, Clarifications, Applications and Other Supporting Documents  
(must be recorded in minutes)

# **SADDLE CREEK FOREST**

## **Architectural and Site Design Guidelines**

### **FORMS**

The following forms and documents are provided on request from the ARB or on the Town square website/app and may be updated at any time as required upon approval SCF Board of Directors.

- Permit Category Definitions & Schedule of Fees
- Category 1 - Site Clearing Permit Form
- Category 2 & 3 - New Home Construction & New Home Construction with Site Clearing Permit Form
- Category 4 & 5 - Major Modifications and Improvements & Additional Building or Accessory Structures Permit Form
- Category 6 -Minor Modifications and Improvements Permit Form
- Project Submittal Requirements Checklist
- Violation Fees
- Construction Reminders

# SADDLE CREEK FOREST

## Architectural and Site Design Guidelines

### REFERENCES

**References in the text are cited by the Reference Number listed below, and any associated sections or articles within that document. (Example: REF#I-10.4(d) references the DCCRs (#1) section 10.4 item (d).)**

**County Clerk's File Numbers for Waller County (W) and Grime County (G) are noted at the end of each reference.**

1. Declaration of Covenants, Conditions and Restrictions for Saddle Creek Forest (DCCRs) - August 29, 2005 (W-505966, G-00201846)
2. First Amendment to Declaration of Covenants, Conditions and Restrictions for Saddle Creek Forest- September 19, 2007 (W-707833, G-00217952)
3. Second Amendment to Declaration of Covenants, Conditions and Restrictions for Saddle Creek Forest- September 22, 2010 (W-1002315, G-00235763)
4. Supplemental Declaration of Covenants, Conditions and Restrictions for Saddle Creek Forest Section One -August 10, 2005 (W-505967)
5. Supplemental Declaration of Covenants, Conditions and Restrictions for Saddle Creek Forest Section Two -August 29, 2005 (G-00201847)
6. Supplemental Declaration of Covenants, Conditions and Restrictions for Saddle Creek Forest Section Three - October 17, 2005 (G-00202991)
7. Supplemental Declaration of Covenants, Conditions and Restrictions for Saddle Creek Forest Section Four-May 11, 2006 (G-00207150)
8. Supplemental Declaration of Covenants, Conditions and Restrictions for Saddle Creek Forest Section Six -November 6, 2006 (W-069261)
9. Statement of Vacation, Abandonment and Cancellation of Recorded Subdivision Plat and Declaration of Covenants, Conditions and Restrictions - Saddle Creek Forest, Section V (W-903122)
10. By-Laws of Saddle Creek Forest Property Owners Association - October 30, 2006 (W-608719, G-00211180)
11. First Amendment to the By-Laws of Saddle Creek Forest Property Owners Association - April 26, 2010 (W-608719, G-00211180)
12. Maintenance Easement- Section 2 -August 31, 2005 (G-00201942)
13. Maintenance Easement- Section 1 - September 1, 2005 (W-0913627)

# SADDLE CREEK FOREST

## Architectural and Site Design Guidelines

14. Supplemental Deed Restriction Policy- Amended Collection Policy, Supplemental Deed Restriction Policy and Record Retention Policy (includes policies relating to Solar Energy Devices, Certain Roofing Materials, Rain Barrels and Rainwater Harvesting Systems, Display of Certain Religious Items, Display of Flags) - Dec 10, 2011 (W-1106558, G-00246750)
15. Governing Documents Clarifications and Interpretations - April 9, 2014 (Animal Husbandry/Pets, Vehicles, Property Maintenance, Landscaping, Propane Tank & Water Well Screening, Garbage Cans, Firearms & Hunting) (W-1402531, G-00263925)
16. Fence Policy-April 28, 2014 (G-00263927)
17. Open Burning Policy-April 16, 2014 (G-00263930)
18. Notice of Dedicatory Instruments for Saddle Creek Forest Property Owners Association, Inc. (2015 Assessment Collection Policy Guidelines and Collection Charges Effective 1-1-2015 -July 24, 2015) (W-1505213, G-00273907)
19. First Supplemental Notice of Dedicatory Instruments for Saddle Creek Forest Property Owners Association, Inc. (Covenant Compliance Inspection - December 15, 2015) (W-1508470, G-00276522)
20. Fourth Supplemental Notice of Dedicatory Instruments for Saddle Creek Forest Property Owners Association, Inc. (Governing Documents Enforcement and Fine Policy & Schedule of Fines - April 21, 2018) (W-1804503, G-00294761)
21. Fifth Supplemental Notice of Dedicatory Instruments for Saddle Creek Forest Property Owners Association, Inc. (Location of the Fifteen Foot Walking or Riding Trail Easements - March 19, 2021) (W-2103226, G-314772)
22. 209 Hearing Policy-August 17, 2021 (W-2109943, G-00318879)
23. Display of Religious Items Policy-August 17, 2021 (W-2109941, G-00318876)
24. Securities Measures Policy-August 17, 2021 (W-2109942, G-00318877)
25. Saddle Creek Forest Property Owners Association, Inc. Board of Directors Meeting Minutes for March 16, 2021 (Doc ID: 2021-03 - Saddle Creek Forest POA Board Meeting Minutes.pdf) Attached Garage Definition
26. Section 1 Plat (W-505913)
27. Section 2 Plat (G-00201314)
28. Section 3 Plat (G-00202769)
29. Section 4 Plat (G-00206939)
30. Section 6 Plat (W-609197)

**FILED AND RECORDED**

**Instrument Number: 2407054**

Filing and Recording Date: 06/07/2024 12:57:24 PM Pages: 33 Recording Fee:

I hereby certify that this instrument was FILED on the date and time stamped hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS of Waller County,



A handwritten signature in black ink that reads "Debbie Hollan".

---

Debbie Hollan, County Clerk  
Waller County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

CSC, Deputy

Returned To:  
ROBERTS MARKEL WEINBERG BUTLER HAILEY  
2800 POST OAK BLVD FL 57  
HOUSTON, TX 77056

**Grimes County  
Vanessa Burzynski  
Grimes County Clerk**

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**Instrument Number:** 340634

eRecording - Real Property

Recorded On: June 07, 2024 02:13 PM

Number of Pages: 34

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**" Examined and Charged as Follows: "**

Total Recording: \$153.00

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**\*\*\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\***

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

**File Information:**

Document Number: 340634  
Receipt Number: 20240607000015  
Recorded Date/Time: June 07, 2024 02:13 PM  
User: Mary H  
Station: Clerk03

**Record and Return To:**

CSC GLOBAL



**STATE OF TEXAS  
COUNTY OF GRIMES**

**I hereby certify that this Instrument was FILED In the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Grimes County, Texas.**

Vanessa Burzynski  
Grimes County Clerk  
Grimes County, TX

*Vanessa Burzynski*