

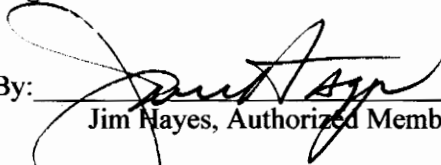


**AMENDMENDED AND RESTATED
ARCHITECTURAL CONTROL GUIDELINES
FOR
LAGUNA HARBOR SUBDIVISION,
AN ADDITION IN GALVESTON COUNTY, TEXAS**

This Amendment (the "Amendment") is executed by the Architectural Control Committee (the "Committee") for **Laguna Resources**, a Subdivision in Galveston County, Texas, whereby the Committee amends the Architectural Regulations (the "ACC Guidelines") that exist for the Subdivision that are attached as Exhibit "A" to the recorded Declaration of Covenants, Conditions and Restrictions for Laguna Harbor Subdivision (the "Master Declaration") dated January 19, 2005, and filed for record under File Number 2005004442 of the Official Public Records of Galveston County, Texas, as amended from time to time. In accordance with the provisions of Section 6.05 of the Master Declaration, the Committee hereby amends the ACC Guidelines as set forth and provided in **EXHIBIT "A"** attached hereto and incorporated herein by reference. This Amendment has been approved by the Board of Directors of Laguna Harbor Property Owners Association.

Executed on this 19th day of February, 2014.

Laguna Harbor Subdivision Architectural Control Committee

By: 
Jim Hayes, Authorized Member

THE STATE OF TEXAS

§

COUNTY OF JEFFERSON

§

This instrument was acknowledged before me on this the 19th day of February, 2014, by Jim Hayes, authorized member of **LAGUNA HARBOR SUBDIVISION ARCHITECTURAL CONTROL COMMITTEE**, on behalf of such committee.


NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING RETURN TO:
Mike Lege
P.O. Box 22858
Beaumont, TX 77720

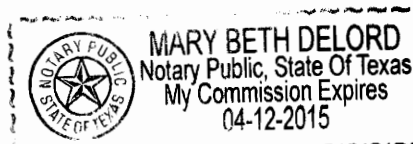


EXHIBIT “A”

AMENDMENDED AND RESTATED

ARCHITECTURAL CONTROL GUIDELINES

FOR LAGUNA HARBOR SUBDIVISION

NOTES:

The following functional areas are subject to these architectural regulations with respect to the established intent, character and quality.

- Vehicular Traffic and Motor Courts
- Main Structure
- Site Amenities (patios, pools, courtyards, decks, etc...)
- Marine / Dock Amenities

Variances to the Architectural Regulations may be granted on the basis of architectural merit and/or approval of the Architectural Control Committee (ACC).

These regulations are aesthetic in their intent. In cases of contradiction with local safety codes, these regulations shall be overruled, with written notification given to the ACC. The regulations do not exempt any structures from compliance to applicable codes.

These regulations are applicable as of the date below and will be updated periodically. All subsequent changes will apply to all buildings which have yet to complete the schematic design phase.

Effective: February 19, 2014

I. MINIMUM & MAXIMUM BUILDING AREA GUIDELINES

SINGLE STRUCTURE:

Section 1 - Block 1 Laguna Harbor Estate Lots	Min. – 2,000 sq. feet / Max. – 5,000 sq. feet
Section 1 - Block 2 Laguna Harbor Cove Lots	Min. – 1,500 sq. feet / Max. – 3,000 sq. feet
Section 2 - Harbor Houses	Min. – 1,500 sq. feet / Max. – 2,500 sq. feet
Section 3 - Harbor Cottages	Min. – 1,000 sq. feet / Max. – 1,500 sq. feet
Section 4 - Harbor Cabins	Min. – 1,000 sq. feet / Max. – 3,000 sq. feet

NOTE: Areas indicated refer to heated / cooled / conditioned space located above prescribed FEMA Base Flood Elevation.

For Section 1, Blocks 1 and 2, multiple structures are encouraged i.e., detached Carriage Houses, Guest Quarters above Garages, Pool Houses, etc...

All construction of residences shall be completed within 12 months from start of construction

These Guidelines may be altered based upon architectural merit and the approval of the Architectural Control Committee.

II. ELEMENTS

MATERIALS

All standing structures are required to use materials and products that are tested and approved for a minimum peak gust wind speed Exposure C stipulated by Texas Wind Storm Standards on the date in which building plans are submitted to the ACC.

Porch Railings shall be made of wood or other material approved by the ACC. Porches may be enclosed. Porch ceilings may be enclosed with painted wood; exposed joists shall be painted or stained.

