

ARCHITECTURAL REVIEW AND APPROVAL PROCESS

June 30, 2010

River Oaks Property Owners, Inc. (“ROPO”), acting through its Board of Directors (the “Board”), is charged with the review and approval of building materials, colors, fences, set-backs and the like for proposed construction within the River Oaks Subdivision, as required by the “Amended Reservations, Restrictions and Covenants Applicable to All Properties Located Within River Oaks Additions, Including Tall Timbers Section and Country Club Estates” (the “Deed Restrictions”). The Board acknowledges the wide variety of architecture in the Subdivision and is responsible under Section 14 of the Deed Restrictions for the protection of the Subdivision from incompatible improvements. When enforcing this provision, the Board endeavors to grant each applicant ample opportunity to timely submit sufficient information about the exterior appearance of the applicant’s proposed improvements. This is done in order for the Board to fairly and efficiently ensure that proposed construction is compatible with the predominant architectural styles of residential dwellings, garages and appurtenant improvements existing in River Oaks.

To help achieve this balance of interests, the Board instituted certain policies and procedures in the Preliminary Review and Approval Process described below (the “Preliminary Review”). The Preliminary Review grants each applicant an opportunity to receive the Board’s preliminary approval or disapproval of a design early in the design process with the hope the applicant might be able to reduce costs resulting from the development of a design that may ultimately be disapproved during the Final Review. This Preliminary Review sets minimum requirements for the information to be submitted, but each applicant and his or her architect or designer are uniquely qualified to determine how best to present the applicant’s design. Thus, the applicant is responsible for submitting such additional information the applicant considers advisable or necessary to adequately explain the proposed design.

The Board has approved the following review and approval procedures:

Preliminary Review and Approval Process for Major Projects

Each applicant must obtain the Board’s preliminary approval for a Major Project as a prerequisite to receiving the Board’s final approval for such Major Project.

1. Applicability: This Preliminary Review and Approval Process is required for all Major Projects. **The Preliminary Review and Approval Process is optional for a Minor Project, and the Minor Project applicant may begin with the Final Review and Approval Process, described below.**

a. **Major Project** means (i) construction of a new residential dwelling, garage or other appurtenant improvements; (ii) substantial addition, deletion or other renovation to the exterior of any residential dwelling, garage or other appurtenant improvements; and (iii) any other proposed construction project that by its nature includes numerous, unusual or complex exterior design features.

b. **Minor Project** means any project not defined as a Major Project.

2. Time for Preliminary Review Submission: The submission should be made once the schematic design is established and documented. The design and plans in a preliminary submission should be sufficiently developed to give the Board adequate and accurate information on which to make an informed decision. One of the reasons for this preliminary submittal process is to help prevent situations where an applicant incurs considerable expense creating extensive designs and

plans that are later disapproved by the Board. Since the approval process at this preliminary submittal stage may result in disapproval by the Board and may require the applicant to incur the costs associated with revising their preliminary schematic designs, the applicant is cautioned against creating and submitting designs and plans that are overly or extensively developed.

3. **Information Required for Preliminary Review:** The items listed below are the minimum requirements for the Preliminary Review submission. Each applicant is encouraged to submit any pertinent additional information it deems necessary to adequately convey the proposed design in order for the Board to make an informed decision. Each submission shall include at least the following deliverables, developed to a schematic design:

- a. Site plan showing compliance with all lot-line, property-line, and building-line setbacks and compliance with the total square footage of impervious area;
- b. Floor plans (first floor plan and site plan may be combined);
- c. At least one illustration indicating: (i) the existence or absence of any applicable Prevailing Setbacks (as defined in the Deed Restrictions); and if they exist, (ii) compliance with such Prevailing Setbacks.
- d. Exterior images that clearly illustrate the proposed schematic design for all applicable facades -- front, side and rear. The exterior images should be in color and comprised of elevations or similar drawings and/or three-dimensional images or a scaled model. The exterior images should collectively illustrate the materials, colors, finishes, height and other features (e.g., location, size and type of windows, doors and decorative items) for the proposed residential dwelling, garage and other appurtenant improvements (e.g., fences).
- e. A written narrative of approximately one (1) page or less (single-spaced or 500 words) explaining, and with one or more photographic exhibits of existing residential dwellings, garages and other appurtenant improvements in River Oaks showing, how the applicant's design is compatible with the predominant architectural styles existing in River Oaks.

4. **Review Fee for Major Project:** The Board incurs certain expenses processing and reviewing each submission. In order to defray this expense, an applicant must include payment of the review fee of One Thousand dollars (\$1,000.00) for a Review. The amount of this fee is subject to change by the Board. Any resubmissions will require payment of another fee.

5. **Board Response to Preliminary Review:** The Board will issue its preliminary approval for the applicant to move forward with development of the design into construction documents or will issue its disapproval of the proposed preliminary design. Any disapproved designs may be revised and resubmitted or withdrawn from consideration.

6. **Retention of Plans:** Plans submitted by applicant will be retained on file in ROPO's offices.

