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**SECOND SUPPLEMENTAL
NOTICE OF DEDICATORY INSTRUMENTS
FOR
SAND CREEK VILLAGE COMMUNITY ASSOCIATION**

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

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The undersigned, being the authorized representative of Sand Creek Village Community Association, a property owner's association as defined in Section 202.001 of the Texas Property Code (the "Association"), hereby supplements the "Notice of Dedicatory Instruments for Sand Creek Village Community Association" ("Notice") recorded in the Official Public Records of Real Property of Harris County, Texas on April 14, 2000 under Clerk's File No. U335050, and the "First Supplemental Notice of Dedicatory Instruments for Sand Creek Village Community Association" (the "First Supplemental Notice") recorded in the Official Public Records of Real Property of Harris County, Texas on October 1, 2002 under Clerk's File No. W117677 which documents were filed for record for the purpose of complying with Section 202.006 of the Texas Property Code.

1. Additional Dedicatory Instruments. In addition to the Dedicatory Instruments identified in the Notice and the First Supplemental Notice, the following document is a Dedicatory Instrument governing the Association:
 - a. Architectural Control Procedures and Guidelines as amended June, 2004

This Second Supplemental Notice is being recorded in the Official Public Records of Real Property of Harris 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 Second Supplemental Notice is true and correct.

Rick S. Butler

Rick S. Butler, authorized representative of
Sand Creek Village Community Association

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592-01-274


THE STATE OF TEXAS

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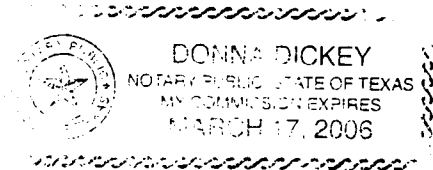
COUNTY OF HARRIS

BEFORE ME, the undersigned notary public, on this day personally appeared Rick S. Butler, authorized representative of Sand Creek Village Community Association, 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 21st day of September, 2004, to certify which witness my hand and official seal.



Notary Public in and for the State of Texas



Return to:

Mr. Rick S. Butler
Butler & Hailey, P.C.
1616 South Voss Road, Suite 500
Houston, Texas 77057

092104-2742

SAND CREEK VILLAGE COMMUNITY ASSOCIATION

**ARCHITECTURAL CONTROL
PROCEDURES AND GUIDELINES
AS AMENDED JUNE 2004**

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592-86-2744

A. PROGRAM FOR ARCHITECTURAL CONTROL

1. Mission Statement for the Architectural Control

- To encourage the continued improvement of Sand Creek Village homes.
- To ensure such improvements are of suitable quality and harmonious with regard to each section's standards.
- To enforce compliance regarding uses and conditions of resident's properties as set forth in the Protective Covenants.

2. Authority for Architectural Control

- a) Friendswood Development Company: Established Protective Covenants
- b) Sand Creek Village Community Association (through its Board of Directors): Appoints Architectural Control Committee Members
- c) Architectural Control Committee: Implements Guidelines for Property Improvements and Uses and is the Managing Agent on behalf of the Sand Creek Village Community Association.

3. Sand Creek Village Community Association

- a) SCVCA established by Friendswood with membership consisting of all homeowners.
- b) Regular election of Board of Directors ("Board") as set forth in SCVCA's "by-laws".
- c) Board appoints the Architectural Control Committee ("ACC") members on an annual basis, as set forth by these guidelines.

4. Friendswood and Architectural Control of Sand Creek Village

- a) Friendswood is the developer of Kingwood who established the Protective Covenants.
- b) The Protective Covenants establish architectural controls for property improvements and uses.
- c) Friendswood assigned rights for architectural control to an Architectural Control Committee (ACC) which is appointed annually by the Board of Directors of Sand Creek Village Community Association.
- d) Friendswood also established "Minimum Construction Standards" applicable to all Kingwood homes.

