

ARCHITECTURAL DESIGN STANDARDS
for
RIVER OAKS GARDENS

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

I, Donna K. Donelson, Secretary of River Oaks Council of Co-Owners, a Texas non-profit corporation (the "Council"), do hereby certify at a duly called meeting of the Board of Directors of the Council held on the 7th day of February, 2001 with at least a majority of the Directors being present thereat and remaining throughout and being duly authorized to transact business, the following resolutions were duly made and approved:

WHEREAS, by that certain instrument entitled "River Oaks Gardens Declaration of Condominium", executed by Duddleston Properties, Inc., a Texas Corporation, was duly recorded in Volume 76, Page 91, *et seq.*, of the Condominium Records of Harris County, Texas thereby creating the River Oaks Gardens Condominiums (the "River Oaks Gardens Declaration of Condominium of Condominium") hereinafter referred to as the Declaration; and

WHEREAS, said Declaration was subsequently amended for the purpose of correcting Exhibit "D" attached to the Declaration and for the purpose of recording and incorporating a copy of the By-Laws to be a part of the Declaration of River Oaks Council of Co-Owners in that certain instrument entitled "First Amendment to River Oaks Gardens Declaration of Condominium" and recorded in Volume 81, Page 25, *et seq.*, of the Condominium Records of Harris County, Texas (the Declaration as amended and supplemented is still hereinafter referred to as the "Declaration"); and

WHEREAS, said Declaration was further amended for the purpose of correcting Page 2 of 2 of the Exhibit "B" attached to the Declaration of River Oaks Council of Co-Owners in that certain instrument entitled "Second Amendment to River Oaks Gardens Declaration of Condominium" and recorded in Volume 82, Page 40, *et seq.*, of the Condominium Records of Harris County, Texas (the Declaration as amended and supplemented is still hereinafter referred to as the "Declaration"); and, (the Condominium Declaration as supplemented is still hereinafter referred to as the "Declaration"); and

WHEREAS, Section 2.4 of the Declaration provides “no owner shall make any alterations to any Common Elements (including walls, windows and doors which are Common Elements) nor install, attach, paste or nail any article thereto without the prior approval of the Council; and

WHEREAS, Article IV (3) of the Articles of Incorporation of the Council provides one of the purposes of the Council is to exercise all the power and perform all duties of the Council as agent for all members in accordance with the Declaration; and

WHEREAS, Section 3.1 of the Declaration likewise provides the affairs of River Oaks Gardens shall be administered by the Council and further that the “business and affairs of the Council shall be managed by its Board of Directors; and

WHEREAS, Section 82.102(a)(7) of the Texas Uniform Condominium Act provides the board of directors of a condominium unit owner's association (unless otherwise provided in its declaration) has the power to “adopt and amend rules relating to the use, occupancy, leasing, or sale, maintenance, repair, modification, and **appearances of the units and common elements** to the extent the regulated actions affect common elements or other units” (Emphasis added); and

NOW, THEREFORE, BE IT RESOLVED that the following Architectural Design Standards (the “Standards”) are hereby adopted.

1. OVERVIEW

The Board has established the following Standards in accordance with the authority granted to them by the Declaration and the Texas Property Code. The Standards are established to assure a uniform and fair interpretation of the Declaration and the power of the Council related to regulation of the appearance of River Oaks Gardens. The Standards are intended to provide unit owners in River Oaks Gardens with information relating to i) the design, color, size, location and grade of materials which may be used, ii) the size and location of such improvements, and iii) the procedure utilized by the Council with respect to applications for proposed improvements.

These Standards may be amended by the Board from time to time as it deems necessary and appropriate.

2. APPLICATION PROCEDURE

- 2.1 Submission. All applications for approval to make any exterior changes, additions or improvements to the Common Elements (including Limited Common Elements) must be submitted to the Board in writing by completing the application form currently in use by the Board. A copy of the application is available by contacting the Council’s managing agent.

Specifications for any proposed exterior change, addition or improvement to the Common Elements should be attached to the application. The Board reserves the right to request any additional information deemed by it to be necessary to properly evaluate the application. Should the Board request additional information, the application will be deemed denied; however, the applicant may thereafter submit a new application with the requested information to the Board for its review. All applications shall be mailed or delivered to the office of the managing agent of the Council.

