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Walker County
Kari A. French
Walker County Clerk

Instrument Number: 70391

Real Property

AMENDMENT

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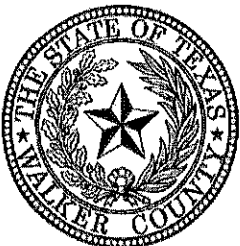
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DEER FOREST



STATE OF TEXAS
COUNTY OF WALKER

I hereby certify that this Instrument was FILED In the Instrument Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Walker County, Texas.

Kari A. French
Walker County Clerk
Walker County, TX



DEER FOREST

AMENDED
SITE AND BUILDING REQUIREMENTS

Dated: 07/13/2021

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I. Deer Forest Master Plan

Deer Forest, is a master planned acreage community designed for an exceptional living environment with enduring property and building values. The developer, Republic Grand Ranch LLC., has prepared these Site & Building Requirements to help ensure that property owners' building designs are complimentary to the architecture and environment of the subdivision. These Site & Building Requirements are first and foremost for the protection of each owner at Deer Forest. They serve as a set of established and detailed requirements that promote the successful build out and maintenance of the community.

These Site & Building Requirements and the Covenants, Conditions, and Restrictions (CCRs) for Deer Forest establish particular principles and certain standards to be observed by all property owners and users in the subdivision.

The Architectural Review Committee (ARC) has the authority to review, evaluate, approve and/or deny/reject all plans and specifications including finalizing of construction prior to occupancy, for all proposed construction and future improvements and alterations within the subdivision. The ARC also has the authority to enforce, at its sole discretion, the Conditions Covenants and Restriction and these Site & Building Requirements for Deer Forest, as well as levying and collecting the fines and other consequences against those who do not act in accordance with these rules and regulations, including but not limited to retaining conformance /damage deposits for damage done to roads, drainage easements, neighboring properties, etc. These Site & Building Requirements are to be used by the ARC in the review of builder or owner plans.

Creativity and flexibility of architectural and landscape design, tailored for individual use within the framework of the subdivision's intent, are strongly encouraged. The ARC is prepared to cooperate with property owners and their agents by providing information, ideas, and suggested methods for accomplishing mutual development goals. Requirements of construction and landscaping, as well best practices and effective recourse options can be found in each section of these Site & Building Requirements.

These Site & Building Requirements and the CCRs have been carefully formulated to assure an attractive, rewarding environment for all its users and to ensure the best possible safeguards for the continuing appreciation of property values.

II. Site & Building Requirements

1.0 Introduction

These Site & Building Requirements serve as a supplement to the CCRs. They illustrate, define and detail the design objectives for a unified, harmonious style for Deer Forest. The information in these Site & Building Requirements is presented as a convenient reference to assist property

owners, their architects, engineers and designers in the most advantageous adaptation of Deer Forest CCRs for development and construction.

Location, size, style, color, and types of signs, buildings, walls, vegetation, ornaments, drainage, building materials and other design elements are described in the following pages. Illustrative examples and descriptions are meant to ensure an orderly and a well-maintained sense of community and spaciousness.

In addition to the Site & Building Requirements, a Builder's Reference is available, through the ARC, to assist builders in understanding the Deer Forest construction requirements, as well as the sequence of the requirements. The builders are encouraged to request a copy of the Builder's Reference as a tool to streamline the interaction between the Builder and the ARC/POA.

1.1 Architectural Review Forms, Fees, and Inspections

Prior to any lot work requiring heavy equipment (any vehicle with tires larger than passenger vehicles, including metal track equipment), the new home application and all fees and permits must be submitted and approved, the owner/builder shall then determine the location and sizing of the permanent which must be installed before any heavy construction machinery may enter upon any home site. Driveway culvert sizing has been approved by Walker County and a copy of the individual lot culvert sizing requirements are available upon request. The ARC shall be notified prior to any culvert installation and the installation shall not be authorized until a damage deposit has been received, as required in the Site and Building Requirements.

Vegetation-clearing machinery, on rubber tires and no larger than a pick-up truck, may enter upon a home site prior to culvert installation for the purpose of clearing underbrush, defined in Section 4.1, Lot Clearing, without approval from the ARC or posting a Damage Deposit. Vegetation-clearing machinery on tracks shall be considered heavy construction machinery and may not enter upon any home site without ARC notification and receipt of a Damage Deposit.

A form survey is required upon the setting of the form boards for any Dwelling on a Lot and must be approved by the ARC prior to any vertical construction on the Lot.

All forms and applications for building are available on the Deer Forest Association's online portal.

The Fees required for various building and improvement activities include:

Fees:

- Underbrush clearing Fee - \$250, plus \$1,000 damage deposit (refundable)
- New Home Application Fee – \$1,000
- Additional Modification Application Fees, including fences, pools, etc. \$250 Fee, plus \$1,000 damage deposit (refundable)

- Conformance/Damage Deposit Fee \$3,500 (Refundable post-final inspection, less damages). However, this conformance/damage deposit is paid by all Approved Builders at no cost to the owner.
- Variance Request Fee - \$250 (Non-refundable)
- Re-Inspection Fee - \$150 (if due to builder error)
- Additional fines and fees may be incurred for damages to property or trees

Fines:

Placement of any Construction Items in Ditches, R.O.W, or Easements	\$500/day		SBR 2.5
Installation of Culvert Without Authorization	\$500.00		SBR 2.7
Materials Delivered to Site Without Culvert Installed	\$500.00		SBR 2.7
Driveway Constructed with Non-Approved Materials	\$1,500.00		SBR 2.7
Fence Constructed without ARC Approval	\$500.00		SBR 2.9
Fence Constructed – Not in Compliance	\$500.00 min		SBR 2.9
Site Clean-up by POA (After written notice to Owner)	Cost + 10%		SBR 3.1
Ditch Clean-up by POA (after written notice to Owner)	Cost + 10%		SBR 3.1
Clearing Prior to ARC Approval and Conformance/Damage Deposit on file	\$500.00/day \$5000.00 max		SBR 3.1
Dwelling not Built to Approved Plans	\$10,000.00		SBR 3.1
Occupying Dwelling Prior to Passing Final Inspection	\$250.00/day \$5000.00 max		SBR 3.1
Chimney Constructed with Non-Approved Materials	\$2500.00		SBR 3.6
Garage Doors not Approved by ARC	\$100.00/day \$5000.00 max		SBR 3.8
Accessory Building not in Compliance w/ARC Approval	\$1500.00 min.		SBR 3.9
Clearing Within A “No Clear Zone”	\$5000.00 Restore Vegetation	CCR 2.13	SBR 2.0 SBR 4.1
Outdoor Lighting not in ARC Compliance	\$300.00 per day		SBR 4.2
Burning During a Burn Ban	\$2000.00		SBR 4.3
Fires Left Unattended	\$500.00		SBR 4.3
Trees Damaged from Burning	\$1500.00 per Tree		SBR 4.3
Clearing Trees or Vegetation on Adjoining Property	\$1500.00 per Tree		SBR 4.4
Adverse Effect Caused by Improper Drainage Design	\$1500.00		SBR 4.8
Not in Compliance with SWPPP Permit	\$500.00 min.		SBR 4.8
Failure to Maintain Erosion Control	\$500.00		SBR 4.9
Construction Prior to ARC Approval and Conformance/Damage Deposit on File	\$500.00/day \$5000.00 max	CCR 4.1(a)	SBR 5.0
Washing Concrete Outside of On-site Washout Box	\$500.00		SBR 4.10
Failure to Clean Site of Trash Daily	\$20.00/day \$500.00 max		SBR 5.1
Failure to Maintain the Appearance of Buildings & Lot	Cost + 10%	CCR 3.24	

Inspections: There are THREE REQUIRED inspections that will take place onsite, all of which must be completed prior to any refund of the conformance/damage deposit:

- (1) Pre-Construction Meeting – takes place prior to any construction on a Lot, with the exception of light underbrushing.
- (2) Pre-Pour Meeting – All required permits and a form survey shall be turned in prior to this meeting, which takes place prior to the pouring of a slab for a Dwelling.
- (3) Final Inspection – takes place once the Dwelling is in final stages of construction and is ready to be approved by the POA prior to occupancy.

No review, release or construction is allowed prior to culvert installation, silt fencing, and associated site requirements.