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5. Architectural Control Guidelines

- a) Guidelines have been established by the ACC and approved by the Board.
- b) Guidelines are intended to provide fair and uniform information for all Sand Creek Village residents (homeowners and renters) regarding:
 - c) Quality of materials, harmony of external design, dimensions, and relative location of improvements.
 - d) Conformance of improvements and property uses with the Protective Covenants and Friendswood's Minimum Construction Standards.
 - e) The ACC reviews/approves all matters concerning improvements and conformance as set forth in the Guidelines.
 - f) The ACC may use a managing agent to assist in administration of the Guidelines. Residents may contact the Management Company or ACC members regarding approvals, advice, and non-conformance issues.
 - g) Association members may appeal decisions of the ACC to the Board, whose decision will be final.
 - h) Guidelines will be maintained by the ACC and may be updated periodically upon approval by the Board. Notices of these updates will be given via the SCVCA newsletter or special notice to residents.

B. THE APPLICATION AND APPROVAL PROCESS

1. Items Requiring/Not Requiring Prior Approval

Prior approval is required for all additions, improvements, or changes to residents' real property and for color changes.

The following items do not require prior approval. However, should any of these actions result in the application of unsuitable materials or workmanship that is judged by the ACC to detract from the community, the ACC has the right to require they be replaced.

- Repaint of house/garage the same color
- Repair house/garage with the same exterior materials
- Installation of landscaping
- Installation of birdbath, bird house, benches, tables, or statuary.

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2. Application Process

Residents must submit a completed application form (Attachment A) to an ACC member or to the ACC's managing agent.

The ACC has thirty (30) days from the date of receipt of a complete proposal to respond, after which, if there has been no response, the application is deemed to be accepted. The ACC and managing agent will endeavor to respond timely to facilitate a resident's planning and implementation process.

Any SCVCA resident has the right to appeal a decision of the ACC to the SCVCA Board of Directors, whose decision shall be final and binding.

3. Variances

The Board of Directors, upon recommendation of the ACC, is empowered to grant variances on a case-by case basis to the Protective Covenants for a resident whose proposed improvements are harmonious with and add value to the surrounding neighborhood, but vary from the dimensional limits set forth in the Protective Covenants.

The residents applying for a variance should contact the ACC in advance to facilitate the application process. The formal request for variance shall identify the legal description of the property, the specific details of the subject variance, any conditions under which the variance is approved, and the name(s) of the party making the request. The request will be discussed at the next Association Board meeting, after which a thirty (30) day investigation/notification period will begin.

Likewise, the resident should endeavor to obtain the prior approval of all adjoining neighbors who may be affected by the proposed improvement. The Board will notify adjoining neighbors of the variance request.

Once the variance is approved, it is then included in the resident's property file that is maintained at the managing agent's office.

The ACC shall have the variance recorded and all costs associated with the recording of a variance shall be the responsibility of the resident.

C. WHERE WE CAN BUILD: DEFINING THE "BUILDING ENVELOPE"

1. Measurement of Building Setbacks

Building setbacks are measured from a property line to the foundation edge of the subject building. Eaves, steps, and unroofed terraces may extend beyond the setback lines, but may not encroach on another property.

2. Building setback lines from:

Front Street: Front Building Line (“BL”) is typically setback twenty-five (25) feet from the property line or street curb. For specific setback, refer to individual lot plat/survey or section/subdivision plat. Generally, the Main Building or a Front-Located Garage is orientated along the Front Building Line.

Side or Rear Street: Setback for Main Building is ten (10) feet to any side or rear street right-of-way line.

Interior Lot Line: Setback for Main Building Line is ten (10) feet from an Interior Lot Line; whereas the setback for a garage or secondary improvement is three (3) feet.

3. Easements Provide Access Through/To a Property for a Public Utility, and for Drainage.

Typically, an eight (8) foot utility easement extends in from the rear property line in order to provide access for electric, telephone, natural gas, cable, etc. A three (3) foot drainage easement extends in from each side property line. Homeowners should refer to their individual lot plat/survey for specific dimensions.

No building, improvement, or addition to an existing building should be permanently erected on an easement.

Neither Friendswood nor any utility companies using an easement are liable for any damage to an improvement or shrubbery, trees, flowers located on land covered by an easement.

Driveways and walkways can cross easements.

4. Height Guidelines

Main Building: Not to exceed two (2) stories. Otherwise, additions should generally conform to the existing rooflines of the Main Building.

Garage: Not to exceed the height of the Main Building. Otherwise, additions should generally conform to the existing rooflines of the garage and the Main Building.

Fences: Not to exceed a maximum height of six (6) feet, six (6) inches (6’6”) from the ground for a fence installed behind the Front Building Line (“BL”). However, a landscaping fence not to exceed two (2) feet may be installed in front of the Front Building Line, subject to ACC approval. See section H for further information.