- 2.2 Review. The Board shall endeavor to review each application as soon as possible after the date of its receipt. Each decision of the Board shall be in writing and include a statement of the conditions under which the application is approved, if any, or the reason(s) for disapproving the application. No improvement shall be started until written approval is received from the Board; provided however, that any such approval shall be deemed to relate to these Standards only, not to any of the restrictions set forth in the Declaration, which must be complied with at all times.

3. ARCHITECTURE DESIGN STANDARDS

3.1 Unit Numbers.

- 3.1.1 The numbers must be numeric format only, not spelled out in words or Roman numerals.
- 3.1.2 The numbers must be no larger than six inches (6") and no wider than four (4").
- 3.1.3 Unit numbers must be centered near the top third of the front door, displayed next to the front door or on the patio gate.
- 3.1.4 Unit numbers must be made of gold-toned metal.

3.2 Doors.

- 3.2.1 Should owners choose to replace doors, they must do so at their own expense.
- 3.2.2 Doors must be either original construction or replaced with specified options.
- 3.2.3 Replacement Doors – Front Doors
- a. Replacement doors must be made of steel or solid wood. No hollow wood doors are permitted.
 - b. Doors must be flat front, 6-panel, or may have partial glass (see 3.2.4. below).
 - c. Front doors on Units that are defined as "flats" (i.e., where there are two Units placed directly above two other Units in a Building) must conform in both color and style.
- 3.2.4 Approved replacement doors are those specified by Board. A current list is kept on file with the property management company and Board.

3.2.5 Replacement Doors – Rear/Secondary Doors (Patio & Balcony)

- a. Single doors must be replaced with doors of the same style (15-pane wooden or steel). Sliding glass doors may be replaced with double French doors (traditional 15-pane wooden or steel).
- b. All doors must be painted with one of the Board-Approved colors. A current list is kept on file with the property management company and Board.
- c. Paint and labor for painting will be provided by the Council at no charge to the owner.
- d. Storage doors must be one of the following: (1) flat-front hollow-core wood, (2) flat-front solid wood or (3) flat-front steel.

3.3 Door Additions.

- 3.3.1 Doors may contain 1 peephole, 1 knocker and 1 seasonal decoration (i.e. wreath). Refer to “Seasonal Decorations” below for additional information.
- 3.3.2 Front doors of units may not be covered with screen doors, storm doors, bars or other gates immediately in front of door.
- 3.3.3 Secondary single doors may be covered with wooden screen doors.

3.4 Windows.

- 3.4.1 Broken windows must be replaced by owners in a timely manner.
- 3.4.2 Replacement windows must be identical size and design. Trim must match the original window.
- 3.4.3 No awnings or exterior shades are permitted.
- 3.4.4 Mirrored or reflective material inside windows is not permitted.

3.5 Patios and Balconies.

- 3.5.1 Patio improvements may not adversely affect the drainage and water flow of adjoining units.
- 3.5.2 No storage of items visible from the common area is permitted on patios or balconies, including exercise equipment.
- 3.5.3 No storage of combustible or hazardous materials or items is permitted in the patio/balcony area.
- 3.5.4 Barbecuing is permitted only if the barbecue equipment is located ten feet (10') from building structures and fences.

- 3.5.5 Woodpiles up to two feet (2') of neatly stacked logs are permitted as long as they are on a raised, non-wooden platform, and not stacked directly against the building.
- 3.5.6 Shading material such as freestanding latticework or patio umbrellas are permitted in patios provided they are in good condition and properly used; however, latticework must receive the prior written approval of the Board.
- 3.5.7 Balconies and fences shall not be used for hanging rugs or drying laundry or towels.
- 3.5.8 Trees and shrubbery growing in patios must be pruned so as not to touch the exterior building or roof or cause damage to fences.
- 3.5.9 Balconies may not be repainted, remodeled or enclosed.

3.6 Decorations.

- 3.6.1 Owners may choose to decorate the exterior areas of their units provided it does not detract from the property or interfere with another neighbor's unit. Decorations are limited to the owner's patio/balcony and must be located immediately near the front door.
- 3.6.2 Approved patio/balcony decorations include small plants, pottery, statuary, and patio furniture.
- 3.6.3 Seasonal decorations are defined as adornments associated with a holiday or season (i.e. Christmas, Chanukah, 4th of July). Decorations falling into this category may be displayed from two (2) weeks before the holiday up to one week after. Exceptions to this would be December, when seasonal decorations may be displayed all month but removed by the end of the first week of January.