2.0 Site Layout

At Deer Forest, preservation of the natural setting is one of the central goals along with the promotion of aesthetically attractive structures and the protection of property values. All of these goals are attained by adherence to the CCRs and these Site & Building Requirements.

It is not the intention of this document to contradict the CCRs that have been filed for record in Walker County. In case of a conflict between the CCRs and these Site & Building Requirements, the more restrictive and specific document shall rule, as determined by the ARC.

Emphasis at Deer Forest shall be towards the preservation of the natural beauty of the native landscape. Preserving the native flora of the region while, at the same time, providing reasonable flexibility to the property owner to make the desired and necessary improvements to their property, is essential in the development of an estate lot community.

As per our erosion control measures, there is a twenty foot (20') vegetation buffer, starting behind the utility easement and drainage ditch, at the front of each lot which requires that only non-machinery vegetation clearing (prior to and during construction) i.e. no equipment that has tires that would disturb the native soil, is allowed within the front 20' from the front street of the lot, excluding where the driveway will be located plus an additional four feet (4') on either side of the driveway. Handheld trimmers or cutting blades are permitted to clear vegetation (underbrush) with a maximum trunk diameter of 3" at a height of 5'. After the final approval of the completed construction, upon final inspection, this front 20' buffer area may be cleared in accordance with the regular site clearing limitations set out in Sections 4.1 and 4.3 of these Site & Building Requirements. If vegetation is removed, at final inspection there must be sod or established vegetation in place to mitigate erosion.

The front no-cut vegetation buffer is strongly recommended in order to uphold the best erosion control practices. If an owner agrees, a builder may clear within the front 20' buffer, however if

this is done there must be careful attention paid to maintaining other appropriate erosion control measures, including but not limited to hay bale barriers, properly maintained silt fencing, or mulch barriers.

No mature trees (5"+ diameter) may be removed from the side ten foot (10') and rear 20 foot (20') no-build setback areas of any Lot. In addition to this, no mature trees may be removed from the front thirty feet (30') of any Lot, counting from the edge of the fronting street, aside from those trees required to be removed for driveway and fencing purposes within that portion of the Lot. For corner lots, no mature trees may be removed from the side ten feet (10') and 20 feet from rear and along the side facing the side street. These portions of Lots may be underbrushed at the Owner's discretion, in accordance with their desired level of privacy and aesthetic.

All Lots bordering the exterior boundaries of the Subdivision, which adjoin private property, further identified as Block 4, lots 26-28; Block 4, Lots 32-42; Block 4, Lots 64-71; Block 5, Lots 10-19 and Block 5, Lot 31 shall maintain a twenty foot (20') no cut buffer along the rear or side property lines as applicable. The lots bordering the Green Belt and Detention Reserve areas shall have a twenty foot (20') no cut buffer on the rear or side as applicable, of the lot line, except that they may cut one 10 foot (10') path from their property for access to the Green Belt and Detention Reserve areas. Those lots are further identified as Block 2, Lots 27-29; Block 2, Lots 33-36; Block 2, Lots 40-44; Block 4, Lot 4; Block 4, Lots 29-32; Block 4; Lots 43-50; Block 4, Lots 62-64; Block 5, Lots 1-10; Block 5, Lots 19-22 and Block 5, Lots 25-31.

Violation of the No Clear Zones and/or removal of the vegetative buffer will result in the lot owner being required to plant additional trees to screen the cleared area and may be subject to fines of up to \$5,000.

PLACEMENT OF BUILDING MATERIALS, TRASH DUMPSTERS, PORT-A-JOHNS, VEHICLES OR ANY OTHER OBSTRUCTION OR DELIVERY OF CONSTRUCTION MATERIALS TO THE ROADSIDE DITCHES, ROAD ROW, AND/OR UTILITY, NATURE TRAIL EASEMENT IS STRICTLY PROHIBITED AND SUBJECT TO A \$500/DAY FINE PER INCIDENT.

2.1 General

The owner/builder is to develop and maintain individual lots in a manner prescribed by the recorded CCRs and by these Site & Building Requirements. Compliance with building setback lines, lot layouts, driveways, garages, etc. is required of every owner and builder.

Connections to utilities are the responsibility of the owner/builder.

Notwithstanding the above, it is expected that over time, product preferences of the market will change. At that time where such demand exists, the ARC will reevaluate these Site & Building Requirements to respond to changes in product types.

The owner/builder shall comply with all ordinances that may be in effect from Walker County and/or any other governmental agency having applicable jurisdiction.

2.2 Living Area Requirements

The total living area for residences constructed on lots in Deer Forest and certain lots identified in the CCRs, excluding porches and garages, shall not be less than 2,000 square feet, with no less than 1,600 square feet on the first floor for residences of 2 stories. No structure shall exceed two (2) stories or thirty (30) feet in height unless written approval has been given by the Committee. Any Guest House/Staff Quarters must be a minimum of 500 square feet and may not be larger than fifty percent (50%) of the square footage of the main Dwelling.

2.3 Building Setbacks

Unless otherwise approved by the ARC, building setbacks for the primary residence are sixty five feet (65') from the front of the property line of Lot. There is a twenty foot (20') setback from the rear of the property line, and a 10 foot (10') setback from the side property lines. For all "corner lots" in the Subdivision with two sides fronting on a street, the building setbacks will be sixty five feet (65') along the front, with the front being defined as the street in which the front door faces. Corner Lots shall have a thirty foot (30') setback from the side street, a ten foot (10') setback from adjoining side property and a twenty foot (20') setback from the rear of the property line. These setbacks shall supersede the setbacks as noted on the Recorded Plat of the Subdivision.

Accessory buildings, such as barns, guest houses, sheds, shops, or detached garages, must be setback no less than sixty five feet (65') from the front property line, ten feet (10') from the side property line and twenty feet (20') from the rear property line. Corner lot accessory buildings shall have a thirty foot (30') setback from the side street. These setbacks shall supersede the setbacks as noted on the Recorded Plat of the Subdivision.

No construction of accessory buildings, barns, shops, guesthouses, etc. may begin until ARC approval has been issued for the main Dwelling and the approved slab has been poured and Form Survey submitted to the ARC and approved. In cases where the accessory building has a foundation, the foundation forms may be included on the Form Survey and the accessory building's foundation constructed at the same time as the Dwelling foundation.

If, in the opinion of the ARC, the relaxation of these standards can protect and enhance an existing natural feature such as a tree, consideration will be given for a variance on a case-by-case basis. This will generally only be granted if no other options exist. To secure such variance, the owner/builder is required to provide evidence in the form of a tree survey or provide photographs that verify the existence and character of the site feature causing the variance request. The variance request fee of \$250 is also required prior to review and is non-refundable regardless of acceptance or denial.

Prior to the placement of any forms, owner and builder should review the CC&R's, recorded final plat and these Site & Building Requirements for the specific lot to verify all setback requirements. The setbacks as noted in the CC&R's shall supersede the setbacks as noted on the Recorded Plat of the Subdivision. Property owners are required to obtain written confirmation from their builder that all setback requirements have been met prior to the start of any construction of the residence, and that the Form Survey has been submitted to the ARC and approved. This procedure is in place in order to avoid unnecessary expenses for the owner/ builder.

2.4 Typical Lot/Site Layout

Care should be given to site buildings regarding views and site lines. In so doing, the siting of the building(s) should take into consideration such factors as the views from adjoining roadways, relationship to adjoining lots and structures, preservation of existing woods and specimen trees, and relationship to utility connections.

Only one single-family residence and related accessory building shall be constructed on each lot. Separate and attached "housekeeper's" quarters or a Guest House will be permitted subject to the architectural restrictions contained in the CCRs and these Site & Building Requirements.

2.5 Driveways

All driveways must be constructed of concrete or asphalt. The use of stamped and colored concrete, interlocking pavers, brick pavers, and brick borders is permitted. Color, pattern, and design will require the approval of the ARC prior to construction.

All driveways must be constructed with a minimum width of ten feet (10') from the garage to the front property line and must widen to twenty feet (20') between the front property line and the road to accommodate the twenty feet (20') wide culvert. Driveways must be a minimum distance of five feet (5') from the side property line. Whenever possible, driveways are to be de-emphasized, highlighting instead the building and landscape environment. Turnaround or circular drives are allowed with ARC approval. Under no circumstances may an entire front yard be paved as a driveway.

