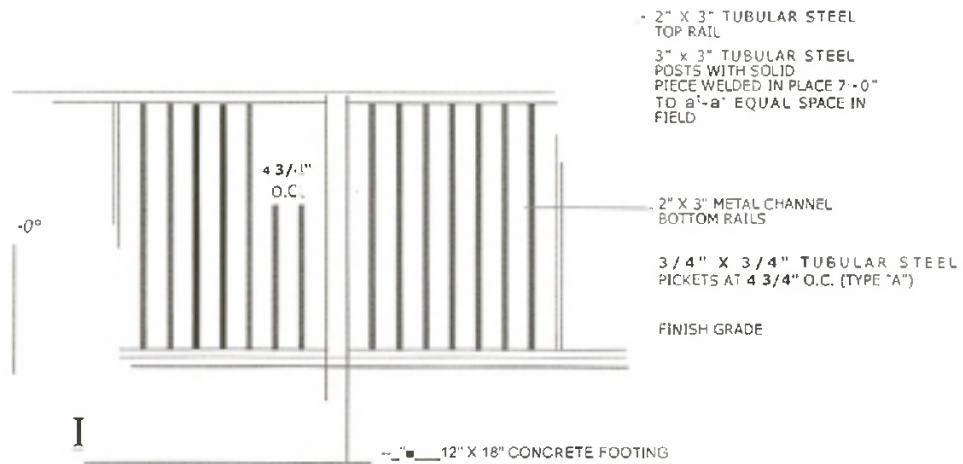


TERRACES ON MEMORIAL  
BUILDER GUIDELINES

August 17, 2005

Prepared for  
Tivoli Development, L.P.  
by  
KGA/DeForest Design, L.L.C.



- NOTE:
1. ALL STEEL TO BE 16 GAUGE.
  2. ALL COMPONENTS TO BE WELDED.
  3. ALL WELDS TO BE GROUND SMOOTH.
  4. FENCE TO BE PRIMED AND PAINTED BLACK WITH POLYURETHANE PAINT, MATTE FINISH.
  5. MAX. SPACING AT POOL ENCLOSURE TO BE 4"

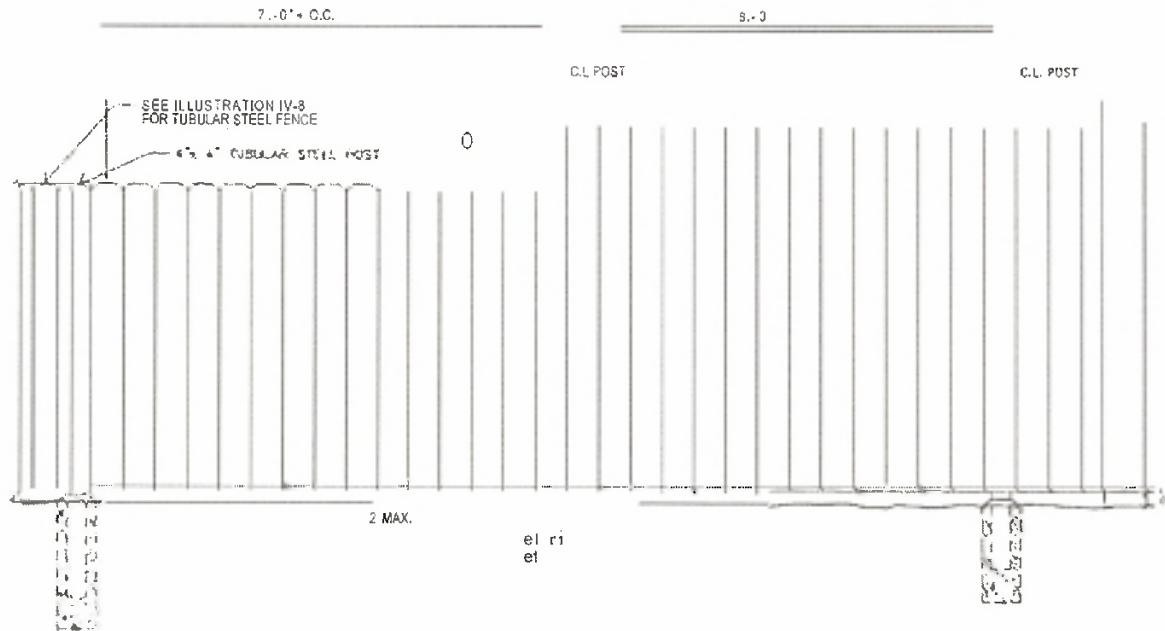
NOTE: FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR COMPLETE  
DETAILS AND SPECIFICATIONS.

**4' TUBULAR STEEL FENCE DETAIL**

**ILLUSTRATION IV-8**

NOTES

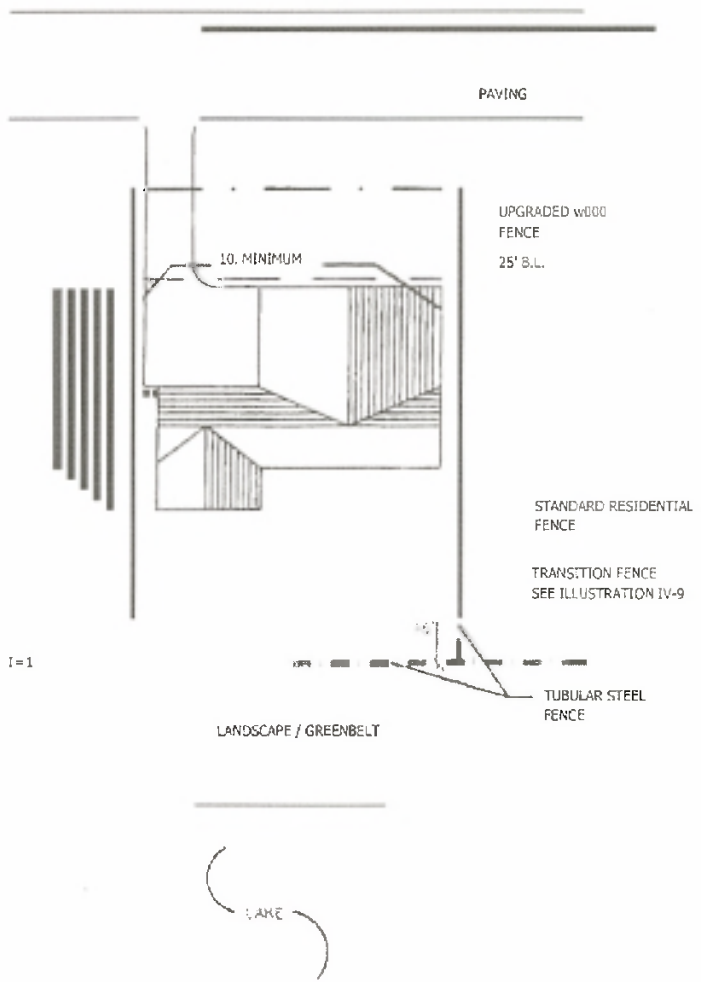
- 1) VERTICAL PICKETS TO BE NO. 1, 1" X 8" CEDAR NOTCHED TOP PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) 4 X 4 POSTS TO BE APPROXIMATELY 6'-0" O.C.
- 4) PICKETS ARE TO BE ATTACHED WITH Rd GALVANIZED SCREW SHANK NAILS



FOR ILLUSTRATION PURPOSES ONLY. 1)  
 2) TO CONNECTION PLANS FOR 'OWLETS  
 OR THIS NO SPECIFICATIONS.

**STANDARD DETAIL FOR FENCE TRANSITION 4' HT.  
 TUBULAR STEEL TO WOOD**

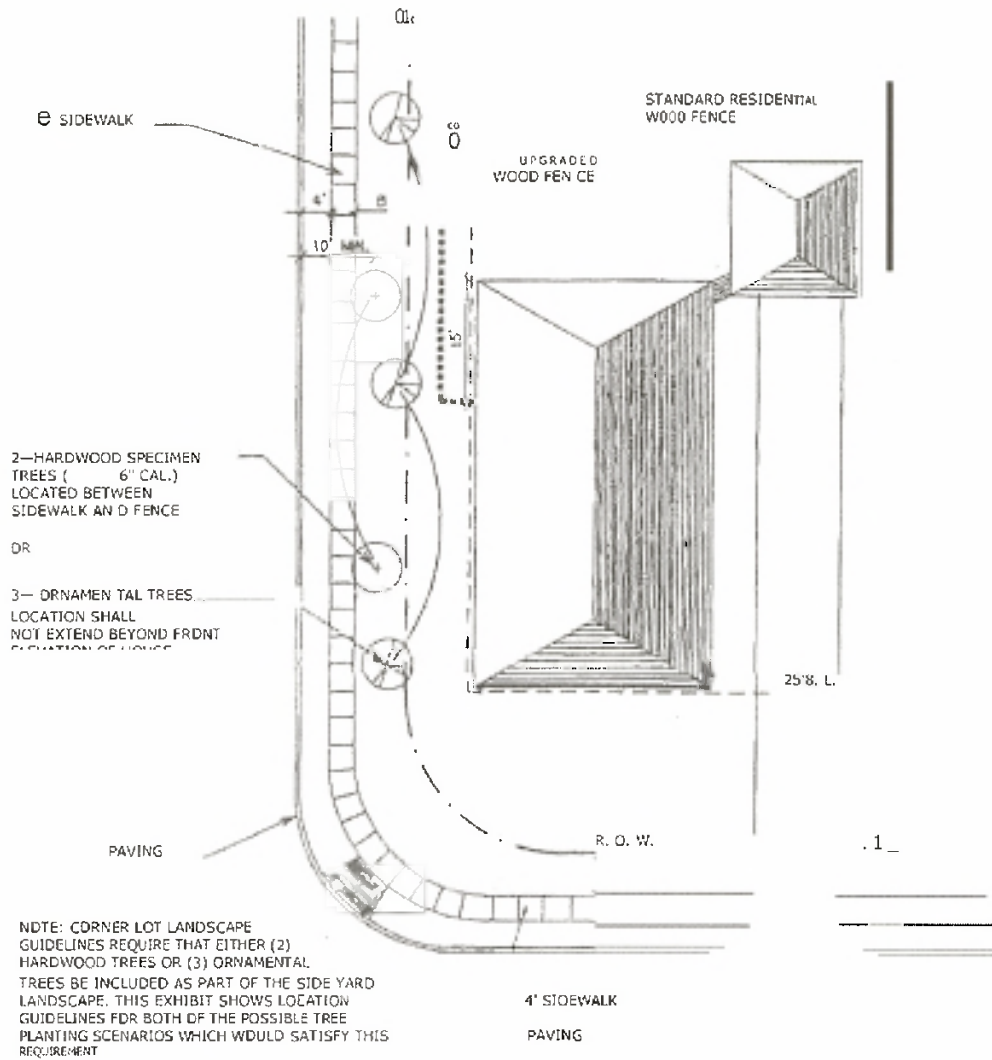
ILLUSTRATION W-9



NOTE FOR ILLUSTRATION PURPOSES ONLY.  
 REFER TO CONSTRUCTION PLANS FOR  
 COMPLETE DETAILS AND SPECIFICATIONS.

