

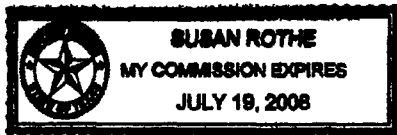
84

CORPORATE SECRETARY'S CERTIFICATE
CARRIAGE HILLS COMMUNITY IMPROVEMENT ASSOCIATION, INC.

The undersigned certifies that she is the duly appointed and acting Secretary of Carriage Hills Community Improvement Association, Inc., (the "Association"). The Association is the property owners' association for Carriage Hills Sections 1, 2, and 3 Subdivision, a subdivision in Montgomery County, Texas, according to the map or plat thereof of record in Volume B, Pages 127, 191B and 191 of the Map Records of Montgomery County, Texas (the "Subdivision").

The Association is a Texas nonprofit corporation, and a true and correct copy of the Association's Rules and Regulations for Posting of Signs in Common Areas, Committee Guidelines and Procedures, Residential Construction Regulations and Specifications, Architectural Control Committee Policies and Procedures, and Application for Residential Construction/Improvements are attached to this certificate.

Signed this 23 day of June, 2005.



Cathy Phillips
Cathy Phillips, Secretary of Carriage Hills Community Improvement Association, Inc.

STATE OF TEXAS §

COUNTY OF MONTGOMERY §

Sworn to and subscribed to before me on the 23 day of June, 2005, by Cathy Phillips.

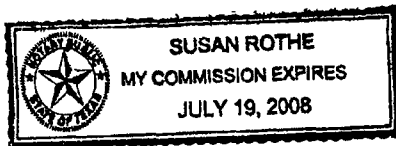
RECORDER'S MEMORANDUM
Notary Seal Is Missing

Susan Rothe
Notary Public in and for the State of Texas

THE STATE OF TEXAS §

COUNTY OF MONTGOMERY §

This instrument was acknowledged before me on the 23 day of June, 2005, by Cathy Phillips, Secretary of Carriage Hills Community Improvement Association, Inc., a Texas non-profit corporation, on behalf of said corporation.



Susan Rothe
Notary Public in and for the State of Texas

Return to:
Bryan Fowler
300 W. DAVIS, STE. 510, CONROE, TX 77301

**CARRIAGE HILLS COMMUNITY IMPROVEMENT ASSOC., INC.
RULES AND REGULATIONS FOR POSTING OF SIGNS IN COMMON AREAS**

DEED RESTRICTIONS: Section 9, states the following:

"No signs of any kind shall be displayed to the public view on any tract or lot except one sign of not more than five square feet advertising the property for sale by CARRIAGE HILLS-SECTIONS I, II, and III, or signs by a builder to advertise the property during the construction and sales period."

The deed restrictions do not really clarify the posting of signs in the common areas, nor on the public right of way. The BOD has developed rules and regulations to address this issue.

1. All stop signs, street signs and traffic related signs are County and/or state owned. It is against the law to attach anything to those signs. If anyone has a question regarding this, they may contact the county for clarification. Any signs found attached to such signs will be removed. Recovery of such signs by the owner cannot be guaranteed.
2. The boulevard median is actually County property; thereby governed the same as any county right of way along any county road. Any signs posted in these areas are considered "Bandit Signs" and may be removed by anyone who wishes to remove them. Recovery of such signs by the owner cannot be guaranteed.
3. **Garage Sale, Party Signs, and/or Personal Announcement signs:** Signs directing the public to garage sales, parties, or personal events, must be removed immediately at the close of such an event.
4. **Community Sponsored Activities/Function signs:** Such activities are announced through the use of signs, but those involved in the activity are responsible for removing the signs immediately upon the close of the activity. Signs should not be posted more than two weeks prior to the activity. This responsibility has usually been that of the Chairman of the specific activity; however, the Chairman may appoint an individual to assure that the sign policy is followed.
5. **DO NOT** under any circumstance nail or staple signs to the trees on the boulevard. This can kill the trees or cause insect infestation, besides being unsightly.
6. **DO NOT** attach signs to the outside of the guard shack. The subdivision uses the guard shack for security and community wide purposes.
7. **Real Estate - Homes/Property for Sale:** Neither realtors nor homeowners are allowed to post signs in any common area advertising any home or property for sale. However, a realtor or homeowner can post an Open House sign and/or directional signs only on the day of the Open House event.
8. **Lost Pet Signs:** Signs should be freestanding and should be posted for no longer than one week.
9. **Other Signs:** For any other signs not covered in the above, anyone wishing to post a sign of any other description, it must first be presented to the CHCIA Board of Directors for approval.