A hard-surfaced construction apron or stabilized temporary approach must be constructed and used as the entrance to the property for construction of the residence and all lot clearing. **No vehicles shall drive through the roadside ditches to enter a finished Lot.** Any damage to roadside ditches or sod shall be repaired by homeowner or homeowner's builder **immediately** or Deer Forest POA shall deduct the actual cost of repairs plus 10 percent (10%) from the owner/builder's deposit submitted with the construction plans.

2.6 Garage Placement

The placement and design of garages must have the greatest effect on the overall street scene. To the extent possible, garages are to be de-emphasized, highlighting the home and landscape environment. A street scene with emphasis on residences instead of garage doors is the design intent. If the garage is front loading it must be off-set at least ten feet (10') to the rear of the Dwelling.

Both attached and detached garages must be enclosed and at a minimum be able to accommodate the storage of two (2), but not more than five (5) full size automobiles at the same time per garage.

2.7 Culverts

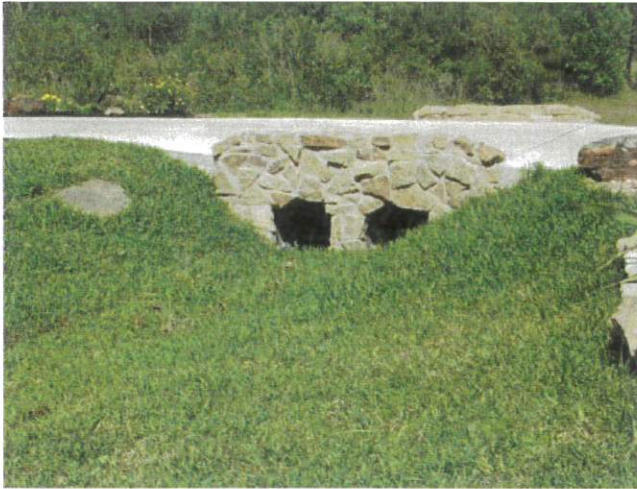
NO CULVERTS SHALL BE SET UNTIL A NEW HOME CONSTRUCTION PLAN HAS BEEN SUBMITTED AND APPROVED. DRIVEWAY CULVERTS MUST BE A MINIMUM OF TWENTY (20) FEET IN LENGTH AND MUST BE INSTALLED PRIOR TO ANY HEAVY EQUIPMENT ENTERING THE PROPERTY. ALL REQUIRED PERMITS MUST HAVE BEEN RECEIVED, PROVIDED AND APPROVED BY THE ARC.

There is a **REQUIRED** preliminary site visit with an approved representative of Deer Forest ARC (contact info available upon request), during which the location of your culvert will be set and the size and depth required for your culvert will be given. There will be a stake set with the depth line to help avoid costly mistakes. Any culverts that are installed prior to the site visit with an authorized representative of the ARC will be required to be removed and subject to a \$500 fine to the owner or builder. Any materials delivered to the site prior to the installation of the culvert will result in a \$500 fine to the owner or builder. The ARC must be notified and a \$3,500 Damage Deposit must be on file before installation of the culvert can commence. Damage done to the drainage and established vegetation will be repaired and the cost deducted from the Damage Deposit.

The driveway or entrance to each Lot from the pavement of the street shall be paved with concrete or asphalt and shall include concrete headwalls and Walker County approved culverts installed to cross any roadside drainage ditch. Headwalls are required to be covered with concrete or like materials used in construction of the home i.e. brick, stone, stucco. Design flowlines of the drainage ditches must be maintained.

The culverts for each home site **must be composed of concrete or other materials approved by Walker County or other superior presiding governing body**, without exception. Any finished driveways using culvert materials other than these materials will result in a \$1,500 fine to the owner/builder payable to the Deer Forest POA by the owner/builder before final inspection will be completed.

NOTE: CULVERT SIZING CHART AVAILABLE UPON REQUEST.



Culvert with headwall

2.8 Pools, Spas, and Decks

Portable or permanent above ground swimming pools are prohibited. Smaller prefabricated, installed above the ground spas and hot tubs are acceptable. Above ground spas and hot tubs must be skirted, decked, screened, and landscaped to hide all plumbing, heaters, pumps, and filters. All pool designs must either be submitted along with the initial New Home Construction Application, or with an Application for Swimming Pool, and cannot under any circumstances be constructed without prior approval of the ARC.

2.9 Fences

All fencing along the front of the property must be Ornamental and must be extended, on each side, along half the depth of the dwelling.

Perimeter fencing on boundary lines is permitted with prior submittal of a field survey. This excludes pool fencing, and horse fencing. Walls and fences, if any, must be approved prior to construction by the Committee and no wall, fence, planter or hedge more than six (6') feet in height shall be erected, planted or maintained on any Lot. No wall, fence, planter, or hedge shall be erected, planted, or maintained outside of the Lot lines. No fence shall be constructed inside the utility easement. No wall or fence of any kind may be constructed within or across a Drainage or Variable Width Drainage Easement, unless first reviewed and approved by the Committee.

No electric wire or temporary fences shall be allowed unless the Committee approves a variance prior to its construction.

No barbed wire, hurricane, chain link or white picket fencing fences shall be allowed. A property owner must obtain permission from the Committee to construct a cage, kennel or dog run out of chain link fence. Any outside pen, cage, kennel, shelter, concrete pet pad, run, or track and all other buildings, structures or devices directly or indirectly related to animals which can be seen, heard, or smelled by anyone other than the subject Owner must also be approved by the Committee. All materials, size, and location of these style of fences, pins, or kennels must be approved by the Committee at its sole and absolute discretion.

All fencing approved by the Committee as "Ornamental" that is to be built on any lot, shall not encroach into any 20' utility easements boarding the property as indicated on the plat. As indicated below throughout this section, perimeter fencing on boundary lines may be allowed if a current survey has been presented at the time of the fence submission and has been reviewed and approved by the Committee.

"Ornamental Fencing" can be no more than six (6') feet in height, of a design and color approved by the Committee that does not obstruct the view of the front of the main dwelling, park or adjoining Lots. Ornamental fencing may be no closer than 2' to any rear or side boundary line for fence maintenance purposes. If a current survey has been presented at the time of the fence application submission, then the Committee may approve for the fence to be erected closer to the side or rear property lines. No fencing will be allowed to be built inside of any public utility easement (PUE) as indicated on the plat. The following additional restrictions shall apply to walls, fences, planters, or hedges on park fronts ("Park Fronts"), Reserves and corner Lots:

(a) Except for a Non-Privacy Fence as hereinafter described, no privacy fence or wall of any kind shall be erected, planted, or maintained on a corner Lot, provided that this Subsection 2.9(a) shall not apply to a corner Lot which abuts any of the Reserves described in Section 2 hereof.

"Hog fencing", is fencing for the purpose of protecting the property from nuisance animals. This style of fencing can be installed separately from within ornamental fencing or if it is to be installed as a style of ornamental fencing, it must first be reviewed and approved by the Committee. The natural vegetation between the hog fencing and property boundaries must be allowed to grow and remain established to effectively hide the wire fencing from any neighboring property. If this style of fencing has been approved to be placed at the front property line along the street or road, the wire mesh must be concealed from view by utilizing the natural vegetation buffer. If the fencing is to be placed on the property where there is no natural vegetation barrier to hide or conceal the wire from view, then the property owner must plant vegetation that will satisfy this requirement. All hog fencing must be built utilizing 12.5-gauge wire or larger. However, no fencing is allowed in, over or through the drainage easements or variable width drainage easements, unless otherwise reviewed and approved by the Committee. Said fencing is permitted along the side and rear boundary lines of a property and must be no closer than 2' to any rear or side boundary line for fence maintenance purposes, unless otherwise having been reviewed and approved by the Committee where an updated survey must be attached to the submitted fence application at the time of that review.

“Horse Fencing”, as referred to herein, shall at a minimum, be constructed of three (3) rail pipe, wood, vinyl, or no-climb fencing with a top rail. Any other materials to be utilized and all construction of all fences, must be approved by the Committee. No temporary panels shall be used for fencing. No climb fencing shall not be visible from the street unless it is more than 200 ft. from the property line. If closer than 200 ft., either a landscape hedge or twenty feet (20’) wide natural vegetation barrier shall be used to prevent visibility of the no climb fence. Horse fencing may be no closer than 2’ to any rear or side boundary line for fence maintenance purposes, unless otherwise approved by the Committee and no fences shall built inside of any utility easement as indicated on the plat. Horse fencing must be placed behind the Dwelling.

