

## **Responsibilities of the Summer Creek Board as Defined by the By-Laws**

### **President**

The President shall be the chief executive officer of the Association, shall preside at all meetings of the Members and the Board of Directors, shall have general and active management of the business of the Association, and shall see that all orders and resolutions of the Board of Directors are carried into effect. He shall execute bonds, mortgages and other contracts, except where required or permitted by law to be otherwise signed and executed and except where the signing and execution thereof shall be permitted or authorized by the Board of Directors to be done by some other officer or agent of the Association. The President, with just cause, may call for an independent audit of the Association books and financial records.

### **Vice President**

The Vice Presidents in the order of their seniority, unless otherwise determined by the Board of Directors, shall, in the absence or disability of the President, perform the duties and exercise the powers of the President. They shall perform such other duties and have such other powers as the Board of Directors shall prescribe. The Vice-President of Deed Restrictions shall ensure compliance with the Declarations. The Vice-President of Landscaping shall oversee maintenance and/or improvement of all common properties in the Association.

### **The Secretary**

The Secretary shall attend all meetings of the Board of Directors and all meetings of the Members and record all the proceedings of the meetings of the Association and of the Board of Directors in a book to be kept for that purpose and shall perform like duties for the standing committees when required. He shall give, or cause to be given, notice of all meetings of the Members and special meetings of the Board of Directors, and shall perform such other duties as may be prescribed by the Board of Directors or President. He shall keep in safe custody the seal of the Association and, when authorized by the Board of Directors, affix the same to any instrument requiring it and, when so affixed, it shall be attested by his signature or by the signature of the Treasurer.

### **The Treasurer**

The Treasurer shall have the custody of the corporate funds and securities and shall keep full and accurate accounts of receipts and disbursements in books belonging to the Association and shall deposit all moneys and other valuable effects in the name and to the credit of the Association in such depositories as may be designated by the Board of Directors.

The Treasurer shall disburse the funds of the Association as may be authorized by the Board of Directors, taking proper vouchers for such disbursements, and shall render to the President and the Board of Directors at its regular meetings, or when the Board of Directors so requires an account of all his transactions as Treasurer and of the financial condition of the Association.

If required by the Board of Directors, the Treasurer shall, at the expense of the Association, give the Association a bond in such sum, and with such surety or sureties as shall be satisfactory to the Board of Directors for the faithful performance of the duties of his office.

The Treasurer shall participate in an independent audit of the Association books when requested by the President of the Association, and shall prepare an annual budget and a statement of income and expenditures, to be presented to the Membership at its regular annual meeting. A copy of each report shall be made available to each member upon written request.

### **ASSOCIATION DUES**

The following information will aid in understanding the purpose and procedures regarding the collection of annual assessments.

The primary use of the fees is to maintain the common areas that border Columbus Trail and Summer Creek Drive. This includes upkeep of the brick wall and iron fences, landscaping, and the utilities associated with landscaping. In addition, a portion of our dues is used for legal expenditures and miscellaneous operating expenses of the Homeowner's Association.

Each year, members will be notified by mail of the upcoming assessment. Summer Creek Homeowner's Association annual fee is currently \$100.00 due on or before January 1 for the upcoming year. Any unpaid amount after 30 days starts accruing interest at 18% per annum. Send payment to Summer Creek Homeowner's Association, P.O. Box 330364, Fort Worth, TX 76163.

Each homeowner bears the responsibility of ensuring their association dues are current. If you are uncertain as to your status, please call the treasurer to discuss your current balance. For more information, please refer to your copy of the Covenants, Conditions and Restrictions included with your closing papers.

### **DEED RESTRICTIONS** **PURPOSE OF DEED RESTRICTIONS**

Before defining what deed restrictions are, it is important to realize their purpose. The purpose of Summer Creek Deed Restrictions is to maintain a planned community development, maintain high property values, enhance neighborhood appearance, and maintain pride in our neighborhood so everyone can enjoy the community where we live.

### **DEED RESTRICTIONS DEFINED**

Deed restrictions regulate and restrict the use of property so the community may be maintained as planned. Within Summer Creek, every lot shall be used exclusively for single-family residence purposes. Therefore, a business may not be established in our neighborhood. Our deed restrictions are so specific as to regulate the types of materials and finishes that can be used for the exteriors of our homes. Our restrictions apply to such areas as: new construction; temporary structures; water and sewer systems; mailboxes; overnight parking and recreational vehicles; sheds, fences and walls; livestock and poultry raising; dump sites; and nuisances.

### **APPROVAL NECESSARY FOR HOME IMPROVEMENTS**

Some improvements to your home will require prior approval from the Board of Directors. It is the responsibility of the homeowner to obtain approval (if necessary) before work begins. Please refer to the Architectural Guidelines included in this Handbook for complete information. (A copy of the Covenants and Deed Restrictions is included with your closing papers.)