CHCIA Committee Guidelines and Procedures

864-10-2762

- All CHCIA committees must be open to all property owners.
- Upon formation of a committee, it is recommended that goals and procedures be established pertaining to that committee to present to the Board (when applicable or not established in the Deed Restrictions).
- Committee Chairpersons are expected to communicate with their assigned BOD liaison on a monthly basis so that they can report back to the Board. They should communicate more frequently if needed. Events that are a once-a-year event should communicate with their liaison/Board member during planning of event and after the event for a final summary of the event instead of monthly.
- Any anticipated expenses over \$50 must be pre-approved by the Board.
- All committees must be self-supporting unless monies have been designated through the CHCIA Annual Budget.
- After an event, chairpersons must fill out a report form that documents actual expenses and profits.
- All expense vouchers must be completed and turned in no more than 30 days after the event. On the occasion that the event is within 30 days of December 31st, the voucher should be turned in by December 31st. Copies or original receipts must be attached.
- Committees must abide by all rules governing usage of community properties.
- Any information/printed materials for distribution to property owners must be approved prior to distribution.
- Committees must not allow signage that does not comply with CHCIA guidelines.

**CARRIAGE HILLS COMMUNITY IMPROVEMENT ASSOCIATION, INC.
RESIDENTIAL CONSTRUCTION REGULATIONS AND SPECIFICATIONS**

The Carriage Hills Architectural Control Committee (*A.C. Committee*) approval is required for the construction of a new residence and any outside alterations or additions to an existing residence. Other items needing application, review and approval includes but are not limited to, fences, outbuildings, driveways, and swimming pools. This information should be reviewed by the Designer and the Builder as well as the Owner. *Acknowledgement of understanding is evidenced by signature-NO application will be considered without that acknowledgement.*

APPLICATION/DEPOSIT FEE: (\$250.00 New Home construction only)

The DEPOSIT fee includes a \$50.00 non-refundable fee for inspection and control services provided by the Carriage Hills Community Improvement Association (hereinafter referred to as CHCIA) and its agents. The refundable portion may be reduced by any amounts spent by CHCIA to remedy deviations from the regulations and specifications outlined below. Deposit checks should be made payable to CHCIA.

Any builder or property owner who has been determined to have violated these Rules and Regulations or CHCIA Restrictive Covenants (Deed Restrictions), shall be charged \$50.00 for each infraction. Moneys due as a result of these infractions shall be deducted from the refundable \$200.00 portion of the building deposit. Repeat offenders will be required to submit double the previous deposit.

The refundable portion of the deposit shall be returned to the payer upon written request only and after the completed construction has been inspected by a member of the A.C. Committee or their assigned agent.

Any time you alter or increase the square footage of existing home/garage it is considered an addition.

Any changes resulting in an additional plan review by the Committee will result in a \$60.00 non-refundable fee.

The following must be completed prior to commencement of construction:

- **CULVERTS:** A Montgomery County-approved 18" minimum diameter culvert must be installed and covered with sufficient soil to stabilize the culvert. During site clearing and construction, access to each lot shall be at the proposed driveway areas. Dirt may not be used as a bridge for truck access to lots – only the culverts may be used for this purpose. Streets must be kept free of dirt and debris.
- **COMMUNICATION:** To ensure site safety and adherence to regulations and specifications, the Builder is required to have on site, whenever any workmen are present, a representative who can read and communicate in English. If an English speaking person is not on site, then an emergency phone number must be posted for immediate contact 24 hours a day.
- **WATER METER:** A water meter must be installed by water utility company prior to construction and maintained until the permanent connection to the house is made.
- **ELECTRICAL POLE:** A temporary electrical pole will be installed by the Builder prior to construction and maintained until the permanent connection to the house is made.
- **SITE MAINTENANCE:** All building sites shall be kept clean and materials stored in an orderly manner. Any violations will be reported immediately. A construction debris enclosure must be provided for the retention of all construction waste that may be wind blown or otherwise inadvertently litter adjoining property.
- **Clearing and Tree Removal:** No brush cutting or tree removal work may be performed on any lot until the following conditions are met:
 - Builder has shown the location of the lot boundary lines.
 - Builder or lot owner has marked trees to be removed.
 - Builder has shown location of proposed residence, garage (if detached), Porte Cochere and driveway by means of "string lines" or equivalent.
 - *Based on Texas State Law- (Title30, TAC, Sec 111.202-221), and Rules of the Montgomery County Fire Marshall, the CHCIA Board of Directors as adopted a NO OPEN LOT BURNING Policy. During lot clearing, lot owners, home builders, etc., must arrange for other means of disposal for fallen trees and vegetation as a result of the clearing process.*
- **PORTABLE TOILET FACILITIES:** Portable toilet facilities must be available at all job sites when site clearing starts and maintained in place until construction is completed, and workers no longer are present. This is a health and sanitary requirement. Lot Owner is responsible for the maintenance and enforcement of the use of such facilities.
- **ORANGE FENCING POLICY:** A temporary plastic construction fence will be installed at the sides and back property boundaries before construction begins and will remain throughout the construction process. This is a safety measure as well as a means to assure proper property lines are being adhered to.

**CARRIAGE HILLS COMMUNITY IMPROVEMENT ASSOCIATION, INC.
RESIDENTIAL CONSTRUCTION REGULATIONS AND SPECIFICATIONS**

864-10-2764

The following requirements are applicable during construction:

- **TRASH RECEPTACLES:** All building sites shall be kept clean and materials stored in an orderly manner. A trash receptacle will be maintained for construction debris, paper, lunch wrappings, drink containers, etc. to prevent them from blowing onto adjacent property. The Builder will be responsible for ensuring that it is so used and will see that the trash is properly disposed of. The building site shall be cleaned not less than once each week, and more often as needed, to ensure that all loose trash and waste building material is removed or contained.
- **CONSTRUCTION VEHICLES:** All vehicles belonging to work crews will be parked on the lot where the construction is occurring and off the street if at all possible. No vehicle will block a driveway and/or culvert nor be parked on a neighbor's driveway without obtaining written permission of the property owner. *NO PARKING is allowed in the boulevard median or any Carriage Hills Commons areas.*
- **CONSTRUCTION TIMES.** It is recommended that no construction shall begin before 7:00 a.m. or continue after 7:00 p.m. Noise pollution is considered a nuisance. Complaints from neighboring property owners will be taken seriously and you will be fined accordingly.
- **BUILDING CODE:** All work performed must meet the requirements of the Standard Building Code and the National Electrical Code, *as well as any applicable Montgomery County Building Codes. All building permits must be posted in a visible location at the building site.*
- **SIGN REGULATIONS:** NO signs, i.e. Home Builder signs, contractor signs, shall be placed on any construction site prior to Committee approval or until construction has begun. *All signs must be removed upon completion of construction.* Signs shall be no larger than five square feet.

For the protection of all Carriage Hills property owners, the A.C. Committee intends to enforce these regulations. In the event the Lot Owner does not comply with the deed restrictions and the plans and specifications approved by the Committee, then the Committee will seek damages according to Texas Property Code at Section 202.005, which states in pertinent part "a court may assess civil damages for the violation of a restrictive covenant in an amount not to exceed Two Hundred (\$200) Dollars for each day of the violation."

All Carriage Hills' Deed Restrictions and Regulations must be met. The A.C. Committee and the Carriage Hills Community Improvement Association, Inc. assumes no obligation and are not liable for approval of any improvements or modifications from the standpoint of safety, whether structural or otherwise, or conformance of building codes or other governmental laws or regulations.