“Pool Fencing” shall be installed around any swimming pool, spa, or hot tub in accordance with International Residential Code (IRC), Appendix G, Section AG105 BARRIER REQUIREMENTS, including self-closing gates where appropriate. Pool fencing may be no closer than 20’ to any rear or side boundary line.

“Privacy Fencing” and walls shall be constructed of ornamental iron, wood, masonry or synthetic materials in harmony with the requirements established by the Committee, provided Privacy Fences shall not be constructed any closer to the front of the Lot than 50% of the depth of the Dwelling and may be no closer than 2’ to any rear or side boundary line for fence maintenance purposes, unless otherwise having been reviewed and approved by the Committee.

Driveway entrances may be constructed of masonry columns, ornamental iron, or similar materials in harmony with the Dwelling on said Lot as may be approved by the Committee.

The Owner of any Lot upon which the Developer may have constructed a fence shall be responsible for the maintenance and repair of said fence.

3.0 Architecture

3.1 General

The acreage-development-setting provides the maximum freedom of choice for variety in architectural styles. The intent of this section is to establish basic design criteria for the construction of the residences and other structures within Deer Forest. Emphasis is on the quality of material, design, and construction in order to promote well-crafted residences. The house footprint and the roof form should work together to provide variety and interest when viewed from the street and public areas. These Site & Building Requirements allow for diversity in design and should produce a climate of individuality while ensuring the architectural integrity of the community.

The homebuilder shall be responsible for individual site development and maintenance of the area within the street right-of-way. The homebuilder on corner lots will be responsible for the right-of-way of both streets.

Each homebuilder shall also be responsible for street cleaning and trash pickup of litter that might fall or blow onto adjoining lots. The owner or builder will deposit a \$3,500 conformance/damage deposit, with the Association prior to construction to ensure timely repairs to the community infrastructure if needed. It is understood that the builder will complete all repairs and cleanup immediately, or the Association may have the repairs and cleanup performed at a deduction of cost plus 10% (ten percent) of the cost of time and material, from the conformance/damage deposit. Any construction or clearing (beyond the preliminary site clearing of three inch (3") diameter vegetation) conducted prior to the conformance/damage deposit will result in a \$500 a day fine up to \$5,000 maximum to the owner or builder every day until the work has ceased and the ARC has been notified, or until the conformance/damage deposit has been submitted. This is designed to protect the property owner and property values at Deer Forest.

Builder shall provide and name Deer Forest Property Owners Association as additional insured for Commercial General Liability Insurance during the construction of the primary residence. This coverage shall include all improvements within the Deer Forest to include but not limited to streets, landscaping, hardscaping, sod and irrigation systems, or other property of the Community Association.

It is the responsibility of the builder to complete the construction according to the plans and elevations that are submitted and approved by the ARC. If for any reason the plans are not followed, a **minimum** fine to the builder of \$10,000 will be due by the builder prior to final inspection approval and the home being cleared for occupancy. Changes to the exterior of the residence, requested by the owner during construction, may be submitted to the ARC for approval, prior to making the changes, to avoid being fined at the final inspection.

No home shall be occupied prior to final inspection and written approval by the ARC. Violations of this provision will be subject to a fine of \$250 a day up to \$5,000 maximum in addition to the loss of the conformance/damage deposit.

3.2 Exterior Elevations

Exterior elevations should emphasize articulation avoiding a "shoebox" appearance. All single-story homes are required to include some variation of the ridgeline.

Priority should be given to those sides of the house, which are visible from the streets. The most articulated elevations should be those in public view. However, it should be assumed that the houses will be seen from all angles and that there will be a continuity of materials and details on all elevations.

All structures must be constructed from new material or its equivalent with the finished exteriors being of natural colors, in harmony with each other and in harmony with the natural

surroundings. White and off-white colors along with shades of gray to black are also permitted colors for Dwellings. Structures may be subject to Walker County codes, regulations, building permits, and flood control district requirements (if applicable), the compliance of which shall be Owner's responsibility. The front exterior of Dwellings, garages and carports shall be of at least twenty (20%) percent glass or masonry construction or its equivalent on its front exterior wall area, unless another type of material is approved in writing by the Committee, (stucco, stone and brick are considered masonry for purposes of this requirement, while Hardie-Board and other materials similar to Hardie-Board are not considered masonry for purposes of this requirement). For Dwellings on a corner lot this would apply to all sides of the Dwelling facing a street. The roof of any Dwelling, garage or carport shall be constructed of either composition shingles, copper, tile, slate, standing seam metal or other material approved by the Committee and according to the requirements adopted by the Committee, prior to construction. The use of sheet metal or similar material on the roof or exterior sides of any Dwelling, garage or carport other than as flashing is prohibited. All chimneys shall be of masonry construction. Cement Fiberboard Chimneys are allowed if they are made of solid cement board in either smooth finish, stucco finish or textured finish with trim boards on corners. Lap siding will not be allowed.

In addition to the aforementioned and fore mentioned building material and roof pitch requirements for Dwellings, per the CC&R's and SBR's, exceptions may be made for specific home styles which demand different building materials. Such exceptions, as long as they substantially comply with the intent of the site and building requirements, may be approved at the discretion of the ARC. In general, these exemptions will be made solely based on adherence to specific building styles, and as a rule will not be permitted as a method to lower the cost. Examples of this include, but are not limited to:

Southern Living Showcase Homes™ or other like-quality, like-style Modern Farmhouse-Style Homes are permitted to be built on any Lot within the Deer Forest. If the Dwelling is not specifically a Southern Living Showcase Home design, it will need to be verified as appropriate by the ARC for a reduction of the 20% masonry/glass requirement prior to receiving approval, at the ARC's discretion. This style of construction, along with the stipulated quality standards, does not constitute a "less expensive" alternative to the general building requirements, may be permitted, along with the following styles.

Log Homes may be permitted on any Lot in Deer Forest and typically will require the general 20% stone, stucco, masonry or glass stipulation. Deviations from this requirement may be considered on a case-by-case basis for high-end log homes that feature high glass content and require less stone, however some stone will be required of any log home. This may be granted at the sole discretion of the ARC.

Plantation Style Homes may be permitted on a case-by-case basis and may receive reductions in the requirements of stone, stucco, masonry and glass if both required for stylistic integrity at the discretion of the ARC and if no reduction in the overall quality or curb-appeal of the build exists.

3.3 Exterior Materials

The CCRs require that the exterior of all homes, including attached garages and carports be at least 20% glass, brick, stone or stucco. Quality materials should be chosen for the remaining 80%.

3.4 Roof Materials

The roofing materials may be composite shingles, copper, tile, slate, or standing seam metal. Tesla "Solar Roof" tiles are also permitted and highly suggested. No reflective materials may be used in flashing involved in roof construction and all metallic roof penetrations shall be painted in a complementary color to the roofing materials. Weathered Galvalume is considered to be the most reflective material acceptable for roof materials, and may only be utilized on an accessory building if also utilized for the roof of the main Dwelling.

The homebuilder shall provide a color photograph of the roof material to the ARC, in either PDF, PNG or JPG format, for approval purposes prior to the construction of any home or outbuilding.

3.5 Entrances, Walkways, Windows, Roofs, Addresses

Care should be given to the size, type, and organization of all windows. They should never appear like surface "holes" cut into the side of a box. They should be architectural features and, whenever possible, grouped into recessed areas or bordered by projections which provide a shadow pattern. Scattered windows tend to create awkward, face-like shapes and should be avoided.

Changes in roofs; a minimum slope on all roofs should be 8 on 12 pitch. Porches and overhangs may have a minimum slope of 5 on 12 pitch. A combination of roof pitch may be used if they are integrated to the design of the house. As different styles of homes may call for shallower roof pitches than are allowed in this document, requests for roof pitches less than 8 on 12 will not require a variance if ARC approval is granted.

ARC approved permanent address signage shall be included at entrance to driveway or made otherwise clearly and easily visible from the front street for EMS and delivery purposes. An example of this would be on the headwalls of the culverts.

Walkways shall be constructed of materials appropriate to the home and driveway. Stylized, meandering, walkways complementary to the design and color scheme of the drive, of a width between 4' and 6' are preferred.

