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King Oaks

ARCHITECTURAL AND
SITE DESIGN GUIDELINES

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KING OAKS
ARCHITECTURAL AND SITE DESIGN GUIDELINES

1.0 Introduction

1.01 Objective of the Guidelines

This document has been prepared for promoting the development of a residential community known as King Oaks. The standards of design expressed in this document are intended to describe our "vision" of the Development through procedures that are clearly outlined and informative. Our intent is to expedite your process of building an exceptionally high quality residence. Throughout the course of the Development, we may review and revise these Guidelines, as necessary to reflect changing conditions. Any changes will be noted in a separate amendment with corresponding date in the corner of the original Guidelines.

1.02 Relationship to Legal Documents

These guidelines are supplementary to the Declaration of Covenants, Conditions and Restrictions for King Oaks, which are of Record. The criteria are intended to complement the Covenants and should a conflict arise, the Covenants shall prevail.

1.03 Community Master Plan

King Oaks is a planned community that includes approximately 953 acres located at 12175 CR 175 Iola TX 77861 in Grimes County. The Community includes Parks, Playgrounds, Picnic Areas and Walking Trails.

Throughout the development of King Oaks it is the intent of the developer to protect the natural features of the property. Consequently, these Design Guidelines will reflect that concern in its approach toward the Design Review and Construction of residences within King Oaks.

2.0 Organization & Responsibilities of the Architectural Review Board (ARB)

2.01 Mission and Function

The Covenants state that no structure is to be erected in the Development without being approved by the ARB. King Oaks ARB works with the design guidelines and Covenants to assure an attractive, compatible, and aesthetically pleasing community. The design guidelines are used by the ARB as guidelines for the evaluation of projects submitted to them. The final decision of the ARB may be based on purely aesthetic considerations. It is important to note that these opinions are subjective and may vary as committee members change over time. The developer reserves the right to revise and update the design guidelines as well as the performance and quality standards to respond to future changes.

2.02 Membership

The ARB is comprised of 3 to 5 members appointed by the Declarant, Southstar Communities, LLC. A member of the corporation's staff will chair the committee. The right to appoint members to the ARB shall be retained by the Declarant until one hundred percent of the parcels have been developed and conveyed to purchasers in the normal course of development. At such time, the Board of directors of the Association shall appoint the members of the ARB in accordance with Article 9.2 of the Covenants.

2.03 Scope of Responsibility

The ARB has the following responsibilities:

1. 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.
2. Approving all new construction.
3. Monitoring the design and construction process in order to ensure conformance with the Covenants and Guidelines.
4. Enforcing the Design Guidelines through special assessment or self-help as described in the Covenants.
5. Interpreting the Covenants and Design Guidelines at the request of the Owners.
6. Approving all modifications to existing structures, including but not limited to walls, fences, material replacements, renovations, additions and landscaping in some sections.

2.04 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 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 board, the ARB will act in accordance with Article 9.9 of the Covenants to bring the non-conforming item into compliance.

2.05 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 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 Declarant, the Association, the Board, 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 or modifications to any home site. In all matters, the committees and their members shall be defended and indemnified by the Association as provided in Article 4.6 of the Covenants.

3.0 The Design Review Process

3.01 Review of Plans

The ARB will review design submissions at scheduled ARB meetings. There is one submission in the design review process. The submission reviews the architectural and site requirements. Submissions are due seven calendar days before each meeting. The ARB administrator will review submissions in advance of the scheduled meeting. Submission requirements are outlined in Section 9.3 of the Covenants and Section 5.01 of these guidelines.

3.02 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 and codes. 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.

3.03 Architectural and Contractor Requirements

All plans for the construction of dwellings and other buildings or significant structures at King Oaks must be designed and drawn by an architect who is registered and licensed in the State of Texas or a professional, experienced home designer.

3.04 Final Review

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.

3.05 Additional Meetings with the ARB

If an application for approval is denied or conditions are unacceptable, the applicant may request an additional meeting to discuss the plans with the ARB or an ARB representative.

3.06 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. The ARB will grant or deny the variance request in writing. 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 ARB.

3.07 Builder "Clean Site" Bond

Builder "Clean Site" bond/deposit amount can be established and published by the ARB. The purpose of the deposit is to assure compliance to workplace clean site standards. The builder can be fined for violation of the "Clean Site" standards at the discretion of the Southstar construction superintendent. Said fines, if any, will be deducted from the builder deposit, and the balance or the deposit will be refunded to the builder upon completion of home construction.

3.08 Design Review Fees

Design review fees can be established and published by the ARB. The purpose of these fees would be to cover all expenses related to the processing of applications for construction. The Board reserves the right to change or waive these fees from time to time without prior notice. The "Clean Site" bond must be included with the submission. Submissions received without the "Clean Site" bond could be considered incomplete, and may be returned to the Owner. The ARB reserves the right to change the amount at any time without notice.

