

SUMMER CREEK ARCHITECTURAL CONTROL GUIDELINES

SUMMER CREEK HOMEOWNERS ASSOCIATION, INC.

May 2023

OVERVIEW

The Declaration
Purpose and Objections
Compliance/Non-Compliance
Enforcement

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
- 24.0 Mailboxes

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 the 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 like the home.
- 1.3 No freestanding gazebos 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 a house, patio covers must be integrated into existing roofline (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 the exterior of the home, with the new addition, is at least 80% brick and composition roofing similar to the home.

5.0 Exterior Paint

- 5.1 The Summer Creek Deed Restrictions stipulate that a homeowner maintains 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. No alteration of the brick is allowed.
- 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 the 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 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 No burglar bars and gates are allowed.
- 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, corroded, 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 The 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 borders, must be approved before construction begins.
- 17.3 Landscape projects should consider 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 wildflowers are allowed in lots that are visible from any public street and/or alley.
- 17.9 Vegetable and/or herb gardens must not be 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 always maintained in excellent condition.
- 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 always kept in excellent condition.

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 per Texas law, 90 days prior to and removed 3 days after election day.

24.0 Mailboxes

- 24.1 All mailboxes shall be enclosed in brick.