

DOC #2020001722

**CORPORATE CERTIFICATE  
TEAS LAKES PROPERTY OWNERS ASSOCIATION, INC.**

The undersigned certifies that he is the Attorney for Teas Lakes Property Owners Association, Inc. (the "Association"). The Association is the property owners' association for Teas Lakes Section One, Teas Lakes Section Two, Teas Lakes Section Three, and Teas Lakes Section Four, subdivisions in Montgomery County, Texas (collectively the "Subdivision"), according to the maps or plats thereof recorded in the Map Records of Montgomery County, Texas.

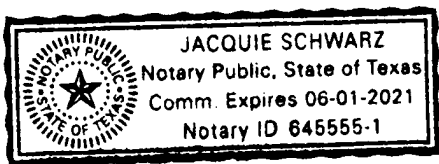
The Association is a Texas nonprofit corporation, and attached to this certificate is a true and correct copy of the **ARCHITECTURAL CONTROL GUIDELINES AND REGULATIONS OF TEAS LAKES PROPERTY OWNERS ASSOCIATION, INC.**

Signed this the 7<sup>th</sup> day of January, 2020.

\_\_\_\_\_  
BRYAN P. FOWLER, Attorney

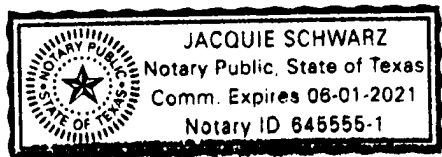
STATE OF TEXAS                   §  
   §  
COUNTY OF MONTGOMERY       §

SWORN TO AND SUBSCRIBED BEFORE ME on the 7<sup>th</sup> day of January, 2020, by BRYAN P. FOWLER, Attorney for TEAS LAKES PROPERTY OWNERS ASSOCIATION, INC., a Texas nonprofit corporation.

  
\_\_\_\_\_  
Notary Public - State of Texas

STATE OF TEXAS                   §  
   §  
COUNTY OF MONTGOMERY       §

This instrument was acknowledged before me on the 7<sup>th</sup> day of January, 2020, by BRYAN P. FOWLER, Attorney for TEAS LAKES PROPERTY OWNERS ASSOCIATION, INC., a Texas nonprofit corporation, on behalf of said corporation.

  
\_\_\_\_\_  
Notary Public - State of Texas

AFTER RECORDING RETURN TO:  
**BRYAN P. FOWLER**  
**The Fowler Law Firm**  
**300 West Davis, Suite 510**  
**Conroe, Texas 77301**

# **ARCHITECTURAL CONTROL GUIDELINES AND REGULATIONS OF TEAS LAKES PROPERTY OWNERS ASSOCIATION, INC.**

**WHEREAS**, the property affected by these Architectural Control Guidelines and Regulations is subject to certain dedications, covenants and restrictions (the "Declaration") set out in instruments recorded in the Official Public Records of Real Property at Montgomery County, Texas as follows:

- **Section 1** - Clerk's File No. 2005-136476;
- **Section 2** - Clerk's File No. 2005-136477;
- **Section 3** - Clerk's File No. 2005-136478; and
- **Section 4** - Clerk's File No. 2005-136479;

**WHEREAS**, pursuant to the authority vested in Teas Lakes Property Owners Association, Inc. (the "Association") in the Declaration and as required by the TEXAS PROPERTY CODE, the Board of Directors of the Association (the "Board") has determined that, in order to provide clear and definitive guidance for maintaining the aesthetics and architectural harmony of the community, it is appropriate to adopt guidelines toward that end. Therefore, the Board hereby promulgates the following Architectural Control Guidelines and Regulations.

**NOW, THEREFORE, BE IT RESOLVED** that the following conditions and requirements are hereby established for Association Architectural Control Guidelines and Regulations.

## **GUIDELINES AND REGULATIONS**

The following are guidelines adopted by the Board and the Architectural Control Committee (the "ACC") to specify their standards, requirements and thought process used in evaluating various exterior improvements. These guidelines may be amended from time-to-time as circumstances, conditions or opinions of the Board and ACC dictate. The ACC has the right to deny approval for a similar improvement based on the proximity of a property to a main boulevard or the visual relativity of the site to the overall development.