## NEIGHBORHOOD WATCH

Our Neighborhood Crime Watch is very successful in Summer Creek. Its continued success depends on each neighbor watching out for his/her neighbors. The West Division of the Fort Worth Police Dept. provides contact through an assigned Neighborhood Patrol Officer (NPO). He can offer guidance to keep crimes from being committed. Our neighborhood has enjoyed a low crime rate, thanks to our neighbors and NPO. We want to keep Summer Creek safe and as free from crime as possible. We are counting on you to do your part. **Listed below are several things you can do to help keep our crime rate down:**

**Get To Know Your Neighbors at each side of your home, the homes in front of you and in the back of you.** When you observe something unusual at your neighbor's home, call their telephone number to determine if anyone is home. Let the telephone ring at least 10 times. If no answer, and the situation warrants, call **911**. Do not go to your neighbor's home and get involved or try to stop a crime. Just observe and make notes for police use.

**Telephone 911 when you have an emergency need for fire, police or ambulance service. Telephone 817-335-4222** when you need police information. Contact our NPO when you need to inform our NPO of a condition that could develop into a criminal offense at a later date. There are several ways to contact our NPO. You can use the "voice mail" noted in our SC Handbook (pg. 3).

**Telephone Answering Machines should not contain a message that states you are not home.** Your message should indicate you cannot answer the telephone right now. Ask the caller to leave a message. Why invite a would be criminal to come see if you are home or not?

**Identify Your Valuables.** Make a list of each valuable you have. This includes the TV, VCR, camera, etc. Include the name brand, model and serial numbers, size, color and other identifying data. Keep your list in a safe place. Take pictures if you wish. Engrave those valuables, where space permits, with your Texas drivers license number using an electric etching machine. The local library may have one you can check out for a few days.

**Install a Neighborhood Watch sign in your front yard to help SC show solidarity to would be criminals.** Over 98% of our neighborhood are displaying these signs. Our NPO recommends installing a second sign in your back yard or fenced in back area as some criminal offenses do occur at the rear of a home. Place where they can be seen--not hidden in the landscaping. (Signs are \$5.00; call George Spears at 817-292-1571)

## NEIGHBORHOOD WATCH

**Keep Your Garage Door Down even when the garage is unattended for a few minutes.** Our NPO has repeatedly told us that open garages are the easiest targets for criminals. Your belongings in the garage are there for quick theft. If you left the door from the garage into your home unlocked, more belongings can be taken or bodily harm could occur.

**Park Your Vehicle in Your Garage when you have finished using it for the night.** SC has experienced vandalism and auto thefts of belongings when vehicles were parked in front of homes at night. Our NPO states that vehicles parked on the street are more likely to be vandalized, stolen or utilized to park between while would be criminals are scouting or burglarizing our garages or homes. You should always park your vehicle in the garage. If that is not possible, park in your driveway and remove your valuables.

**When You Are Away From Home.** There are several things you can do to give the appearance of someone living in your home when no one is there to protect your home. Even if you have a burglar alarm system, you should consider using one or more of these ideas:

1. If your time away from home will exceed more than one day, tell your neighbors you will be gone. Tell them when you expect to return and approximate time of arrival. If someone, other than your neighbors, will be checking on your home, be sure to tell your neighbors. Otherwise, they may think a burglary is happening and call the police.
2. Burglars do not like light and noise. It makes them take their criminal activities elsewhere. Use three or more Underwriters Laboratories (UL) tested electric timers to turn your radio and lamps ON-OFF at intervals you select to match your normal living pattern. Be sure to not exceed the maximum power rating of each timer. Place the timers where they cannot be seen from your home windows or doors.
3. Ask your neighbor to hold your mail and newspapers until you return. If you prefer, you can use the procedures outlined below to stop deliveries of mail and newspapers.
4. Ask your neighbor to pick up hand delivered magazines, flyers, etc. attached to your front door or left in your mailbox.

## NEIGHBORHOOD WATCH

5. Stop Your Mail. Your postal letter carrier or the U.S. Post Office (USPO) has an "Authorization to Hold Mail" form that you can fill out and use to have your mail held for up to 30 days. Indicate on the form the date to start holding your mail and the resume delivery date. If you prefer to pick up your mail at the USPO instead, you can indicate that on the form also. You can leave the completed form in your mailbox a day or two in advance or hand it to the letter carrier or take it directly to your USPO.

6. Stop Your Newspapers. Your newspaper carrier should not be called to have your paper stopped. Instead, call the Fort Worth Star Telegram and/or Dallas Morning News Circulation office and request your deliveries be stopped until you want it started again. Both newspapers can hold your papers until you return or credit your subscription for the non-deliveries.

7. If needed, have your lawn mowed and watered while you are away.

**Check Your Burglar Alarm System.** If you own or subscribe to a burglar alarm system, you should check the protected openings (doors & windows), the motion detector, and your noise maker once a month. This can be done without causing your burglar alarm company to call the Ft. Worth Police.

**You are a part of our Neighborhood Watch.** Do not be embarrassed to contact your NPO for information or help. **Help keep Summer Creek a safe place to live. Do your part.**

## DISORDERLY CONDUCT AND RELATED OFFENSES

With more activities being conducted outside our homes, sometimes the fun can get out of hand. In the interest of all concerned, the following paraphrased excerpts from the State of Texas and City of Fort Worth codes are herein provided: A person, or persons, commits an offense if he (or she) intentionally or knowingly: (1) makes unreasonable noise in or near a private residence that he has no right to occupy, and/or (2) uses abusive, indecent, profane vulgar language or makes an offensive gesture or display which may incite an immediate breach of peace, and/or (3) displays or discharges a firearm or other deadly weapon in a manner to create alarm. If any of the above offenses occur, you have the right and duty to call the police using telephone number **911** for prompt action. We want to keep our neighborhood safe and peaceful at all times. Let's each do our part to be good neighbors.