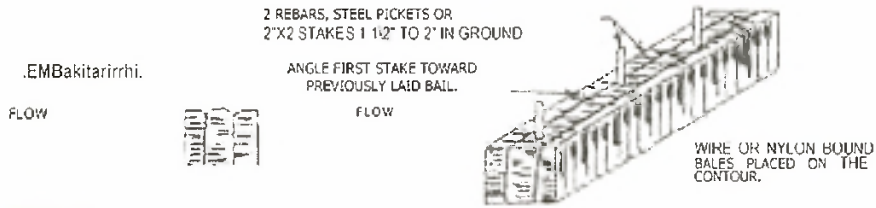
REAR YARD FENCING SETBACK -LAKE  
 LOTS

ILLUSTRATION IV-10

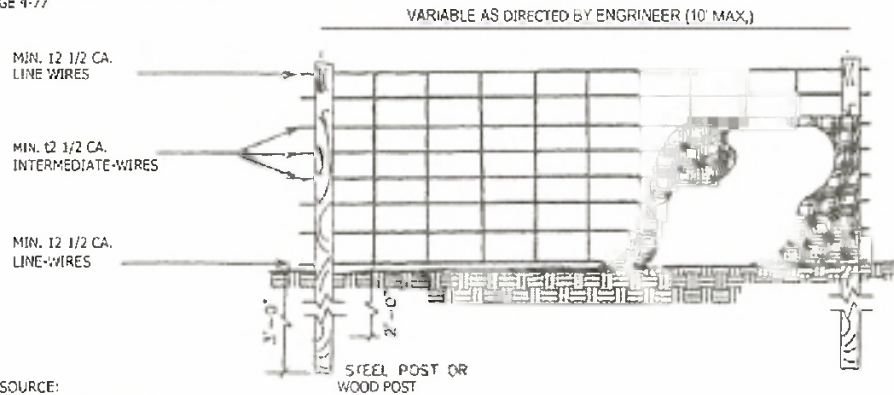


**CORNER LOT  
SUPPLEMENTAL LANDSCAPING**

ILLUSTRATION V-1



4 VERTICAL FAC  
SOURCE:  
IS (12); AND SEDIMENT CONTROL GUIDELINES FOR VE  
ING AREAS IN TEXA U.S. DEPT. OF AGRICULTURE  
SOIL CONSERVATION SERVICE FIG. 4-8,  
PAGE 4-77



SOURCE:  
CITY OF GREENVILLE, N.C.  
STL. NO. 20.05  
MANUAL OF STANDARD DESIGNS AND DETAILS

GENERAL NOTES:

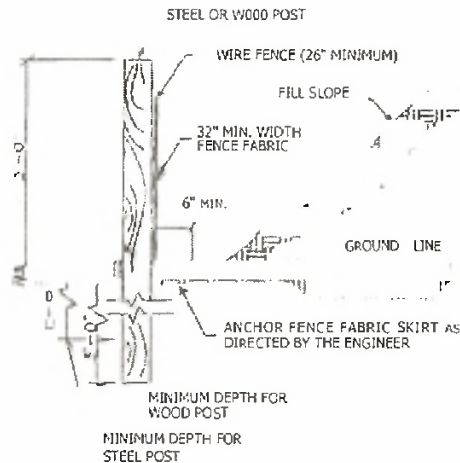
FENCE FABRIC SHALL BE MINIMUM 32" WIDTH AND SHALL HAVE A MINIMUM OF 6 LINE WIRES WITH 12" STAY SPACING.

BURLAP SHALL BE 7-1/2 oz. WEIGHT AND A MINIMUM OF 32" IN WIDTH. BURLAP SHALL BE FASTENED ADEQUATELY TO THE FABRIC AS DIRECTED BY THE ENGINEER. MIRAFI 143 OR EQUIVALENT MAY ALSO BE USED.

STEEL POST SHALL BE 5'-0" IN HEIGHT AND BE OF THE SELF-FASTENER ANGLE STEEL TYPE.

WOOD POST SHALL BE 6 TO 7 FEET IN HEIGHT AND 3 TO 4 INCHES IN DIAMETER.

SOURCE:  
CITY OF GREENVILLE, N.C.  
MANUAL OF STANDARD DESIGNS AND DETAILS  
STL. NO. 20.05  
NDM FOR ILLUSTRATION PURPOSES ONLY.  
SEEK TO CONSTRUCTION FROM FOCI  
COMPLETE DETAILS AND SPECIFICATIONS



# TERRACES ON MEMORIAL BUILDER GUIDELINES

## Table of Contents

Introduction	
Master Plan	4
Architectural Review Committee	4
Intent of Builder Guidelines	4,5
<b>II. Site Planning Criteria</b>	
Site Massing and Exterior Elevations for Single Family Detached	6
Housing Plan and Elevation Repetition for Single Family Detached	6
Lot Coverage	7
Building Setback Lines	7
Garage Placement for Single Family Detached	7,8
Utility Easements	8
Grading and Drainage	8
<b>III. Architectural Design Criteria</b>	
Foundations	9
Exterior Materials	9-10
Privacy Walls	10
Window Treatment	10
Roof Treatment	11,12
Garages	12
Exterior Lighting Fixtures	13
Exterior Color Schemes	13
Mechanical Equipment	13
Maintenance	13
<b>IV. Lot Elements</b>	
Driveways	14
Sidewalks	14,15
Walkways	15
Pools, Decks and other Structures	15,16
Lot Fencing	16-18
Typical Interior Lot	17
Typical Corner Lot	17
Corner Lot at Neighborhood Entrance	17
Lake Reserve Lot	17,18
<b>V. Landscape Design Criteria</b>	
Landscape Standards	19-21
Corner Lot Landscaping	20
Lake Reserve Lots	20

VI.	Model Home Parks/Sales Center	
	Location.....	25
	Site Improvements.....	25
VW	Site Maintenance During Construction	
	Sediment Control.....	26
	Protection of Existing Trees and Development.....	27
	Temporary Buildings.....	27
	Clean Out Site.....	27
VIII.	Plan Submission and Approval	
	Plan Review.....	28-29
	Plan Approval.....	29
	Approval - Variances.....	29-30
	Directory.....	30



## LISTING OF RESIDENTIAL ILLUSTRATIONS

- I-1 Master Plan
- 1-2 Overall Fencing Plan
  
- 11-1 Housing Plan and Elevation Repetition
- 11-2 Garage and Driveway Placement
- 11-3 Driveway Placement Plan
  
- IV-1 Sidewalk Detail – 4'
- IV-2 Handicap Ramp Detail
- IV-3 Standard Residential Wood Fence
- IV-4 6' Upgraded Wood Fence
- N-5 Standard Residential Hinged Gate
- IV-6 Sidelot Fencing Setback - Corner Lots
- N-7 8' Precast Concrete Fence
- IV-8 4' Tubular Steel Fence Detail
- IV-9 Standard Detail for Fence Transition 4' Tubular Steel to Wood N-
- 10 Rear Yard Fencing Setback – Lake Lots
  
- V-1 Corner Lot Landscaping
  
- VII-1 Temporary Sediment Control

• \*\* THESE BUILDER GUIDELINES ARE SUBJECT TO CHANGE WITHOUT NOTICE \*\* •

ALL IMPROVEMENTS TO PROPERTY  
ARE REQUIRED TO BE SUBMITTED TO  
THE TMARCHITECTURAL REVIEW COMMITTEE (TMARC)  
FOR REVIEW AND APPROVAL PRIOR TO THE INCEPTION OF ANY CONSTRUCTION.

FURTHER, IT IS THE APPLICANT'S RESPONSIBILITY TO ENSURE COMPLIANCE  
WITH THE LATEST REVISIONS TO THESE BUILDER GUIDELINES.  
COPIES WILL BE MADE AVAILABLE UPON REQUEST TO THE TMARC.

## TERRACES ON MEMORIAL BUILDER GUIDELINES

### I. INTRODUCTION

Terraces on Memorial is a residential development of Tivoli Development, LP. The Information contained in the Terraces on Memorial Builder Guidelines (the "Builder Guidelines") provides guidance to builders in planning their projects. The objective of these Builder Guidelines is to achieve quality and uniformity in building construction, community cohesiveness, environmental compatibility and desirable visual results. The Builder Guidelines define and address certain items and areas which are common to the project as a whole and items over which Tivoli Development, L.P., as the primary developer, will exert strict control.

#### Master Plan

Terraces on Memorial encompasses approximately 54 acres of land and is located in the City of Houston in Harris County, Texas, south of Interstate 10 on State Highway Six. Terraces on Memorial has been planned to include a blend of three types of residential neighborhoods in a coordinated suburban setting with homesites for approximately 273 families. See the Conceptual Master Plan (Illustration 1-1). These Builder Guidelines are meant to supplement the restrictions set forth in the Declaration of Covenants, Conditions and Restrictions for Terraces on Memorial which as recorded in the Official Real Property Records of Harris County, Texas (the "Declaration").

#### Architectural Review Committee

The Terraces on Memorial Architectural Review Committee (TMARC) is composed of representatives initially selected by Tivoli Development, L.P. The TMARC, at its sole and absolute discretion, has the authority to promulgate and administer standards, rules and regulations governing the planned development and improvement of all tracts within Terraces on Memorial and has primary authority over the initial planned development.

Upon receipt of proper documentation, the TMARC also has the authority to grant variances to criteria established by the Builder Guidelines. The TMARC may not grant a variance where the restriction or requirement is enforced by means of city ordinance or county enforcement.

The approval of the TMARC of any and all submittal packages is limited to compliance with the criteria established by the Builder Guidelines. The TMARC is not responsible for ensuring builder compliance with city, county, state and federal requirements.

#### Intent of Builder Guidelines

The Builder Guidelines are intended for the use of the builders in Terraces on Memorial and the design professionals they employ. The Builder Guidelines are aimed at providing an attractive, coordinated physical environment both during and after construction. Design diversity is encouraged.

in order to create a specific identity for each neighborhood. However, certain standards have been adopted for key elements in order to provide continuity and ensure the overall quality of the neighborhoods.

Through the use of Builder Guidelines and other criteria, the design philosophy of Terraces on Memorial will be implemented. The TMARC shall review and approve the plans and specifications of each proposed structure, building or addition to ensure compliance with the Builder Guidelines and restrictions created under the Declaration.

The Builder Guidelines contain the construction and development standards adopted by Terraces on Memorial Homeowners Association, Inc. and implemented through the TMARC. Prior to commencing design, the builder should refer to the property deed, the recorded subdivision plat and the Declaration. In addition, Terraces on Memorial is located within the boundary of the City of Houston and is subject to Houston's development ordinance. The City of Houston should be contacted prior to initial development to ensure compliance with all applicable regulations.

These guidelines apply to the attached and detached housing types in Terraces on Memorial. Where regulations are specific to attached or detached housing, they are identified as such.

In addition to compliance with the Declaration, all original construction, replacements, repairs and/or restorations of any improvements or any part thereof or property within Terraces on Memorial are subject to the prior approval of the TMARC and must comply with the Builder Guidelines which may change from time to time, as deemed necessary and appropriate in the sole discretion of the TMARC.

Terraces on Memorial is located in Harris County, which also has development regulations, including curb cut and driveway standards.

Compliance with all governmental regulations is the obligation of the builder.

## II. SITE PLANNING CRITERIA

The residential neighborhoods within Terraces on Memorial are designed to promote "street scenes" that are aesthetically pleasing in character and reflect the feeling of the neighborhood. Developing a "street scene" requires builders to coordinate their architectural designs and landscape styles in a manner that reflects street and neighborhood individuality while maintaining a level of continuity. The purpose of this section is to identify those elements that will influence the overall appearance of the neighborhood.

The builder shall be responsible for individual site development and maintenance including the area within the street right-of-way. On corner lots, the builder shall be responsible for both rights-of-way. Each builder shall be responsible for street cleaning and trash pick-up on the lots and immediate area where residences are being constructed.

### Site Massing and Exterior Elevations for Detached Single Family

- It is preferred that corner lots located at the principal entry of a neighborhood contain a single story residence. Because of its high visibility from the adjoining collector street, the TMARC will exert strict control over site elements such as exterior materials, residence orientation and driveway location.
- Where a single story occurs next to a double story residence, the common single story elements should be adjacent to each other. Whenever possible, all single story residences should include some variation of the ridge.
- When the public street system terminates in a cul-de-sac which abuts either landscape reserve, open space or an abutting street right-of-way, it is preferred that the end lots located on the cul-de-sac street shall contain a single story residence.
- Unless site conditions dictate otherwise, when a one-story residence occurs next to a two-story residence, it is encouraged that single-story elements be adjacent to each other.
- In the event that a two-story residence is constructed on a corner lot located at a principal entry, both elevations of the house facing each street must be 100% brick or permitted masonry.

### Housing Plan and Elevation Repetition for Detached Single Family Lots 55' Wide or Wider

The following three scenarios represent the Builder Guidelines for determining when a plan and elevation can be repeated within a subdivision.

- When building the same plan, same elevation, on the same side of the street or on both sides of the street, three (3) full lots must be skipped (see Illustration II-1).
- When building the same plan, different elevation, on the same side of the street, one (1) full lot must be skipped (see Illustration II-1).
- When building the same plan, different elevation, on both sides of the street, one (1) full lot must be skipped (see Illustration II-1).
- The TMARC reserves the right to reject an elevation that closely resembles that of a nearby home or in any way detracts from the overall street scene.

