



NORTHLAKE HILLS PROPERTYOWNERS' ASSOCIATION, INC.
(A Texas Non-Profit Corporation)

Architectural Control Committee
POLICY, GUIDELINES, AND PROCEDURES DOCUMENT

I. PURPOSE

Pursuant to the authority vested in the Architectural Control Committee (ACC) by the Declaration of Covenants, Conditions and Restrictions for Northlake Hills, the ACC adopts this Policy, Guidelines, and Procedures Document to aid the property owner in the design and implementation of improvements to their property

II. PLANS AND SPECIFICATIONS SUBMISSION REQUIREMENTS

1. For new home construction projects, it is important to schedule a preconstruction meeting with the ACC. This meeting usually helps expedite the approval process and may help avoid any problems or misunderstanding of the requirements.
2. **Prior to any site development (site clearing included) or construction activities of any kind, plans must be approved by the ACC.**
3. A \$1,100 fee payable to NLH POA that is due upon plan submittal. For lots which are entirely on Reed Parks Road and do not meet at any point on a private road owned by the POA, the fee is \$500. These fees may change from time to time depending on the costs of professional services used in the review process.
4. The ACC has 30 days to approve, disapprove, or request additional information from the property owner. Plans which are not substantially complete will be promptly returned to the applicant for revision. Applications received by the ACC must be from the property owner. Plan submittals from a third party such as a builder must be authorized to act on behalf of the property owner by written approval of the property owner.
5. A topographical and tree survey is required. The tree survey shall show all trees within the entire area which will be disturbed including the areas within the front, side, and rear setbacks. ACC needs a list of trees that will be removed
6. Submission forms are attached.

III. BUILDING AND SITE DEVELOPMENT REQUIREMENTS

1. Silt fencing must be installed prior to any site clearing or construction activity.
2. Oak Wilt has had devastating effects in the Jonestown area. To avoid the spread of Oak Wilt the pruning of any type of oak tree is prohibited from February 1 to July 1 unless formally approved by permit issued by the City of Jonestown. Please refer to texasoakwilt.org for additional information.
3. Construction times allowed are 7am - 6pm M-F and 8am - 6pm Saturday. No construction activities are allowed on Sundays or national holidays without prior written approval by the ACC.
4. No parking of construction vehicles is allowed on the streets. All construction vehicles must be parked off the street and onto the owner's property unless permission from a neighboring property is obtained in writing. For public safety and emergency services needs, no parking of contractor/maintenance or construction company vehicles, trailers, or machinery is allowed in the cul-de-sacs or within 50 feet of any fire hydrant.
5. The private streets are not designed to bear the loads of a full cement truck therefore cement trucks are not allowed to park on the streets or ribbon curbs at any time.

IV. ENDANGERED SPECIES HABITAT AREA REGULATIONS

No tree clearing is permitted per federal mandate March 1 through August 1.

The entire Northlake Hills development is part of federally protected land for endangered species. In 1996, the U.S. Fish and Wildlife Service (FWS) issued a Section 10(a) permit under the Endangered Species Act to The Volente Group of Texas, Inc. for the development of a portion of the former D.C. Reed Estate (now subdivided into Northlake Hills, along with other developments such as Ranchland Hills, Lighthouse Estates, Northshore, The Pointe, Long Hollow Estates, and Volente Hills). This permit set certain restrictions on the clearing, development, and use of land. These restrictions are adopted into the Northlake Hills Property Owner's Association Declaration of Covenants, Conditions, and Restrictions (CCR's) which were provided to every property owner at the time of their closing.

The CCR's clearly address these requirements and property owners are encouraged to read the language carefully to ensure full compliance with the regulations. *The key point to remember is clearing of properties between MARCH 1ST AND AUGUST 1ST OF EVERY YEAR and to plan clearing activities accordingly.*

In addition to the FWS regulations, the removal of certain trees within the entire Northlake Hills development is subject to City of Jonestown ordinances. The CCR's, which were given to you at the time of closing, make reference to City of Jonestown restrictions for removal of trees; however, this reference is not up to date with current Jonestown City Code. Currently, removal of hardwoods greater than a certain diameter **or mature Juniper Ash (also known as Cedar) 18"** or greater in diameter, is restricted at all times of the year and remedies apply for non-conformance. Property owners must consult with City of Jonestown's staff to acquire the proper authorizations and permits.