## GENERAL INFORMATION

### **Annual Meeting**

There is one annual meeting of members per year at which time nominations are voted upon for the following year's Board members. At this time year-to-date financial and budget information will be brought before the membership. Members will be notified of the place and time of the meeting.

### **Selling a Summer Creek Homeowner's Property**

When a Summer Creek Homeowner enters into a real estate sales contract that is accepted, the closing title company will require specific documentation to affect the closing. Please advise your real estate agent that all documentation is submitted by the Association directly to the closing title company when a request is received by the Association Treasurer. At least 48 hours notice is required. A \$50 transfer fee to be paid at closing will apply for each property sale. Information will not be provided if there is no confirmed closing date or the new property owner names are not included in the request.

The title company request should be sent via email (**no faxes will be accepted**) to: [treasurer@summercreek.org](mailto:treasurer@summercreek.org)

- The subject line should include the property address.
- The email text must include the confirmed property closing date, complete names of the new owners, and any specific information required by the title company.
- A completed TREC form (Resale Certificate for Property Subject to Mandatory Homeowner's Association,) along with the required current year balance sheet, current year budget, and current year insurance certificate will be emailed to the title company. *The Deed Restrictions and Architectural Guidelines* are available for the title companies to download from our website, **[www.summercreek.org](http://www.summercreek.org)**.

### **Refinancing a Summer Creek Homeowner's Property**

When a Summer Creek Homeowner refinances an existing mortgage, the title company will follow the same procedure as indicated above when selling an Association property. The email request will need to include the property address, closing date, and the electronic version of any other information required to finalize the refinance.

## VOLUNTEERS

The Association is successful only when people are willing to volunteer their time and talents. All board members, chairpersons, and committees are strictly volunteer. If you are interested in volunteering for an occasion or for a year or two, please contact the President, who will match your interests, talents, and needs of the Association to make your investment a rewarding opportunity. Each year an appreciation dinner is held to honor the efforts of our volunteers.

### **CARBON MONOXIDE (CO) DETECTOR** **IMPORTANT**

All the homes in Summer Creek have gas furnaces and gas water heaters. Gas powered appliances (furnaces-heaters) must be well maintained. They should be checked and tested each year before the cold season. As gas furnaces get older, if they are not properly maintained, they can issue carbon monoxide into the home. Carbon monoxide (CO) gas is odorless and can cause sickness, even death. Carbon monoxide detectors are available at most hardware stores or large home improvement centers such as Home Depot. Put one close to your bedroom and one close to your children's bedroom.

The easiest style to use is a one piece that plugs directly into a 110V socket. Good carbon monoxide detectors cost about \$39.00.

**Don't let you or your family become a statistic !!**

### **Report Sprinkler System Problems**

If you observe any water breaks or sprinkler problems along the common area of Summer Creek, please report them to **Rob Ward (817-292-2335)**.

### **Lost Pets**

A blog page is available on the internet which may be use free of charge to post notices about lost and found pets. Summer Creek residents who need help finding a pet, or locating the owner of a pet, can post their notices on <http://fortworthpets.blogspot.com/>. Instructions are on the home page. As more and more people learn about the page and put it to use, we'll have a better chance of reuniting pets with their families.

## WASTE MANAGEMENT-CURBSIDE SERVICE

Call 817-392-3279 or visit [www.fortworthgov.org/dem](http://www.fortworthgov.org/dem)

**YOUR CARTS MUST BE STORED OUT OF PUBLIC VIEW** (Do not store carts on your driveway if they can be seen from the street!)

Friday is the designated trash and recycling day for Summer Creek. Pickup can be as early as 7 a.m. Set out carts no earlier than 6 p.m. the night before. Put non-recyclable items and garbage in closed plastic bags and place inside the **brown, city-issued carts.**

The **blue** cart is for recyclable items. (Do not bag these items.) Each cart has a serial number that's linked to your address and should be left behind when you move. The lids should be completely closed to prevent gusty winds from blowing them open.

The carts should be placed at least two feet apart and away from trees, poles, or anything that could be damaged by the collection equipment. Regular plastic bags placed outside the carts will not be picked up.

The blue recycling cart comes in a 64 gallon size only. The brown trash carts come in 32, 64, or 96 gallon sizes. You may request one free brown cart size-exchange per year by calling the city number listed above. The rates for trash pickup are: \$11.45 per month for the 32 gallon size, \$16.45 for the 64 gallon size, and \$21.45 for the 96 gallon size.

**WEEKLY YARD TRIMMINGS & BRUSH PICKUP** (Limit 10 cubic yards or about the size of a Volkswagen Beetle)

**Stack It -** Stack unbundled limbs at the curb each week by 7 AM on your regular pickup day. Limbs should not exceed 8 feet in length and 4 inches in diameter. Limit your pile to 10 cubic yards – about 8 feet long, 6 feet wide, and 6 feet tall – roughly the size of a Volkswagen Beetle car. Approximately 3 cubic yards will be picked up on your Trash Day; the remainder will be picked up within 72 hours. If your stack exceeds 10 cubic yards, you'll be charged extra for collection! Anything over 30 cubic yards won't be picked up as part of the residential curbside service. You will be subject to a citation.