### Housing Plan and Elevation Repetition for Detached Single Family Lots Less Than 55' Wide

The following three scenarios represent the Builder Guidelines for determining when a plan and elevation can be repeated within a subdivision.

- When building the same plan, same elevation, on the same side of the street or on both sides of the street, three (3) full lots must be skipped (see Illustration 11-1).
- When building the same plan, different elevation, on the same side of the street, one (1) full lot must be skipped (see Illustration 11-1).
- When building the same plan, different elevation, on both sides of the street, one (1) full lot must be skipped (see Illustration 11-1).
- The TMARC reserves the right to reject an elevation that closely resembles that of a nearby home or in any way detracts from the overall street scene.

### Lot Coverage 11-1

- Buildings, driveways, walks and other structures shall not exceed 65 percent of the total lot area for standard single-family residential developments. Pools, spas and decks are not considered structures for the purpose of calculating the lot coverage. This criteria does not apply to the attached and patio products.

### Building Setback Lines

- Minimum building setback lines are established by the City of Houston's Development Ordinance and are reflected on the recorded subdivision plat. In determining the appropriate setback line for a specific building site, the builder should refer to the Declaration and the recorded plat. If there is a discrepancy between these two documents, the document specifying the greater setback lines of the two shall apply. Encroachment upon the established setback lines with residential structures and garages is prohibited. The TMARC may, in special cases, grant variances to building lines NOT specifically illustrated on the recorded plat. A variance may be allowed only if it can be demonstrated by the designers of a particular house that the variance will allow a significant positive contribution to the house design or, more importantly, to the site design of the community as a whole.

In instances where a utility easement is greater than the building line requirement, the greater setback shall apply.

- Rear yard setbacks for detached garages shall not extend beyond the recorded utility easement reflected on the appropriate recorded subdivision plat.
- Pool decks and walkways located in the rear yard are not considered encroachments to the side setback lines. However, a planted landscaped area, minimum three (3) feet in width, must be maintained between the property line and the aforementioned structures.

### Garage Placement for Single Family Detached

- Attached garages may not face the side street and must be placed on the opposite lot side from the side street on corner lots.
- In all instances, each residence within Terraces on Memorial shall provide enclosed garage parking for two (2) vehicles.

- Detached garages facing side streets are not allowed.

Driveways and garages are to be placed rear the property line farthest from the entry street, when a lot sides onto a neighborhood entry street or collector/loop street

#### Driveway Placement for Single Family Detached

It is the intention of these guidelines to require location of driveways so that they are not adjacent to common side property lines wherever possible. Refer to Illustration 11-3 for general driveway location plan. Exceptions will be made based on site related conflicts such as inlets, manholes, or street lights.

#### Utility Easements

- All single-family residential lots contain a utility easement for the distribution of electrical, telephone, gas and cable television service. In some instances, sanitary sewer lines are also placed within the utility easement. Utility easements are typically located along the rear lot line, although, selected lots may contain a side lot utility easement for the purpose of completing circuits or distribution systems. Both the recorded subdivision plat and the individual Lot survey should be consulted to determine the size and location of utility easements on a specific IA. Encroachment of structures upon the utility easement is prohibited.
- Generally, interior lots contain a seven (7) foot wide utility easement along the rear lot line. Perimeter lots or lots that back up to drainage facilities, pipeline easements, property boundaries and non-residential tracts typically contain a fourteen (14) foot wide utility easement.

#### Grading and Drainage

- Each lot shall be graded to conform to Type 'A' criteria; so that storm water will drain from the rear property line through the side yard and front yard to the abutting street and not across adjacent lots. Minimum grade shall be 1.0 percent. Exceptions will be made in those instances where existing topography dictates an alternate lot grading plan. The TMARC must approve all exceptions.

### III. ARCHITECTURAL DESIGN CRITERIA

Texas law does not presently permit the establishment of building codes in unincorporated areas. It is the intention, however, that all building construction in Terraces on Memorial be of the highest quality. As a minimum builders are required to warrant compliance with the International Building Code.

It is the intent of this section to establish basic criteria for the construction of residences within Terraces on Memorial. Emphasis is on quality of material, design and construction in order to promote well-crafted residences within the neighborhoods. The house footprint and the roof form should work together to provide variety and interest when viewed from the street. These Builder Guidelines allow for diversity in design and should produce a climate of individuality, while ensuring the architectural integrity of the community as a whole.

#### Foundations

- Minimum slab elevations are determined by, and should be coordinated with, the appropriate county agency. All foundation plans must be signed and sealed by a Texas Registered Professional Engineer.
- Prior to construction, a form survey should be undertaken to ensure that building setback lines are not violated.
- A soils test should be undertaken to ensure foundation quality prior to foundation construction.

#### Exterior Materials

- Samples of all finish materials must be submitted to TMARC for approval.
- All residences must be comprised of at least 51.0 percent masonry products, exclusive of windows, doors and other building openings.
- It is preferred that masonry coverage be 100% across the front elevation. At a minimum, the entire first floor of the front elevation exclusive of doors, windows and other building openings shall be masonry. The masonry shall extend proportionately around the sides and rear elevations of the building.
- The number of primary materials on the exterior will be limited to three (3), excluding roof shingles.
- Artificial, simulated or imitation exterior materials are not permitted without approval of TMARC.
- Changes in materials should have a logical relationship to the changes in the form of the house. It is preferred that no material changes occur at an outside corner, whether front or rear of a residential unit.
- Brick

Brick shall meet standard specifications established by the Brick Institute of America. These standards are found in the Selected Standards for Brick compiled by the American Society for Testing and Materials under designation C216-87. Copies may be obtained from the TMARC.

Brick shall be light or dark ranges in earth tone colors unless otherwise approved by the TMARC.

- Mortar Joints

All mortar joints shall be tooled. "slump" joints will not be allowed.

- Stone

The use of any type of stone on the exterior of a residence must be approved by the TMARC to ensure architectural compatibility within the neighborhood.

- Wood

All wood must be painted or stained, naturally weathered wood is prohibited. If a stain is used, a wood sealant must be utilized.

- Trim

All wood trim shall be smooth, high quality finish-grade stock, stained or painted as approved by the TMARC.

- Siding

Siding material may be Hardi Board or Hardi Plank and must be of horizontal lap type. Vinyl, diagonal, board and batten, plywood and particle board are prohibited. Nardi Board or Hardi Plank is not considered masonry and, as such, it cannot be included within the percentage of masonry materials required.

- Metal

Exposed metals shall be anodized aluminum, bronze, copper or painted galvanized steel.

- Stucco

Stucco may be used as an exterior wall finish, provided its detailing is consistent with the style of the architecture. Stucco must be uniform in color and compatible with all other exterior housing materials. For the purposes of this document, drivet is not considered as stucco, therefore, the use of drivel is hereby prohibited.

- Synthetic Materials

Synthetic materials such as metal siding, masonite and vinyl siding may only be used with the approval of the TMARC.

#### Privacy Walls

- Privacy walls must match dwelling unit materials and shall be no more than eight (8) feet in height. All privacy walls must have TMARC approval.

#### Window Treatment

- Wood or metal windows may be used. When metal windows are utilized, the finish shall complement the color and architectural style of the house.
- No reflective glass or glazing will be allowed on any front or side facade, or on any facade that is visible from the street or greenbelt/lake area.



- The use of tubular steel ornamentation or burglar bars on the exterior of any window is prohibited.

#### Roof Treatment

- Roofing materials used on all production homes shall be weatherwood in color.
- Wood shingles are strictly prohibited.
- Roofing materials will be 240# minimum 30 year warranty shadow profile composition shingle.

#### Rain Gutters and Drains

- The installation of rain gutters and drains is encouraged on all roof sections where runoff occurs which affects pedestrian entrances and walkways. Rain gutters and drains shall be integrated with the architectural design in color, shape and location. Drain pipes tied into the rain gutter downspouts must be screened from public view either by suitable material or by planted shrubs or ground cover.
- The use of a splash pad or hidden drain pipe is required. Form
- Gabled and hipped roofs of varying pitch throughout the residence is preferred. The minimum allowance of roof pitch shall be four (4) in twelve (12), except where a garden or deck is called for. Mansard roofs and other types of raised roof forms may only be used with special permission of the TMARC.
- Large front-facing gables are to be avoided unless they are broken into small scale elements.

#### Chimneys

- Fireplace chimneys must be constructed of materials that match the home in style and color and must meet or exceed the chimney standards set forth in the Southern Building Code.
- All chimneys shall have an appropriate metal or masonry cap

#### Exposed Roof Metal

- All stack vents and attic ventilators must be located on the side or rear slopes of roofs and mounted perpendicular to the ground plane. Vents and ventilators are not permitted on the front slopes of roofs. In cases where metal roofing is employed (following TMARC approval) roof accessories may be made of the same metal. All exposed metal roof accessories, stack vents, roof flashing, attic ventilators, etc. shall match roofing material color.
- A minimum number of vent stacks may be allowed on the side roof section of the house upon approval of the TMARC.

#### Skylights and Solar Collectors

- The location and design of all skylights shall be approved by the TMARC. It is preferred that skylights not be located on any roof slope visible from public view.

#### Antennae and Satellite Dishes

- Antennae utilized in receiving or transmitting signals of any frequency are not allowed on or attached to the roof or chimney and must be screened from public view when placed anywhere on a lot.
- Satellite dishes no larger than eighteen (18) inches in diameter may be allowed or attached to the roof or chimney so long as the satellite dish cannot be seen from the public street right-of-way that fronts or sides the residential unit. In the event it is impossible to receive a signal from these locations, the receiving device may be placed in a visible location as approved by the TMARC. The TMARC may require screening of the satellite dish while not substantially interfering with reception.

#### Garages

- Garages, at a minimum, shall have an interior dimension sufficient to accommodate the storage of two (2) full size vehicles at the same time.
- All garage doors should be of metal design and colored to complement the adjacent wall. Upgrade ornamental wood doors will be considered a case by case basis.
- It is preferred that garages on lots not be constructed adjacent to each other along an adjoining property line. Refer to illustration 11-3 for preferred locations of driveways.
- Attached garages may provide two single doors of equal size, separated by a column, or one double door.
- All detached garages shall be one (1) story in height, except in those instances where application for variance is made with the TMARC, and said variance is granted.
- Three (3) car garages are limited to those lots which can demonstrate through submitted plans to accommodate three (3) car garages.
- Where allowed, each three (3) car detached garage shall have one (1) double door and one (1) single door separated by a column.
- It is preferred that attached garages (with garage doors that parallel the street) situated on lots fifty-five (55) feet or more in width, be recessed from the front facade of the house a minimum distance of three (3) feet
- A detached garage must be connected to the residence by a breezeway or covered walk.
- Carports (porte cochere) constructed of the same building materials and as an integral part of the residence are acceptable. All other carports are prohibited.
- Windows with shutters or blinds may be required on the facade of a side or rear loaded attached garages to enhance the front elevation of the residence and the street scene.
- Garage doors containing windows are prohibited.
- Designs incorporating side or rear entry garages are encouraged to break up the monotony of multiple garage doors facing the street
- Attached garages cannot exceed the height or stories of the main dwelling.

#### Exterior Lighting Fixtures

- All exterior lighting fixtures visible from the street or greenbelt area must have the approval of the TMARC and should complement the architectural features of the residence.

#### Exterior Color Schemes

- All exterior colors must be submitted to and approved by the TMARC. The palette of exterior colors for each residence shall be selected to complement, coordinate or harmonize with the colors of building materials which are used in their natural state, such as brick, stone, copper, etc. The use of pastel colors or primary colors is not permitted. Paints or stains should be limited to a maximum of three (3) complimentary colors per residence.

#### Mechanical Equipment

- All air conditioning compressors, power and pool equipment should be completely screened from public view. Screening may consist of architectural or planting elements as approved by the TMARC.

#### Maintenance

- Each residence shall be maintained in a neat, clean, orderly condition by the builder/owner prior to and after the sale of such residence. Periodic repairs shall be made to correct any condition which suggests visual deterioration of a residence.