Applicants have hereby read and agree to the construction regulations and specifications as stated herein and acknowledge by signature below:

Applicant: _____

Date: _____

Builder: _____

Date: _____

Carriage Hills Community Improvement Association, Inc.

Architectural Control Committee

Policies and Procedures

864-10-2765

The Architectural Control Committee (hereafter known as ACC), shall as stated in the Deed Restrictions, have the responsibility to approve or deny all required architectural applications. Approvals or denials are based on the general interpretations established by the Deed Restrictions, ACC and the CHCIA Board of Directors, within the timeframes as established in the Deed Restrictions and clarified in the following.

The members of the ACC are volunteers, and may set meeting dates at their discretion to accommodate their personal schedules. Any changes in ACC operations are presented to the CHCIA Board of Directors for approval. Changes in operations will be posted in the newsletter, and on any current web site. Failure to notify the property owners of any changes in ACC meeting schedules does not make the ACC responsible for immediate application review, as long as consideration of a properly received application occurs within the 30 day time frame.

The ACC meets on the first and third Tuesday of each month. Exceptions to these scheduled dates are if those dates fall on a holiday the committee at its discretion will meet on a date available to all members of the committee to conform to the 30 day time frame. Applications, plans, all required information, and deposit checks should be received by the Monday night prior to a Tuesday scheduled meeting. Applicants need to remember the ACC has 30 days in which to review and approve or deny an application.

During the month of December, the ACC may meet only once. If an applicant has a question regarding such issues, they should contact an ACC Member.

It is the responsibility of the applicant to make sure they are submitting the appropriate forms, plans, etc. All questions should be directed to a member of the ACC. Contact information is listed in the CHCIA Directory, the Newsletter and the website.

All applicants should allow adequate time from submission time to approval time before commencing with any work. The 30 day time frame indicated in the Deed Restrictions shall be adhered to by the ACC. The clock for the 30 day time frame begins when the committee has received all required application forms, plat plans, plans and deposit check when required. Applicants may be notified of the ACC's findings via email, telephone or in person, for immediate notification. All application findings must also be made in writing to the applicant. Denied applications will be notified in writing via Certified US Mail. Reapplication, because of a denial or by applicant choice, shall be dated at time of resubmission and shall begin a new 30 day time frame for approval or non approval notification.

The ACC tries to work with applicants via telephone, to clarify questions on plans and applications, to speed the approval process, when applicable. Missing information and or missing copies of applications or plans are in itself enough reason to deny submitted applications. Acquiring information from individuals many times causes delays in the approval process. Current application forms, signed copies of rules and regulations, and missing deposit checks for new home construction, have also been reasons for delays in the approval process.

The ACC Committee currently will notify those applicants via email, if the applicant provides an email address on their application, with written confirmation to follow. Otherwise applicants will be notified via the regular US mail in writing, with instructions for picking up their copy of the approved application and plans. Those wishing their approved applications mailed must furnish a self addressed envelope of adequate size to accommodate all materials, with the proper amount of postage for mailing the application and plans. Denied plans must be picked up as instructed in the written notification. Applications, plans etc., not picked up within 30 days will be disposed of. ACC members are not required to deliver approved or denied applications, plans, etc. to applicants.

CARRIAGE HILLS COMMUNITY IMPROVEMENT ASSOCIATION, INC.
APPLICATION FOR RESIDENTIAL CONSTRUCTION/IMPROVEMENTS
864-10-2766

LEGAL DESCRIPTION

SECTION: _____ BLOCK: _____ LOT: _____ DATE OF APPLICATION: _____

Physical Address of Construction/Improvement: _____

Property Owner: _____ Phone Number: _____

Current Address: _____ Alternate Phone #: _____

City: _____ State: _____ Zip: _____ Emergency Phone #: _____

Contractor Name: _____ Contractor Phone #: _____

Contact Person: _____ Emergency Phone #: _____

Funded By: _____ Phone Number: _____

Contact Person: _____

Title Company: _____ Phone Number: _____

Closing Agent: _____

All variances and specific reasons for such shall be submitted in writing: _____

Proposed Construction: _____

Square Footage: _____ 1st. Floor: _____ 2nd Floor: _____

Detached Structure Square Footage: _____

Proposed Commencement Date: _____ Completion Date (within six months of approval): _____

ALL APPLICATIONS MUST BE SUBMITTED WITH A REGISTERED PLOT PLAN, WHICH CAN BE OBTAINED FROM THE COUNTY, OR YOUR SURVEYOR.