**Bag It -** Use paper yard bags for leaves and yard trimmings. The bags may be purchased at various local retailers, and there's no limit to the number you can set out.

**Bundle It -** Limbs up to 4 feet in length can be bundled and tied with string or twine. Bundles should not exceed 40 lbs. each. There's no limit to the number of bundles you can set out.

**Cart It -** You can buy a green yard cart for loose yard trimmings by calling 817-392-3279. The one-time fee is \$50.00. There's no charge for emptying.

## **MONTHLY BULKY ITEMS PICKUP** (Limit 10 cubic yards; effective Nov. 2004)

The week of the third Monday of each month is the scheduled time for bulky pickup in our neighborhood. Set bulky items at the curb no later than 7 a.m. on the third Monday of the month. However, you can set out items as early as 7 a.m. the Saturday before. (Items will then be picked up between Monday 7 a.m. and Saturday 5p.m.)

There will be an extra charge for piles larger than 10 cubic yards. Residents who do not follow the schedule and rules will be charged extra and may be subject to a citation resulting in a fine.

Tip: Put smaller items in open boxes. No plastic bags. No brush in bulky item pile.

Bulky items include furniture, mattresses, washers, dryers, water heaters, toilets, carpets, and open boxes of smaller bulky items.

**DO NOT PUT OUT ANYTHING IN PLASTIC BAGS.** Do not put out tires, electronic equipment, batteries, appliances with coolant, computers, televisions, rocks, concrete or debris from construction work. (Appliances with coolant removed and tagged with a certificate by a technician will be picked up.) If in doubt call 817-392-3279.

### **Additional Information:**

1. There are two drop off stations for recycling big trash and brush, or extra bags of garbage. Items may be dropped off at 2400 Brennan Ave., which is west of I-35 (off North Side Drive & Cold Springs Road – Mapsco 63E). The Brennan location also accepts electronic waste. A new Southeast location has opened at 5100 MLK Freeway. (Village Creek – exit off Hwy. 287 – Mapsco 93F) They are open M-F from 9 a.m. to 7 p.m. and Saturday 8 a.m. to 5 p.m.
2. A “Swap Shop” has been created at the above location for residents to drop off reusable items such as lumber or useable appliances. Residents are welcome to pick up items for free.
3. Disabled carryout service is available with an application and Doctor’s certificate.
4. Left over prescription drugs, sharp items , or health care items should be put in a safe container and put in the brown trash cart. (Do not flush medications into the sewer lines; they contaminate our lake water.)
5. A household chemical waste-product drop-off center is located at 6400 Bridge St. in East Fort Worth. The center is open on Thursday & Friday from 11 a.m. to 7 p.m. and on Saturday from 9 a.m. to 3 p.m. Call 817-871-5257 or visit [www.fortworthgov.org/dem/eccpg.htm](http://www.fortworthgov.org/dem/eccpg.htm)  
(Leave the products in their original container if possible.)
6. Order "Pay Bags" to have on hand for those occasions when you have extra trash. Bags are collected weekly on your pickup day. Call 817-392-3279 for the bags which are sold in sets of five for \$15.00. The bags will have "Paid Garbage" printed on them.

### **RECYCLABLE ITEMS TO PUT IN BLUE CART:**

Paper-newspaper, magazines, junk mail, phone books, paper backs, office paper, sticky notes, circulars

Cardboard-cereal boxes (liners removed), soda/beer cartons, corrugated boxes (collapsed), paper towel / toilet paper cores

Plastics-(all colors) bottles, cups, tubs, trays, etc. with #1 through #7 on the bottom of them. Remove lids and caps; recycle them too.

Metals-(rinsed clean) aluminum cans (do not crush), aluminum baking tins, steel or tin food cans and lids, empty aerosol cans (leave nozzle on, but take off plastic cap if possible), steel paint cans and lids (empty and dry; thin skin of dry paint is okay)

Glass & ceramics-(please rinse) (all colors accepted; labels and broken glass are okay) bottles and jars-remove lids and recycle all; ceramics, dishes, and china; mirrors and household window panes (must fit in cart with lid down). (NO auto glass!)

### **DO NOT RECYCLE IN BLUE CART:**

Plastic bags, blinds, diapers, mattress covers, or plastic wrappings of any sort; coat hangers, motor oil bottles, tires, gas cans, auto glass or parts, needles or syringes, hazardous chemicals or pesticides, yard trimmings, garden hoses, wood furniture, food scraps, paper cartons from milk or juice, pizza boxes, aluminum foil, toys, light bulbs, Styrofoam® of any sort, hard cover books (you can tear out pages and recycle them), waxed paper, gift wrap paper or shiny coated cards.

**NOTE:** Our Summer Creek Handbook SHOULD NOT be considered a recyclable item. It should be shredded or returned to your Block Captain for shredding.