Outbuilding: An “Outbuilding” is any structure which has a floor and/or walls or a permanent roof, but is not attached to the residence or detached garage. Outbuildings therefore include sheds/storage units, gazebos, detached decks and patio covers, and children’s play structures.

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All Outbuildings are subject to the overall height limit of eight (8) feet above the ground. This height limit helps to insure the privacy of the adjoining residents.

The ACC may recommend and the Board of Directors may grant a variance to the eight (8) foot height limit on a case-by-case basis. These improvements must be harmonious with and add to the value of the surrounding neighborhood. Residents are required to consult with their adjoining neighbors before applying for a variance.

The maximum height limit for which a variance may be granted is set forth below:

Gazebos: The maximum height for which a variance may be granted is for the peak of a gazebo roof not to exceed twelve (12) feet in height from the ground, and the horizontal supports shall not exceed eight (8) feet from the deck. The maximum height for a flat gazebo roof shall not exceed ten (10) feet above the ground and the horizontal supports shall also not exceed eight (8) feet from the deck.

Children's Play Structure: The maximum height for which a variance may be granted is ten (10) feet from the ground.

D. SUITABLE MATERIAL QUALITY AND HARMONIOUS EXTERIORS

The Architectural Control Program enforces the use of quality materials, harmonious external design, and Friendswood's Minimum Construction Standards. These stipulations are clearly stated in the Protective Covenants. The ACC has the duty to reject any addition, improvement, or change due to unsuitable material quality and/or inharmonious exterior design or color. The ACC can exercise this duty irrespective of an improvement or addition's compliance with the location guidelines.

Friendswood's Minimum Construction Standards: A copy is available from the ACC or from Friendswood's regional office. For home/garage additions or major improvements, the ACC recommends that a licensed building contractor is used and that they are knowledgeable with and comply with these standards.

Material Quality: Information regarding the material used in the construction of your home and garage is available from your original builder. The ACC recommends you first contact their local office for this information and guidance as to current suppliers.

Harmonious Exteriors: The ACC recommends that professional design services be consulted for all improvements and exterior color changes.

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E. ADDITIONS TO THE RESIDENCE/GARAGE

1. General

Includes a wide range of additions to the existing residence's framing plan, roof, or foundation such as an extended living/bedroom, porch, balcony, portico, sunroom, deck, or other attached improvement. Also includes additions to the existing garage such as a storage/work room, third car bay, or servant's quarters.

Applications for additions must include the following items:

- Name, address, and business phone of the contractor/installer;
- Detailed scale drawing/blueprint showing three dimensional relationship (Plan and Elevations) of the addition to the existing structure;
- Plot plan showing the addition in relation to all lot boundary lines, existing structures/improvements, setback lines, and easements; and
- Detailed material list.

Additions shall comply with Friendswood's Minimum Construction Standards and are subject to setback; easement, height, and other requirements as set forth in the Protective Covenants. Copies of these documents are available from the ACC or the managing agent.

2. Sunrooms

Sunrooms are additional rooms with glass-enclosed walls and ceilings. They are subject to Friendswood's Minimum Construction Standards and the Protective Covenants as well as the following guidelines:

Sunrooms may be added to the rear of the residences only, and shall not encroach on any setbacks or easements. Applications for additions to homes on cul-de-sac or corner lots will be considered on a case-by-case basis.

Supporting structural members and tinted glass must be harmonious with the exterior color of the home. No metallic or direct reflecting glass will be permitted.

Foundation shall be reinforced concrete.

Only safety glass will be permitted for the panes with minimum 3/16" thickness if tempered glass or minimum 1/4" thickness if laminated glass. The maximum width of glass panes between support trusses will be 36" measured on center.

Support trusses (glazing bars) must be constructed of aluminum or aluminum alloys with electrostatically applied coloring/paint. No natural aluminum oxidation coloring will be allowed. No wood, composite, steel, fiberglass, or plastic trusses will be allowed. Trusses must be of structural box or I-beam construction. Round, oval, or "T" shaped trusses will not be allowed.

The roof of a sunroom must have a minimum pitch of 1" per 12" of projection.

The sunroom may not project more than 20 feet measured from the rear-facing plane of the residence. The sunroom may not project beyond either side-facing plane of the residence.