It should be noted that the ACC approval is required prior to the installation or construction of the improvement or change. If an improvement is made without ACC approval, the Board of Directors or ACC has the legal right to enforce its removal.

ACC approval for a requested improvement or modification is only valid for the duration of the actual improvement/modification. For example, if an approved deck starts to rot and needs replacing, a new ACC application will be required; If an approved play structure needs replacing, a new ACC application will be required. When in doubt, submit an application and the ACC will make a determination.

The following guidelines shall be applicable to all properties under the jurisdiction of the Association.

These guidelines shall also encumber any future property which may be brought within the jurisdiction of the Association.

These guidelines supersede and take the place of any previous Architectural Control Guidelines for the Association.

**A. ANTENNAS AND SATELLITE DISHES:**

1. As stated in Section 3.10 of the Deed Restrictions, no antenna or satellite dish will be allowed without ACC approval.
2. All dish devices and antennas must be located to the rear half of the roof and must service only one household.
3. No residence may have more than one satellite dish and antenna at any time.
4. It is the responsibility and obligation of the homeowner to comply with all city ordinances.

**B. BASKETBALL GOALS:**

1. As stated in Section 3.18 of the Deed Restrictions, permanent installation of basketball goals are not permitted on lots.
2. Portable basketball goals may be used on a homeowner's driveway but must not be placed in the street per City Ordinance.

3. Any portable basketball goal that is unused must be removed and stored out of sight. The device may not be laid in a horizontal position which is visible from the street.
4. All basketball goals must be maintained in good condition at all times.
5. Any basketball goal will be subject to removal at the request of the Board if any of the above guidelines are not adhered to.

**C. DECKS:**

1. All decks require ACC approval.
2. Decks must not be situated on a lot so that it poses a problem to the effective drainage of the lot or neighboring lots.
3. Decks must not be higher than forty-eight (48") inches above grade.
4. At no time is a deck allowed to be painted. It may be stained if necessary but will require ACC approval if other than a clear stain is desired after initial approval. If, a wood tone stain was approved initially, then the re-application of the originally approved color is allowed for deck maintenance. Any and all color changes will require ACC approval.

**D. DISPLAY OF RELIGIOUS ITEMS:**

1. A property owner or resident may display or attach one or more religious items to any entry of their home. Such item may include anything related to any faith that is motivated by the resident's sincere religious belief or tradition.
2. Individually or in combination with each other, the items at the any entry may not exceed 25 square inches total in size.
3. The items may only be displayed on or attached to the entry door or frame and may not extend beyond the outside edge of the door frame.
4. To the extent allowed by the Texas state constitution and the United States constitution, any such displayed or affixed religious items may not:
  - a. threaten public health or safety; or
  - b. violate any law; or
  - c. contain language, graphics or any display that is patently offensive to a passerby.

5. Approval from the ACC is not required for displaying religious items in compliance with these guidelines.
6. As provided by Section 202.018 of the Texas Property Code, the Association may remove any items displayed in violation of these guidelines.

**E. DRIVEWAY EXTENSIONS AND WALKWAYS:**

1. All driveway extensions require ACC approval.
2. All extensions must be brick, stone or of like material laid in concrete and must be of similar color to the house.
3. Walkways composed of concrete or any other form of landscape material require ACC approval and must be maintained as part of the landscaping.

**F. EXTERIOR DECORATIONS:**

1. The ACC shall have the authority to require an Owner to remove any object situated on their lot that is visible from a street in the Subdivision or another lot; if, in the ACC's sole judgment, the object detracts from the visual attractiveness of the Subdivision or does not comply with the provisions of these guidelines.
2. Decorative items on porches, such as planters will not require ACC approval, unless a specific complaint is received. The storage of empty planters or those containing dead plants is not permitted.
3. No item is to be temporarily or permanently stored on a driveway, in front or on the side of any residence, or on the front porch, that does not comply with these guidelines. The only exception to this is building supplies for the replacement of roofs, fencing or any other home improvement delivered to the residence prior to installation.
4. A dumpster is permitted in the driveway during renovations to a home.
5. No items stored on a lot may be visible from any street.