## SOCIALS

Here in Summer Creek we like to get together and socialize with our neighbors. There are 319 Association Members, so we try to provide a variety of events that everyone can enjoy. In the past we have been fortunate to have some very willing volunteers to help organize these events. **If you are interested in becoming involved, or have questions about any of the events, feel free to call Liza Fowler, our Social Chairperson, at 817-346-8464.** Possible events are:

**March or April**

**Spring Fling**

The Spring Fling is one of the oldest events in the neighborhood. The kids enjoy an egg hunt, games or other entertainment, and everyone participates in a picnic.

**October**

**Halloween**

Everyone wanting to "treat" our children should turn on their porch light from 6 p.m. to 8 p.m. Individual homeowners must sponsor activities such as haunted houses for different ages, candy walks, hot dogs and more!

**October or November**

**Chili Cook-Off**

In addition to the chili cook-off we also have corn bread and pie contests. When the judging is finished we have a huge pot luck (foods that go well with chili and corn bread, of course!) and possibly some entertainment.

**December**

**Ornament Exchange**

The Summer Creek women get together for an evening to chat, enjoy great appetizers and desserts, and exchange ornaments. The hostess provides the punch or drinks, and the women each bring a food item.

**Santa's Visit**

Santa stops by on a designated day to visit with the kids of Summer Creek (young and old).

**Christmas Light Judging**

Around the middle of December, volunteer judges drive by and vote on "best" in categories such as decorations, use of lights, wreaths, etc.

**Other Activities**

**Yard Of The Week**

Volunteers judge for best overall appearance from May through August.

**Neighborhood Garage Sale**

To be held the middle of May in homeowner's front yards.

**Mother-Daughter Tea**

Target date is May (age appropriate crafts available).

Volunteers are needed or there will be no events! Call Liza Fowler at 817-346-8464 and offer your help!



P.O. Box 330364  
Fort Worth, TX 76163

**Summer Creek Homeowners Association  
Resolution For Architectural Guidelines**

Whereas, the Summer Creek Homeowners Association Board of Directors is authorized by the Declaration of Covenants, Conditions and Restrictions (hereinafter referred to as "Deed Restrictions") for Summer Creek Phase 1, 2, and 3 to develop and publish architectural standards guidelines to supplement said Deed Restrictions and:

Whereas, the Board of Directors on behalf of the Homeowner's Association is authorized to require owners to maintain and repair their lots and improvements situated thereon, for the purpose of keeping those lots in good condition and repair, therefore it is

RESOLVED that the Board of Directors adopts and ratifies those guidelines contained herein as the Summer Creek Homeowner's Association Architectural Control Guidelines to supplement the Deed Restrictions. Said guidelines are attached and incorporated herein, and further

RESOLVED that a violation of the Deed Restrictions exists whenever any of the conditions of the Guidelines exists.

Signed and adopted by the Board or Directors of  
Summer Cheek Homeowner's Association on this 1<sup>st</sup> day of January 2005.

Joe Fowler  
President

Charles R. Rand  
Vice-President, Deed Restrictions

Rob Ward  
Vice-President, Landscaping

Cobi Ward  
Treasurer

Pamela J. Simpson  
Secretary

# SUMMER CREEK ARCHITECTURAL CONTROL GUIDELINES

## SUMMER CREEK HOME OWNERS ASSOCIATION, INC.

January, 2005

### **OVERVIEW**

The Declaration  
Purpose and Objections  
Compliance/Non Compliance  
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### **MODIFICATION GUIDELINES**

- 1.0 Outbuildings
- 2.0 Basketball Goals
- 3.0 Patio Covers
- 4.0 Room Additions
- 5.0 Exterior Paint
- 6.0 Front Doors, Storm Windows and Storm Doors
- 7.0 Decks
- 8.0 Swimming Pools and Spas
- 9.0 Solar Panels/Screens/Film
- 10.0 Antennas
- 11.0 Fences, Fence Extensions, and Walls
- 12.0 Decorations/Flag Poles
- 13.0 Exterior Lighting
- 14.0 Wind Turbines and Ventilators
- 15.0 Gates and Gate Covers
- 16.0 Birdhouses
- 17.0 Landscaping
- 18.0 Swing Sets, Playhouses and Forts
- 19.0 Driveway Extensions/Sidewalks
- 20.0 Garage Conversions
- 21.0 Window Air Conditioners
- 22.0 Awnings/Window Shades
- 23.0 Signs, Advertisements, and Billboards

## **OVERVIEW**

### **The Declaration**

A system of Protective Covenants and Architectural Controls is created by the separate instruments of Declarations of Covenants, Conditions and Restrictions for Summer Creek, Phases 1, 2 and 3, hereinafter referred to as the "Deed Restrictions", and filed of record in the Deed Records of Tarrant County, Texas.

Article VII, Architectural Control, Section 3, Procedure, of the Deed Restrictions includes the responsibility for the Board of Directors to appoint an Architectural Control Committee to publish architectural standards bulletins. These Architectural Guidelines supplement the Deed Restrictions and provide the current working interpretation of the Deed Restrictions, including being "responsive to technological advances or general changes in architectural designs and materials and related conditions."

In the absence of an appointed Architectural Control Committee, the Board of Directors of the Summer Creek Homeowners Association shall and will assume all of the duties, powers and responsibilities of the Architectural Control Committee, as prescribed by the Deed Restrictions.