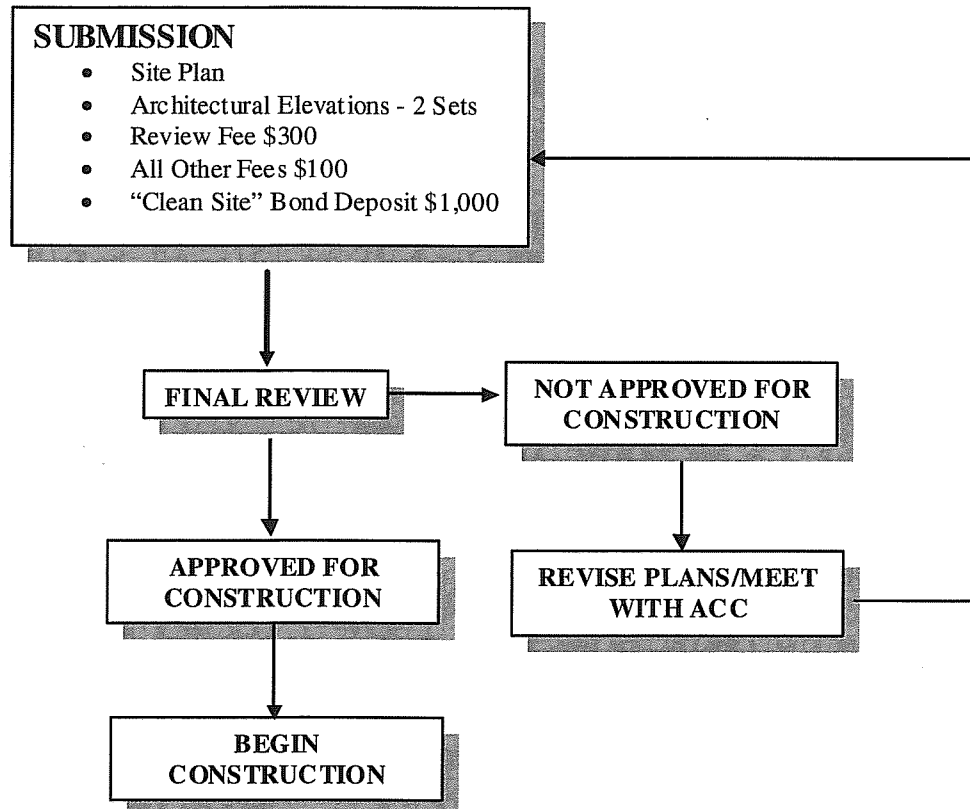
3.09 Renovation / Additions to Existing Structures

All renovations, additions, or improvements to existing structures shall be approved by the ARB. The applicant shall submit plans showing the nature of the work to be performed with the review fee, if any.

3.10 Final Approval

The final approval letter is issued after the board approves the submitted plans for construction.

THE ARCHITECTURAL REVIEW PROCESS



4.0 The Construction Process

4.01 Beginning Construction

Construction of any type may not begin without the following on site:

- 30 Yard Dumpster
- 8'x8' Plastic Lined Dump Box
- Chemical Toilet
- Construction Entrance w/ culvert if necessary

4.02 Construction Time Limit

The exterior of all dwellings and other structures must be completed within one year after the construction of same has commenced, except where such completion is impossible 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. If an extension is needed, the builder may submit an extension request, including projected completion date, in writing to the ARB. Failure to complete the project within the deadline will result in either special assessment, self help measures, or other enforcement rights as set forth in the Covenants.

If construction has not commenced within six months after the date of the final approval, it shall be deemed to have expired unless applicant, prior to such expiration date, has requested and received an extension in writing from the ARB.

4.03 Builder's Sign

Builder signs may be placed on site two weeks prior to home construction. The sign shall remain properly installed throughout construction. Upon completion of home construction, builder sign must be removed within 14 days. Builder signs shall not be allowed on vacant lots or at any time other than construction of the home.

Builder model or speculative home monument signs are strictly prohibited.

All signs will come from the same sign manufacturer and must be approved by the developer. All Builders Signs must be purchased through Magnolia Sign Source at 281-356-6399.

As a builder, turn in to the King Oaks Information Center all of the information that you would like to have on the sign (your company name, phone number, email, etc.). All information, logo and text will be in black only. Advertising is limited to home building only. Your options are: sign and post only, Builder installs, sign and posts installed in ground by Magnolia Sign Source, or sign may be placed on a skid instead of in ground. Send all of this information to Plateau Property Management attn: Rosalyn Peterson (contact information is available in the King Oaks Information Center).

All signs shall be placed on the front property line at the center of the lot. The sign cannot be any higher than 72 inches from the ground to the top of the sign and shall be no larger than 4 feet and 4 feet. See Page 21 of this document for an example of acceptable signage.

Subcontractor signs are not allowed on the property. Any additional signage or displays found on a jobsite may be removed at any time without warning.

4.04 Chemical Toilet

A port a john will be required for each job site. The port a john must be placed behind the builder's sign.

4.05 Construction Entrance

A construction entrance must be installed prior to the start of any work on the lot. The entrance must be built to eliminate the tracking of mud onto paved roads.

4.06 30 Cubic Yard Dumpster

A minimum of a 30 cubic yard dumpster must be present at all times. Said dumpster must be removed and replaced when full. Temporary or hand constructed (lumber) dumpsters shall only be allowed until the permanent 30 yard dumpster is delivered to the site (maximum of 5 days).