**G. EXTERIOR PAINTING/MAINTENANCE:**

1. If a homeowner wants to paint their home the same color as the existing color, ACC approval is not required **UNLESS** the lot has a detached structure of any kind.

2. If the lot has an existing shed, that shed must be included in all exterior paint projects even if a color change is not done in accordance with Section 3.20 of the Deed Restrictions. For this reason, an ACC application is required to ensure compliance.
3. An ACC application is required to change the color of any portion of a home, to include siding, trim, pillars, shutters, gutters and doors.
4. Wood structures like decks, fences and pergolas must be stained and are not permitted to be painted. Changing the originally approved stain color of these structures requires prior ACC approval.
5. When approving a color change, the ACC will only approve colors that are compatible with the existing brick on the home. In general, earth tone colors in browns, tans, and warm grays, will receive ACC approval.
6. Accent colors will be considered for front doors and shutters **ONLY**, on a case by case basis.
7. As stated in Section 3.19 of the Deed Restrictions, the color of neighboring homes will be taken into consideration when approving paint colors.
8. No painting of brick will be approved.
9. The exterior of all homes must be maintained. Rotted wood must be repaired or replaced. ACC approval will not be given to paint over deteriorating wood.
10. Missing fascia boards or other trim must be replaced and painted to match the home.
11. Damaged bricks must be repaired.
12. Garage doors must be in good condition and be operational at all times.
  - a. Doors off of the roller must be reattached.
  - b. Missing or damaged panels must be replaced in a timely manner.

**H. FENCING:**

1. Maintenance of a fence is the shared responsibility of each lot owner equally.
2. Any fence needing repair or replacing may be done so without ACC approval as long as it doesn't deviate in any way from its original design or location.
3. If a fence is shared with another lot owner, both owners must agree to the necessary repairs or replacement.

4. In most cases, pressure treated and cedar lumber are the only approved materials when constructing or repairing fencing. Only certain homes within Teas Lakes are approved for the use of wrought iron fencing and only along certain perimeters. The ACC will make this determination.
5. All fencing along the back, sides and front of a lot must always be the same height and never higher than six (6') feet tall.
6. Broken, rotted, or bowed pickets must be replaced.
7. To allow for proper drainage, pickets must remain 1-2 inches above the ground.
8. Rot boards are not permitted.
9. Fence posts must be replaced when they structurally compromise the stability of a fence panel.
10. Fences are never allowed to be painted.
11. Fence staining requires ACC approval and only standard brown wood tones will be approved. The application of a clear protectant does not require approval.
12. When the condition of a fence is disputed between lot owners, the ACC will make the determination.

**I. FLAG DISPLAY AND FLAGPOLES:**

1. These Guidelines apply to the display of ("Permitted Flags")
  - a. the flag of the United States; and
  - b. the flag of the State of Texas; and
  - c. the official flag of any branch of the United States Armed Forces.
2. Flags other than those listed in Section 1 above are not allowed to be displayed. Examples of non-Permitted Flags include, but are not limited to:
  - a. flags for schools, sports teams, businesses or foreign countries; or
  - b. flags with marketing, seasonal, historical, commemorative, nautical, political or religious themes; or
  - c. historical versions of flags permitted in section 1 above.
3. Permitted Flags may be displayed subject to these guidelines. ACC approval is required for any permanent free-standing flagpole and any additional illumination associated with the

display of Permitted Flags.