### **Purpose and Objectives**

The purpose of these Architectural Guidelines is to preserve the natural setting and beauty of the properties, to establish and preserve a harmonious and aesthetically pleasing design for Summer Creek and to protect and promote the value of properties and all improvements and landscaping located therein subject to the restrictions set forth in Deed Restrictions. The Board of Directors shall strive to create a set of Guidelines that are as complete, correct and as fair as possible and within the purview of the Board of Directors authority of enforcement.

### **Supplements Deed Restrictions Only**

As stated earlier, these Guidelines include as if fully recited herein all relevant stipulations from the Deed Restrictions, but also include supplementary details and restrictions that have been approved by the Board of Directors. These Guidelines are intended to only supplement and not replace the Deed Restrictions. A violation of the Guidelines constitutes a violation of the Deed Restrictions.

### **Enforcement**

The Association shall have the right to enforce, by any proceeding at law or in equity, the Deed Restrictions and these Architectural Guidelines, as described in the Deed Restrictions. Failure of the Association to enforce any of the provisions in the Deed Restrictions, or contained in these Guidelines, shall not be deemed a waiver of the right to do so thereafter. The Association shall also have the right to enforce, by any proceeding at law or in equity, any other restrictions, conditions, covenants and liens imposed upon any Lot. The failure of the Association to enforce such provisions shall not be deemed a waiver of the right to do so.

### **Review and Reaffirm**

The Board of Directors shall review these Guidelines for relevance with respect to changing neighborhood conditions and architectural trends and shall modify the content of the Guidelines accordingly to reflect these changes, if any, at a minimum of every two years and more frequently

if deemed necessary. If for any reason said Guidelines are not updated after a two-year period, the most current set of Guidelines shall remain in force until such time that a review is conducted. Upon completion of said review, the Board shall reaffirm these Guidelines by signature and provide the most current copy of the Guidelines along with an affirmation signature page to each homeowner.

## **GUIDELINES**

### **1.0 Outbuildings**

- 1.1 No storage sheds are allowed except upon variance granted by the Board of Directors. Sheds will only be considered for variance if they are constructed of brick exterior and composition roofing similar to the home.
- 1.3 No freestanding gazebo's are permitted except with a variance granted by the Board of Directors. Gazebos shall be constructed of materials similar to the home.
- 1.3 Potting sheds, lean-tos, storage containers or any other attachment to the house or garage must be submitted and approved prior to erection.

### **2.0 Basketball Goals**

- 2.1 Basketball Goals must be mounted on a garage or placed on the side of the driveway and must not be visible from the street in front of the home.
- 2.2 Basketball goals may not be erected in the front or side yard of the house.
- 2.3 If the backboard is mounted onto the roof by use of a mounting structure, the mounting structure must be painted to match the roof shingle color.
- 2.4 The basketball goal backboard, net and post must be kept in usable condition and acceptable appearance.
- 2.5 Basketball goals not maintained will be required to be removed at the homeowner's expense.
- 2.6 Only one basketball goal per lot will be permitted.
- 2.7 Portable goals are allowed in accordance with the foregoing guidelines. Portable goals must not be left in streets or alleys when not in use.
- 2.8 Basketball goals, whether permanent or portable, must be located so that stray basketballs do not become a nuisance in adjacent neighbor's yards or cause a safety hazard to vehicle traffic.

### **3.0 Patio Covers**

- 3.1 Shall be constructed of materials that complement the main Structure.
- 3.2 Prefabricated covers made of aluminum are not permitted.
- 3.3 If attached to house, patio covers must be integrated into existing roof-line (flush with eaves) and if it is to be shingled, shingles must match roof. Entire patio cover and posts

should be trimmed out to match house. Supports must be brick, painted wood, or metal columns. Pipe supports are not allowed.

#### **4.0 Room Additions**

- 4.1 No room additions allowed except with a variance granted by the Board of Directors. Room additions will only be considered for variance if they are constructed of brick exterior and composition roofing similar to the home.

#### **5.0 Exterior Paint**

- 5.1 The Summer Creek Deed Restrictions stipulate that a homeowner maintain their lot and home in good repair. Therefore, when a homeowner intends to repaint or repair an original or previously approved and applied color scheme or repair a damaged or deteriorated portion of the existing structure or lot for the purpose of returning the structure or lot to its' original condition, the work may proceed without an application to the Board of Directors. All other painting, repair or refurbishing work must be submitted and no work begun until approved.
- 5.2 Color changes must be approved by the Board of Directors. Color of brick used on the house and color of neighboring houses are considerations.
- 5.3 Exterior paints and stains shall be selected to complement and harmonize with the colors of the other materials with which they are used.
- 5.4 Bold colors, primary colors, and pastels of red, blue or green are prohibited. This means that colors should generally stay within the earth tone color family (i.e. black, brown, tan, beige, gray). Soft and muted earth tone pastel colors are acceptable. The use of white is also permitted.

#### **6.0 Front Doors, Storm Windows and Storm Doors**

- 6.1 Front doors must be maintained. They may be stained a natural wood color, or painted the same color as the house trim. Paint colors must follow the guidelines of section 5 or be approved by the Board of Directors.
- 6.2 All front-facing storm doors must be a full glass door. The frames of storm windows and storm doors must be of a color compatible with the exterior house colors and/or general use and appearance of the house. Paint colors must follow the guidelines of section 5.