Since any violation of the FWS 10(a) permit may adversely affect the Northlake Hills development as a whole, the Northlake Hills Property Owners Association requires each property owner to make application with the POA's Architectural Control Committee (ACC) and the City of Jonestown for formal approval prior to any lot clearing activities

I PLANS AND SPECIFICATIONS SUBMITTAL REQUIREMENTS

These construction guidelines are intended for all members of the Northlake Hills Property Owners' Association, Inc. (POA). Each member individually is referred to herein as "Owner," and each Owner's respective builder, referred to herein as "Builder."

The Architectural Control Committee (ACC) of the POA reviews the Plans and Specifications submitted by each owner for compliance with the (1) Declaration of Covenants, Conditions, and Restrictions for Northlake Hills (CCR's), as amended from time to time, and (2) these Construction Guidelines. Article IV.10 of the CCR's allows the ACC to adopt rules not in conflict with the CCR's.

It is the desire of the Northlake Hills ACC to facilitate construction of Owners' residences, while keeping disturbances and inconveniences caused by construction to a minimum and maintaining a safe environment during construction. These guidelines are to provide the specific requirements for construction plan submittals, as well as the activities and responsibilities of owner and builder during construction and can be enforced in the same way as deed restrictions. Property owners and their representatives should refer to the CCR's for specific deed restrictions and other covenants related to the residence and other improvements on the Owner's Lot. Compliance with the CCRs is ultimately the responsibility of the property owner.

I. BUILDING AND SITE DEVELOPMENT REQUIREMENTS.

A. Submittal of Plans and Specifications.

Owner shall submit for plan review Plans and Specifications, as defined in the CCR's. Plans and specifications must be approved by the ACC and the City of Jonestown prior to any site development or building activities excepting surveys. (See "Plans and Specifications: "What to Submit to ACC" below).

B. What Requires ACC Approval?

The ACC must approve in writing any "**Improvements**" to the Owner's property, defined in Article 1.15 of the CCR's as *"the buildings, garages, carports, streets, roads, antennas, driveways, parking areas, walls, hedges, plantings, planted trees and shrubs, lighting and all*

other Structures of Landscaping of every kind and type affecting the natural condition of the property or the drainage of surface waters on, across or from the land. "Structure" is defined as "anything erected, constructed, placed, laid or installed in, on or over said real property, the use of which requires a location on or in the ground, but not including vegetation, trees, shrubs or plantings." "Landscaping" is defined in Article 1.16 as "growing plants (including grass, vines, groundcover, trees, shrubs, flowers and bulbs) and related materials (including mulch, landscape edging and other materials used to fertilize, cultivate and sustain such growing plants), underground sprinkler irrigations systems, and such other improvements for the landscaping and scenic enhancement of any of the Lots, any entry area into the Subdivision, or any other portion of the Property." The above definitions include without limitation, all fencing, lighting, fountains, statues and monuments placed on the Owner's Lot. All construction, alterations or removal must conform to the approved Plans and Specifications.

C. **On-Site Inspections**

The ACC reserves the right to make on-site inspections, as they deem necessary during construction to verify that the guidelines are being followed as submitted. The ACC shall give a minimum 24- hour advance notice of the visit.

II. PLANS AND SPECIFICATIONS

A. WHAT TO SUBMIT TO ACC (New residence construction only)

Consult with an ACC member for ancillary construction or landscaping/lighting project requirements. The 30-day time period for review does not commence until such time as all required Plans, Specifications, and review fees have been received.

1. Initial Submittal Requirements. Owner shall submit two paper sets and one electronic set of Plans and Specifications, including at a minimum the following:

- a. Completed Application for Review (see attached form below).
- b. Application Fee, as specified in Exhibit "A"; See Page 5.
- c. Architectural Site Plan with dimensions at 1"=60'.0" including:
 - Finish floor elevation of the residence and other structures, all setbacks, easements, the footprint of all proposed improvements to Owner's property, swimming pools, walkways, parking areas, workshops, and any other permanent structure, any fencing or unattached improvements to the Lot, including boat docks.
 - The driveway shall also be indicated and any appropriate driveway termination details. Driveways, walkways, and other lot entry points must not direct water over, or away from, drainage culverts designed to carry water into retention ponds or other water management systems. The slope and path of the driveway is of concern to the ACC, and driveways that are too steep or lengthy, you may be asked to be re-design the driveway to come within community standards.
 - Samples (or photos of samples) of exterior material proposed are required for submittal also.