Lot Owner hereby requests approval from Carriage Hills Architectural Control Committee ("A.C. Committee") to construct the improvements described above in accordance with the plans and specifications submitted with this Application. Lot Owner represents and agrees as follows:

1. Lot Owner has carefully read and reviewed **Deed Restrictions** applicable to the above-described property and the Construction Regulations and Specifications and state that the improvements will be made in compliance with such Deed Restrictions and Construction Regulations and Specifications.

**CARRIAGE HILLS COMMUNITY IMPROVEMENT ASSOCIATION, INC.
APPLICATION FOR RESIDENTIAL CONSTRUCTION/IMPROVEMENTS**

2. Each Application made to the A.C.COMMITTEE shall be accompanied by:

- Two sets of plans and specifications for all proposed construction. (Plans that have been flip-flopped or plans cobbled together with inconsistencies on several sheets in the set will not be considered.) Rec'd _____
- Site plan showing the location and dimensions of all structures. Rec'd _____
- Elevations of all sides of the exterior structure. Rec'd _____
- Floor plans. Rec'd _____
- Complete foundation plans including cross sections of all beams (and piers if used). Rec'd _____
- Framing plans including:
 - 1. Wall sections showing details of construction. Rec'd _____
 - 2. Ceiling, floor joist and stud size, directions, and spacing. Rec'd _____
(All spacing should be at 16" OC (on center)
 - 3. Roof sections, structural details, and materials. Rec'd _____
- Electrical plans. Rec'd _____
- Fill requirements, (site fill must be assured not to create drainage problems for any neighboring properties). Rec'd _____
- New Construction Deposit of \$250.00 Rec'd _____

If Deed Restriction violations occur after approval has been given, the Lot Owner agrees to correct the error within ten calendar days after written notification. The Lot Owner understands that Texas Statutes provide that residential restrictive covenants may be enforced in courts of law. The Lot Owner is directed to consult his or her legal advisor as to the ultimate amount of damages and liabilities that may result per violation per residential restrictive covenants.

In addition to the requirements of the DEED RESTRICTIONS, and the A.C.COMMITTEE, Montgomery County requires a building permit for all residential and commercial buildings. Also, the San Jacinto River Authority may require permits, in addition to those required by the A.C.COMMITTEE.

Executed this _____ day of _____ 20 _____.

I have read and understand the Carriage Hills Deed Restrictions and Carriage Hills Residential Construction Regulations and Specifications and agree to conduct my improvements in accordance therewith.

Lot Owner Signature

Lot Owner Signature

SIGNATURE APPROVAL REQUIRED BY COMMITTEE CHAIRMAN AND TWO OTHER COMMITTEE MEMBERS

1. _____
COMMITTEE CHAIRMAN

Date Received: _____

2. _____
COMMITTEE MEMBER

3. _____
COMMITTEE MEMBER

Date Approved: _____

FILED FOR RECORD

864-10-2768

2005 JUL -8 AM 11:53

Mark H. Turnbull
COUNTY CLERK
MONTGOMERY COUNTY TEXAS

STATE OF TEXAS
COUNTY OF MONTGOMERY

I hereby certify 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 at
Montgomery County, Texas.

JUL - 8 2005



Mark Turnbull

County Clerk
Montgomery County, Texas

~~RECORDED IN MONTGOMERY COUNTY TEXAS~~

At the time of recordation, this instrument was
found to be inadequate for the best photogra-
phic reproduction because of illegibility, carbon
or photo copy, discolored paper, etc All black-
outs, additions and changes were present at the
time the instrument was filed and recorded.