3.6 Chimneys

Chimneys can be used to establish an ornamental or thematic direction. They must be of masonry construction. The minimum plan dimensions for an exposed mass is 24" x 24" or larger.

In the event of gas fireplaces, direct vents in place of chimneys are allowed, provided the vents are located along the rear slope or rear half of the roof and painted to match the shingles or other approved roofing materials.

The height of the chimney should be in proportion to the roofline and adhere to building codes and fire codes. Broad, massive chimneys are encouraged, and small, spindly shapes will not be approved. Chimneys which barely peak above, or squat on the roof, are not visually bold enough, and are therefore unacceptable. They may be used only when clad with material complementary to the house, such as masonry. Chimneys must be constructed of masonry, stone or stucco, or shall result in a \$2,500 fine to the builder/owner and may need to be reconstructed at the owner's/builder's expense. Cement Fiberboard chimneys are allowed if they are made of solid cement board in either smooth finish, stucco finish or textured finish with trim boards on corners. Lap siding will not be allowed.

Top treatments, soldier courses in brick and other interesting variations to the upper portions of chimneys are encouraged.

3.7 Rooftops Elements

All stack vents and attic ventilators shall be located on the rear slopes of roofs or on the side slopes, behind the main roof ridge, and mounted perpendicular to the ground plane. In instances where metal roofing is employed, following ARC approval, roof accessories may be made of the same metal. All exposed metal roof accessories: stack vents, roof flashing, attic ventilators, etc. shall match the color of the roofing material color.

No solar collectors shall be allowed on any roof slope visible from a public street aside from the approved Tesla "Solar Roof" tiles, which are suggested. However, solar panels may be installed on a roof in a location visible from the public street in front of the Dwelling provided the owner can provide the committee with calculations from the installation company demonstrating that the alternate location increases the estimated annual energy production of the device, as determined by using a publicly available modeling tool provided by the National Renewable Energy Laboratory, by more than ten percent (10%) above the energy production of the device if located in an area designated by the property owners' association (Texas Property Code, Sec. 202.010(d)(5)(B)). The framing material shall be one that is in harmony with the rest of the Dwelling or permitted structure. Written approval from the Committee is required prior to the installation of any solar panels. The Association reserves the right to seek removal of any solar panels installed without first obtaining written approval from the Committee or for any solar panels violating these restrictions.

The location and design of all skylights requires approval by the ARC.

Satellite dishes must not exceed 30" in diameter and be inconspicuously mounted to the rear of dwelling and cannot be visible from the street or adjoining property. All satellite dishes must be placed on the rear facing roof pitch of the Dwelling whenever possible, and secondarily may be placed on a side facing exterior wall or roof pitch if required for adequate signal. Any satellite dishes which are not placed on a rear facing roof pitch will require written verification from the dish or installation company that such placement was a signal requirement.

3.8 Garages

Each single-family residence must have an attached or detached garage that will accommodate a minimum of two (2) and a maximum of five (5) automobiles (each if more than one). If the garage is front loading it must be off-set at least ten feet (10').

Detached garages may be connected to the main dwelling by a common roofline or a covered walkway.

All garage doors should be of metal, fiberglass, or wood design and of a color that complements the adjacent wall or trim paint treatment. Treatment of details on garage doors should be consistent with the overall character of the house. This may be accomplished with one or two well placed windows along the top of the garage door and by breaking up the mass with the paneled construction. Garage doors that do not meet these requirements may result in a fine of \$100 per day with a \$5,000 maximum until they have been replaced with doors that do meet the requirements.

When attached two-car garages are built, two single doors divided by a column are encouraged. This breaks up the expanse of the door into appropriately scaled architectural elements.

3.9 Accessory Buildings

No construction of accessory buildings, barns, shops, guesthouses, etc. may begin until ARC approval has been issued for the main Dwelling and the approved slab has been poured, except that the foundation for an approved accessory building may be poured at the same time as the foundation for the main Dwelling. All structures must maintain an overall architectural continuity with the main Dwelling and the Subdivision. Roof materials and coloring (non-reflective) should be the same as the roof materials of the main Dwelling. In all cases, the plans for construction shall be reviewed and approved on a case-by-case basis. No prefabricated aluminum or light duty metal structures are permitted. All accessory buildings shall be of substantial and new construction. Prefab metal barns are allowed provided they are sided with a wainscot, four feet (4') in height, on the front or side facing the street. The remaining materials shall be of colors in harmony with the Dwelling and natural surroundings (earth tones) or glass for windows. No accessory buildings may be larger than the main Dwelling.

Accessory buildings such as workshops or storage sheds are allowed to be made of metal provided they are constructed with high-quality, non-reflective, sturdy metal, **sized 26 gauge or thicker**, sided with a wainscot feet (4') high on the exterior front or side facing the street. The remaining metal exterior shall be of colors in harmony with the Dwelling and natural surroundings (earth tones) or glass for windows. The roofs of these metal outbuildings must be colored to match the main dwelling. No accessory buildings may be larger than the main Dwelling. The minimum size for any such metal outbuildings is to be ten feet by ten feet (10' x 10') or one hundred square feet (100sqft). If any such building should be large enough that it requires a building permit from any governing bodies, it must comply with the appropriate rules and regulations. Accessory buildings may be no closer than 65 feet (65') from the front street of the property and no closer than ten feet (10') from the side or twenty feet (20') from the rear lot lines of a property. Accessory Buildings on corner lots must be setback no less sixty five feet (65') from the front property line, thirty feet (30') from the side street, ten feet (10') from the adjoining property line and twenty feet (20') from the rear property line. Accessory buildings that are not of metal construction are permitted to be constructed of like materials to the Dwelling.

Any accessory buildings not meeting these requirements will result in a **minimum** of \$1,500 fine to the owner or builder and will be required to be re-built or altered to the specifications laid out in these Site & Building Requirements.

4.0 Landscape

4.1 Lot Clearing

No tree removal on a Lot is permitted prior to new home construction application approval by the Committee. Underbrushing may be permitted prior to new home construction application submittal, at the discretion of the Committee, on the basis of providing adequate time for such building and planning processes as home elevation design on your Lot, determination of site plan and pad locations and tree preservation plans.

Underbrushing and removal of small trees up to 3" in diameter (measured 5 ft. from the ground) may be conducted on a Lot without the use of a culvert, provided that only rubber tire vehicles, no larger than a pick-up truck, pass through the ditch, and/or that no ditch area grade or vegetation are effected in any way. Vegetation clearing machinery on tracks may not be used until after New Home Construction approval and the culvert is in place. All efforts to avoid damaging the drainage ditch and vegetation should be exercised. Prior to underbrushing, the lot owner must contact the ARC for approval. A \$250 inspection fee and a \$1000 damage deposit are required prior to beginning any underbrush clearing. The damage deposit is fully refundable once work is completed, assuming the drainage ditch, including vegetation, and road are undamaged

ARC plan approval and a \$3,500 conformance/damage deposit is required prior to beginning any clearing of larger trees and is fully refundable once the work is completed, assuming the drainage

ditch, including vegetation, and the road are undamaged. Any clearing prior to ARC approval and receipt of Conformance/Damage Deposit will result in a fine of \$500 per day up to \$5,000.

Violation of the No Clear Zones and/or removal of the vegetative buffer will result in the lot owner being required to plant additional trees to screen the cleared area and may be subject to fines of up to \$5,000.

Lots may be underbrushed at any time prior to building. If a property is underbrushed prior to building, the vegetation removal must be maintained so that underbrushed properties do not grow over with brush in a way that compromises the aesthetic appeal of the community. The minimum requirement for maintenance of an underbrushed lot is every six months. Failure to accommodate this minimum requirement may result in a fine sufficient for the POA to hire for and commence the underbrushing.

There is a twenty foot (20') vegetation buffer at the front of each lot, starting behind the utility easement and drainage ditch, which requires that only non-machinery vegetation clearing prior to and during construction (i.e. no equipment that has tires that would disturb the native soil) is allowed within the front 20' from the front street of the lot, excluding where the driveway will be located plus an additional four feet (4') on either side of the driveway. Handheld trimmers or cutting blades are permitted to clear vegetation (underbrush) with a maximum trunk diameter of 3" at a height of 5'. After the final approval of the completed construction, upon final inspection, this front 20' buffer area may be cleared in accordance with the regular site clearing limitations set out here in Sections 4.1 and also in 4.3 of these Site & Building Requirements.