Sunrooms are only permitted as ground structures. The maximum height of the roof, measured from the concrete floor, may not exceed either 12 feet or the height of the eaves of the wall that the sunroom projects from, whichever is lower.

If ceiling lighting is installed, it should be downward directed, focused, low-wattage track lighting. Any electrical plug outlet installed within the trusses/glazing supports must be of the UL approved Ground Fault Interrupt (GFI) type.

Sunrooms may not have turbine-type or forced fan roof ventilator installed. Natural draft/convection flow panels that open may be installed. Panels that open may not exceed 36" x 36" in size and must be at least 36" in any direction away from adjoining opening panels.

Sunrooms may not have exposed air conditioning or heating ductwork installed within or to them.

Window coverings are not required, however, only interior covering will be permitted. Exterior covering of the sunroom glass is not allowed.

3. Attached Decks and Deck/Patio Covers

Attached Decks are permanent additions to the main building/garage and therefore shall conform to Friendswood's Minimum Construction Standards. No decks other than a second level balcony shall be constructed more than three (3) feet above the ground.

Attached Deck and Patio Covers:

Roofed decks/patios shall be designed to conform to the existing residence's rooflines.

Trellis covers shall be limited in height to twelve (12) feet above the deck/patio flooring.

Corrugated roofs shall not be permitted.

4. Skylights/Roof Additions/Ventilators

No skylights, solar panels, ventilators, or similar types of roof additions are permitted on the front of the roof ridgeline and/or gable of the structure.

Roof stacks and ventilator pipes shall be painted to conform to the color of the roofing material.

5. Additions to Garages

Conversion of existing garages for residential uses is not allowed.

No addition shall be built on an easement.

All additions shall comply with Friendswood's Minimum Construction Standards.

All exterior materials and colors, including roofing, shall match those of the existing garage.

Foundations require the following special treatment:

- a) For additions to the side/back of the garage, the new slab shall be doweled to the existing slab with a minimum of 5/8" rebar extending a minimum of 8" into the existing slab and spaced on 36" centers so as to prevent separation of the new addition from the existing garage. Likewise, all grade beams must match those of the existing garage.
- b) For second story additions, the ACC strongly recommends the resident obtain professional assistance to evaluate/re-enforce the existing slab so that it can adequately support the additional load. The existing garage slab was designed to support only a one-story frame building.

Special attention to preserving the privacy of adjoining neighbors shall be shown in the design of second story "Servants Quarters" above existing garages. There shall be no windows located where occupants of second story additions can readily look down into an adjoining neighbor's yard.

Room type air conditioners shall not be visible from the fronting street, nor be located so that the noise may be objectionable to an adjoining neighbor.

6. Roof Replacements

Application for new roof / roof replacements should include type/brand of shingle to be used, color of the shingle, shingle weight (or year grade) and felt weight.

Suitable materials for replacement include standard fiberglass composition shingles and traditional slate. Wood / cedar shingles, metal or other materials are not permitted. Shingle color should be in keeping with the colors of the house and compatible with those of the neighborhood. Most traditional shingle colors are allowed.

Overlay roofs are not allowed. Replacement of a wood shingle roof includes stripping of the old roof and installation of decking. Composition shingles should be a minimum of 25 year warranty (240#), Class "A" fire rating. New shingle roofs should be nailed over a felt barrier (minimum 15 lb.) which is attached to the plywood decking (minimum 1/2 inch).

Other roofing materials: Material and color samples must be submitted to the ACC for review and the committee's written approval must be obtained prior to installation.

F. OUTBUILDINGS

1. General

An "Outbuilding" is any structure that has a floor and/or walls and/or permanent roof, but is not attached to the residence or detached garage. Outbuildings therefore include sheds/storage units, gazebos, detached decks and patio covers, and children's play structures.

2. Sheds/Storage Units

Only one shed/storage unit is permitted on a lot and shall not encroach upon a setback line or easement.

Maximum exterior dimensions shall be ten (10) feet in length, ten (10) feet in width, and eight (8) feet in height.

The standard type, quality, and color of the materials shall be the same as those of the garage. No metal sheds/storage units shall be permitted.

If a shed/storage unit is constructed, the lot must be enclosed by a six (6) foot fence (maximum six (6) feet six (6) inches with rot board).

No shed or storage unit shall be visible from the front street.