#### IV. LOT ELEMENTS

##### Driveways

- The lot builder is required to build driveways into the street right-of-way. To the extent possible, driveways are to be de-emphasized, highlighting instead the landscape environment
- Driveways for attached housing shall have landscape islands at the face of building between garages where possible. The goal is to break up the building elevation and visually reduce the expanse of pavement
- All driveway locations must be approved by the TMARC. Refer to Illustration 11-3 for preferred driveway locations for single family detached lots.
- Driveways may be paved with concrete or unit masonry although use of materials should be consistent with the architectural character of the entire neighborhood. The use of stamped or colored concrete, interlocking pavers, brick pavers and brick borders is encouraged, but must be approved by the TMARC. Asphalt paving is prohibited.
- Concrete driveways are to be a minimum four (4) inches thick over a sand base. A #6, six (6) inch by six (6) inch woven wire mesh shall be installed within the "drive-in" portion of the driveway between the curb and sidewalk. County specifications regarding driveway cuts and curb returns at driveway openings shall be adhered to.
- Driveways serving residences with attached side or rear loaded garages and/or detached garages shall be 10 feet in width (see Illustration 11-2).
- Driveways serving attached two car garages facing the street shall be 18 feet in width (see Illustration 11-2).
- Driveways located on adjoining lot lines must have a minimum six (6) foot of separation between the driveways.
- Driveways shall be located no closer than three (3) feet from the side property line. Driveways located nearer than three (3) feet to a side property line must receive approval from the TMARC.
- Driveways should not be constructed over inlets or manholes. In instances where this is unavoidable, compliance with county regulations, which may require inlet adjustment and/or upgrade, will be necessary.
- Driveway slopes should be uniform with smooth transitions between areas of varying pitch.
- The use of circular driveways is discouraged and will only be allowed by the TMARC where the width of the lot is sixty five (65) feet or greater and further that the builder requesting such driveway can demonstrate that there exists a minimum of fifteen (15) percent of green space within the front yard area. Under no circumstance may an entire front yard be paved as a driveway.

##### Sidewalks

- Sidewalks are required along both sides of local residential streets within Terraces on Memorial and are to be constructed by the builder in accordance with the specifications shown in Illustrations 1V-1 and 1V-2.

- Locations of sidewalks are not to be varied except where required to avoid existing trees or flush valves.
- Where sidewalks deviate from a straight line, gentle radii, instead of abrupt curves and angles, shall be utilized.
- Cold joints are not permitted. Complete pours between expansion joints are required.
- Manholes and valve boxes located within sidewalks shall be flush with the concrete paving. Adjustment of height may be required. If adjustments are required, the builder will coordinate with the district operator for such adjustment.
- Curb ramps shall be constructed by the builder at an corner lots in accordance with the specifications shown in illustrations IV-1 and IV-2.
- Where sidewalks cross driveways with decorative paving, the standard sidewalk design does not have to be carried through the driveway.

#### Walkways

- Walkways should be a complimentary component of the site architecture and should not compete visually with the house and/or landscape.
- A walkway at least three (3) feet in width and no more than five (5) feet in width shall be provided from the front door of the residence to the street curb of a detached garage product.
- Walkways to a unit which has an attached garage may tie the walkway to the driveway instead of extending the walkway to the public street.
- Walkways shall be constructed with unit masonry, quarried stone or concrete. The use of alternate materials shall require the approval of the TMARC. Asphalt walkways are prohibited.
- In those instances where a walkway parallels the front, side or rear elevation of a house, a planting area (a minimum two (2) feet in width) must be maintained between the house and walkway. In such cases, the planing area shall be planted with an appropriate plant material.
- Steps at elevation changes are required on walkway slopes exceeding 4.0 percent.
- Sidewalks shall not be visually or physically broken by crossing walkways.
- Meandering walks, fountains and statuary within the walk and front yard require TMARC approval.

#### Pools, Decks and Other Structures

- Swimming pools, spas, decks, and other ancillary structures are restricted to the rear yard and must adhere to the following guidelines.
- Pools, spas, decks, fencing, etc. must comply with all applicable governmental guidelines and restrictions.
- Swimming pool appurtenances such as rock waterfall, sliding boards, etc. must not exceed six (6) feet in height.

- Pool walls and decking shall not encroach on recorded utility easements. It is recommended that contact be made the Utility Coordinating Committee (UCC) prior to construction in or near utility easements.
- Pool decks may extend beyond the established side setback lines so long as an adequate area (minimum 3 feet) for landscaping and fencing remains between the deck and the property line.
- Swimming pools, spas and accompanying decks and equipment must be screened from public view, including streets and common areas. Screening must be -by-the-T-MARC-7...
- All other structures including gazebos, storage buildings, playhouses, decks, greenhouses, ) trellises, etc. must be approved by the TMARC and may require screening from public view. On lake lots, all other structures shall be attached to the main house structure.
- Portable or permanent above ground swimming pools are prohibited. Smaller, cated, installed above ground spas or hot tubs are acceptable.
- Pool structures that totally enclose the swimming pool area are discouraged and must receive approval from the TMARC.
- Fencing around a pool or spa must contain self-closing, self-latching, or locking gates.

#### Lot Fencing

##### General Guidelines

- Prior to construction of any fencing, refer to the Overall Fencing Plan (Illustration 1-2) for the correct fence type.
- The builder shall be responsible for installing a fence along the rear and side property lines of each residence, except where specifically stated otherwise, in conformance with the standards adopted for each lot type. When fences of differing heights or materials abut, the tie-ins must be in compliance with accepted fencing standards (see Standard Residential Wood Fence Illustrations N-9).
- Fencing for single family detached lots backing to other houses shall be consistent and homogeneous within a given rear yard. This may require the Builder to double face some fence to maintain consistency.
- To ensure compatibility of fence design throughout the community, all fences visible from the street which do not conform to the Builder Guidelines must be approved by the TMARC.
- Fence sides visible to the public must be the "finished" side.
- Side yard fences should be setback from the front elevation of the house a minimum of 10 feet and be coordinated to avoid offsets with the fencing on the adjacent lots.
- One single-sided hinged gate with latch shall be installed in the most appropriate side yard ( see Illustration IV-5).
- All fencing is to be staggered or stair-stepped down slopes. The tops of these fences are to be level with the horizon. Height levels should be changed at normal column spacing. Fences running parallel to the slope are not acceptable.
- Diagonal and horizontal fencing is prohibited.



#### Typical Interior Lot

- Typical interior lots require wood fences of at least six (6) feet in height to be constructed with quality (no used fencing) cedar and treated Dine in accordance with the specifications (see Illustration IV-3).
- Wood fences shall be installed in eight (8) foot panels and exposed rails along one common interior lot line to provide a uniform, attractive fence to each abutting property.

#### Typical Corner Lot

- The fencing located on the exterior lot side (lot side abutting the street) must be an upgraded wood fence with a trim cap (see Illustration IV-4).
- The upgraded wood fence must be located five (5) feet from the street right-of-way line and constructed from the rear lot line parallel to the street to a point located a maximum of 15 feet past the rear elevation of the house.
- Corner lots containing driveways that have access to the side street shall be fenced in accordance with options shown in Illustration IV-6.

#### Corner Lots at Neighborhood Entrances

- The fencing located on the exterior lot side (lot side abutting the landscape easement) shall be the upgraded wood fence with a trim cap (see Illustration IV-4 and IV-6).
- The upgraded wood fence must be constructed from the rear lot line adjacent to the landscape reserve to a point located a maximum 15 feet past the rear elevation of the house.

#### Lake Reserve Lot

- The builder will fence the entire rear lot line of all lots backing onto the lake with a four (4) foot tubular steel fence that conforms to the standards shown in Illustration IV-8 and IV-10. Side lot lines should be fenced in accordance with Illustrations IV-9 and IV-10. The rear 16'-0" of side lot lines of lots backing onto the lake shall have 48" ht. tubular steel fence. There shall then be a transition segment of 48" wood fence extending 1'-0" between 48" ht tubular steel fence and the 6'-0" ht. wood fence.
- Where lots side onto the lake, a four (4) foot tubular steel fence must be constructed along the common property line between the lake and such lots from the rear property line to a point 10 feet behind the front elevation of the house. Property lines not exposed to a lake shall be fenced with the standard residential wood fence. In those instances where a typical six (6) foot wood fence ties into a typical four (4) foot tubular steel fence, a height transition must be constructed, via a special seven (7) foot length of wood fence, in accordance with Illustration IV-9.
- Where a lot both backs and sides onto a lake it is considered to be backing onto the lake and shall be fenced accordingly.
- Hedgerows, if used for screening purposes, are to be planted inside the tubular steel fence and are not to exceed four (4) feet in height.

- Placement of fence gates within fences along the lakes are subject to approval by the TMARC.
- All shade structures in rear yards of the lakes lots shall be designed to be attached to the main house structure. All structures are subject to review and approval by the TMARC.





V. LANDSCAPE DESIGN CRITERIA

The builder is responsible for landscaping at areas of lots and the portion of the street right-of-way between the property line and the street curb. Plantings other than groundcovers and low growing ornamentals between the street curb and the paved sidewalk is discouraged in order to preserve adequate sight lines for motorists. Automatic irrigation systems for all residential lots is encouraged, but not required. Installation of all landscaping must occur immediately upon occupancy of the house or within 30 days after completion of construction, whichever occurs first. Installation of landscaping, including materials and workmanship, must be in conformance with acceptable industry standards.

Landscape Standards

The following landscaping standards are applicable to all typical lots. Planting materials for larger and/or oversized lots should be increased proportionally in plant size and quantity.

- Plant material used for landscaping shall equal or exceed the requirements of the ANSI Z60.1 "American Standard for Nursery Stock" and shall be installed in accordance with the standards established by the "American Association of Nurserymen."
- The front lawn of each completed residence shall be completely sodded with St. Augustine grass. Seeding, and/or sprigging is prohibited.
- The following plant criteria applies to the front yard of all single family detached lots:
  - o Two (2) trees, one of which must be a hardwood, with a minimum four (4) inch caliper when measured six (6) inches above grade shall be planted in the front yard of standard detached product. Patio product shall have two (2) trees with a minimum 4" caliper placed in the front yard. One of the trees shall be a Laurel Oak and it shall be installed between the curb and the sidewalk to create a street tree effect. Minimum tree height is fourteen (14) feet, minimum branch spread is 60 inches.
  - o Tree stakes must be made out of wood, two (2) inches in diameter by six (6) feet long.
  - o Minimum planting bed specifications include:
    - Minimum planting bed width is two (2) feet from the house foundation. Curvilinear planting beds are encouraged.
    - Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of 15 larger plants (minimum five (5) gallon), 30 smaller plants (minimum one (1) gallon) and three (3) 15 gallon plants.
    - The number of plants utilized shall be appropriate for the size of the planting bed. A maximum of seven (7) different species of planting may be utilized within a front yard.
    - All planting beds are to be mulched with 2" shredded, decomposed hardwood mulch.
    - The builder must submit landscaping plans or quantity lists on shrubbery plant that deviates from these standards to the TMARC for approval.
    - The number of plants shall be appropriate for the size planting bed. A maximum of seven (7) different species may be utilized within a front yard.
    - All planting beds are to be mulched with 2" shredded, decomposed hardwood mulch.

- Planting bed edging is not required, but is encouraged for maintenance purposes and to define the shape of planting beds. Loose brick, plastic, concrete scallop, corrugated aluminum, wire wicket, vertical timbers, railroad ties, etc., are not in character with the desired landscape effect and are prohibited. Acceptable edging is ryerson steel, brick set in mortar, horizontal timber (2 inches by 4 inches, 2 inches by 6 inches, 4 inches by 4 inches, and 4 inches by 6 inches), stone set in mortar laid horizontally and continuous and concrete bands.
- The use of gravel or rock in front yard planting beds is prohibited, except as a border when set in and laid horizontally as quarried or utilized for drainage purposes. Specimen boulders are permitted.
- Builders are not required to landscape the rear yards with trees and shrubs, except for landscape/reserve and lake lots.
- All landscaping is required to be maintained in a healthy and attractive appearance. Proper maintenance includes:
  - Mowing
  - Pruning
  - Weed control in lawns and planting beds
  - Adequate irrigation
  - Appropriate fertilization
  - Insect and disease control
  - Seasonal mulching of planting beds
  - Replacement of diseased or dead plant materials
  - Warranty of all planting materials

#### Corner Lots

Supplemental landscaping specifications for all corner lots include the following:

- Two (2) hardwood trees, with a minimum four (4) inch caliper when measured six (6) inches above grade or three (3) ornamental trees in 30 gallon containers are to be planted along the side street portion of corner lots. The trees are to be planted beginning at a point 10 feet from the rear property line or driveway, if applicable, on fifteen (15) foot centers, equidistant between the sidewalk and fence along the side yard (see Illustration V-1). The trees shall not extend beyond the front elevation of the house.