4. Permitted Flags must be displayed in a respectful manner in accordance with the current relevant federal, state or military code.
5. Permitted Flags must be displayed from a pole attached to a structure or any ACC approved free standing pole. Permitted Flags may not be draped over or directly attached to structure. For example, a Permitted Flag may not be laid across a fence or stapled to a garage door.
6. Permitted Flags shall be no larger than three foot (3') by five foot (5') in size.
7. Only one Permitted Flag may be displayed on a flagpole attached to a structure. Up to two Permitted Flags may be displayed on an approved permanent free-standing flagpole that is at least fourteen feet (14') tall.
8. Flagpoles must be constructed of permanent, long-lasting materials with an appropriate finish that is harmonious with the dwelling.
9. A flagpole attached to a structure may be up to six feet (6') long and must be securely attached with a bracket at an angle of 30 to 45 degrees down from vertical. The flagpole must be attached in such a manner as to not damage the structure. One attached flagpole is allowed on any portion of a structure facing a street. Brackets which accommodate multiple flagpoles are not allowed.
10. Free-standing flagpoles may be up to twenty feet (20') tall, including any ornamental caps and must be permanently installed in the ground according to manufacturer's instructions. One free-standing flagpole is allowed in the portion of the owner's property between the main residential dwelling and any street.
11. Free-standing flagpoles may not be installed in any location described below:
  - a. in any location other than the Owner's property; or
  - b. within a ground utility easement or encroaching into an aerial easement; or
  - c. beyond the side or rear setback lines (for example, on a lot with a 10' side setback line, a flagpole may not be installed closer than 10' from the side property line; or
  - d. beyond half the distance of the front setback line (for example, on a lot with a 30' front setback line, a flagpole may not be installed closer than 15' from the front property line);
  - e. closer to a dwelling on an adjacent lot than the height of the flagpole (for example, a 20' flagpole cannot be installed closer than 20' from the adjacent house).
  - f. temporary free-standing flagpoles displaying the flag of the United States may be placed in the front yard of a residence (such as those provided by a flag service company) provided they are only displayed during national holidays.



12. Lighting may be installed to illuminate Permitted Flags if they will be displayed at night. As previously stated, written ACC approval is required. Flag lighting must:
  - a. be ground mounted in the vicinity of the flag; and
  - b. utilize a fixture that screens the bulb and directs light in the intended direction with minimal spillover; and
  - c. points towards the flag as well as the front of the residence; and
  - d. provides illumination not to exceed the equivalent of a 60-watt incandescent bulb.

**J. GENERATORS, STANDBY AND PORTABLE:**

1. Standby generators require a City of Conroe permit prior to installation. The permit, along with an application and all necessary document must be submitted for approval to the ACC.
2. Any landscaping damage incurred from the generator installation must be repaired in a timely manner.
3. All standby generators must adhere to city ordinances.
4. Portable generators may used in an extreme weather event resulting in loss of power. The portable generator must:
  - a. Never be connected directly to residences wiring.
  - b. Never be used indoors or in a closed garage. They may only be used in a dry, well ventilated area.
  - c. Generator must be kept in good working order, and used in accordance with manufacturers recommendation.
  - d. No longer be used once power has been restored.

**K. GUTTERS, DOWNSPOUTS, AND RAIN RECOVERY SYSTEMS:**

1. The installation of gutters and downspouts require ACC approval and the color must match the color of the existing trim on the home.
2. Missing, hanging, broken, sagging, or otherwise unsightly gutters and downspouts need to be immediately repaired, replaced, or removed.
3. Water from downspouts must be directed away from the home and not adversely affect the existing drainage.
4. Rainwater recovery systems require ACC approval and are subject to the following:

- a. Systems must be installed on land owned by the property owner. No portion of the System may encroach on adjacent properties or common areas.
  - b. Other than gutters and downspouts conventionally attached to a dwelling or appurtenant structure, all components of the Systems, such as tanks, barrels, filters, pumps, motors, pressure tanks, pipes and hoses, must be substantially screened from public view from any street or common area. Screening may be accomplished by:
    - i. placement behind a solid fence, a structure or vegetation; or
    - ii. by burying the tanks or barrels; or
    - iii. by placing equipment in an outbuilding otherwise approved by the ACC.
5. A rain barrel may be placed in a location visible from public view from any street of common area only if the configuration of the guttering system on the structure precludes screening as described above with the following restrictions:
- a. the barrel must not exceed 55 gallons; and
  - b. the barrel must be installed in close proximity to the structure on a level base with the guttering downspout leading directly to the barrel inlet at a substantially vertical angle; and
  - c. the barrel must be fully painted in a single color to blend with the adjacent home or vegetation; and
  - d. and hose attached to the barrel discharge must be neatly coiled and stored behind or beside the rain barrel in the least visible position when not in use.
6. Overflow lines from the Systems must not be directed onto or adversely affect adjacent properties or common areas.
7. Inlets, ports, vents and other openings must be sealed or protected with mesh to prevent children, animals and debris from entering the barrels, tanks or other storage devices. Open top storage containers are not allowed, however, where space allows and where appropriate, ACC approval ponds may be used for water storage.
8. Harvested water must be used and not allowed to become stagnant or a threat to health.
9. All Systems must be maintained in good repair. Unused Systems should be drained and disconnected from the gutters. Any unused Systems in public view must be removed from public view from any street or common area.