3. Gazebos

A gazebo is a free standing, open framed structure with lattice-type walls, conical shaped (peaked) or flat arbor-type roofs, and circular or octagonal floor plan. Gazebos shall not be designed or serve as storage units.

Dimensional Limits:

Floor area shall be generally limited to one hundred (100) square feet (10 ft. x 10 ft.).

Conical peaked roofs: This type of roof requires the application of a variance to the overall eight (8) foot height limit. Such variances shall not exceed twelve (12) feet in height measured from the ground with horizontal supports a maximum of eight feet above the deck's floor level

Flat/arbor roofs shall be eight (8) feet in height. However, variance may be applied for up to ten (10) feet in height measured from the ground with a maximum of eight (8) feet above the deck's floor level.

Outfitting/Finishing:

Water and electricity must be installed according to the National Electrical Code and local building codes. All pipes and electrical conduits must be underground.

The gazebo's materials shall be harmonious with the standard, type, quality, and color of material used for the residence.

Gazebos are subject to the same setback/easement guidelines as the Main Building/residence, i.e., gazebos must be located a minimum of six (6) feet from all interior property lines and may not be located on an easement.

If a gazebo is located on the rear portion of a lot, the lot must be enclosed by a maximum fence height of six (6) feet, six (6) inches (6'6").

4. Detached Decks and Patio Covers

Decks shall not exceed three (3) feet above the ground level.

Only trellis/arbor-type patio covers are permitted and will not exceed eight (8) feet above ground level. Solid roof patio covers are not permitted for detached structures.

No corrugated materials are allowed as patio covers.

5. Children's Play Structures

These structures include any combination of swing-sets, play sets, climbing structure, slide, hut, or raised play set.

Dimensional guidelines for children's play forts:

- Eight (8) feet in height
- Eight (8) feet in width
- Twenty (20) feet in length

Play-forts are subject to the same setback/easement guidelines as the Main Building/residence in order to not encroach on adjoining neighbors' privacy, i.e. a minimum of six (6) feet from all interior property lines. Play-forts may not be located on easements.

Erection of a play-fort requires the lot be enclosed by a six (6) foot fence (maximum six (6) feet six (6) inches with rot board).

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6. Outbuilding Variances

The ACC may recommend and the Board of Directors may grant a variance to the eight (8) foot height limit on a case-by-case basis for other non-attached structures, such as a pool house. Such structures may be one level only and may not have windows facing a neighbor's property. These improvements must be harmonious with and add to the value of the surrounding neighborhood. Residents are required to consult with their adjoining neighbors prior to applying for a variance.

G. POOL AND SPAS

Application for construction of a pool, spa, or Jacuzzi must include a plot plan showing its relation to all existing and proposed structures, property/setback lines, and easements. The application shall also include a construction schedule, the contractor's name, address, and telephone number.

Construction of such units shall comply with Friendswood's Minimum Construction Standards and the National Electrical Code. Such units shall also include the installation of a ground fault circuit interrupter.

Slides and diving boards will not exceed eight (8) feet above the ground.

During installation, the construction site will be enclosed by a temporary restraining fence/barrier. No building materials shall be stored on the street overnight. Excavated material shall either be used on site or removed immediately.

After construction, the site shall be immediately enclosed by a six (6) foot high fence (maximum six (6) feet six (6) inches with rot board) with a maximum of three (3) inches between each vertical member.

The pool, spa, or Jacuzzi shall not impede drainage on a lot or cause water to flow to an adjacent lot. There shall be no surface discharge from such unit on to the residence's lot or to an adjacent lot.

Decks and patios/deck covers constructed in conjunction with a pool, spa, or Jacuzzi will conform to their respective guidelines as stated elsewhere.

Pool equipment such as pumps and filters must be screened from view of the street and/or greenbelt and should not be located near a neighbor's bedroom.

H. FENCES

It is the intention of the ACC and the Board to enable owners to use standard-size pickets to construct fences. Fence pickets may be a maximum height of six (6) feet. If desired, owners

may install one six (6) inch-wide rot board at the bottom of the pickets. The rot board must be installed at natural grade level and may not impede drainage. Fences may not be installed forward of the Front Building Line (“BL”). However, a landscaping fence not to exceed two (2) feet may be installed in front of this line, subject to ACC approval.