The no-cut front vegetation buffer is strongly recommended in order to uphold the best erosion control practices. If an owner agrees, a builder may clear within the front 20' buffer, however if this is done there must be careful attention paid to maintaining other appropriate erosion control measures, including but not limited to hay bale barriers, properly maintained silt fencing, or mulch barriers.

Substantial natural vegetation exists on most lots in Deer Forest. Mid-growth and canopy vegetation is to be protected during construction and is to be integrated into the final landscape design to the extent practical.

For the purposes of preliminary lot clearing, or "underbrushing," only the vegetation which is three inches (3") in diameter or smaller may be cleared without prior approval from the ARC.

No more than **30% of trees in excess of five (5") inches** (at five feet (5') of height) may be cleared. This 30% of mature vegetation excludes the trees taken for the pad of the main dwell and accessory buildings.

No mature trees (5"+ diameter) may be removed from the side 10 foot (10') and rear 20 foot (20') no-build setback areas of any Lot. In addition to this, no mature trees may be removed from the front thirty feet (30') of any Lot, counting from the edge of the fronting street, aside from

those trees required to be removed for driveway and fencing purposes within that portion of the Lot. For corner lots, no mature trees may be removed from the side twenty-five feet (25') along the side facing the side street. These portions of Lots may be underbrushed at the Owner's discretion, in accordance with their desired level of privacy and aesthetic.

All Lots bordering the exterior boundaries of the Subdivision, which adjoin private property, further identified as Block 4, lots 26-28; Block 4, Lots 32-42; Block 4, Lots 64-71; Block 5, Lots 10-19 and Block 5, Lot 31 shall maintain a twenty foot (20') no cut buffer along the rear or side property lines as applicable. The lots bordering the Green Belt and Detention Reserve areas shall have a twenty foot (20') no cut buffer on the rear or side as applicable, of the lot line, except that they may cut one 10 foot (10') path from their property for access to the Green Belt and Detention Reserve areas. Those lots are further identified as Block 2, Lots 27-29; Block 2, Lots 33-36; Block 2, Lots 40-44; Block 4, Lot 4; Block 4, Lots 29-32; Block 4; Lots 43-50; Block 4, Lots 62-64; Block 5, Lots 1-10; Block 5, Lots 19-22 and Block 5, Lots 25-31.

All clearing twenty feet (20') beyond the building pad or four feet (4') on either side of the driveway also requires the written approval of the ARC; however, these areas will not be considered to be part of the thirty (30%) percent of the mature trees which can be cleared on any lot. Notwithstanding the restriction on clearing, the owner may remove rhus radicans (poison ivy) vines at their discretion.

In contrast to higher density suburban developments, acreage lot developments are intended to maintain large areas of natural green space without the imposition of costly and high maintenance landscaping.

Location of home and drive must be clearly ribboned off and corners staked prior to Pre-Construction submittal in order to determine areas for under brushing. If Survey Pins are removed or cannot be found by the owner/ builder, it is the responsibility of the owner/ builder to contract the surveyor to come and replace said Pin(s) at owner's/ builder expense. Recommended service providers may be requested of the POA.

Low shrubbery and bedding should be limited to the areas around the perimeter of the buildings to soften the visual appearance and provide a transition along the driveways and at entry points to the residence.

4.2 Lighting

Outdoor lighting will be carefully reviewed to assure that neighboring properties are protected from the view of bright light sources. No floodlighting will be permitted unless it is solely a timer-based motion detector that is programmed to operate after 11:00 p.m. and not programmed to stay lit for periods of time greater than 20 minutes from a single motion detection. "Cut sheets" (product description, specifications and illustration) may be requested by the ARC. Lighting that does not meet these requirements may result in a \$300 per day fine until they have been corrected.

Any illumination necessary for evening activities must be directed downward and no brighter than what is necessary to provide for the traverse of steps and paths. Subtle lighting of architectural elements and trees is encouraged. Exposed lighting sources are discouraged in favor of softer down lighting that reduces glare and lights the surfaces of driveways and walks, etc. Any exterior light can be on a photocell.

Exterior light fixtures adjacent to doorways for the purpose of illuminating such entryways are permitted under the following conditions: The number of fixtures shall be held to a minimum. "Soffit" lights (where the fixture is not visible) are in general preferred over "Coach Lights". Where "Coach Lights" or similar fixtures are proposed, and such fixtures are visible or potentially visible from the street or other properties, the actual lamp of the fixture shall be screened, either through the use of an opaque shield or obscured glass. "Canister" type fixtures, with lighting directed downward, are permitted. Upward illumination or fixtures are generally not permitted.

The owner/builder is to install and maintain lighting on individual lots in a manner that does not cause distraction, nuisance, or unsightliness. Light sources should not conflict with the sight lines of pedestrians or motorists or be installed in a manner which endangers their safety and welfare. Light sources must not spill over into neighboring yards.

Exterior residential lighting can convey a warm, inviting atmosphere. Care is to be taken in placing fixtures and selection of fixtures and types of light sources. Exterior illumination of architectural features such as columns, entries, chimneys, and landscape features are encouraged.

Lighting for outdoor tennis courts or personal athletic courts will be reviewed by the ARC on a case by case basis. In no circumstances shall such outdoor lighting be permitted which causes a nuisance or can "bleed over" onto adjoining lots.

Ground lighting or decorative fixtures must be of high-quality materials and workmanship and be in scale and style with the residence.

Freestanding decorative fixtures and lampposts are acceptable but must be approved by the ARC.

Mercury vapor lights, when used for special landscaping effect, are permissible with ARC approval.

Incandescent, low voltage incandescent, metal halide, quartz and natural gas lights are acceptable.

All wiring for exterior lighting must be underground unless otherwise approved by the ARC. Pathway lighting and landscape lighting is encouraged. Such lighting must be inconspicuous.

Holiday lights and decorations, and other holiday decorations must be removed from the exterior of all buildings by thirty (30) days after the holiday.

4.3 Tree Protection

The following procedures are recommended to ensure the survival and good health of trees existing within Deer Forest. The owner/builder should use the following guidelines to preserve and protect trees on the construction site. An onsite Pre-Construction Clearing Inspection is required prior to lot clearing beyond the preliminary clearing of vegetation three inches (3") or smaller in diameter at five feet (5') of height, and a Pre-Construction Clearing Inspection Form must be submitted.

No more than thirty (30%) percent of trees in excess of five (5") inches of diameter (at five feet (5') height) may be cleared from a lot unless specifically approved by a Variance from the ARC. The thirty (30%) percent does not include trees cleared for the Dwelling pad.

Tree protection fencing should be placed around drip line of trees to prevent storing of machinery or equipment, which can cause soil compaction and mechanical damage.

Soil should not be excavated, spread, spoiled, or otherwise disposed of within drip line of trees. Trash or open fires shall not be permitted on any lot.

If any removal of vegetation greater than three inches (3") diameter at five feet (5') height takes place prior to ARC approval, the owner of the lot or their builder will be required to pay a minimum fee of \$3,000 per lot cleared. Required planting of new trees may also be required as determined by the ARC.

The burning of underbrush vegetation and excess trees is permitted on an owner's property, considering that the owner, builder or other professional is conducting the burn and that the burn piles remain small enough to be easily contained. **The owner/ contractor must submit a BURN NOTICE FORM no fewer than five (5) days prior to burning.** Please take extreme care when planning and executing such burns, as Deer Forest is heavily wooded and any damage to neighboring properties or homes will result in costly legal action taken against the owner/builder. **Any burning conducted during a Walker County Burn Ban shall result in a \$2,000 fine to the owner/ builder, per violation.**

Any fires within the Subdivision should be made to be burning safely at all times, with no exception. It is recommended that any larger fires remain attended to ensure the safety of the homes, trees and residents of the Subdivision. If any damages are caused by a fire, or the fire department is called, fines or fees may be levied in accordance with any associated costs.

Should the owner/builder choose to burn the trees and brush removed for construction of the home, care should be taken not to destroy the trees being kept on the property. Care should also be taken not to destroy any trees on neighboring lots.

4.4 Tree Preservation

BULLDOZERS AND EXCAVATORS HARM TREE ROOT SYSTEMS. RUBBER TIRE AND RUBBER TRACK MACHINES ARE NECESSARY TO MAINTAIN ROOT SYSTEMS WHEN CLEARING AND UNDERBRUSHING LOTS IN DEER FOREST.