#### **7.0 Decks**

- 7.1 Decks may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment. It shall be the sole responsibility of the homeowner to secure said consent from the respective utility company or companies.
- 7.2 Decks shall be situated on a lot such that they do not pose a problem to effective drainage of the lot or any neighboring lot.
- 7.3 Decks cannot be higher than eighteen (18") inches, except by variance of the Board of Directors.

## **8.0 Swimming Pools and Spas**

- 8.1 No pool or spa of any type may encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment.
- 8.2 The pool must meet all building line and easement restrictions on the recorded plat.
- 8.3 In accordance with City of Fort Worth Building Code, all private swimming pools and spas shall be completely enclosed by a solid wood or wrought iron type fence enclosure. All openings to any such enclosure shall be with a self-closing and self-locking gate of the same construction and material as the fence. As a safety precaution, no external surface of the enclosure shall provide a handhold or foothold. This means that wood fences surrounding any pool or spa must have the finished, good, smooth side away from the pool, with fence stringers on the inside.
- 8.4 Above ground pools are not permitted.
- 8.5 Pools are not to be connected to, or drain into, the community's sewage drain system.
- 8.6 Above ground spas may be permitted with a variance from the Board of Directors. Such variance will only be granted if the spa is self contained within a frame designed to be mounted on an appropriate slab or support system and is visually appealing. The Board of Directors shall have final authority in granting these variances.

## **9.0 Solar Panels/Screens/Film**

- 9.1 Solar Panels may be placed on rear or side facing roofs and walls, flush with the surface. Any other planned installation requires a variance from the Board of Directors.
- 9.2 Solar Screens and Films of colors complementary to the brick and trim of the home may be placed on windows and doors.

## **10.0 Antennas**

- 10.1 No radio, citizen band or otherwise, or television aerial wires or antenna shall be maintained on any portion of any lot, except those which are fully enclosed within the structure of the home.
- 10.2 No microwave or other satellite dishes, antennas, receivers, or transmitters shall be placed on any lot without approval of the Board of Directors, except that 18 inch satellite dishes may be installed on the rear or side of homes, by an authorized dealer
- 10.4 No freestanding antennas whatsoever including, without limitation, satellite dishes shall be placed on any portion of the Property without written consent of the Board of Directors.

## **11.0 Fences, Fence Extensions, Fence Modifications, and Walls**

- 11.1 When a homeowner intends to rebuild, replace or repair an original or previously approved and erected fence to the same color scheme, with similar materials and construction details as used in the original fence or wall, the work may proceed without an application to the Board of Directors. All other fencing plans must be submitted and no work begun until approved. All proposed new fences must be approved by the Board of Directors.
- 11.2 Any painting, staining, or varnishing of fence other than to a previously approved and applied color must be approved by the Board of Directors.
- 11.3 No chain link fence, nor concrete aggregate wall shall be permitted on any lot.
- 11.4 All fences shall have the supporting posts and stringers on the inside, not visible to public streets or to neighboring lots.
- 11.5 Fence posts and stringers are allowed to face the alley although this is discouraged.
- 11.6 Fences must be maintained in good condition, with no loose or broken boards, rusty or squeaky unlubricated hardware, or other unsightly or noisy conditions.

## **12.0 Decorations/Flag Poles**

- 12.1 Any planned decorative appurtenances such as sculptures, elaborate birdbaths, permanently affixed vertical freestanding flag poles, fountains or other decorative embellishments shall be submitted and approved before placement on front lawns and on any portion of a lot visible from any street. Christmas, holiday or other festive decorations of a temporary nature are exceptions. Decorations must be removed within four (4) weeks after the calendar date of the holiday.
- 12.2 Burglar bars and gates must be in harmony with the design of the home. Burglar bars and gates must follow the paint Guidelines in Section 5.
- 12.3 House numbers may be placed on the house, but not on any type of freestanding structure in the front yard (mailboxes are excluded).
- 12.4 Permanently affixed bracket mounted flags, placed near the front entry of the home, are permitted.

## **13.0 Exterior Lighting**

- 13.1 Exterior lighting shall be of a wattage or lumen count that will not affect neighboring homes.
- 13.2 Exterior decorative lights, security lights or floodlights must be aimed to provide light only to the owner's property and not shine on the neighboring property.

- 13.3 Security, mercury vapor, or fluorescent lights may be attached to the back of the house or the garage as long as the light fixture is not visible from the street. Mercury vapor, fluorescent, and sodium halide are not permitted in back or side yard if there are neighboring houses.
- 13.4 Gas or electrical post lights may be erected. Such lights must be no taller than eight feet (8') in height and the illumination must be a low wattage only. The color of the post shall be selected to complement or harmonize with the colors of the other materials on the house, and must follow the paint Guidelines in Section 5.
- 13.5 Exterior lights must not garish nor diminish the overall aesthetic appeal.

#### **14.0 Wind Turbines and Ventilators**

- 14.1 No wind turbines or wind powered electrical generators or pumps shall be erected or maintained on any Lot.
- 14.2 Whirly Bird type attic ventilators may be installed only on the rear or side facing roof surface, where they are not visible from the street in front of the home. Ventilators must be finished to complement the roof or trim color. Ventilators must be kept in good condition, lubricated and near silent, and not rusted, corrode, or otherwise deteriorated.