#### Lake Reserve Lots

Supplemental landscaping specifications for all lake reserve lots include the following:

- The rear lawn must be completely sodded with St Augustine grass.
- The rear yard shall be planted with a sufficient amount of shrubs so as to completely screen all housing foundations.
- One tree meeting the specifications established for front yards must be planted in the rear yard or side yard, according to which side of the lot faces the lake reserve lot.

#### Attached Housing

- Plantings must occur in fully planted beds (4'-0" min. wide) along the foundations or exposed slabs of all buildings. In general, building entries should be identified with more dense display of landscaping than other areas around the building. First floor patios should be provided with a

landscape hedge and a small tree to provide shade and some privacy. The area between building ends should be sufficiently planted with trees and shrubs to break up the large expanse of end walls. A complete set of planting plans shall be submitted to the TMARC for review and approval.

- The required front yard trees (2, see item above) shall be located such that one occurs between the sidewalk and the street curb. The intent is to create a common street tree scene in the attached housing sections. This tree shall be a Laurel Oak for all attached housing streets.

#### Screening

Mechanical and electrical devices, garbage containers and other similar objects visible from the street, common area, or located on property boundaries, must be screened from view by either fences, walls, plantings, or a combination thereof. Screening with plants is to be accomplished with initial installation, not assumed growth at maturity.

#### Plant list

A residential lot master plant list is to be used by homebuilders for assistance in selecting species for landscaping lawns and landscape easements. The plants listed are generally suitable to conditions in the West Houston area. However, in selecting plants from this list, careful consideration should be given to their cultural requirements as compared to the particular conditions they must endure in a given location. Any soil, water, or other tests necessary to determine the existing conditions on a particular site are the responsibility of the individual builder.

#### RESIDENTIAL LOT MASTER PLANT LIST

##### TREES

<u>Botanical Name</u>	<u>Common Name</u>
<i>Acer rubrum drummondii</i>	Drummond's Red Maple
<i>Betula nigra</i>	River Birch
<i>Carya illinoensis</i> & vars.	Pecan
<i>Cercis canadensis</i> & vars.	Redbud
<i>Crataegus marshalii</i>	Parsley Leaf Hawthorn
<i>Crataegus spathulata</i>	Little Hip Hawthorn
<i>Fraxinus pennsylvanica</i> vars.	Green Ash
<i>Ilex decidua</i>	Possumhaw
<i>Ilex opaca</i> & vars.	American Holly
<i>Ilex vomitoria</i>	Yaupon Holly
<i>Koelreuteria bipinnata</i>	Goldenrain Tree
<i>Lagerstroemia indica</i> vars.	Crape Myrtle
<i>Liquidambar styraciflua</i> & vars.	Sweetgum
<i>Ligustrum japonicum</i> (tree form)	Wax Leaf Ligustrum
<i>Magnolia grandiflora</i> & vars.	Southern Magnolia
<i>Magnolia soulangiana</i> & vars.	Saucer Magnolia
<i>Magnolia virginiana</i>	Sweet Bay Magnolia
<i>Myrica cerifera</i>	Southern Bayberry
<i>Parkinsonia aculeata</i>	Retama
<i>Pinus elliotti</i>	Slash Pine
<i>Pistacia chinensis</i>	Chinese Pistache
<i>Platanus occidentalis</i>	Sycamore
<i>Prunus caroliniana</i>	Cherry Laurel
<i>Pyrus calleryana</i> & vars.	Gallery Pear
<i>Quercus falcata</i> & vars.	Southern Red Oak
<i>Quercus nigra</i>	Water Oak
<i>Quercus laurifolia</i>	Laurel Oak

*Quercus nuttallii*  
*Quercus phellos*  
*Quercus shumardi*  
*Quercus texana*  
*Quercus virginiana*  
*Sapium sebiferum*  
*Taxodium distichum*  
*litmus crassifolia*

Nuttall Oak Willow  
 Oak Shumard Oak  
 Texas Red Oak  
 Live Oak  
 Chinese Tallow  
 Bald Cypress  
 Evergreen Elm

SHRUBS

Botanical Name  
 Abelia  
*Berberis thunbergii* "Crimson Pygmy"  
*Buxus microphylla japonica*  
*Camellia sasanqua* vars.  
*Chamaerops humilis*  
*Cleyera japonica*  
*Cycas revoluta*  
*Eriobotrya* x "Coppertone"  
*Fatsia japonica*  
*Feijoa sellowiana*  
*Gardenia jasminoides* "Radicans"  
*Ilex cornuta* vars.  
*Ilex dedidua*  
*Ilex vomitoria* & vars.  
*Juniperus* spp. & vars.  
*Lagerstroemia indica* (dwarf vars.)  
*Ligustrum japonicum* & vars.  
*Mahonia bealei*  
*Michelia figo*  
*Myrica cerifera*  
*Nandina domestica* & vars.  
*Nandina domestica* "Compacts"  
*Nerium oleander* (hardy vars.)  
*Photinia Fransen*  
*Pittosporum tobira* & vars.  
*Pyracantha* spp. & vars.  
*Raphiolepis indica* vars.  
*Rhododendrom* (Azalea) spp. & vars.  
*Viburnum japonicum*  
*Viburnum suspensum*  
*Yucca* spp. & vars.

Common Name  
 Abelia  
 Crimson Pygmy Barberry  
 Japanese Boxwood  
 Sasanqua Camellia  
 Mediterranean Fan Palm  
 Japanese Cleyera  
 King Sago Palm  
 Coppertone Loquat  
 Fatsia  
 Pineapple Guava  
 Dwarf Gardenia  
 Chinese Holly  
 Possumhaw  
 Yaupon Holly  
 Juniper  
 Dwarf Crapemyrtle  
 Wax Leaf Ligustum  
 Leatheneaf Mahonia  
 Banana Shrub  
 Southern Bayberry  
 Nandina  
 Compact Nandina  
 Oleander  
 Fraser's Photinia  
 Pittosporum  
 Pyracantha  
 Indian Hawthorn  
 Azalea  
 Japanese Viburnum  
 Sandankwa Viburnum  
 Yucca

GROUNDCOVERS

Botanical Name  
*Ajuga reptans* & vars.  
*Asparagus sprengeri*  
*Berberis thunbergii* "Crimson Pygmy"  
*Cyrtomium falcatum*  
*Gardenia jasminoides* "Radicans"  
*Hedera canariensis* & vars.  
*Hedera helix* & vars.  
*Juniperus* spp. & vars.  
*Liriope muscari* & vars.  
*Lonicera japonica chinensis*  
*Lonicera japonica* "Halliana"  
*Nandina domestica* "Harbour Dwarf"

Common Name  
 Ajuga  
 Asparagus Fern  
 Crimson Pygmy Barberry  
 Holly Fern  
 Dwarf Gardenia  
 Algerian Ivy  
 English Ivy  
 Juniper  
 Liriope  
 Purple Japanese Honeysuckle  
 Hall's Honeysuckle  
 Harbour Dwarf Nandina

Ophiopogon japonicus  
 Ophiopogon japonicus "Manus"  
 Pyracantha "Red"  
 Pyracantha "Ruby Mound"  
 Ruellia spp.  
 Trachelospernum Asiaticum  
 Trachelospernum asiaticum & vars.  
 Trachelospernum jasminoides & vars.

Monkey Grass  
 Dwarf Monkey Grass  
 Red Elf Pyracantha  
 Ruby Mound Pyracantha  
 "Katie" Ruellia  
 Asian Jasmine  
 Japanese Star Jasmine  
 Confederate Jasmine

VINES

<u>Botanical Name</u>	<u>Common Name</u>
Bignonia capreolata	Crossvine
Clematis dioiscoreifolia	Sweet Autumn Clematis
Campsis radicans	Trumpet Creeper
Clytostoma callistegioides	Lavender Trumpet Vine
Ficus pumila	Climbing Fig Vine
Geisemium sempervirens	Carolina Jasmine
Lonicera japonica chinensis	Purple Japanese Honeysuckle
Lonicera japonica "Haliana"	Hairs Honeysuckle
Lonicera sempervirens & vars.	Trumpet Honeysuckle
Millettia reticulata	Evergreen Wisteria
Rosa banksiae	Yellow Lady Banks' Rose
Wisteria sinensis	Chinese Wisteria

GRASS

<u>Botanical Name</u>	<u>Common Name</u>
Cynodon dactylon	Common Bermuda
Cynodon hybrids	Hybrid Bermuda
Festuca arundinacea	Tall Fescue Ky-31
Lolium multiflorum	Annual Rye Grass
Stenotaphrum sercumdatum & hybrids	St Augustine Grass

PERENNIALS

<u>Botanical Name</u>	<u>Common Name</u>
Aster frikartii	Frikarti Aster
Chrysanthemum maximums vars.	Shasta Daisy
Coreopsis spp. & vars.	Coreopsis
Cyrtomium falcatum	Holy Fern
Fern spp.	Fern
Gerbera jamesonii vars.	Gerbera Daisy
Hymenocallis spp.	Basketflower
Hemerocallis vars.	Daylily
Iris vars.	Louisiana Iris
Tulbaghia violacia	Society Garlic

ANNUALS

<u>Spring Planting</u> (March/April)	<u>Fall Planting</u> (October/November)
Geraniums	Calendula
Lantana montevidensis vars.	Pansy
Perwinkle	Snapdragons
Petunia (last only through May)	Dianthus
Purslane	Mums
Scarletta bogonia	

Marigolds  
Portulaca

WILDFLOWERS

Botanical Name  
Rudbeckia hirta  
Buchloe dactyloides  
Coreopsis  
Trifolium incarnatum  
Phlox drummondii  
Liatris pycnostachya  
Gaillardia pulchella  
Monarda citriodora  
Ratibida columnaris  
Verbena tenuisecta  
Cassia fasciculata  
Echinacea purpurea  
Lupinus texensis  
Castilleja indivisa  
Coreopsis lanceolata

Common Name  
Black-eyed Susan  
Buffalograss  
Coreopsis varieties  
Crimson Clover  
Drummond Phlox  
Gay Feather  
  
Indian Blanket  
Lemon Mint  
Mexican Hat Moss  
Verbena Partridge  
Pea Purple  
Coneflower Texas  
Bluebonnet Texas  
Paintbrush  
Tickseed

VI. MODEL HOME PARKS/SALES CENTERS

Location

The location of all proposed model home parks and/or sales centers must be approved by the TMARC. Proposed sites will be reviewed on an individual basis and, therefore, no specific criteria will be developed. However, various items that should be considered in selecting a location for a model home park or sales office are listed below.

- Project phasing should be considered when establishing the initial model home park. Additional sites should be selected to accommodate future sections or changes in market strategy and updated product lines. Care should be taken to protect marketing windows to varying products or phases.
- Lots on short cul-de-sacs or "bubble" streets located off of the main entrance street to a neighborhood serve as excellent sites for model home parks. These lots not only provide a cluster setting for the model homes but also allow the main entrances to the neighborhood to maintain an open and uncluttered appearance.
- Free-standing sales office (not in a model home) may be appropriately located on a lot near the primary entrance to a neighborhood but shall not, under any circumstances, be located or have access to an adjacent major thoroughfare or collector street.

Site Improvements

Model home parks and sales centers should be representative of the type of neighborhood environment the builder hopes to achieve. The project image is established by the way in which the model homes and sales office are handled. The following items should be considered when establishing a model home park and/or sales office.