All fences situated parallel to the front lot line or a side street adjacent to a corner lot shall have its vertical pickets on the outside and installed so that no posts/rails are visible from the respective front or side street.

Fence material shall be wood or wrought iron with vertical pickets. All gates shall be constructed with material consistent with either the fence material or the residence. Chain link fences are not permitted.

Color: Certain interior portions of a perimeter wood fence (a fence defining the boundaries of a lot) may be stained, but not painted, in the following manner:

Stain color that is harmonious with the residence, garage, and other existing improvements,

Portions of a fence that are not visible from a street may be stained, however;

No portion of a wood fence that is visible from the street in front of the lot, or, if a corner lot, the street adjacent to the side of the lot, may be stained.

Non-perimeter fences, those not defining or separating lots, may be painted or stained to match the color of the house/garage. The primary example is a fence between the house and unattached garage, enclosing the back yard. Any fence that abuts a perimeter fence may not be stained or painted where visible to the street.

All stained wooden fences and painted wrought iron fences shall be properly cleaned and maintained to prevent fading or mildewing.

I. DRIVEWAYS, WALKS, PATIO EXTENSIONS, AND LANDSCAPING

These improvements are not subject to setback requirements.

Driveways and walks may be extended into easement areas with the provision that drainage not be impeded and that suitable conduits be installed by the respective utility company under any driveway extension.

Landscape improvements may be installed in easement areas given that drainage is not impeded.

The digging of dirt or the removal of any dirt from any lot is expressly prohibited except as necessary in conjunction with the landscaping of or construction on such lot.

Irregardless of the above, no trees shall be removed except to provide room for construction of improvements or to remove dead or unsightly trees or with approval from the Board.

Prior approval is not required for other landscape improvements.

For driveways/walk extensions, residents should review their lot survey/plat to find out if any utilities' (electric, telephone, natural gas, etc.) easements may be crossed. It is the resident's responsibility to obtain prior approval from the utility before ACC approval or installation of the improvement.

Utilities have access to their easements at all times and are not liable for any damage to a resident's landscaping or improvements located in such easements. Typically, the utilities will contact residents before any major activity/repair involving easement access. For more information on easements, please refer to your Protective Covenants.

J. EXTERIOR LIGHTING

1. 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 ACC may be replaced with a new fixture provided that the wattage of the new fixture does not exceed the wattage of the existing fixture or 150 watts, whichever is greater.

Existing gas lighting may be converted to an electric incandescent bulb provided that (a) the incandescent bulb is a clear glass type, (b) the wattage of the bulb does not exceed 100 watts, and (c) the lighting color is white.

2. New Lighting

a) Security Lighting:

Location: Security lighting shall be located as follows:

- Mounted behind the back plane of the residence;
- No pole mounted security lights, including sodium vapor and mercury vapor shall be permitted; and
- No security fixture shall be allowed above the eaves of the residence or garage.
- Lights shall not be directed towards a neighbor's property.

Wattage: - Total wattage for all security lights shall not exceed 300 watts;
- No more than (1) mercury vapor light of not more than 150 watts shall be permitted; and

- Sodium vapor lights are permissible provided that each such light does not exceed 70 watts.

Exceptions: Exceptions to these guidelines may be granted by the ACC if the design and location of the residence and/or garage on a lot warrant an exception.

b) Landscape Lighting:

Exterior landscape lighting shall be permitted with the ACC's approval so long as the lighting is located within flowerbeds, shrubs, and/or trees.

Pole mounted landscape and/or decorative lighting shall also be permitted with ACC approval so long as (i) the pole does not extend more than seven (7) feet above ground, (ii) the light fixture is not situated more than six (6) feet above the ground, and (iii) the light is neither sodium vapor nor mercury vapor.

c) Gas Lights:

Two (2) gaslights per lot shall be permitted with the ACC's approval provided that the gas lighting color is white.

Annoyances: All new lighting which is approved by the ACC shall be subject to a ninety (90) day trial period upon installation to assure that the lighting is not objectionable to surrounding residents. The ninety (90) day period shall commence on the date of installation of the lighting. If, at the end of the ninety (90) day period, the ACC determines that the lighting is not unreasonable, offensive or an annoyance to surrounding residents, the ACC's approval shall be final; otherwise, the lighting shall be removed or modified in accordance with the decision of the ACC.