#### **15.0 Gates & Gate Covers**

- 15.1 No chicken wire, chain link or metal lattice are permitted for gates and gate covers.

#### **16.0 Birdhouses**

- 16.1 Maximum permitted height is fourteen (14') feet for birdhouses.
- 16.2 If mounted on a pole, birdhouses must be unobtrusive and painted to compliment the color of house.
- 16.3 Birdhouses must be placed not closer than five (5') feet to any property line, and must be situated in the rear of the house, not visible to any public street.
- 16.4 Birdhouse and mounting structure must be maintained.

#### **17.0 Landscaping**

- 17.1 Landscaping (defined as living plants, trees, shrubs, and flowers), is subject to Board of Directors review and approval.
- 17.2 Trellises, window boxes, arbors, and permanent brick borders, must be approved before construction begins.
- 17.3 Landscape projects should take into account the effect on drainage from resident property and adjacent properties.
- 17.4 Grass, vegetation and weeds on each lot shall be mowed and trimmed as often as may be necessary to maintain a neat and attractive condition.

- 17.5 Grass and/or weeds shall not exceed a height of six (6) inches, whether in the open yard, in a flowerbed, or against a structure or tree.
- 17.6 Grass and/or weeds shall not extend onto the curb, driveways, walks, or other concrete surfaces by more than an average of three (3) inches.
- 17.7 Each yard shall be maintained on a regular basis by mowing, edging, trimming, watering, fertilizing, and weeding.
- 17.8. No wild flowers are allowed in lots that are visible from any public street and/or alley.
- 17.9 Vegetable and/or herb gardens are not allowed unless they are not visible from any public street or alley.
- 17.10 Plants and vegetation which are dead shall be removed within thirty (30) days.
- 17.12 All tree stumps and trimmings shall be removed within thirty (30) days.
- 17.13 All lawns shall be sodded with grass, and shall be consistent with the lawns in the neighborhood.
- 17.14 All hedges, regardless of location around the lot must be maintained and trimmed regularly to be visually appealing and to ensure that they do not grow so large as to afford abundant cover for a criminal element.
- 17.15 All landscaping shall be consistent with the overall landscaping of the community.

**18.0 Swing Sets, Playhouses and Forts**

- 18.1 Maximum height of eight (8') feet for all swing sets.
- 18.2 A child's playhouse/fort may have a roof no higher than twelve feet. If a fort has a platform, then the platform can be no higher than six (6') feet off the ground.
- 18.3 Location will be considered for neighbors' privacy, but not closer than five (5) feet to any property line, and must be located at the side or rear of the property, behind a fence or otherwise screened from public view from any street abutting the lot.

**19.0 Driveways and Sidewalks**

- 19.1 Driveways, entry walks and sidewalks on each lot may be constructed of concrete or any other finish must be approved by the Board of Directors. Asphalt is specifically prohibited.
- 19.2 Placement of sidewalks may vary from the distance from the curb in order to save trees; however, any variance is subject to approval of the Board of Directors. All other placement, width, materials and finish must be to the City of Fort Worth specifications and approved by the Board of Directors.

## **20.0 Garage Conversions**

20.1 Conversions of garages for any reason are not permitted.

20.2 Aluminum, sheet metal or fiberglass carports are not permitted.

## **21.0 Window Air Conditioners**

21.1 No window or wall-type air conditioners shall be permitted to be used, erected, placed, or maintained on, or in, any building on any part of the Property.

## **22.0 Awnings/Window Shades**

22.1 Awnings are permitted on the side and rear windows of a house and must be of the same color of the house. Awnings on playhouses or used as patio covers must match or complement the color of the house. Once installed, awnings are to be maintained in excellent condition at all times.

22.2 Metal and wooden slat-type exterior shades are not permitted on the front of the house. All exterior shades must be approved by the Board of Directors prior to installation. The color selections of exterior shades must be consistent with the color of the house. After installation, they must be kept in excellent condition at all times.

## **23.0 Signage, Advertisements, and Billboards**

23.1 No billboards, posters or advertising devices of any character shall be erected or displayed for public view on any lot. (Temporary signs may be placed in yards only while painting or remodeling work is being done and must be removed immediately upon completion.)

23.2 The Association or its assigns, shall have the right to remove any advertisements, billboards, or structures placed on any lot and, in doing so, shall not be subject to any liability for trespass, any other tort, or any civil or criminal liability in connection herewith or arising from such removal.

23.3 Signs which give notice of a home security system are permitted if placed at or near the front entrance and are no larger than 1 square foot. Window stickers that give notice of a home security system are also permitted. Signs larger than one square foot are permissible for the purposes of advertising the residence for rental or lease. The Board of Directors shall have the option to exercise control over the wording, design, appearance, size, quality, and location of all signs.

23.5 Political signs may be erected upon a lot by the Owner of such lot advocating the election of one or more political candidates or the sponsorship of a political party, issue or proposal, provided that such signs shall not be erected more than thirty (30) days in advance of the election to which they pertain and shall be removed within three (3) days after such election is concluded.