4.07 Erosion Control

The Texas Commission on Environmental Quality (TCEQ) requires Southstar Communities, LLC to obtain a permit while constructing roads, installing utilities and performing construction activities. This permit authorizes us to discharge "*storm water associated with construction activity*". The TCEQ permit requires specific pollution prevention and control measures and reporting activities. Among the conditions and requirements of this permit, Southstar must prepare and implement a Storm Water Pollution Prevention Plan (SWP3) that is tailored to our construction activity. Additionally, the control measures must be inspected every 14 days and after every rainfall event greater than 0.5 inches.

As defined in the TCEQ regulations, “*storm water associated with construction activity*” includes storm water runoff from a construction activity where soil disturbing activities (including clearing, grading, excavating) result in the disturbance of one (1) or more acres of total land area, or are part of a larger common plan of development or sale that will result in disturbance of one (1) or more acres of total land area.

Southstar’s general permit covers every lot in the subdivision for each section under construction. However, when title to a lot is conveyed to a purchaser, that lot is no longer under Southstar’s general permit. Therefore, the individual lot owner, prior to starting any construction activity that includes any type of earth disturbing activity, must apply for a TCEQ permit to discharge storm water and develop a SWP3 that is tailored to that construction site. Typically, the SWP3 includes control measures such as rock berms and silt fences that trap sediments and keep them from leaving the construction site. Additionally, the control measures must be inspected every 14 days and after every rainfall event greater than 0.5 inches. After construction is complete, the permit must stay in effect until the site is stabilized or until 70% of the native background vegetative cover has been established. At that point, the permit should be terminated. If you, the lot owner, hire a building contractor, that contractor should apply for the TCEQ permit, prepare the SWP3, supervise the implementation of the SWP3, perform the inspections and terminate the permit when the site is stabilized. However, if you perform the general contracting duties yourself, you would be the “operator” and would be responsible for these requirements.

For additional information concerning TCEQ permitting requirements, you can access their web site at <http://tnrcc.state.tx.us>.

If you require assistance in preparing your permit application, SWP3 or inspections you can also contact Berg Oliver and Associates at 281-589-0898. This firm specializes in Storm Water Compliance Management.

4.08 Dump Box

An 8’x8’x4’ Dump Box lined with plastic shall also be constructed on each lot for the deposit of such materials as concrete, drywall related products, paint, etc. The cleaning of equipment related to these products should be confined to the dump box.

4.09 Site Maintenance

Only usable construction materials may be stored on a construction site. Discarded construction materials, refuse and debris must be removed daily from the site, or contained within a trash dumpster (minimum 30 cubic yards). Storage or placement of materials within any right of way or easement is not permitted at any time. If trash is not removed on a regular basis, King Oaks will contact the owner and/or builder, allow 48 hours for site to be cleaned, clean site at King Oaks’ expense and deduct amount from the clean site bond . 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.

4.10 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 for verifying compliance with the requirements of the ARB. A representative of the ARB will make periodic inspections during the entire construction period. The Owner will be notified in writing with a copy to the architect/designer and general contractor of any items and exceptions noted in the inspection report and all such items and exceptions must be completed or resolved within a timeframe stated in such correspondence.

4.11 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.

4.12 Revisions and Changes During Construction

All revisions and changes made during construction shall be submitted in writing to the ARB for approval prior to the implementation of such change. All revised drawings must be submitted along with the revision request. The ARB will grant the request in writing. Failure to obtain written approval for any revision during construction will result in fines being deducted from the construction deposit.

4.13 Alterations / Remodeling / Improvements / Repainting of Approved Structures

Any exterior change to an existing structure requires approval from the ARB before commencing with 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.

4.14 Exterior Meter(s) and/or Panel(s)

If a structure is located within 100 feet of a transformer, any meter and/or panel **MUST** be affixed to that structure. Structures greater than 100 feet from the transformer may have an attached meter and/or panel, or the meter and/or panel may be located on a pedestal (i.e. Type 3R by Milbank) enclosure. Contact the electrical provider for their specifications or requirements. **NO "RACKS", "FRAMES" OR SIMILAR STRUCTURES WILL BE ALLOWED.**

5 Specific Submission Requirements

5.01 Plan Submission Requirements for Design Review

The following submission requirements must be met prior to obtaining final approval for construction. A design review checklist can be found on the last page of these guidelines. **Include full (24x36) and small size (11x17) plan set for review.**

- (1) **Existing conditions** – min scale 1"=20'. Must include the following information:
 - (a) Owner's name
 - (b) Designer's name
 - (c) North Arrow and scale
 - (d) Property lines with dimensions and bearings
 - (e) Setback lines
 - (f) Easement lines
 - (g) Adjacent street names
 - (h) Outline of exterior walls, decks and driveways on adjacent lots

- (2) **Site Plan** – min scale 1"=20'. Must include the following information:

(May be added to the existing conditions map.)

 - (a) Proposed location of home.
 - (b) Dimensions from corner of foundation to adjacent property line.
 - (c) Proposed driveway.
 - (d) Proposed fences.
 - (e) Proposed retaining walls.
 - (f) Proposed pool or spa location.

