

## SUMMARY OF THE AMENDMENTS

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1-7	Preamble	Not applicable	All of the property comprising River Oaks and the restrictions now applicable to the property are identified. The existing restrictions continue in effect except as amended by the Amended Restrictions.
8	Definitions	Not applicable	Terms used throughout the Amended Restrictions are defined.
8	Use of garage or outbuilding as residence or living quarters	Prohibits use of a garage or outbuilding except by servant engaged on the premises or during construction of a residence	Allows quarters to be used by a domestic worker, a temporary guest or a member of the family occupying the principal residence on the lot. Prohibits a garage, outbuilding or quarters from being leased.
8-10	Residential use	Provides that lots shall be used for residence purposes only	Provides that lots shall be used for single-family residential purposes only and defines the term. Prohibits a lot from being leased for less than six (6) months. Prohibits corporate lodging. Prohibits a lot from being used as a museum, gallery, exhibition or the like.
10-12	Lot maintenance	Requires grass, weeds and vegetation to be mowed at regular intervals	Requires grass, weeds and vegetation to be mowed and trimmed at regular intervals. Requires dead trees, shrubs, vines and plants to be removed. Requires all improvements on a lot to be kept in good condition and repair. Requires construction of a new residential dwelling or other improvement to be diligently pursued to completion. Prohibits a conspicuous infestation of pests, rodents, etc. or any hazardous or unhealthy condition. Authorizes the Association, after written notice, to go upon a lot and perform necessary maintenance or repair work and charge reasonable costs incurred to the owner of the lot. Prohibits synthetic or artificial grass or shrubbery in the front or side yard of a lot if visible from a street.

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12-17	Fences	Generally prohibits fences nearer to a street than that permitted for a house. In most, but not all, instances (where the height of a fence is not addressed), restricts the height of a fence (either 4 or 6 feet)	Requires the approval of the Board of Directors prior to erecting a fence, wall or gate. Provides that a hedge is deemed to be a fence or wall. Generally limits fence and wall materials to wood, iron, brick and similar masonry material. Generally limits gates to wood and iron. Prohibits the use of plastic material in fences, walls and gates. Prohibits barbed wire, razor wire or electrical wire except “invisible” fences that control pets. Authorizes the Board to grant variances to fence restrictions based upon the location of a lot, traffic issues, noise and security. Provides specific exceptions to fence restrictions for lots adjacent to a busy street and identifies the busy streets. Allows a fence along the rear property line of a lot to be ten (10) feet in height. Allows lattice or a similar screening device to extend an additional two (2) feet above the fence on the rear property line for privacy purposes. Includes a grandfather clause so that existing fences are not required to be modified or removed.
17-18	Pets	Prohibits livestock	Prohibits animals other than generally recognized house or yard pets. Provides that horses and ponies used exclusively for domestic purposes are deemed to be yard pets. Prohibits pets for commercial purposes. Prohibits “exotic” animals. Prohibits pets from becoming a nuisance.
18-21	Setbacks	Authorizes the developer(s) to deviate from the setback requirements as deemed necessary or appropriate	Authorizes the Board of Directors to approve or disapprove the location of an improvement proposed to be constructed on a lot. Authorizes the Board of Directors to grant variances based upon natural obstructions, aesthetics and other considerations. Defines “Prevailing Setback” and requires compliance with the Prevailing Setback on streets on which a Prevailing Setback has been established except with regard to

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			improvements constructed on a lot by the person who is the owner of the lot as of the effective date of the amendment. Provides that a Prevailing Setback shall not be established by modest deviations in the actual locations of improvements and the front setbacks (15 feet or less). Includes a grandfather clause relating to Prevailing Setbacks so that existing improvements are not required to be modified.
21-22	Term and Extension	Provides for an initial term of the restrictions and authorizes the restrictions to be extended for additional terms of ten (10) years each by owners of a majority of the land.	Provides that the restrictions shall remain in effect until 2015 and shall thereafter be automatically extended for successive terms of ten (10) years each. Authorizes the Association to recover attorney's fees and costs incurred to enforce the restrictions if notice and an opportunity to appear before the Board are first given.
22	Door-to-Door solicitations	(New provision)	Prohibits door-to-door solicitations other than a resident of the Subdivision making solicitations for a charitable or non-profit organization.
22-24	Exterior heating, ventilating and air conditioning equipment	(New provision)	Prohibits exterior heating, ventilating and air-conditioning units, swimming pool equipment and other mechanical equipment from being installed nearer to a side or rear property line than five (5) feet after the effective date of the amendments. Includes a grandfather clause for existing exterior heating, ventilating and air-conditioning units, swimming pool equipment and other mechanical equipment so that existing equipment is not required to be removed and allows existing equipment to be replaced if substantially similar in type and size and it is installed in the same location as the previously existing equipment. Requires sound attenuation if located within ten (10) feet of a side or rear property line and installed after the effective date of the amendments. Requires equipment installed after the