3.7 Awnings, Shades, Burglar Bars and Cold-Weather Protection.

- 3.7.1 No awnings or exterior shades are permitted whatsoever. All shading devices must be located indoors inside a unit.
- 3.7.2 Burglar bars are permitted on the interior of units only, and installed on windows only. No burglar bars are permitted on doors.
- 3.7.3 No fiberglass or plastic cold-weather protection devices may be installed on doors or windows. Plants may be covered temporarily during cold weather. Anything requiring more than one (1) week of covering should be removed or brought indoors.

3.8 Signs.

- 3.8.1 Security signs are allowed as follows: one (1) professionally-made sign not to exceed 6"x10" may be placed in flower beds no more than 5 feet (5') from the front door of a unit; alternatively, a window decal not to exceed 4" x 6" may be displayed inside a lower corner of each window. One small sign (not to exceed 4"

x 6") notifying that there is a pet inside the unit is permissible the lower corner of a window.

3.8.2. "For Sale/For Lease" signs of any nature are prohibited. Property sale and rental notices may be posted on the bulletin board in the mailroom.

3.8.3. No other signs will be permitted.

4. MISCELLANEOUS

4.1. Antennas and satellite dishes must be installed in compliance with the "Rules for Installing Satellite Dishes and Antennas" previously adopted by the Board.

4.2 Grandfather Clause.

4.2.1 Improvements erected prior to the date these Standards were adopted by the Board, which improvements were previously approved by the Board shall be deemed to be in compliance with these Standards. From and after the date these Standards are adopted by the Board any alterations to the Common Element must comply with these Standards.

I certify that I am the duly elected, qualified and acting Secretary of the Council and that the foregoing resolutions were approved as set forth above and now appear in the books and records of the Council.

TO CERTIFY WHICH WITNESS MY HAND on this 7TH day of FEBRUARY, 2001.

RECORDERS MEMORANDUM
AT THE TIME OF RECORDATION, THIS
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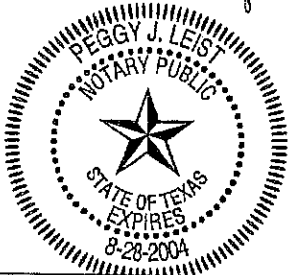
**RIVER OAKS COUNCIL OF
CO-OWNERS**

By:

Donna Kay Donelson
Secretary

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

Before me, a notary public, on this day personally appeared Donna Kay Donelson, Secretary of River Oaks Council of Co-Owners, known to me to be the person whose name is subscribed to the foregoing instrument and, being by me first duly sworn and declared that he/she executed same in the capacity and consideration therein expressed. Given under my hand and seal of office this the 7th day of February, 2001.



Peggy J. Leist
NOTARY PUBLIC - STATE OF TEXAS

557-42-0340

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 herein by me; and was duly RECORDED, in the Official Public Records of Real Property of Harris County, Texas on

FEB 14 2001



Dorely B. Kaufman

COUNTY CLERK
HARRIS COUNTY, TEXAS

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I certify that I am the duly elected, qualified and acting Secretary of the Council and that the foregoing resolutions were approved as set forth above and now appear in the books and records of the Council.

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**RIVER OAKS COUNCIL OF
CO-OWNERS**

By:

Donna Kay Donaldson
Secretary

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

Before me, a notary public, on this day personally appeared Donna Kay Donaldson, Secretary of River Oaks Council of Co-Owners, known to me to be the person whose name is subscribed to the foregoing instrument and, being by me first duly sworn and declared that he/she executed same in the capacity and consideration therein expressed. Given under my hand and seal of office this the 7th day of February, 2001.

Peggy J. Leist
NOTARY PUBLIC - STATE OF TEXAS

66756



537-40-0940

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THE STATE OF TEXAS
COUNTY OF HARRIS

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FEB 14 2001



Beverly B. Kayman

COUNTY CLERK
HARRIS COUNTY, TEXAS