Where tree clusters are preserved, owner/builder is encouraged to also preserve understory if possible. This helps maintain conditions around existing root systems. Under no circumstances are owners to remove more than thirty (30%) percent of the mature (5" diameter) trees without prior approval from ARC, for the purposes of replanting different mature trees in their place.

If any property owners or home builders clear vegetation on adjoining properties, the ARC may choose to fine that owner/builder up to \$1,500 per tree wrongfully removed. This does not preclude the owner(s) of the adjoining properties from seeking additional compensation or legal remedies for such activities. Please see the prior section on Vegetation Buffers for specific information on how they are to be maintained.

No mature trees (5"+ diameter) may be removed from the side ten foot (10') and rear 20 foot (20') no-build setback areas of any Lot. In addition to this, no mature trees may be removed from the front thirty feet (30') of any Lot, counting from the edge of the fronting street, aside from those trees required to be removed for driveway and fencing purposes within that portion of the Lot. For corner lots, no mature trees may be removed from the side twenty feet (20') along the side facing the side street. These portions of Lots may be underbrushed at the Owner's discretion, in accordance with their desired level of privacy and aesthetic.

Placement of utilities within the drip line is detrimental to chances of survival of trees. If routing utilities outside the drip line is not possible, keep trench area to a minimum and adhere to tree protection methods described in previous section.

In case of specimen trees, consider boring under the tree root system. Prune trees using horticultural accepted methods to compensate for any loss of root system.

4.5 Required Revegetation for Erosion Control

Planting beds should be located along the foundation, on the front and sides, to soften the appearance of the residence.

The areas cleared by the builder for construction (up to 20 ft. around the Dwelling and/or accessory buildings and up to 4 ft. on each side of the driveway) must be revegetated before final inspection, using sod or other "established vegetation" to mitigate erosion. Hydro-mulching or seeding will not be an acceptable erosion control in these areas. Areas in the drainage ditch and the right-of-way where vegetation was removed or damaged during construction must also have either sod or established vegetation in place before the final inspection. The builder should be

repairing damaged areas immediately, as required in the CC&Rs, so that the new vegetation has time to take root before the final inspection.

Except as noted above, all of the remaining areas that have had the underbrush removed and have no visible vegetation must be revegetated to mitigate erosion. Acceptable methods of revegetation in these areas include sod, established vegetation (i.e. plant beds), hydro-mulching, erosion control mats, seeding, or any combination of those methods.

NOTE: As part of the revegetation process around the Dwelling, an irrigation system is recommended to protect the foundation. Most engineers require "constant moisture content" in the soil around the foundation and failure to provide this can void the engineer's warranty. The irrigation system provides constant moisture content in the soil.

4.6 Plant Materials

Plant materials that are appropriate for bed shrubs and suitable to the environment of Deer Forest, including deer resistant plants, are preferred. Other plant material may be used but preference should be given to plants that are native to the area.

4.7 Landscape Maintenance

All landscaping is required to be maintained in a healthy and attractive appearance. Owner or occupant of all Lots shall keep all weeds and grass thereon (outside of natural vegetation areas) cut and shall in no event use any Lot for storage of materials or equipment except for normal residential requirements. All yard equipment or storage piles shall be kept screened by a service yard or other similar facility, so as to conceal them from view of neighboring Lots, streets or other property.

Such maintenance includes, but is not limited to the following:

- a. Prompt removal of all litter, trash, refuse, and wastes. All trash cans and bins may be placed at the curb the day of pick up and must be removed within 24 hours and stored from street view.
- b. Lawn mowing of planted areas, to include roadside ditches to the hard surface of the street.
- c. Tree and shrub pruning
- d. Keeping exterior lighting and mechanical facilities in working order.
- e. Keeping lawn and garden areas alive, free of weeds, and attractive.

Proper maintenance includes adequate irrigation, appropriate fertilization, insect, pest and disease control, seasonal mulching of planting beds, erosion control and replacement of diseased or dead plant materials.

Each lot shall be maintained in a neat, clean, and orderly condition by the owner/builder.

If deemed necessary by the POA, the POA will maintain a lot according to the criteria listed above and charge the homeowner for these operations. See CC&Rs Section 3.24 for detail.

4.8 Drainage

Each Owner of a Lot must not, in any way interfere with the established drainage pattern over his Lot from adjoining or other Lots in the Subdivision. In the event it is the Owners wish to change any established drainage on or over his Lot, they must submit drainage plan revisions stamped by a licensed civil engineer and have such plans approved by Walker County engineer, prior to submittal to the ARC. For the purposes hereof, "established drainage" is defined as the drainage which existed at the time that the overall grading of the Subdivision, including landscaping of any Lot in the Subdivision, was completed by Developer.

Each Owner (including Builders), unless otherwise approved by the ARC, must finish the grade of the Lot so as to establish good drainage from the rear of the Lot to the front street or from the building site to the front and rear of the Lot as dictated by existing drainage ditches, topography, and swales constructed by Developer or utility districts for drainage purposes. No pockets or low areas may be left on the Lot (whether dirt or concrete) where water will stand following a rain or during watering. With the approval of the ARC, and following the submittal and approval of a licensed civil engineer's drainage plans, as approved by the Walker County engineer, an Owner may establish an alternate drainage plan for low areas by installing underground pipe and area inlets or by installing an open concrete trough with area inlets, however, the drainage plan for such alternate drainage must be properly engineered, and submitted to and approved by the Committee prior to the construction thereof. The ARC's sole function in reviewing drainage plans is to see if the drainage pattern has been or will be altered by the proposed construction and to make a determination if the Builder/Owner has evaluated the effects of their construction to other properties and of the effect of potential flowing and rising water that may affect the submitted improvements. Any adverse effects caused by improper drainage design, to neighboring properties or the community, may be met with minimum fines to the owner or builder of \$1,500.

The Subdivision has been designed and constructed utilizing surface drainage in the form of ditches and swales and, to the extent these drainage ditches and swales are located in front, side or rear Lot easements, the Owners shall not re-grade or construct any improvements or other obstruction on the Lot which adversely affects the designed drainage flow. The Owner shall be responsible for returning any drainage swale disturbed during construction or thereafter to its original line and grade, and the Owner shall be responsible for maintaining the drainage ditches or swales appurtenant to said Owner's Lot in their original condition during the term of his ownership.

Prior to ANY SITE CONSTRUCTION, the site must have adequate erosion controls and measures in place and approved in writing by the ARC. Adequate erosion controls options include the following:

- **Seeding or Planting applied with soil stabilizers or binders (tackifier)**
- **Seeding and placing fiber rolls / logs on bare slopes and in ditch**
- **Sodding ditch and ditch slopes**

Erosion controls must not be allowed to contribute to Sediment issues.

Appropriate erosion controls must be maintained by owners/ builders for properties that include private drainage easements or flood plain areas. Owners indemnify and hold harmless the Developer and the Deer Forest POA and ARC for any damages caused by erosion within the owner's lot or to neighboring properties. If excessive clearing is determined to be the cause of accelerated erosion, fines may be imposed upon the Lot owner/builder according to the amount of damages caused.

All builders are required to have an individual SWPPP (Storm Water Pollution Prevention Plan) Permit **posted**, as required by TCEQ.

All Owners and/or Builders shall comply with the National Pollutant Discharge Elimination Rules and Regulations applicable to their respective Lot(s) as required by EPA under the Water Quality Act of 1987 amending the Clean Water Act, as said laws, rules and regulations may be amended from time to time. Any owner/ builder found to not be in compliance with these Rules and Regulations will face minimum fines of \$500.

It will be the responsibility of each owner/builder to provide adequate drainage for each home. Caution should be used in establishing the foundation elevation so that adequate drainage from the back yard around to the front and the reverse is not impaired by driveways or slabs.

PLACEMENT OF BUILDING MATERIALS, TRASH DUMPSTERS, PORT-A-JOHNS, VEHICLES OR ANY OTHER OBSTRUCTION OR DELIVERY OF CONSTRUCTION MATERIALS TO THE ROADSIDE DITCHES, ROAD ROW, AND/OR UTILITY, NATURE TRAIL EASEMENT IS STRICTLY PROHIBITED AND SUBJECT TO A \$500/DAY FINE PER INCIDENT.