**M. LANDSCAPING AND YARD MAINTENANCE:**

1. As stated in Section 3.6 of the Deed Restrictions, landscaping of front yards is required. Corner lots are required to landscape the side yard facing the side street.

2. ACC approval is required for additions or changes to any softscape or hardscape design. This includes, but is not limited to, flower beds, trees, shrubs, paved areas, walkways, driveways, retaining walls.
3. Landscaping must never inhibit sightlines.
4. Landscaping **may not** be installed in such a manner as to change the topography or drainage of either the homeowners' lot or any surrounding lot. Any homeowner responsible for altering the existing drainage of ANY lot will be responsible for all costs associated with returning it to its original state.
5. When installing flower bed borders and tree borders only pavers, stones or brick specifically designed for use in landscaping will be approved. Bricks designed for building (those cored with holes) are not permitted to be used in landscaping.

**N. LEASING OF PROPERTY:**

1. Any property owner that leases their property is encouraged to provide a copy of these guidelines to their tenants.

**O. PATIOS, PATIO COVERS, PERGOLAS, SHEDS:**

1. All patios (concrete, wood, pavers, stone etc.), patio covers, pergolas, sheds, or detached structures of any kind require prior ACC approval.
2. The ACC will follow all restrictions as set forth in Section 3.19 and 3.20 of the Teas Lakes Deed Restrictions.

**P. PLAY STRUCTURES:**

1. All play structures require ACC approval.
2. Only one (1) play structure is permitted on a lot.
3. A play structure must not exceed a maximum height of ten (10') feet.
4. A play structure must be set back at least five (5') feet from the rear fence line.
5. If an approved play structure has a canopy, the canopy must be maintained in good condition at all times.
6. At no time is a wooden play structure allowed to be painted. It can be stained if necessary but will require ACC approval if other than a clear stain is desired after initial approval. If, a wood tone stain was approved originally, then the re-application of the originally approved

color is allowed for deck maintenance. Any and all stain color changes will require ACC approval.

**Q. ROOFS:**

1. ACC approval is required for all roof replacements unless the new roof matches the existing roof in all aspects including both color, material and all guidelines outlined below are followed. The ACC requests only to be notified in these cases to ensure compliance.
1. All buildings shall be roofed with composition shingles unless otherwise approved in writing by the ACC. Wood shingles are specifically prohibited for safety reasons.
2. Composition shingles must weigh at least 230 pounds per square and have a stated warranty of at least 25 years. Shingles must have a laminated design. Three-tab shingles are specifically prohibited except for use as a starter and cap rows.
3. Roof shingles must be dark brown or dark gray tones and blend with existing brick color. Light shades of any color are strictly prohibited.
4. Roof overlays are not permitted. Prior to roofing, all existing material must be removed down to clean decking. For safety reasons, any damaged or deteriorated decking must be replaced.
5. Ridge vents are recommended by the ACC to improve ventilation, reduce attic temperature and reduce cooling costs.
6. All roof penetrations, such as vents or roof jacks must be painted to match the shingle color.
7. Subject to Section 8 below and with advance written approval from the ACC, an owner may install shingles ("Alternative Shingles") which are designed primarily to:
  - a. be wind and hail resistant; or
  - a. provide heating or cooling efficiencies greater than traditional composition shingles; or
  - b. provide solar energy capture capabilities.
8. Once installed, any such Alternative Shingles must:
  - a. resemble the shingles used or authorized to be used on other structures within the Association; and
  - b. be more durable than and of equal or superior quality to the shingles used or authorized to be used on other structures within the Association; and
  - c. match the aesthetics of properties surrounding the owner's property.