- (g) Proposed accessory structures. (out building, trellis, etc.)
 - (h) Finish Floor Elevation (FFE) of first floor and garage.
 - (i) Proposed two-foot contour lines.
 - (j) Location of underground or above ground LP tank.
- (3) **Architectural Plans** – minimum scale of 1/4"=1'-0"
- (a) **FLOOR PLANS**
 - (i) Interior rooms dimensioned and named.
 - (ii) All window and door openings shown.
 - (iii) Roof overhang with a dashed line.
 - (iv) Total square footage of structure.
 - (v) Heated square footage of structure. (Refer to your specific Section Supplemental Declaration of Covenants, Conditions and Restrictions.)
 - (b) **BUILDING ELEVATIONS**
 - (i) Front, rear and two side elevations.
 - (ii) All elevations labeled so they correspond with site plan.
 - (iii) Exterior finish shown, including paint color & samples.
 - (iv) All decks and terraces shown.
- (4) **Landscaping Plans** – minimum scale of 1"= 20' (If Required)
- (a) Owner's name.
 - (b) Designer's name, address, telephone and fax number.
 - (c) North arrow and scale.
 - (d) Property lines with dimensions and bearings.
 - (e) Location of all structures (including decks, trellises, fences, gazebos, etc.), pavement and utilities.
 - (f) Location of all lawn areas and shrub bed lines.
 - (g) Location of all proposed plant material.
 - (h) Plant list with quantities, botanical names, common names, sizes and specifications.
 - (i) Location and specifications of all exterior lighting fixtures.
 - (j) Total area of lawn in square feet.
 - (k) Total area of lawn as percentage of site.

6 ARCHITECTURAL GUIDELINES

6.01 General Standards

Homes must be designed in conformity with the standards; requirements and guidelines set forth in the Covenants and the Design Guidelines. All footprints and garages 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.

6.02 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, 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 Article 9 of the Covenants.

6.03 Dwelling Size / Minimum Standards

Refer to your specific Section Supplemental Declaration of Covenants, Conditions and Restrictions.

6.04 Setback & Building Height Requirements

See Appendix A.

6.05 Exterior Color Guidelines

All exterior colors of any structures must be natural or earth tones and must compliment the surrounding landscape. The Committee may, in its sole discretion, approve other color schemes so long as such colors compliment the subdivision.

7 SITE REQUIREMENTS: ACCESSORY AND DECORATIVE STRUCTURES

7.01 Accessory Structures

Each home site is limited to outbuildings as defined in your specific Section Supplemental Declaration of Covenants, Conditions and Restrictions. The location and appearance of outbuildings shall be submitted and approved by the ARB prior to construction. Outbuildings should be architecturally compatible with the home, and similar in color. All outbuildings shall be within the building setback lines. The buildings shall be oriented so that access is indirect and they do not open on to the street. A detached Garage, Workshop, etc. is considered an accessory structure and shall be no larger than forty percent (40%) of the main dwelling livable square footage. A Pool House, Guest/Servant House or Cabana is not considered an accessory structure and shall not be more than twenty percent (20%) of the main dwelling livable square footage. (Refer to your Supplemental Declaration of Covenants Conditions & Restrictions.) All accessory structures shall be situated so that garage doors (if any) do not face the street on which the house fronts. Outdoor playsets are not considered accessory structures but must be reviewed by the ARB prior to constructing or placing on your homesite.

7.02 Arbors and Trellises

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

7.03 Fences and Walls

Walls, fences and gates, if any, must be approved prior to commencement of construction by the Architectural Review Board or appropriate reviewing body and shall be on or within the Lot property line. No fence shall be more than six feet (6') high, excluding fences surrounding tennis/sports courts whose proposed height shall be submitted to and subject to approval by the appropriate Architectural Control reviewing body on a case-by-case basis. All walls, fences and gates shall be constructed according to the following standards:

Gateposts or columns may be constructed out of the following materials: a) Cedar or Steel (painted), not less than 8" in diameter; b) Stone; c) CMU or concrete with a plaster/stucco finish. Stone or Plaster/Stucco must compliment the main dwelling.

Typically, only one entry/gate will be allowed from any lot. A second gate may be allowed for unusually large lots or lots with extreme topographical conditions. Entry gates shall be constructed from steel or wrought iron and painted black or brown. Gate design shall be approved by the Architectural Review Board. No standard galvanized ranch-type gates will be permitted.

Chain link or like 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 or with prior approval from the ARB.

Perimeter masonry screen walls are not allowed on any homesite. Masonry screen walls within the building envelope (within all building setbacks) may be allowed by the ARB upon review only and must meet specific aesthetic requirements at the sole discretion of the ARB.

Tennis and/or sports court fencing must be constructed of green-coated chain link fence material. The Architectural Review Board or other appropriate reviewing body, in its sole opinion, reserves the right to disapprove/approve any fence.

Cedar board on board or privacy fences are not allowed.