- Total % impervious coverage above 685msl.
 - Show the placement of the propane tank if applicable.
- d. Topographic and Tree Survey at 10-foot contour elevations; Include a list of the trees to be removed.
 - e. Foundation Plan
 - f. Floor Plan(s);
 - g. Roof Plan. Sample of roof material is required.
 - h. Site Elevations; Cannot exceed 28' from natural grade. Label the building materials being used.
 - i. Framing Plan and Outline, or Builder's architectural specifications for all building products and construction techniques; Photos of samples of materials and colors proposed.
 - j. Landscaping Plan, if available at the initial submittal period. Otherwise see below, "Ongoing Submittal Requirements." All plans must meet the current City of Jonestown landscaping ordinance.
 - k. Lighting Plan. The POA will only approve lighting plans that control light trespass and comply with the City of Jonestown ordinances including the City's Dark Skies certification initiative.
 - l. Drainage management plan – **Drainage Management Plan, sealed by a registered engineer** is required for the property including the street Right Of Way to ensure that normal rainwater runoff patterns are not altered across neighboring property and that no runoff flows onto the roadway including runoff from the driveway.
 - m. LCRA approved septic plan, which is to be constructed in accordance with state & county health department regulations.
 - n. Plans must include the installation of Infiltration Chambers or Proof of Acceptance for BMP Regulations from LCRA per section II.A. 3 below.
 - o. If applying for a Variance to the City of Jonestown, Variance approval from the City of Jonestown must be submitted
 - p. Acquire temporary gate code for contractors.

Except for the construction specifications, unless otherwise approved by the ACC, plans and specifications shall be submitted on standard-size blueprint pages, with the name and property address of the Owner on each page submitted. The provisions contained herein regarding plans and specifications refer to the minimum of which must be submitted to initiate ACC review. The ACC may request additional information, material, construction samples, or reports to assist it in making a determination regarding the improvement proposed.

2. **Ongoing Submittal Requirements.** Owner maintains an obligation to submit to the ACC plans, specifications, and landscape/lighting plans for any exterior changes taking place on the lot at any time. Owner should include in the landscaping plan any monuments, fencing, retaining walls, permanent art/sculpture, or other structure, which may be visible to neighboring lots and/or the roads adjacent to the lot. Hardscape construction (monuments, walls, planters, fences, etc.) is not permitted in the street Right Of Way without specific approval in writing by the ACC.

3. **Lower Colorado River Authority Water Quality Best Management Practices (BMPs) Requirements for the Northlake Hills Subdivision**

LCRA created a Water Quality / Nonpoint-Source Pollution Control Ordinance in the early 1990's to address the impacts of increasing development on water quality in the Highland Lakes region. LCRA's Nonpoint-Source Pollution Control Ordinance requires the use of temporary best management practices (BMPs) during construction and permanent BMPs post construction to treat storm water runoff carrying pollutants including total suspended solids, oil and grease, and nutrients. The developer and engineer of your subdivision chose to use several types of BMPs within Northlake Hills including the installation of individual BMPs on each lot. Each Section of Northlake Hills has different criteria and standards for complying with the permit requirements. It is the responsibility of the property owner and contractor to design and install the required BMP. Listed below are instructions for complying with the permit requirements for Northlake Hills. Infiltrator panels/chambers may be used as originally proposed or alternative methods can be used to capture storm water runoff. Alternative methods include rainwater collection systems, dry wells, filter strips, or rain gardens.

Section 1 properties include Lots 3-29 on Harbor Drive and Crystal Cove, estate tracts 30-39 and Section 6 Lots 1-6 – These properties require 0.8" capture depth from roofs of single-family homes.

Example calculation:

Capture volume (cubic feet) = roof area (square feet) X 0.8 inches /12 inches per square foot
For a 3000 square foot roof, $3000 \times 0.8/12 = 200$ cubic feet

Section 2 properties on Northlake Hills Drive require 1.5" capture depth from roofs of single-family homes

Example calculation:

Capture volume (cubic feet) = roof area (square feet) X 1.5 inches /12 inches per square foot
For a 3000 square foot roof, $3000 \times 1.5/12 = 375$ cubic feet

Section 3 properties on Northlake Hills Drive require a minimum 4760 sf vegetated filter strip down-gradient of the homesite on a well-vegetated area of less than 10% slope. Another bmp can be substituted using the same calculations as section 2. Vegetated filter strips should be less than 10% slopes

Section 4 properties on Northlake Hills Drive require a minimum 4730 sf vegetated filter strip down-gradient of the home site on a well-vegetated area of less than 10% slope. Another bmp can be substituted using the same calculations as Section 2.