**R. SOLAR ENERGY DEVICES:**

1. The City of Conroe requires a permit prior to the installation of any solar energy device.
2. These guidelines apply to solar energy devices ("Devices") as defined in Section 171.107(a) of the Texas Tax Code. A solar energy device means a system or series of mechanisms designed primarily to provide heating or cooling or to produce electrical or mechanical power by collecting and transferring solar-generated energy. The term includes a mechanical or chemical device that has the ability to store solar-generated energy for use in heating or cooling or in the production of power.
3. Such Devices may only be installed with advance written approval of the ACC subject to these guidelines.
4. Any such Device must be installed on land or structures owned by the property owner. No portion of the Devices may encroach on adjacent properties or common areas.
5. Such Devices may only be installed in the following locations:
  - a. on the roof of the main residential dwelling; or
  - b. on the roof of any other approved structure; or
  - c. within a fenced yard or patio.
6. For Devices mounted on a roof, the Device must:
  - a. have no portion of the Device higher than the roof section to which it is attached; and
  - b. have no portion of the Device extend beyond the perimeter boundary of the roof section to which it is attached; and
  - c. conform to the slope of the roof; and
  - d. be aligned so the top edge of the Device is parallel to the roof ridge line for the roof section to which it is attached; and
  - e. have a frame, brackets and visible piping or wiring that is a color to match the roof shingles or a silver, bronze or black tone commonly available in the marketplace; and
  - f. be located in a position on the roof which is least visible from the any street or common area, so long as such location does not reduce estimated annual energy production more than 10% over alternative roof locations (as determined by the publicly available modeling tool provided by the National Renewable Energy Laboratory [[www.nrel.gov](http://www.nrel.gov)] or equivalent entity).
7. For Devices located in a fenced yard or patio, no portion of the Device may extend above the top of the fence. If the fence is not a solid fence which blocks view of the Device, the Association may require the Device be placed in a location behind a structure or otherwise require visual screening. The Association may consider installation of Devices on properties

without a fenced yard if there is adequate screening from public view from any street or common area.

8. All Devices must be installed in compliance with manufacturer's instructions and in a manner, which does not void material warranties. Licensed craftsmen must be used where required by law. The City of Conroe does require a permit.
9. Installed Devices may not:
  - a. Threaten public health or safety; or
  - b. Violate any law; or
  - c. Substantially interfere with the use and enjoyment of land by causing unreasonable discomfort of annoyance to any adjoining property owner.
10. All Devices must be maintained in good repair. Unused or inoperable Devices must be removed.

**S. SPRINKLERS:**

1. The City of Conroe requires a permit for the installation of underground sprinklers.
2. Any ACC application submitted without the permit and/or the required documentation will be rejected.

**T. SWIMMING POOL AND SPAS:**

1. Swimming pools and spas require permits from the City of Conroe prior to installation. The necessary permits, along with an application and all required documents must be submitted for approval to the ACC.
2. The City of Conroe requires any pool deeper than twenty-four (24") inches to have a permit.
3. The ACC will reject all applications submitted without the proper permits and/or documentation.

**U. TRASH CANS:**

1. Trash and Recycle receptacles must comply with all City of Conroe ordinances.

2. If containers are stored in the front of the residence, they must be stored away from the street at a location which is no nearer to the street than the front wall of the primary structure located on the property.
3. No more than one household receptacle and one recycle receptacle is permitted to be stored within view of the front or side of the house in accordance with the above guideline. Any additional receptacles must be stored out of view, within the garage or behind the back fence.
4. Privacy fencing or a concrete pad for trash can storage on the side of the house will require ACC approval. Fencing must match the existing fence in order to blend in and pads must be made of concrete utilizing pavers or a similar material.

FILED FOR RECORD  
01/07/2020 02:57PM



COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,  
COUNTY OF MONTGOMERY

I hereby certify that this instrument was filed in the file number  
sequence on the date and time stamped herein  
by me and was duly RECORDED in the Official Public  
Records of Montgomery County, Texas.

01/07/2020



County Clerk  
Montgomery County, Texas