K. PAINTING AND AWNINGS

1. Application Process

a) For painting existing residence and garage:

For changes to the existing colors, two (2) color samples or paint chips shall be submitted for the Principle color ("field"); Trim (soffit, fascia board, window, and door trim); and Accents (shutters, window hoods, side panel of doors and windows, and the exterior surfaces of doors).

For repainting the existing colors, no prior approval is required.

b) For painting new additions or improvements, two (2) color samples or paint chips shall be submitted for approval.

- c) For awnings, an elevation plan showing the windows to receive awnings together with a color sample shall be submitted for approval.
2. Paint colors and awning plans shall be in harmony with the immediate neighborhood. As noted above, the ACC strongly suggests that professional design services be consulted for exterior color changes and awnings.

L. SATELLITE DISHES AND ANTENNAE

1. Satellite Dishes

A satellite dish antenna may be attached to the house; however, the dish antenna's location shall be restricted to the rear of the house or to the rear of the roof ridge line, gable, or center line of the residence so as to be hidden from public sight. It shall not be visible from any point in the street in front of the lot or, if a corner lot, any point in the side street.

The color of a satellite dish antenna shall be harmonious with the color of the house and improvements on the lot. No cable or wiring shall be visible from the street in front of the lot or any side street.

2. Antennas

Television antennas may be attached to the house; however, the antenna's location shall be restricted to the rear of the house, or to the rear of the roof ridge line, gable, or center line of the residence so as to be hidden from public sight.

M. MISCELLANEOUS

1. Birdhouses

A birdhouse shall not be visible from the street in front of the lot.

No birdhouse shall be larger than two (2) feet in width, two (2) feet in length and two (2) feet in height;

No more than two (2) birdhouses shall be permitted on a lot.

No birdhouse shall be situated higher than twelve (12) feet above the ground.

The materials used in the construction of each birdhouse and the color of each birdhouse must be harmonious with the home and other improvements of the lot.

2. Basketball Goals

Location:

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

Installation, Materials, and Colors:

Basketball goals should be mounted either (s) on the garage wall or roof with the backboard parallel to the automobile entrances, (b) on the garage-to-house breeze way cover or (c) on a rigid steel or aluminum pole. Wooden poles shall not be permitted. The backboard material is recommended to be fiberglass or safety glass; marine plywood is acceptable, though it must be painted/maintained. The color must be clear (safety glass) or white with the exception of manufacturer's outline markings. The rim must be heavy gauge steel. The backboard supports must be firmly attached to the structure. Nails, by themselves, are not permitted. Mounting supports may be of wood, steel, or aluminum, but they must be painted an acceptable color as outlined in Section J, Painting and Awnings, of these guidelines. The poles must have a manufacture's weather resistant finish and be either black or in a color which is harmonious with the residence.

Application:

An application for approval to erect a basketball goal must include either a plot plan or a to-scale drawing depicting the location of the goal and its relationship to the adjoining neighbor's property.

In the case of a pole mounted goal, the plan or drawing should include the neighbor's amenities and a neighbor's written consent if applicable. If lighting is provided for the basketball area, it must comply with existing security lighting guidelines.

Maintenance:

The homeowner must maintain the basketball goal in its original approved condition, including the rim and the net.

3. Birdbaths shall not exceed five (5) feet in height.
4. Benches and tables in the front of the residence or exposed to the public view shall be decorative and harmonious with the residence. Picnic tables and seasonal patio furniture shall not be allowed in public view.

592-86-2769

5. Statuary and fountains shall be of modest scale, decorative, and harmonious with the residence.

N. PROHIBITED PROPERTY USES AND CONDITIONS

1. Listing of Non-Conforming Uses and Conditions: The following property uses and conditions are not in conformance with the Protective Covenants. It is the ACC's duty to enforce the Protective Covenants through a series of notices and legal action as described below.

Any activity not related to single-family residence purposes, such as commercial activities, multi-family uses, and community aid functions.

Noxious or offensive activity of any sort;

Any action or improvement/addition/change which may be or become an annoyance or nuisance to the neighborhood. Barking dogs and uncontrolled pets clearly fall under this category and may be in non-compliance;

Temporary structure, trailer, basement, tent, shack, garage, barn, or other outbuilding may not be used as a residence.