- The Builder Guidelines established for all residences in Terraces on Memorial shall be maintained in model homes to ensure compliance when the models are sold. Temporary exceptions related to non-standard driveways, sidewalks, lighting, flags, flagpoles and other marketing related techniques will be considered by the TMARC on an individual basis.
- Free-standing sales offices must be of permanent-type construction and comply with these Builder Guidelines. The use of temporary structures or portable buildings is prohibited, except in the interim time period preceding the completion of a permanent sales office. The relocation of temporary sales offices are subject to the approval of the TMARC.
- Signage for model home parks shall conform to the City of Houston sign ordinance and be approved by the TMARC.
- Planting beds that are extended from one lot to another shall be constructed in a manner to avoid blockage of side lot drainage.

VW SITE MAINTENANCE DURING CONSTRUCTION

During construction, each lot in Terraces on Memorial shall be maintained in a neat, clean and orderly condition by the builder. The builder shall place a minimum of one (1) wire basket large enough for trash and construction debris containment within the boundaries of the lot on which the house is being constructed and such debris must be removed from each lot as often as necessary to maintain attractiveness of the construction site. Construction debris, including excess concrete, may not be burned, dumped or disposed of in any area of the development unless a specific location for such a purpose is designated in writing by the TMARC. Guidelines developed by the Houston Clean Builder Program are available upon request from the developer or from Clean Houston.

Sediment Control

Upon closing, the builder is required to obtain coverage under the current Texas Commission on Environmental Quality (TCEQ) NPDES General Permit for Storm Water Discharges from Construction Activities. The builder must implement and/or maintain the best management practices necessary to minimize storm water runoff pollution from entering the existing storm water facilities including, but not limited to, storm sewers, channels, detention ponds and lakes. The builder shall use every effort and method to ensure that no muddy or silted water, trash or debris enters any lake or channel environment.

Each builder is responsible for compliance with any and all applicable governmental regulations. Each builder is also responsible for sediment control compliance by all of his sub-contractors.

As soon as earthwork commences which destroys the natural vegetative cover on any portion of a building tract, one of three basic sediment control methods shall be installed in such a way as to filter all storm water run-off from the tract into the street. The sediment control system shall remain in place and in good repair until construction and landscaping is complete. If the TMARC determines that a builder has not maintained his sediment or drainage course, the builder will be assessed the cost of clean up.

Builders may choose any of the following sediment control methods:

- A continuous strip of solid grass sod, three (3) feet in width, may be planted behind the curb and along the sides of driveways (if existing). Also, side yard swales should be fully sodded to accommodate sheet flow drainage from the rear lot area.
- Temporary sediment fencing may be constructed on the site out of wire mesh and burlap (see Illustration V11-1), or a commercially manufactured fencing product (such as Enviro-Fence) may be used. Whichever fencing material is selected, it shall be securely anchored below the surface elevation of the ground so that any storm water sheet flow must pass through the fence material or be trapped behind it, and,
- Standard rectangular bales of hay, firmly bound, may be placed as described below and behind the curb of the street along the entire frontage of the lot. Bales shall be placed in a continuous row, with ends tightly abutting the adjacent bales. Vehicular access to the construction area should be limited to designated entries, where gaps may be created by off-setting and overlapping rows in such a way as to intercept the storm water sheet flow. Each bale shall be embedded in the soil a minimum of four (4) inches. Bales shall be securely anchored in place by stakes or re-bars driven through the bales. The first stake in each bale shall be angled toward the previously laid bale to force the bales together (see Illustration VII-1). Daily inspection should be made the contractor. Repair or replacement shall be made promptly as needed.



#### Protection of Existing Trees and Development

The builder shall exercise care during construction to avoid the removal of or damage to existing trees. The following procedures are to be utilized to ensure the survival and health of trees existing on site:

- Trees existing on individual building sites should be evaluated carefully to determine their desirability and suitability to the proposed design. No trees measuring six (6) inches in caliper at point six (6) inches above ground level may be removed without prior approval of the TMARC unless located within five (5) feet of the building foundation or within two (2) feet of sidewalks, driveways or other flatwork. The TMARC has the authority to require that houses, driveways and garages be staked out and that such setting be approved before any tree cutting is done or any construction site work is begun. Trees that are selected to be preserved on building sites, must be adequately protected from damage during construction. Work done in esplanades or landscape reserves (to connect utilities, etc.) must protect existing plantings, berms, etc. Existing adjacent developments must be protected by erecting a temporary fence along or parallel to the property line. Builders will be responsible for the repair and/or replacement of trees, plants, sidewalks, lights, etc., damaged during construction.
- A tree protection fence shall be erected around all trees with a caliper of six (6) inches or greater as far from the trunks as possible, ideally at the dripline of the tree. The tree protection fencing is to be constructed prior to the beginning of any construction including clearing and grubbing. Protection fences shall not be removed without approval of the TMARC.
- Trenching or boring near protected trees should be avoided if at all possible. When necessary, care should be taken to avoid damaging the trees root system by hand trenching.
- No materials or equipment of any sort may enter or be stored within the fenced protection area, or dripline of the tree. Potentially toxic materials such as solvents, paints, gasoline, etc., shall not be poured on the ground near the dripline of the trees;
- Care should be taken when working in the vicinity of trees in order to prevent damage to trunks, branches, or foliage. No nails, bolts, ropes or guy wires shall be attached to any trees.

#### Temporary Buildings

Temporary buildings are permitted for use only during construction of permanent buildings, streets, utilities and driveways. The temporary buildings may be used only for a temporary sales office, construction offices, security offices, storage of tools and equipment and toilets. The location, design and general appearance of all temporary buildings must be approved by the TMARC. All temporary buildings must be placed a minimum of 25 feet off of the street right-of-way. No temporary building may be located in a landscape setback. Temporary buildings must have access from hard paved or temporary gravel driveways. Since on-street parking is not permitted along major thoroughfares throughout the Terraces on Memorial, it may be necessary to provide off-street parking for construction crews.

The developer will determine the location of the builder compound and the assignment of sites.

#### Clean Out Site

The developer will determine the location of the concrete clean out area. Under no circumstance shall any builder allow the clean out of trucks at any location other than the developer designated clean out site.

## VIII. PLAN SUBMISSION AND APPROVAL

The official submittal of plans and specifications to the TMARC is to provide a review process for conformance to the Builder Guidelines and standards adopted by the TMARC. The TMARC reserves the right to alter the review process in order to ensure an adequate review of all submissions. The design for residences must be approved in writing by the TMARC before construction of a residence can begin.

All new construction, subsequent construction, remodeling with exterior exposure, expansion, and demolition of structures must be reviewed and approved by the TMARC prior to commencement of any on-site building or construction activity.

### Initial Review

The builder is required to submit an initial 'one-time plan approval package' of all plans to be offered in Terraces on Memorial. This package shall include all items listed in Phases I and II below.

The builder is required to submit complete and accurate design and construction documents for examination by the TMARC. Submittals are to be made in two phases prior to the construction of or any exterior improvement upon any residential lot or parcel.

Minimum submittal requirements for each phase are as follows (additional information is encouraged):

#### Phase I

- Plan Submittal Form (see enclosed)
- Schematic site plan including
  - Site plan including location of trees greater than 8" in diameter
  - Building setbacks, easements and r.o.w. identification (survey)
  - Utility service locations
  - Siting of improvements/fencing
- Preliminary plans including:
  - Floor plans % in. = 1/8" minimum scale
  - Exterior elevations % in. = 1/4" - 3/8" minimum scale
  - Outline specifications describing all exterior materials to be used on the project

#### Phase II

- Construction documents and specifications including:
  - Final architectural plans of drawings listed under Phase I above
  - Site plan at appropriate scale
  - Final specifications
  - Submittals of material samples and color palette
  - Foundation designed and sealed by the Registered Professional Engineer
  - Landscape planting plan

Submittal of floor plans at 1/8" scale is acceptable as long as detail is readable, otherwise a 3/8" scale plan will be required.

Each submittal shall consist of two (2) sets of blue-line prints and supplementary specifications. Only complete sets will be reviewed.

A sample of each building material intended for use must be submitted as well.

### On-Going Review

For repeat floor plans in Terraces on Memorial, the submittal of a complete package for TMARC approval is not required provided the initial plan has received prior TMARC approval. For repeat floor plans, the builder is required to submit a Plan Submittal Form which references the plan number, exterior elevation, materials and exterior trim colors, as well as any other items particular to

the site not previously approved. In addition, a site plan must be provided which reflects the building footprint, setback requirements, building lines, driveway location and fence locations.

The Builder or his agent has complete responsibility for compliance with all governing codes and ordinances.

#### Approval Time Lines

The TMARC shall review and approve, in writing, each submittal or recommend revisions to those aspects of the plans that are inconsistent with the Builder Guidelines.

The review and approval process shall not exceed the following time constraints:

##### Initial Review

###### Phase I

Plan Submittal Form	
Schematic Site Plan	
Preliminary Building Development Plans	15 Days

###### Phase II

Construction Documents	15 Days
------------------------	---------

##### On-Going Review – Production Product

Plan Submittal Form	
Schematic site plan	
Construction documents (if applicable) (if applicable)	10 Days

All time frames above are contingent upon receipt of g complete submittal package.

These shortened time frames, as compared to the Declaration, are being made available to the builders for initial construction and may be revoked.

Construction shall proceed only after approval of the final set of drawings and specifications. Changes that occur during actual construction that differ from approved drawings will require alterations at the builder's expense to restore compliance with approved drawings. No drawings are considered approved unless they are approved in writing by the TMARC.

No response within 30 days is an automatic refusal.

#### Approval - Variances

The TMARC reserves the right to authorize variances to the Builder Guidelines and/or any other of its guidelines or procedures when circumstances such as topography, natural obstructions, or aesthetic or environmental considerations require. No such variance shall (a) be effective unless in writing; (b) be contrary to the Declaration; or (c) prevent the TMARC from denying a variance in other circumstances. Persons reviewing applications under these Builder Guidelines will change from time to time, and opinions on aesthetic matters, as well as interpretation and application of the Builder Guidelines, may vary accordingly. In addition, it may not always be possible to identify objectionable features of proposed work until the work is completed, in which case it may be unreasonable to require changes to the improvements involved. The TMARC may, however, refuse to approve similar proposals in the future. Approval of applications or plans for any work done or proposed, or in connection with any other matter requiring approval, shall not be deemed to constitute a waiver of the right to withhold approval as to any similar applications, plans, or other matters subsequently or additionally submitted for approval.

Project Directory

Developer

Tivoli Development, L.P.  
1300 Post Oak Blvd., #820  
Houston, TX 77056

Engineer

Carter and Burgess, Inc. 55  
Waugh Drive, #300  
Houston, TX 77007-5833

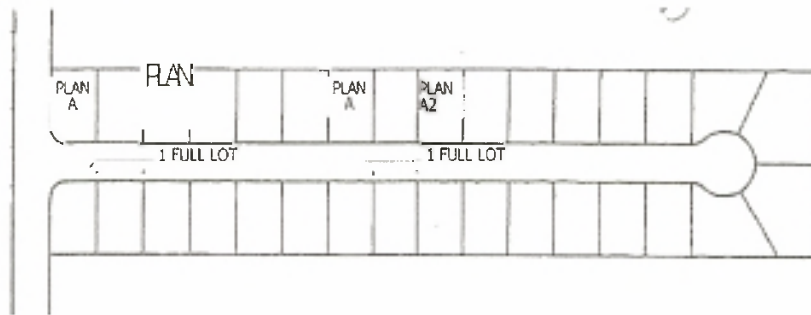
Land Planning

Kerry R. Gilbert & Associates, Inc.  
15810 Park Ten Place, Suite 160  
Houston, Texas 77084