Final Review and Approval Process for All Projects

Each applicant must obtain the Board's final approval after completion of the construction documents for all proposed residential dwellings, garage buildings and other improvements to be constructed (the "Final Review"). **Receipt of the Board's final, written approval for all projects**

a. Information to Submit for Final Review of Major Projects:

- i. Information form completed with all information requested.
- ii. Two (2) set of construction drawings including, without limitation, 1/8 inch scale site plan, 1/4 inch scale floor plans and all exterior elevations (all street elevations to be in color), but excluding any wall sections, details, schedules and other information unrelated to the exterior appearance of the building;
- iii. Evidence that the Construction Contract Documents require the contractor to build a mock-up of the approved exterior façade materials (4 ft. x 8 ft. m in.) for review by a Board representative during construction before installation of such exterior materials;
- iv. Drainage plan prepared by a registered engineer or architect;
- v. Calculations and diagrams showing the percentage of the property with impermeable features including, without limitation, any landscaping hardscape; and, a complete description of the type of any claimed permeable hardscape material, the permeability characteristics of same, and the foundation upon which any such materials will be placed;
- vi. Drawings and diagrams demonstrating compliance with any applicable restrictions on building heights and proximities, set-backs, Prevailing Setbacks, fences, exterior equipment and any other restricted feature;
- vii. Exterior materials board(s) displaying samples of exterior materials and colors (each material must have a sample of not less than 1 ft. square); and
- viii. Any additional information necessary to show compliance with the Deed Restrictions.

b. Additional Information Required for Major Projects:

- i. Certified Foundation form survey (original copy)
- ii. Certified Slab Survey (original copy)
- iii. Elevation Certificate (original copy)

c. Information to Exclude from Final Review of Major Projects: The records maintained by RO PO, including the information applicants must submit for preliminary and final approvals, are subject to certain public disclosure statutes. Such information will be subject to review and copying by third parties under these statutes. Accordingly, and without diminishing the submission requirements described in these procedures, applicants should exclude from their submission to ROPO any information that is unrelated to the exterior appearance of the proposed residential dwelling, garage or other appurtenant improvements and that may be confidential or sensitive.

d. Response: The Board will issue its approval for the applicant to move forward with the project or will issue its disapproval of the proposed project. Any disapproved designs may be revised and resubmitted or withdrawn from consideration

e. Retention of Plans: Plans submitted by applicant will be retained on file in ROPO's offices.

2. Minor Projects The following requirements apply to Final Review of Minor Projects:

a. Information to Submit for Minor Projects:

- i. For proposed projects consisting only of exterior painting of all or any part of an existing residential dwelling, garage or other appurtenant improvements, submit a mock-up (not less than 1 ft. square) of the proposed paint with all proposed coats applied to the material to be painted (e.g., plywood, siding or brick).
- ii. For all other Minor Projects, provide:
 1. Drawings and diagrams demonstrating compliance with the applicable Deed Restrictions including, without limitation, extent of proposed improvements, location on property, height, exterior equipment and any other restricted feature;
 2. Two (2) set of construction drawings that reflect the appearance and construction of the proposed improvements (excluding, however, information described in § 1 .c, above);
 3. Materials board(s) or sample(s) displaying proposed materials and colors; and
 4. Any additional information necessary to show compliance with the Deed Restrictions.

b. Review Fee: The Board incurs certain expenses processing and reviewing each Minor Project submission. In order to defray this expense, an applicant must include payment of the review fee of Two Hundred and Fifty dollars (\$250.00) for a Final Review. The amount of this fee is subject to change by the Board. Any resubmissions will require payment of another fee.

c. Response: The Board will issue its approval for the applicant to move forward with the project or will issue its disapproval of the proposed project. Any disapproved designs may be revised and resubmitted or withdrawn from consideration

d. Retention of Plans: Plans submitted by applicant will be retained on file in ROPO's offices.

Guidance Notes for Submissions

The following notes are intended to assist the applicant with ROPO's design review process. However, each applicant is required to comply with all applicable provisions of the Deed Restrictions and the policies and procedures that restate and reaffirm them, and neither Board approval nor anything contained in these notes shall be construed as a waiver or modification thereof.

- Submissions should be made no later than the 20th of each month.

- Written approval of new houses may take an additional month depending upon the complexities of the project.
- Maximum Heights:
 - 35 ft. for lots up to 25,000 sq. ft.
 - 38 ft. for lots greater than 25,000 but less than 43,560 sq. ft.
 - 41 ft. for lots over 43,560 sq. ft.
 - All house elevations are measured from natural grade.
 - The residence and outbuildings shall not exceed 2-1/2 stories. The living space above the 2nd story shall be contained within the roofline of the house, and the house shall have the exterior appearance of a two-story house.
- Privacy and Quiet Enjoyment:
 - Design and construction of windows, doors and balconies above the first floor should reflect consideration of the privacy and quiet enjoyment of adjacent property owners.
- Impermeable surface calculations:
 - Restricts the total area of foundations for improvements and impermeable (hardscape) to 100% of the total building area of the lot within the setbacks if the lot is 15,000 square feet or more or 110% of the total building area of the lot within the setbacks if the lot is less than 15,000 square feet.
 - Pools are considered impermeable.
 - RO PO can help with the calculation of the maximum impermeable allowed – just give us the lot dimensions from the lot survey.
- Prevailing Setback. As defined, where the homes on the street segment are setback more than 15 ft. from the front building setback.
- All external a/c & pool equipment must be ground mounted and in compliance with the building setbacks or written policies for the property.
- Any generator or other external power source must be ground mounted have sound attenuation and comply with building setbacks and policies for the property.
- Addition(s) to an existing house or garage, the roof and exterior walls must have the same material composition and color as the existing residence.
- Fences, Walls & Hedges: Refer to Article 4 of the Amended Deed Restrictions (pp. 12-17) and Section 2 of the Policies and Procedures for restrictions on and requirements for fences, walls and hedges.
- ROPO and the Board enforce the Deed Restrictions. In addition to the Deed Restrictions, there may be codes or ordinances set forth by the City of Houston or the applicable utility franchise, i.e., CenterPoint Energy, that govern an applicant's project. Any project approval by ROPO relates solely to the Deed Restrictions and is not, and should not be considered to be, approval concerning any codes or ordinances set forth by the City of Houston or the utility franchise. Applicants and their consultants should take whatever actions may be necessary to ensure that their projects comply with codes or ordinances as set forth by the City of Houston or the utility franchise.