Allowed Fence Types

Fencing may be King Ranch type fence, which consists of peeled cedar corner and in-line posts and cedar stays between the in-line posts. "Tightlock" or "Solidlock" mesh tensile steel class III galvanized wire shall be installed between the in-line posts. For King Ranch type fencing:

- 1) Line posts shall be peeled cedar with a minimum diameter of 4", set a minimum of 36" deep, at a maximum spacing of 18'.
- 2) All corner posts shall be peeled cedar with a minimum diameter of 8" and shall be set in concrete at a minimum depth of 36" deep.
- 3) Cedar stays shall be a minimum of 1" in diameter at a maximum spacing of 6'.
- 4) No steel T-posts allowed.
- 5) All materials must be new when installed.

Fencing may also be 2-3/8" steel pipe fence, painted black or brown. "Tightlock" or "Solidlock" mesh tensile steel class III galvanized wire shall be installed between the in-line posts. Spacing of the wire shall not exceed 6"x6" square. For steel pipe fence:

- 1) In-line posts must be spaced and no more than 10 feet (10').
- 2) A single top rail consisting of the same size pipe shall be placed on top of the in-line posts.
- 3) A single bottom rail consisting of the same size pipe shall be placed on the bottom of the fence at 6" above finished grade.
- 4) Wire must be left in natural color.

Fences may also be wrought iron.

- 1) All fences located within the building setbacks shall be wrought iron.
- 2) All portions of fence that face the front of the lot (and typically, the street) shall be wrought iron.
- 3) All corner homes shall have wrought-iron fence that faces the front of the lot. For the non-front street side, fence may be either King Ranch, wrought iron or 2-3/8" steel pipe.

3 or 4 rail wood fence may be allowed but only upon review and approval by the ARB.

Split rail fence may be allowed but only upon review and approval by the ARB.

All proposed fences must be reviewed by the ARB prior to installation. Construction of an unapproved fence will result in a fine and require a removal of the unapproved fence at owner's expense.

Chain link or like 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 the green-coated chain link fence material. The

Architectural Review Board or other appropriate reviewing body reserves the right to disapprove any fence that, in its sole opinion, may not meet the intended plan for the area.

7.04 Swimming Pools / Hot Tubs

Above ground swimming pools are prohibited. 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 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 will be subject to additional screening requirements as imposed by the ARB.

Outdoor Hot Tubs are approved. Location of hot tub shall be shown on the site plan. Hot tubs shall not be installed on the front or side yard of any home. Hot tubs installed in the rear of lots adjacent to other lots will be subject to additional screening requirements as imposed by the ARB.

7.05 Clothesline

There shall be no outdoor clothesline on any home site.

7.06 Tennis Courts

Private tennis courts shall be permitted on tracts that are 3 acres or larger and must meet all set back requirements placed on the rear yard of the home and must be approved by the ARB. Basketball goals are permitted, if the goal is a permanent structure. The location and finish of basketball goals shall be submitted and approved prior to construction.

7.07 Camping

No camping is permitted on the property.

7.08 Flagpoles

One flagpole is allowed per occupied homesite. Builder model and/or speculation homes may not have flag poles. Flagpole may be no taller than the main dwelling, shall be located within 5' to 10' of the perimeter of the main dwelling and shall only display the United States, Texas or United States military flags. All other flags must be approved by the ARB prior to display and such flags shall only be flown temporarily at the sole discretion of the ARB.

7.09 Rain Barrels

Rain barrels are permitted. In general, location of rain barrels must be such that they are behind the rear corners of the home and screened from street view. Exterior materials shall be the same as those used on the main swelling. All rain barrels must be reviewed by the ARB prior to construction.

8 SITE REQUIREMENTS: DRIVEWAYS

8.01 Driveways

The Supplemental Declaration of Covenants, Conditions and Restrictions state that Driveways must be surfaced with either concrete, exposed aggregate, brick pavers, asphalt, or a combination thereof. Driveways must be surfaced upon completion of construction of the dwelling. Driveway Culverts must have concrete end treatments. See the concrete end treatment detail attached hereto.

9 SITE REQUIREMENTS: LANDSCAPING IRRIGATION & LIGHTING

9.01 Landscape and Submission Requirements

Refer to your specific Section Supplemental Declaration of Covenants, Conditions and Restrictions to determine if your home is required to be landscaped.

The landscape layout and plans must be approved in writing by the Architectural Review Board. Such landscape layout and plans shall include all landscaping, plant materials, irrigation, walls, walks, swimming pools, fences, or other features to be installed or constructed on any portion of the lot. The Architectural Review Board shall, in its sole discretion and authority, determine whether the landscape layout and plans submitted to it for review are acceptable.

Landscaping plans must be submitted for review by the Architectural Review Board at least thirty (30) days prior to home completion. Landscaping installation must be completed within ninety (90) days after the completion of home construction.

Landscaping shall be a well-designed balance of mature trees, shrubs, and lawn grass around the perimeter of each new home. Plants must screen most of exposed foundations. All new landscaping turf installed or planted must be Buffalo, Blue Grama, Zoysia or Bermuda Grass. St. Augustine and Raleigh Grass are not permitted. Other low water requirement turf products will be considered and may be approved by the Architectural Review Board. All requirements for specific types of turf were included in the restrictions to encourage water conservation practices.