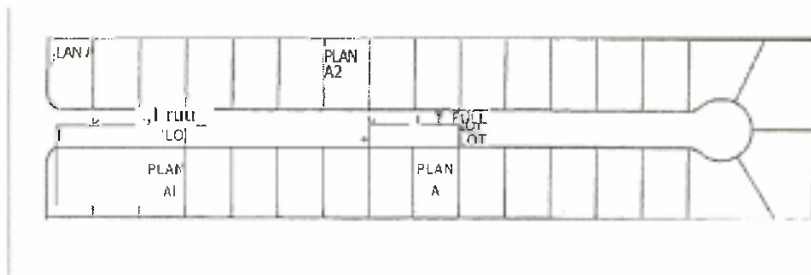
Landscape Architect

KGA DeForest Design, LLC  
15810 Park Ten Place Suite 160  
Houston, Texas 77084

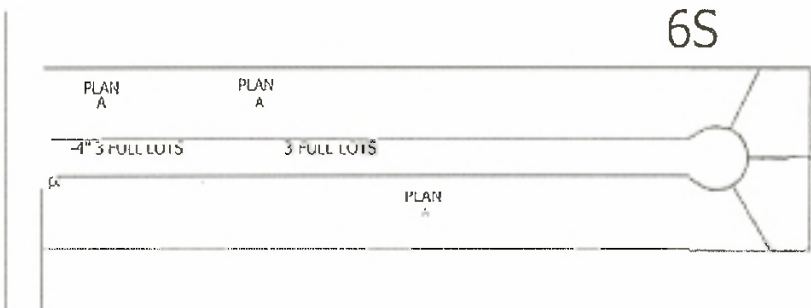
I. SAME- PLAN, DIFFERENT ELEVATION, SAME SIDE



SAME PLAN, DIFFERENT ELEVATION, OPPOSITE SIDE



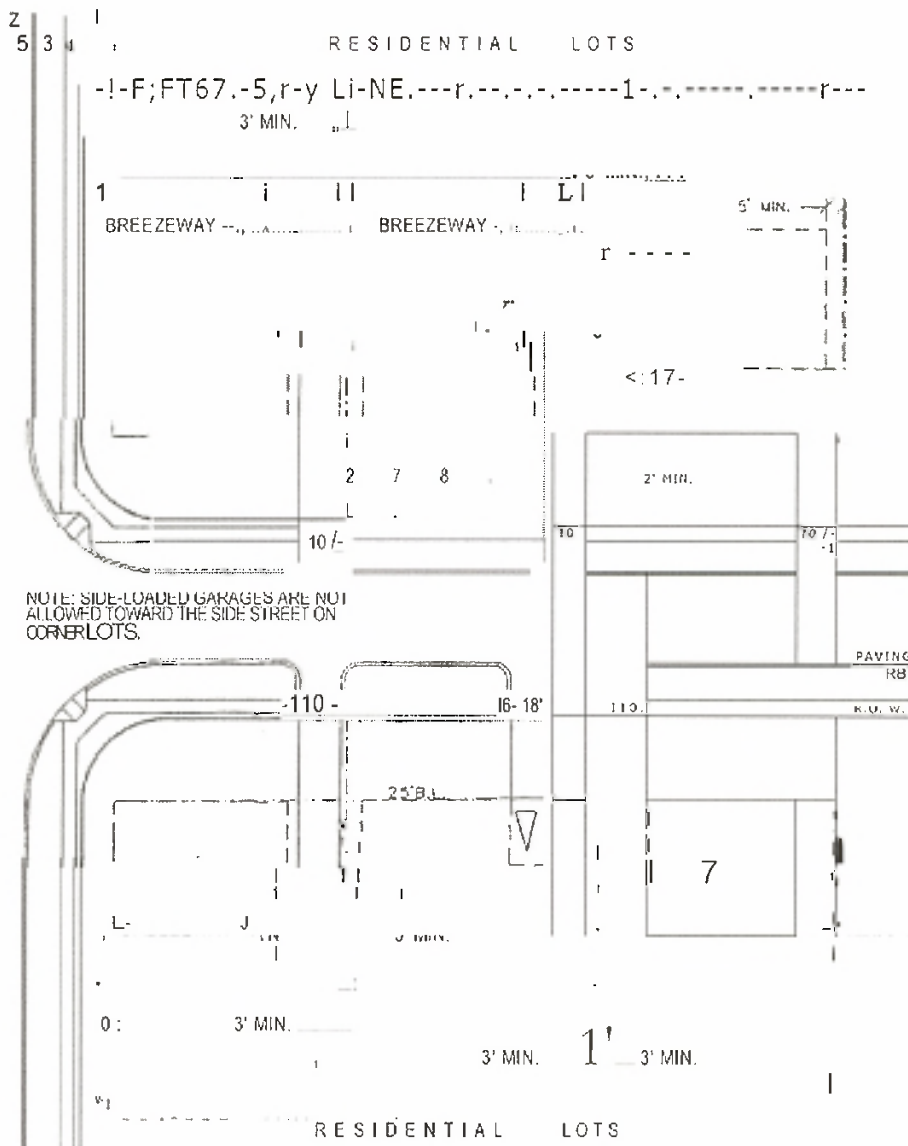
a SAME PLAN SAME ELEVATION SAME OR OPPOSITE SIDE



NOT FOR ILLUSTRATION PURPOSES ONLY  
 REFER TO CONSTRUCTION PLAN 1:20  
 COMPLETE DIMENSIONS AND SPECIFICATIONS.

**H•USING PLAN AND  
 ELEVATION REPETITION**

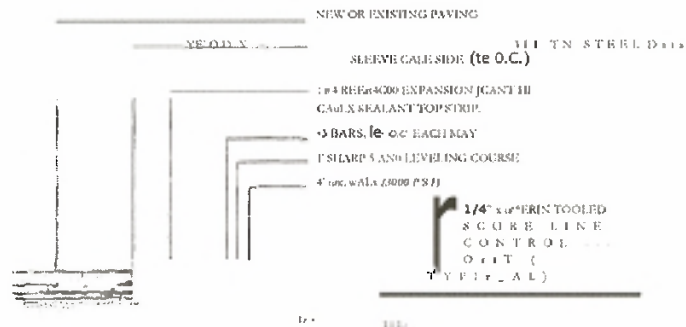
**ILLUSTRATION 11-1**



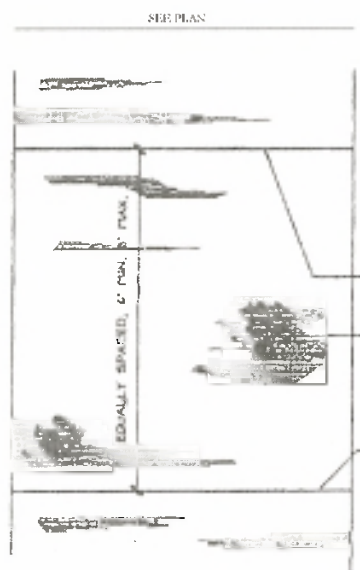
NOTE FOR ILLUSTRATION PURPOSES ONLY.  
 REFER TO CONSTRUCTION RUMS FOR  
 COMPLETE DETAILS AND SPECIFICATIONS

**GARAGE AND DRIVEWAY  
 PLACEMENT**

ILLUSTRATION 11-2



SECTION



PLAN

- NOTE:
1. 64-44619 REPRESENTATIVE SHALL BE NOTIFIED PRIOR TO 151 POUR AND BE ON SITE TO APPROVE CONCRETE.
  2. REFER TO PLANS FOR PIGTAILS OF WAG.
  3. LOCATE EXPANSION JOINTS AT:
 

6'-0" O.C. IN	14' ALK 5
0' C. IN	14' ALK 5
12'-1"	4' ALK 5
  4. LOCATE CONTROL JOINTS AT:
 

0'-0" O.C. DIAM. OF KALKS, 5'-0"	14' ALK 5
0' C. IN 5'-0" 14' ALK 5 (14'-0"	14' ALK 5
0' C. IN	14' ALK 5

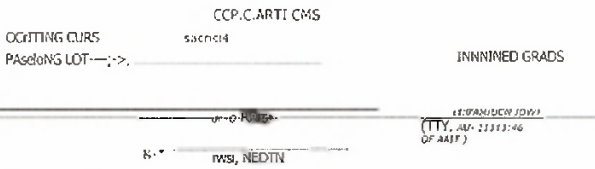
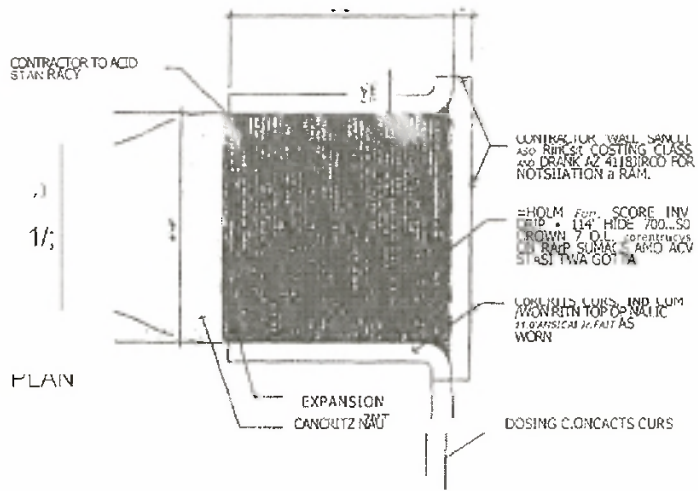
- 1 REC-600 EXPANSION JOINT - CR1 GALAX SEALANT STRIP
- 1/4" x 1/2" BRUSHED PERPENDICULAR TO DIRECTION OF PAVEMENT
- 1/4" x 1/2" TOoled CONTROL JOINT

SEE ILLUSTRATION IV-2 FOR HANDICAPPED RAMP DETAIL

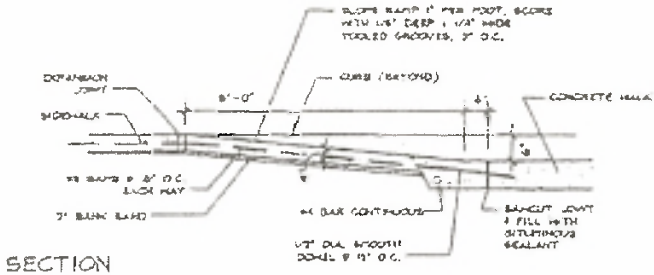
FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS

SIDEWALK DETAIL

ILLUSTRATION IV-1



ELEVATION



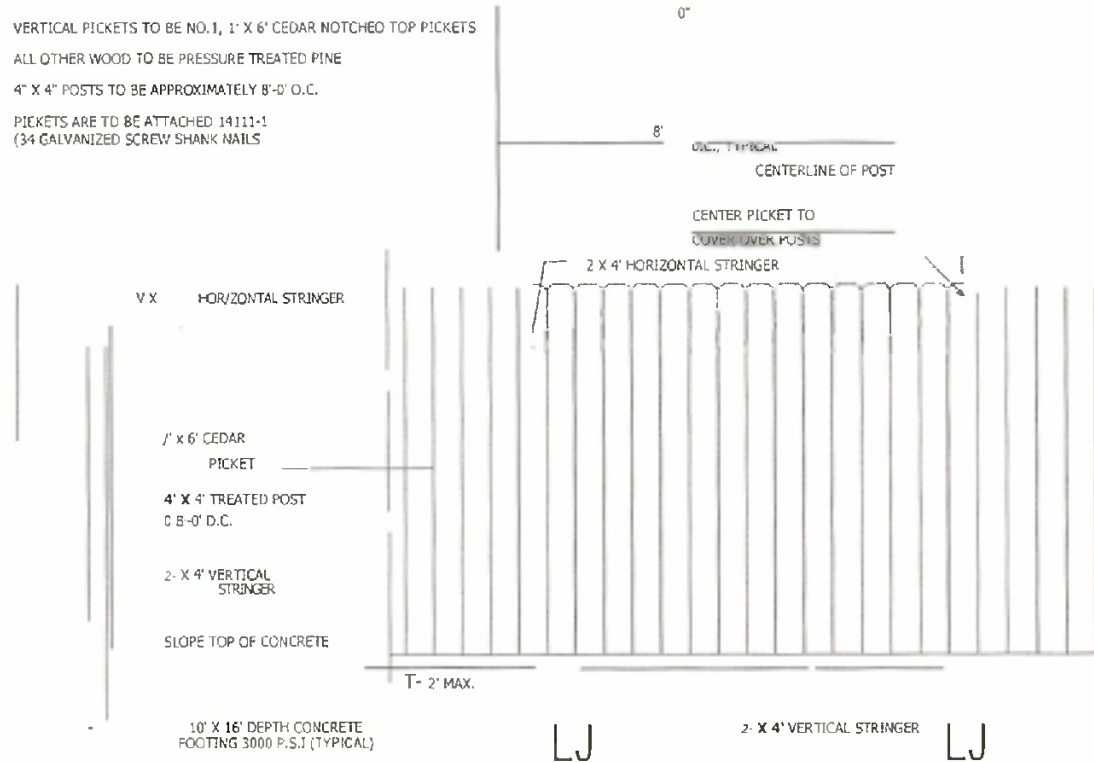
SECTION

more FOR ILLIARRATION PURPOSES ONLY. REM TO CONSTRUCCION MAWS FOR COMPLETE DETAILS AND SPECIFICATION&



NOTES:

- 1) VERTICAL PICKETS TO BE NO. 1, 1" X 6" CEDAR NOTCHED TOP PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) 4" X 4" POSTS TO BE APPROXIMATELY 8'-0" O.C.
- 4) PICKETS ARE TO BE ATTACHED 14111-1 (34 GALVANIZED SCREW SHANK NAILS)



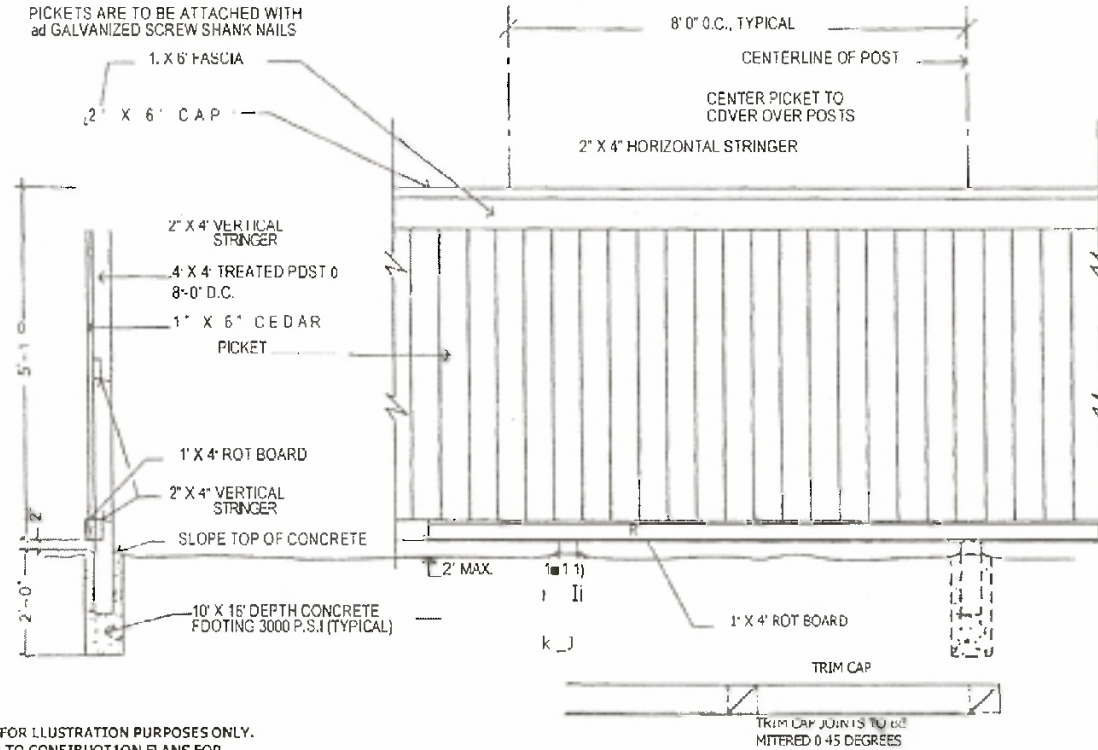
NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE MASA AND SPECIFICATIONS.

STANDARD RESIDENTIAL WOOD FENCE

ILLUSTRATION W-3

NOTES:

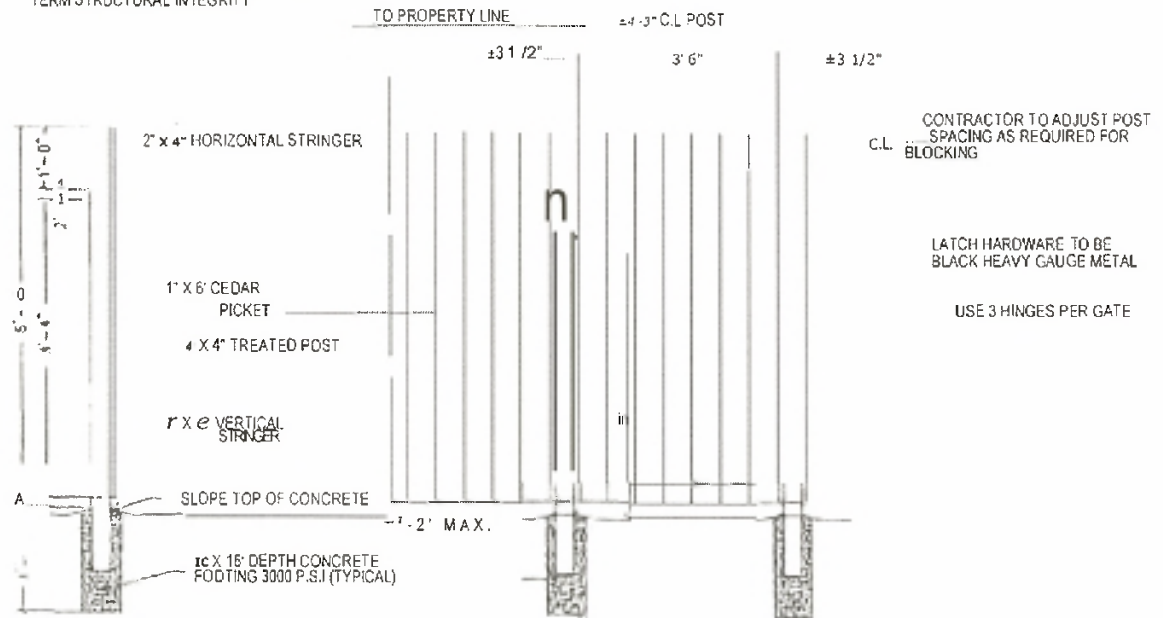
- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) 4" X 4" POSTS TO BE APPROXIMATELY 8'-0" O.C.
- 4) PICKETS ARE TO BE ATTACHED WITH GALVANIZED SCREW SHANK NAILS



NOTE FOR ILLUSTRATION PURPOSES ONLY.  
 REFER TO CONSTRUCTION PLANS FOR  
 COMPLETE DETAILS AND SPECIFICATIONS.

NOTES:

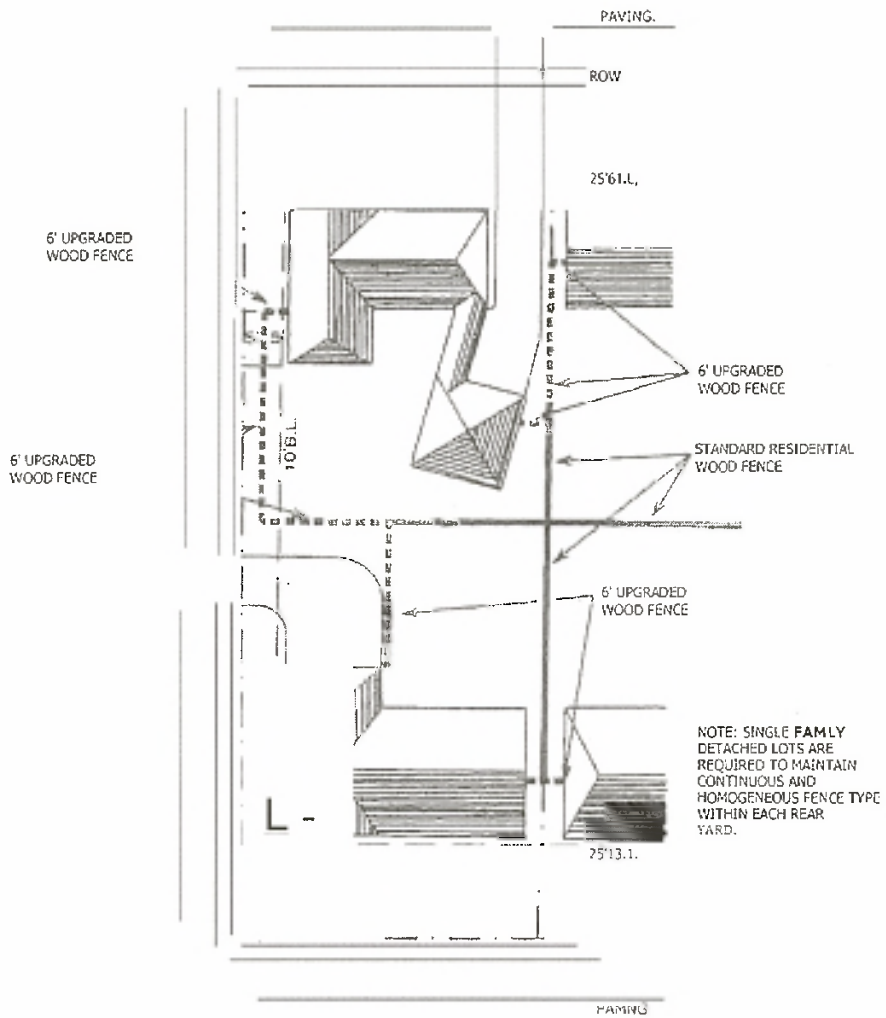
- 1) VERTICAL PICKETS TO BE NO.1. 1" X 6" CEDAR NOTCHED TOP PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) PICKETS ARE TO BE ATTACHED WITH 8d GALVANIZED SCREW SHANK NAILS
- 4) ADD VERTICAL SUPPORTS, CROSSBRANCHING & METAL PLATES AS REQUIRED FOR LONG-TERM STRUCTURAL INTEGRITY



NOTE FOR ILLUSTRATION PURPOSES ONLY.  
 REFER TO (CONSTRUCTION PLANS FOR CONFUTE  
 MAIIS AND SPECIFICATIONS.

**STANDARD RESIDENTIAL HINGED GATE**

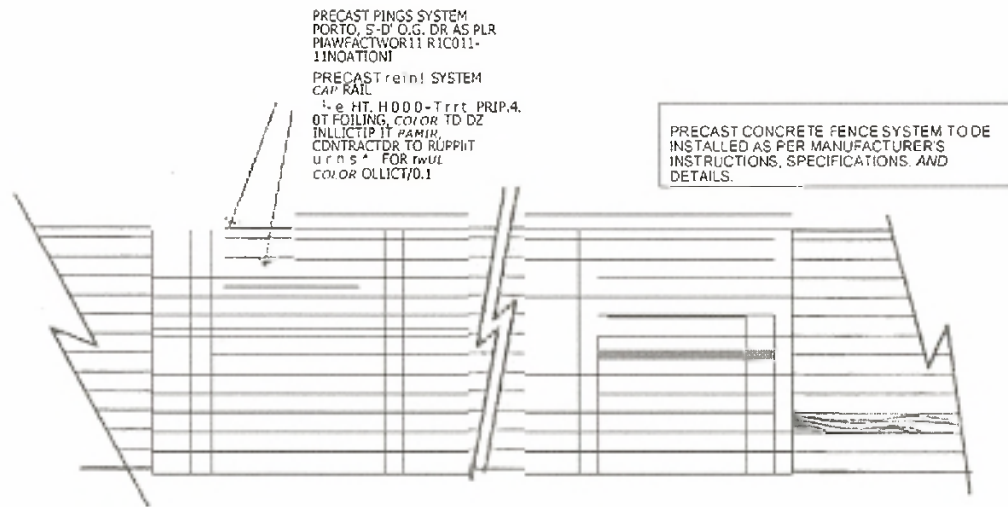
**ILLUSTRATION IV-6**



NOTES FOR INFORMATION PER: HDC26-X.  
 REFER TO CONSTRUCTION DETAILS FOR COMPLETE  
 DETAILS AT CONSTRUCTION.

**SID LOT FENCING SETBACK/  
 C FINER LOTS**

**ILLUSTRATION 111-6**



NOTE FOR ILLIARRATON PURPOSES ONLY.  
 AUER TO CONSWLIIOTIION PLANS FOR  
 COUPLETE DMUS AND SPECIFICATIONS.

8' PRECAST CONCRETE FENCE

ILLUSTRATION IV-7