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effective date of the amendments to be located at ground level and screened from view from any street adjacent to the lot. Prohibits commercial air-conditioning units unless the Board determines that the noise generated by a proposed commercial air-conditioning unit at start up and during operation is equal to or less than the noise generated by a large residential air-conditioning unit. Prohibits window or wall air-conditioning units. Includes a grandfather clause so that existing commercial or window or wall air-conditioning units are not required to be removed. Allows an existing commercial or window or wall air-conditioning unit to be replaced if the new unit is substantially similar in size and capacity and it is installed in the same location as the previously existing unit.

24-25

Play equipment, benches, sculptures, etc.

(New provision)

Prohibits a number of different items (play forts, play houses, benches, tire swings, trampolines, etc.) from being permanently installed or permanently placed in the front or side yard of a lot in view from any street or in the rear yard of a lot nearer to a property line than any applicable building setback. Allows one single seat child's rope, chain or other swing and not more than two benches or bench swings in the front or side yard of a lot. Allows sculpture, artwork and fountains if located behind applicable setbacks, even in visible from a street. Allows sculpture and artwork located nearer to a street than the applicable setback if not visible from the street. A permanently installed restricted item that complies with the existing restrictions is not required to be removed unless the lot is sold, at which time the item must be removed unless the Board grants written approval for the item to remain. Permitted items must have compatible colors. One flagpole of a reasonable height is

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			permitted on a lot within the applicable building setbacks. Gives the Board the authority to determine whether the height and location of a flag is reasonable relative to the size of the lot.
26	Consolidation and subdivision of lots	(New provision)	Allows adjoining lots to be consolidated subject to any replatting requirements imposed by the City of Houston. Requires a consolidated lot to comply with applicable front setbacks, including any Prevailing Setback. Prohibits the subdivision of a lot if the resulting lot is smaller than the smallest lot on the same street shown on the applicable plat in terms of total square footage or street frontage or the subdivision of the lot creates a setback violation.
26-27	Vehicles	(New provision)	Prohibits mobile homes, RV's, boats, etc. from being stored on a lot in view from any street adjacent to the lot or any adjacent lot at ground level and identifies what is considered to be the storage of such a vehicle on a lot. Prohibits a mobile home, RV, etc. from being parked on a lot nearer to an adjacent street than the applicable building setback for more than 48 hours. Requires vehicles parked in a street to be used on a day-to-day basis. Prohibits inoperable vehicles from being stored on a lot in view from a street or another lot and identifies what is considered to be an inoperable vehicle. Prohibits commercial vehicles from being parked on a lot, except a vehicle operated by a third party service provider and then only during the period that services are being provided. Prohibits trucks or sports utility vehicles which have been substantially modified from being parked on a lot in view from a street or an adjacent lot for more than 48 consecutive hours and identifies what is considered to be a substantial

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27-28	Construction trailers and port-o-cans	(New provision)	<p>modification.</p> <p>Requires construction trailers to be approved by the Board as to size, color and location. Requires a construction trailer to be removed within thirty (30) days of substantial completion of the improvement and identifies what is considered to be the date of substantial completion of an improvement.</p> <p>Provides that only one (1) port-o-can is permitted on a lot during construction and requires the port-o-can to be reasonably screened. Requires a trash receptacle to be maintained on a lot during construction and trash and debris to be placed in the receptacle. Requires a trash receptacle to be maintained and regularly emptied.</p>
28-31	Building materials and new construction	(New provision)	<p>Requires an owner to obtain the Boards' approval of the types and colors of exterior building materials and roofing materials to be used on an improvement prior to construction. Requires building and roofing materials to be compatible with the predominant types of building and roofing materials used throughout the subdivision. Requires an exterior color to be compatible with the exterior colors of dwellings and other improvements. Includes a grandfather clause so that existing building and roofing materials and colors thereof are not required to be changed, but prohibits a building material with an incompatible exterior color from being replaced with the same incompatible exterior color or an incompatible exterior paint color from being repainted with the same incompatible exterior paint color if the owner of the lot has received written notice from the Association that the color of the building material or paint color has been determined not to be compatible. Requires an owner to obtain the Board's approval of the architectural style of improvements to be constructed on a lot. Restricts the total</p>