In the event of the failure of Owner to comply with the above requirements after ten (10) days written notice thereof, the Association or their designated agents may, without liability to the Owner, Contractor or any occupants of the Tract in trespass or otherwise, enter upon (and/or authorize one or more others to enter upon said Tract, cause to be removed, such garbage, trash, rubbish, felled trees and piled materials or do any other thing necessary to secure compliance with this Declaration. Payment for the charges shall be payable on the first day of the next calendar month.

9.02 Lighting

All exterior lights shall consist of fixtures that prevent light from escaping through the top and sides of the fixture. Down lighting is encouraged to reduce glare, better light drives and paths, and to protect neighboring properties from bright light sources.

Colored lights are prohibited. 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". Landscape lighting must be concealed in daytime.

10 ADDITIONAL REQUIREMENTS

10.01 Storage of Recreational Vehicles and Equipment

Recreational Vehicles may not be kept on the property prior to the main dwelling being built. After dwelling is complete, said such items may be kept on property as long as they are parked only in garages serving the lots or behind the main dwelling out of site from the street.

10.02 Signage

No permanent or temporary signs shall be constructed or placed upon any lot covered by the restrictions without prior written approval by the ARB. If a permitted sign is not maintained, the ARB shall give the property owner written notification of such. 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 property owner.

Refer to Section 4.03 for guidelines regarding Builder Signs.

No other signage of any kind including, but not limited to "For Sale" signs, "Sold" signs, "For Lease" and/or "For Rent" signs, or any other third party utility or subcontractor signs shall be permitted on any vacant lot or lot which contains a home, except as provided in Article 9.4(b)(I) of the Declaration of Covenants Conditions and Restrictions, or as stated below.

One professionally made "Home for Sale" sign may be installed in the ground for the sale or resale of a new or existing home. Such sign shall be 24"x24" in size, shall contain the King Oaks logo and shall be placed at the front building line in the center of the lot. The ARB shall reserve the right to remove such "For Sale" signs at any time at its sole discretion. These signs must be ordered through Magnolia Sign Source 281-356-6399.

These provisions do not apply to Declarant so long as Declarant still owns a Lot within the subdivision. Notwithstanding, however, nothing herein shall prevent the Association from establishing rules for permitting celebration or recognition of Religious or National Holidays.

10.03 Propane Storage Tanks

Propane storage tanks must not be visible from the road and must be buried in the ground or fully screened off with masonry walls matching the masonry of the dwelling. Living screen (landscaping) can also be used as means to screen the propane tank. Propane tank location and screening must be approved by the ARB prior to installation.

10.04 Fishing & Swimming Piers or Docks

Any lot that adjoins a pond may have a fishing structure erected per the following guidelines:

- The structure can be permanent or floating
- It may extend a maximum of 10 feet from the shoreline and be a maximum of 100 square feet of surface area
- It may be a maximum height of 2 feet above the normal water level
- It must be constructed of treated lumber with a minimum surface thickness of 2 inches. Any pilings or poles must be a minimum of 6x6 in size and diameter
- The structure must not be within 25 feet of a side property line

KING OAKS

APPLICATION FOR CONSTRUCTION

DATE

HOME SITE (SECTION/LOT):

TYPE OF CONSTRUCTION:

POOL

LANDSCAPE (Submit 30 days prior to completion of home)

NEW CONSTRUCTION

RENOVATION / ADDITION

FENCE

PROPERTY OWNER:

ADDRESS TO MAIL PLANS (NO PO BOX):

CITY, STATE, ZIP:

TELEPHONE:

FAX:

EMAIL ADDRESS:

BUILDER:

ADDRESS:

CITY, STATE, ZIP:

TELEPHONE:

FAX:

EMAIL ADDRESS:

ARCHITECT / DESIGNER:

ADDRESS:

CITY, STATE, ZIP:

TELEPHONE:

FAX:

EMAIL ADDRESS:

APPLICATION CHECKLIST:

CONSTRUCTION DOCUMENTS:

Two (2) sets of construction documents must be submitted to the ARB for review. Refer to Appendix A for specific requirements for each document.

Site Plan (2 sets)

Building Elevations (2 sets)

Floor Plan (2 sets)

Landscape Plans

Exterior Color Samples (2 sets)

APPLICATION FEES

Make all Checks payable to King Oaks POA

<input type="checkbox"/> Review Fee \$300	Date Received: _____
<input type="checkbox"/> All Other Fees \$100	Received by: _____
	Check # _____

<input type="checkbox"/> Builder Bond Deposit \$1,000 (for compliance to "Clean Site" standards)	Date Received: _____
Note: To be refunded to builder upon completion of home construction less any fines for "Clean Site" violations or damage.	Received by: _____
**Check must come from Builder	Check # _____

Area Calculations:

Heated Square Footage: _____

Total Home site Area: _____

Agreement:

As the property owner and builder of the above described construction project, we acknowledge and agree that the improvements will be constructed in accordance with plans and specifications which have been approved by the Architectural Review Board.