4.9 Sediment Control

Sediment Control measures must be carried out in addition to the erosion control measures for ditches and drainage swales.

There is a twenty foot (20') vegetation buffer at the front of each lot, starting behind the utility easement and drainage ditch, which requires that only non-machinery vegetation clearing (prior to and during construction) i.e. no equipment that has tires that would disturb the native soil, is allowed within the front 20' from the front street of the lot, excluding where the driveway will

be located plus an additional four feet (4') on either side of the driveway. Hand held trimmers or cutting blades are permitted to clear vegetation (underbrush) with a maximum trunk diameter of 3" at a height of 5'. After the final approval of the completed construction, upon final inspection, this front 20' buffer area may be cleared in accordance with the regular site clearing limitations set out here in Sections 4.1 and also in 4.3 of these Site & Building Requirements.

The no-cut front vegetation buffer is strongly recommended in order to uphold the best erosion control practices. If an owner agrees, a builder may clear within the front 20' buffer, however if this is done there must be careful attention paid to maintaining other appropriate erosion control measures, including but not limited to hay bale barriers, properly maintained silt fencing, or mulch barriers.

Prior to ANY SITE CONSTRUCTION, the site must have adequate erosion controls and measures in place and approved in writing by the ARC.

At final inspection, if owner/builder has not repaired any damage to the ARC's satisfaction, and re-grading or re-vegetation required, an estimate will be given for repairs which will be carried out according to ARC discretion. This cost will be withheld from the conformance/damage deposit.

In order to maintain clean streets and prevent siltation into drainage channels, all projects in Deer Forest are required to practice sediment control during construction. As soon as earthwork commences, sediment control methods shall be installed in such a way as to filter all storm water runoff from the tract into the street. The sediment control system shall remain in place and in good repair until construction is complete, landscaping is installed, and lawns are established.

Following installation of the approved culvert, PRIOR TO ANY SITE WORK, including but not limited to lot clearing, pushing of undergrowth, or any disturbance of the established vegetation, erosion control measures must be in place on the site. This is not subjective or subject to interpretation. Any site work that occurs before the installation of adequate erosion control measures which include but are not limited to staked hay bales with erosion barrier material, staked rolled erosion control devices, etc. is subject to a \$500/ per day fine to the owner/builder, for each day there is site disturbance without adequate erosion control in place. Adequate erosion control shall be defined as structures that do not allow the sedimentation or siltation of existing drainage ditches and culverts.

Erosion control structures require regular cleanout. Failure to maintain the erosion control until establishment of permanent vegetation may result in a \$500 fine to the owner/builder if there is sedimentation from the site entering the established drainages.

All Owner and Builders shall conform to all regulatory agencies' rules, regulating standards, and criteria governing sediment control to include, but not limited to, the EPANPDES. Builders shall be responsible for filing and securing all necessary permits, including, but not limited to TCEQ

SWPPP permits and proof will be required prior to ARC approval. Any construction taking place without these required permits may result in a minimum fine to the builder of \$500 and a "Stop-Work" order. Please contact the ARC via the POA Online Portal if such an order has been received.

4.10 Foundations

Minimum finished slab elevation for all Dwellings shall be twelve (12") inches above 100 year flood plain, or such other levels as may be established by the Walker County Commissioner's Court or Walker County Engineer. The minimum slab elevation must also be a minimum of eight inches (8") above the finished grade of the Lot.

All foundation plans must be signed and sealed by a Professional Engineer registered in the State of Texas.

An on-site concrete washout area, which is to be used by all contractors and owners for rinse out of concrete trucks, shall be in place inside the property lines of the Lot before the foundation is poured. There will be a \$500 fine to the builder for any contractor washing concrete outside of their required, approved washout area.

4.11 Septic Systems

Builders are required to furnish all permits required by all ruling jurisdictions, including Walker County, for the installation of wastewater treatment system on each lot in Deer Forest, prior to construction.

Prior to occupancy, all dwellings constructed in Deer Forest must have a septic or sewage disposal system installed by the Owner to comply with the requirements of the appropriate governing agency or agencies and must pass the onsite final inspection. Any owner found to be occupying a Dwelling prior to receiving these permissions may be fined \$250 per day of occupancy up to a maximum of \$5,000, prior to approval of the onsite inspection.

A system shall not produce odors; shall be serviceable through a surface-level access opening; and must be capable of producing clean effluent that shall be disposed of using drip or surface irrigation or other accepted methods.

5.0 Residential Review Process and Submittal Form

Prior to plan submittal, please the review the Builder's Reference or contact the ARC via the Online Portal if you have any questions.

Plans are submitted through the Deer Forest website. For information on plan submittal, please refer to the Builder's Reference. Copies of the Builder's Reference are available on the website or Online Portal.

Owners or Builders are required to submit a payment in the amount of \$1,000. This fee covers the plan submittal, inspections and builder compliance program costs. Owners/Builders are also required to submit a \$3,500 conformance/damage deposit, which is refundable subject to reduction for fines, property damage, etc. However, this conformance/damage deposit is paid by the Approved Builders at no cost to the owner.

No construction of any sort may begin on a lot prior to plan submittal and subsequent approval by the ARC. Any owner/builder that begins to construct on a lot prior to approval shall be fined \$500 per day with a \$5,000 maximum, until they have submitted the appropriate approval form(s) and payment required for review of construction plans.

In addition, builders are required to submit a Certificate of Liability Insurance, demonstrating that they hold Commercial General Liability insurance. This certificate must be in the amount of \$1 Million, with \$2 Million Aggregate and list Deer Forest as the Certificate Holder.

5.1 Site Operations

Builders are expected to conduct construction activities solely between the hours of 7:00 am and 8:00 pm. Exceptions for activities such as large concrete pours requiring earlier arrival of trucks may be requested in advance of that activity; approval from the ARC is required.

Builders must locate a dumpster or other type of roll-off container on site for the collections of site trash. The site should be cleared daily of all debris that may be blown to other lots during any type of storm activity or other high winds. The dumpster should bear only professional signage and no graffiti or other non-business graphical insignia.

Contractor is required to pick up and remove trash from the build site daily. Failure to do so may result in a fine to the builder of \$20 per day up to \$500.

Site Signage: On behalf of the Builder, the Association will post a professionally made address sign at each building site to accommodate deliveries of contractor locations of the site. The sign will contain the following minimum information:

Builder's Company Name
Contractor Contact Name/Phone Number
911 Address
Section, Block and Lot Number (i.e. 1-4-17).

This is in addition to the sign a builder may wish to place on their active construction site.

The following rules should guide the operation of the jobsite:

1. The builder shall supply and maintain a portable toilet.
2. The use and/or possession of drugs and/or alcohol on jobsites is prohibited.
3. Vehicles shall not obstruct access to mailboxes, occupied homes, or the normal course of work.
4. Maximum Speed in the community is 30 miles per hour, or as stated by Speed Limit Signs.
5. No loud music will be tolerated on jobsites. Music that can be heard 40 feet from its source will be considered excessive.

5.2 Indemnify:

Each Owner who submits a request for approval of an improvement or alteration of any structure shall indemnify, defend and hold harmless the Association, the Board, the Committee, their officers, directors, Members and shareholders for, from, and against any and all costs, claims or charges arising from the submission of the request, any action taken on the request, and from the construction of the improvements or the implementation of an alteration to any existing structure.

IN WITNESS WHEREOF, the undersigned has executed this instrument as of the date set forth below.

DATED July 15, 2021

REPUBLIC GRAND RANCH, LLC
a Texas limited liability company

By: Alber Brinkhaert
Its: Authorized Agent

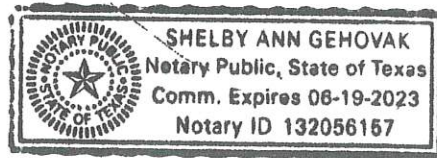
(NOTARY ON FOLLOWING PAGE)

STATE OF TEXAS)
) ss.
COUNTY OF Walker)

This instrument was acknowledged before me on the 15 day of July, 2021 by Debra Bunzha Her as Authorized representative of Republic Grand Ranch, LLC, a Texas limited liability company.

Shelby Ann Gehovak
Notary Public

My Commission expires: 06-19-2023



When Recorded return to:
Deer Forest Property Owners Association
208 W Montgomery St
Willis, TX 77378