Parking or permanent or semi-permanent storage of boats, trailers, recreational vehicles, buses, inoperative vehicles, camping rigs off trucks, or boat rigging or similar items on any public street, right-of-way, or on and/or beside driveways. Storage of such vehicles or items must be screened from public view either within the garage or behind a solid fence.

Animals, livestock, or poultry of any kind shall not be raised, bred, or kept on any lot except dogs, cats, or other common household pets, provided they are not kept, bred, or maintained for commercial purposes or in unreasonable numbers. All animals or pets must be leashed or restrained within an adequate enclosure. No animals or fowl may be kept on the property, which result in an annoyance or are obnoxious to residents in the vicinity.

Drying of clothes in public view is prohibited. The owners or occupants of any lots at the intersection of streets or adjacent to parks, playgrounds or other facilities where the rear yard or portion of the lot is visible to the public shall construct and maintain a drying yard or other suitable enclosure to screen drying clothes from public view.

Unmaintained properties: All lots shall be kept at all times in sanitary, healthful, attractive and safe condition, and the owner or occupant of all lots shall keep all weeds, grass and dead trees thereon cut and shall in no event use any lot for storage of material and equipment except for normal residential requirements or incident to construction of improvements thereon as herein permitted, or permit the accumulation of garbage, trash or rubbish of any kind thereon, and shall not burn any garbage, trash, leaves or rubbish except by use of an incinerator approved by Friendswood, its successors or assigns, and then only during such

conditions as permitted by law. All yard equipment or storage piles shall be kept screened by a service yard or other similar facility as herein otherwise provided, so as to conceal them from view of neighboring lots, streets or other property. Woodpiles shall be neatly maintained.

Commercial signs, advertisements, billboards or advertising structures of any kind displayed to the public view on any portion of the properties or on any lot are not permitted, but with the following exceptions: One (1) sign for each building site may be installed, which sign may have one maximum dimension of twenty four (24) inches and a maximum area of 576 square inches, advertising the property for sale or rent, except signs used by Friendswood, its successor or assigns, to advertise the property during the construction and sales period. Friendswood or its assignee shall have the right to remove any such sign, advertisement or billboard or structure which is placed on said lots, and in doing so shall not be subject to any liability for trespass or other tort in connection therewith or arising from such removal.

2. Resolution of Non-Conformance

The ACC carries out periodic inspections of the community and also responds to notices provided by residents. Residents are expected to properly identify themselves, otherwise the ACC is not inclined to act on an anonymous notice. The ACC reviews all notices of potential non-conformance and judge whether non-conformance exists.

Should non-conformance exist, the ACC will instruct Managing Agent to send out a first and possible second notice to the subject residence/association member which informs them of the situation and requests their removal of the condition/use within a fourteen (14) calendar day period of time.


Should non-conformance persist after the first and second notices have been given, the ACC, with the approval of the Board of Directors, may undertake legal action. The costs of such legal action will be assessed to the subject residence.

EXECUTED this 13 day of August, 2004.

BY: The Board of Directors for Sand Creek Village Community Association:


Lyndall Harrison, President


Dee Price, Vice President


Mike Fuhre, Treasurer


Juanita Goss, Secretary

592-86-2762

Wilson Humphrey

Wilson Humphrey, Director

David Gresko

David Gresko, Director

Diane Harding

Diane Harding, Director

John Watkins

John Watkins, Director

Mark Cash

Mark Cash, Director

STATE OF TEXAS §

KNOWN ALL MEN BY THESE PRESENTS

COUNTY OF HARRIS §

The foregoing instrument was acknowledged before me on this 13 day of August, 2004, by the Board of Directors for Sand Creek Village Community Association.

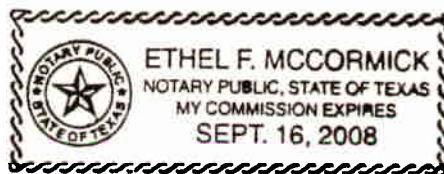
After recording, return to:
Community Asset Management, Inc.
7702 F.M. 1960 East, Suite 302
Humble, TX 77346

Ethel F McCormick

Notary Public in and for the State of Texas

Printed Name: Ethel F McCormick

Commission Expires: 9-16-2008



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 THE STATE OF TEXAS COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me, and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas on

SEP 24 2004



Beverly L. Kayman

COUNTY CLERK
HARRIS COUNTY, TEXAS