Metal Elements shall be natural-colored galvanized steel, anodized or ESP aluminum, or manne-grade aluminum.

CONFIGURATION & TECHNIQUES

Primary structural piers or pilings shall be comprised of concrete, wood, steel or other acceptable material and shall be sized by an engineer to current Texas Wind Storm Standards. Pier or pilings shall be painted or stuccoed or clad in wood or fiber-cement siding.

Arcades and Breezeways shall have vertically proportioned openings.

Screened Porches shall have screens installed behind framed railings.

Deck and stairway, posts shall be no less than 6" x 6".

Railings shall have top and bottom rails. Wood top rails shall be eased and bottom rails shall have a vertical section. Top and bottom rails shall be centered on the boards or pickets.

Wood Elements must be painted or sealed with an opaque or semisolid stain, except walking surfaces which may be left natural.

III. ELEVATORS

GENERAL

In general, elevators are encouraged. All elevators shall be professionally designed for residential and or commercial use and shall be installed to manufacturer specifications by a contractor who is approved by the ACC. NO EXTERNAL ELEVATORS OR DUMBWAITERS WILL BE PERMITTED.

All residences in Section 1, Block 1 , Laguna Estate Section, shall be required to either have an approved elevator installed, or be certified to be “elevator ready” by an approved elevator contractor certifying that the residence contains all prerequisite design and pre-installation equipment, wiring, controls and other requirements for eventual elevator installation.

All other residences are encouraged, but not required to have an elevator nor be certified “elevator ready”.

IV. LANDSCAPING

GENERAL

To produce a high quality, environmentally sound coastal community, which preserves and enhances the setting, the site design and landscape of each Lot shall be carefully planned according to the following standards:

Building envelopes and relative site design objectives should:

- ❖ Maintain efficient and effective drainage patterns
- ❖ Minimize grading to avoid erosion; the proper incorporation of retaining walls is allowed
- ❖ Optimize views and protect view corridors
- ❖ Utilize distinctive natural features
- ❖ Blend man-made improvements into landscaping

New plantings are to be used to help define use areas on the lot and screen outdoor service areas and equipment from adjacent lots and off-site views.

V. OPENINGS

MATERIALS

Windows shall be made of wood (painted, stained or vinyl clad), lifetime vinyl, or other quality materials conducive to the environment and climate of the Southeast Texas / Gulf Coast region, and shall be glazed with clear glass or tinting approved by the ACC. No mirrored tinting will be allowed.

Doors (including garage doors) shall be wood or other materials that are approved by the ACC and conducive to the vernacular conditions and climate of the Southeast Texas / Gulf Coast region. Doors shall be painted or stained.

Shutters shall be operable and wood or pre-finished polycarbonate wood fiber and shall be proportional to size and shape of windows.

Security Doors and Window Grilles must be approved by the ACC.

CONFIGURATION & TECHNIQUES

Storm Windows and Screens shall be integral with the window. Screens shall be made of brass, bronze, stainless steel or vinyl.

Garage Doors shall be a maximum of 10' in width.

Driveway Gates shall be in-swinging and have a maximum opening width of 16'.

Shutters shall be operable, sized and shaped to match the openings. Plank shutters are encouraged. Louvers shall be slanted in proper position to deflect light and rain when shut.

Stucco Trim articulations shall be subject to approval by the ACC.

VI. POOLS & SPAS

GENERAL

All pools, spas, fountains and other water features shall be constructed of concrete or other masonry materials approved by the ACC. No above ground pools shall be permitted. Plans and specification for each water feature shall be approved by the ACC prior to installation. All pumps, filters and other equipment shall be screened and shall not be visible from canals, street or adjoining property.

Non-masonry spas will only be permitted if installed on decks located above the base flood elevation, where such decks are part of the primary residence. Proper screening shall be required for privacy.

VII. ROOFS

MATERIALS

Roofs shall be clad in one of the following materials, wood shingles, galvanized steel (in its natural color, corrugated preferred, 5 V crimp or standing seam also allowed), copper or other architectural grade roofing material approved by the ACC and suitable for the Texas Gulf Coastal Region.

Gutters and Downspouts, when used, shall be made of galvanized steel, copper (not copper-coated), anodized or ESP aluminum. Metal chains may be used in lieu of downspouts.

Flashing shall be copper, lead or anodized aluminum.

CONFIGURATION & TECHNIQUES

Principal Roofs on all freestanding buildings shall be a symmetrical hip with a slope of 6:12 to 10:12. Also allowed are gabled, gabled hips, hipped gables, and flared hips.