We further acknowledge and understand that:

1. We have read and understand the Covenants and Restrictions applicable to the property, all ARB Guidelines and will follow and obey said Covenants, Restrictions, and Guidelines.
2. We are responsible for completing this project as described by the drawings and specifications approved by the board.
3. We will maintain a clean construction site at all times and install a builder sign, commercial dumpster, job toilet, a construction entrance and a "Dump Box" in conformance with ARB guidelines prior to any construction. Builder understands that if he does not comply with clean site standards, that violations are subject to fines, at the discretion of Southstar's construction superintendent. Said fines will be taken out of the builder deposit.
4. We are responsible for the conduct of all workers and subcontractors performing services on this project at all times while they are engaged by us.
5. The builder and / or property owner is responsible for applying for all utilities (including, but not limited to, electricity, water, and natural gas) and complying with connection/interface requirements immediately upon receiving approval for construction. King Oaks will not be held responsible for construction delays due to the builder/owner's failure to apply for utilities in a timely manner. Furthermore, King Oaks will not be held liable for the failure of any utility to provide their services to the builder/owner in a timely manner.
6. Builder and Property Owner are responsible for installing base temporary drive to lot prior to starting construction activities. Damage to paved roads by a Builder, Sub-Contractor, Supplier or Others related to the construction of your home will be repaired and fees deducted from the Builder Bond Deposit.

Property Owner Date

Builder Date

**Architectural Review Board
Submission Check List**
(please circle items that are applicable)

Unit _____ Lot _____

(Meets Requirements)

- 1. Review Fee = \$300 Yes / No / NA
- 2. All Other Fees = \$100 Yes / No / NA
- 3. Builders Bond = \$1,000 Yes / No / NA
(check must come from Builder, not property owner)
- 4. Property Owner's Signature Yes / No / NA
- 5. Building Square Ft Requirement Yes / No / NA
- 6. Building Colors Yes / No / NA
- 7. Exterior Construction Material Yes / No / NA
- 8. Front/Back/Side Set Backs Yes / No / NA
- 9. Height Requirement Yes / No / NA
- 10. Side Entrance for Garage Yes / No / NA
- 11. Chimney Exterior Material Yes / No / NA
- 12. Driveway Finish Yes / No / NA

Comments: _____

KING OAKS

APPLICATION FOR VARIANCE REQUEST

**** Due to the importance of adhering to the Declaration of Covenants Conditions and Restrictions, and for the continuity of the community, we cannot grant variances. However, if you feel there is a severe hardship on your lot, complete and submit this form to the Architectural Review Board. The ARB will review variance requests on a case by case basis. Any variance granted is unique and does not set any precedent for future decisions of the ARB.**

DATE _____ HOME SITE (SECTION#/LOT#): _____

TYPE OF VARIANCE: SET BACK _____
 OTHER _____ Street Name

PROPERTY OWNER: _____

ADDRESS: _____

CITY, STATE, ZIP: _____

TELEPHONE: _____ FAX: _____

EMAIL ADDRESS: _____

DESCRIBE VARIANCE BEING REQUESTED WITH A SHORT EXPLNATION OF WHY IT IS NEEDED:

PROPERTY OWNER _____ DATE _____

KING OAKS

APPLICATION TO COMBINE ADJOINING TRACTS

DATE _____ HOME SITE (SECTION/LOT): _____

PROPERTY OWNER: _____

ADDRESS: _____

CITY, STATE, ZIP: _____

TELEPHONE: _____ FAX: _____

EMAIL ADDRESS: _____

REASON FOR COMBINING TRACTS: _____

PROPERTY OWNER _____ DATE _____

APPENDIX A

SECTION	LOT#	MAX BUILDING HEIGHT		SET BACKS					
		HOME	ACCESS BUILDINGS	FRONT		REAR		SIDE	
				Lft	Rt	Lft	Rt	Lft	Rt
1	All Lots*	35	25	50		25		15	
2	All Lots*	35	25	50		25		15	
3	All Lots*	35	25	50		25		15	

Design Review Checklist

Existing conditions – min scale 1"=20' Must include the following information:

- Owner's name
- Designer's name
- North Arrow and scale.
- Property lines with dimensions and bearings.
- Setback lines
- Easement lines
- Adjacent street names
- Outline of exterior walls, decks, and driveways on adjacent lots.

Site Plan – min scale 1"=20' Must include the following information:

(May be added to the existing conditions map.)

- Proposed location of home.
- Dimensions from corner of foundation to adjacent property line.
- Proposed driveway
- Proposed fences
- Proposed retaining walls
- Proposed pool or spa location.
- Proposed accessory structures (out building, trellis, etc.)
- Finish Floor Elevation (FFE) of first floor and garage.
- Location of underground or above ground LP tank

Architectural Plans – minimum scale of 1/4"=1'-0"

FLOOR PLANS

- Interior rooms dimensioned and named.
- All window and door openings shown
- Roof overhang with a dashed line
- Total square footage of structure
- Heated square footage of structure (Refer to your specific Section Supplemental Declaration of Covenants, Conditions and Restrictions.)

BUILDING ELEVATIONS

- Front, rear and two side elevations.
- All elevations labeled so they correspond with site plan.
- Exterior finish shown, including paint color & samples.
- All decks and terraces shown.