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			<p>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. Requires an owner to obtain the Board's approval of proposed walkways and driveways. Includes a grandfather clause for existing walkways and driveways so that existing walkways and driveways are not required to be removed and allows existing walkways and driveways to be replaced if substantially similar in design, type and color. Prohibits solid rock or similar hardscape in a yard that is visible from an adjacent street. Acknowledges the duty of the Board to exercise its authority to approve or disapprove plans with due care.</p>
31-32	Trees	(New provision)	<p>States the objective of preserving trees within the subdivision. Requires trees proposed to be removed in conjunction with the construction of a new residential dwelling or a substantial addition to an existing residential dwelling or other improvement to be identified on the plans. Authorizes the Board to require an owner to replace a tree that is not dead and that is removed from the area nearer to the front property line than the front building setback or, if a corner lot, nearer to the side street than the side building setback in conjunction with the construction of a new residential dwelling or substantial addition to an existing residential dwelling or other improvement.</p>
32-33	Construction, lawn maintenance and landscaping work	(New provision)	<p>Prohibits construction work at any time on a Sunday, or on a Saturday or holiday before 9:00 a.m. or after 6:00 p.m. Prohibits construction work on a weekday that is not a holiday before</p>

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7:30 a.m. or after dusk or 7:00 p.m., whichever is earlier. Allows construction work that is not noisy within the interior of a dwelling on any day between 9:00 a.m. and 6:00 p.m. Prohibits workmen from playing radios and other audio equipment at a volume that disturbs surrounding residents. Prohibits lawn maintenance work and landscaping work performed by third parties at any time on a Sunday or on a Saturday or holiday before 9:00 a.m. or after 1:00 p.m. Prohibits lawn maintenance work and landscaping work performed by third parties on a weekday that is not a holiday before 8:00 a.m. or after 5:00 p.m. Allows lawn maintenance work and landscaping work by the owner or occupant of the lot on any day between 8:00 a.m. and dusk. Allows lawn maintenance work and landscaping work that does not create noise and is performed by the owner or occupant of the lot at any time. Allows the permissible periods to perform construction work or lawn maintenance work and landscaping work by third party contractors to be changed by a supplement or amendment to the River Oaks Policies and Procedures. Requires owners to make sure that their contractors comply with the provisions of this paragraph.

33                      Trash containers                      (New provision)

Prohibits trash and trash containers from being maintained on a lot in view from any other lot or street in the subdivision except as necessary for trash collection.

33-34                      River Oaks Policies and Procedures                      (New provision)

Identifies the River Oaks Policies and Procedures and requires any amendment or supplement to the River Oaks Policies and Procedures to be approved by the Board of Directors and recorded in the Real Property Records.

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34	Antennas	(New provision)	Prohibits antennas that are visible from any street adjacent to the lot except to the extent that the provision is preempted by applicable rules of the Federal Communications Commission. Requires the color of an antenna to be compatible with the exterior colors of the other improvements on the lot. Provides that the Board of Directors may allow an antenna that is visible from an adjacent street if its visibility is deemed to be insignificant because of its type, size and/or location. Includes a grandfather clause so that existing antennas are not required to be removed and provides that an existing antenna may be replaced with an antenna that is substantially similar in type and size.
34-35	Mediation	(New provision)	Provides that an owner shall have the right to require mediation if the owner has received written notice of a violation of the restrictions or that a requested variance was denied and the matter cannot be resolved after appearing before the Board. Provides that the Association shall pay the mediator's fee.
35	Amendment and Termination	(New provision)	Authorizes the Restrictions to be amended or terminated by a vote of owners representing not less than 75% of the lots in the subdivision and specifies other requirements for amendment or termination.