Flat Roofs shall be permitted only when designed to be occupied and accessible from an interior room no less than 100 SF in size.

Gutters shall be half-round. Downspouts shall be round.

Dormers shall be placed a minimum of 3' from side building walls, and have shed roofs with a minimum slope of 3-12 or hipped roofs with a slope to match the principal structure. Eyebrow dormers are also encouraged.

Eaves shall be continuous, unless overhanging a balcony or porch. Eaves on the main building shall have an overhang that is deep (recommended 30" – 40"). Eaves on outbuildings shall match the eaves of the main building, or shall be approximately half the size of the eaves of the main building in proper proportion.

VIII. WALLS

MATERIALS

Building Walls shall be finished in stucco, cedar or fiber-cement shingles, wood or fiber-cement clapboard, board and batten, or board on board, and then sealed with paint or stain.

Screening is encouraged and may be required between piers and pilings.

Walls and Fences shall generally be constructed of the same material as the first floor of the primary building: Masonry piers with wood pickets may replace solid masonry walls. Masonry walls shall be made of brick or stuccoed concrete while gates shall be wood. Walls may be perforated. Fences shall be made of brick, stuccoed concrete, fiber-cement boards, smooth cedar, anodized aluminum, or pressure treated wood. Post may be minimum 6"x 6" wood post or have, coated steel, masonry or stucco piers.

All mechanical, electrical and plumbing equipment must be screened.

Pickets, Pales and Boards shall be made of smooth cedar, fiber-cement boards or pressure treated wood.

CONFIGURATION & TECHNIQUES

Building Walls may be built of no more than two materials, except for protrusion, towers or other element accents i.e. cedar shingles may be combined with wood siding when the material

change occurs horizontally, (typically at a floor line), with the heavier material below the lighter. Walls of a single building must be built in a consistent configuration. Wood clapboard and shingles shall be horizontal.

Stucco or plaster coating may be applied to concrete block or poured concrete. Stucco shall be steel troweled.

Trim shall be minimum grade "B" trim lumber or fiber-cement and shall not exceed 6" in width at corners and around openings, except at the front door where it may be any size or configuration. Exceptions may be granted for shingle structures and for classical detailing.

Fences on adjacent lots may have different designs, subject to approval by the ACC. Where a wall or fence on one property meets a taller or shorter wall or fence on another property, it is the responsibility of the latter designer to transition their wall or fence to the height of the former.

For Section 1, Block 1 and 2, no fencing shall be permitted on any lot within 25 foot of lot bulkheads.

IX. DOCKS

MATERIALS

Docks shall be constructed with marine-grade treated wood, concrete or metallic pilings with a non-corrosive coating. All decks, gangways and walkways shall be constructed of marine-grade treated wood or other material approved by the ACC.

CONFIGURATION & TECHNIQUES

For Section 1, Blocks 1 and 2; and Section 4, docks may be constructed along the face of the Bulkhead on each lot and may extend up to the property line or the building setback line as denoted on the Platt of record.

Docks may have Roofs or Decks over the water but the lowest horizontal member of a Roof, or floor of a Deck, shall be constructed to a **minimum** height equal to the Base Flood Elevation height required by currently published FEMA Flood Maps, and, a **maximum** height no higher than the elevation of the first floor of the main residence. The maximum height of any roofs or covers over decks located over docks shall be no higher than 10 feet above deck floor levels

Roofs or Decks may be connected to the main residence or other structures by walkways constructed to a height equal to or greater than the Base Flood Elevation with such walkways having a maximum width of 4 feet

X. EXTERIOR LIGHTING

All exterior lights shall consist of shielded fixtures that prevent light from escaping through the top and sides of fixture. Down lighting is encouraged to reduce glare, to better light drives and paths, to protect neighboring properties from bright light sources, and to generally minimize light pollution. Colored lights are prohibited. Amber lights are subject to ACC approval. Spotlights and floodlights will be considered on a case-by-case basis, depending on orientation and

location. All landscape lighting must be low voltage lamps. All exterior lighting fixtures and locations must be approved by the ACC.

NOTE: Exceptions to these provisions may be made for lighting surrounding main entryways to residences based on architectural merit. Exceptions will be approved on a case-by-case basis.

These Guidelines may be altered based upon architectural merit and the approval of the Architectural Control Committee.

FILED AND RECORDED



OFFICIAL PUBLIC RECORDS

Dwight D. Sullivan

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June 27, 2014 02:14:49 PM

FEE: \$54.00

Dwight D. Sullivan, County Clerk
Galveston County, TEXAS