Landscape Plans – minimum scale of 1"= 20' (If Required)

- Owner's name
- Designer's name, address, telephone and fax number
- North arrow and scale
- Property lines with dimensions and bearings.
- Location of all structures (including decks, trellises, fences, gazebos, etc.), pavement and utilities
- Location of all lawn areas and shrub bed lines.
- Location of all proposed plant material
- Plant list with quantities, botanical names, common names, sizes and specifications.
- Location and specifications of all exterior lighting fixtures.
- Total area of lawn in square feet.
- Total area of lawn as percentage of site.

BUILDER SIGN SAMPLE



ARB HOME CONSTRUCTION CHECKLIST

1. Before Construction

- Dumpster (30 Yard)
- Chemical Toilet
- Culverts if necessary
- Construction Entrance
- Receipt of builder's deposit
- Dump Box (8' x 8' Plastic Lined)

2. Construction Phase

- Verify site location. ie; Compliance to setbacks.
- Clean site being maintained.
- Periodic site visit to check for compliance.
 - Masonry or Exterior Materials
 - Roof Materials
 - Colors (if applicable)
- Paved Road Inspection for Damage

3. Final Inspections

- Meet restriction requirements including drives, fencing, landscaping, road damage, etc.

4. Refund of builder's deposit.

NOTICE TO ALL BUILDERS

All builders are required to follow these *Workplace Standards* on this Southstar Community.

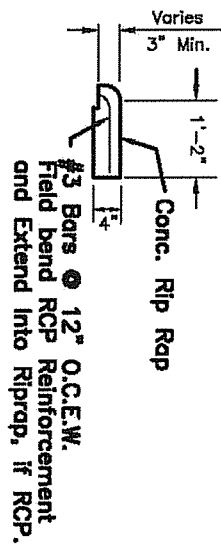
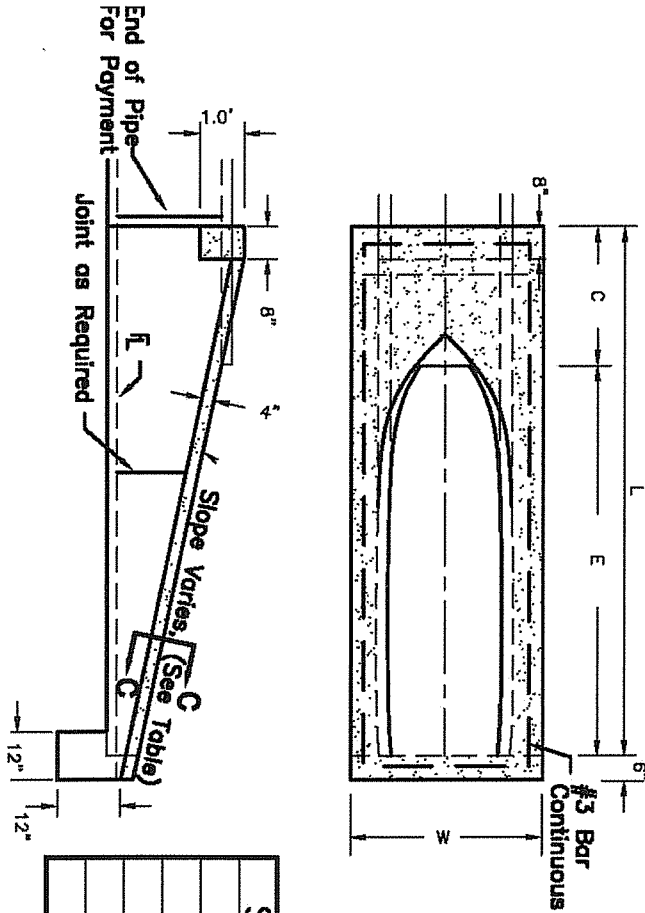
1. **King Oaks** is a **Southstar Community** **“Clean Site”**. All builders are required to do the following **prior** to starting home construction:

- Place a dumpster on the lot (site must be kept clean at all times)
- Place a Chemical Toilet on the lot
- Install a construction entrance (minimum of 1 ½” to 3” rock) and culvert if necessary.
- Dump Box (8’ x 8’ Plastic Lined)

Contractors are required to continuously abide by these workplace standards on this Southstar Community. Violations are subject to fines, at the discretion of the Southstar construction superintendent.

Thad Rutherford
Senior Vice President
Southstar Communities, LLC.

SAMPLE CONCRETE END TREATMENT



SECTION C-C

Size	Slope	L	W	C	E
18"	4:1	68"	48"	12"	56"
24"	4:1	92"	54"	12"	80"
30"	4:1	116"	60"	12"	104"
36"	4:1	140"	66"	12"	128"
48"	4:1	188"	78"	12"	176"

1. Reinforcement Shall Be #3 @ 12" O.C.E.W.
2. Concrete Shall Be 3,000 psi Concrete
3. If Multiple Pipe Headwalls Are Required, Each Headwall Shall Be Constructed With The Dimensions Shown With No Space Between Adjacent Headwalls.

SLOPED CONCRETE HEADWALL DETAILS