Section 5 properties on Northlake Hills Drive require 141 cubic feet of treatment from roofs of single family homes

Please see the Excel Spreadsheet listed on the NLHACC Documents "Storm Water Credits for Residential Lots" to calculate the BMP requirements for your property.

The captured runoff may be collected in infiltrator panels as originally proposed or in a rainwater collection system, dry well or in a rain garden. Details for these BMPs are found in the LCRA HLWO Technical Manual Appendix 2.10.2 (rain garden), 2.10.3 (dry well), section 4.3.2 (rainwater collection/harvesting). The attached spreadsheet can be used to calculate the required bmp volume. Alternatively, the driveway may be constructed of porous pavement (appendix 2.10.1 for detail) or

permeable interlocking pavers (detail attached).

Proposals may be sent for LCRA review by emailing HLWO@lcra.org or via regular mail to

LCRA Water Quality
Mailstop L-106
P.O. Box 220
Austin, TX 78767-0220
512-578-2324

(See EXHIBIT 'B')

4. Final Submission Requirements Electronic versions of all final submission-documentation are to be sent to the current ACC Members. Electronic formats should be PDF or JPEG.

a. WHERE TO SUBMIT HARD COPY PLANS AND SPECIFICATIONS

The plans and specifications should be submitted to an ACC Member at his/her home address, unless otherwise specified or agreed.

b. ACC PROCEDURE

Within thirty (30) days after the receipt of all required plans, specifications, and application fee, the ACC will either:

a. Request additional information

1. ACC may request additional information, as they deem necessary in their sole discretion.
2. ACC must respond within thirty (30) days of submittal of additional information or plans and specifications are deemed approved. All decisions shall be based on a majority vote of the ACC members.

b. Approve

1. ACC will email you a conditional Approval and will include the Architect's Compliance Form marked "Approved".
2. If no action is taken by ACC within 30 days, then approval is presumed.
3. Owner must begin construction or activity within ninety (90) days of approval; however the ACC may grant up to two thirty (30) day extensions.

c. Approve with Conditions Stated

1. ACC marks "Approved Subject to Conditions stated below."
2. Owner must comply with all stated conditions within stated time frame.
3. Aside from compliance of stated conditions, no further action is required by Owner.

d. Disapprove

ACC will email "Disapproved" if the plans are not complete or if the plans do not comply with the ACC Construction Guidelines.

1. ACC provides written explanation for rejection of plans.
2. Owner submits a new set of plans.
3. ACC acts on revised plans within thirty (30) days, or they are deemed approved.

One copy of the approved plans and specifications shall always remain at the construction site. Incomplete or rejected submissions are to be corrected and returned for review. Under no circumstance shall any phase of building and site development construction occur while a set of plans and specifications is under review.

e. Board Liaison

The ACC or applicant may request a board liaison who could participate in on ACC meetings but would not be acting as or voting as a committee member.

f. Application Fees

The ACC has established the application fee shown on Exhibit "A". The fee may change based upon the activity proposed in each application, or to accommodate for consultant fee fluctuations. No fees shall exceed the reasonable cost and expense of the ACC for the processing and review of plans and specifications, including the cost of any consultants hired by the ACC.

g. Variances

Requested variances to the CCR's or these Construction Guidelines will be considered on a case-by-case basis, pursuant to Article VI.9 of the CCR's. Owner must state the variance requested and reason on the Application for Review and submit all documentation necessary for the ACC to make a determination. The ACC must specifically approve or deny the variance request in writing by a majority of the ACC members. The approval of a variance does not waive any of the covenants, conditions, restrictions, or provisions of the CCR's for any other purpose, except for that specific approved purpose and only to that particular Lot. After plan approval, ANY VARIATIONS IN CONSTRUCTION FROM THE APPROVED PLANS AND SPECIFICATIONS WITHOUT FIRST OBTAINING A VARIANCE CHANGE APPROVAL WILL BE REGARDED AS A VIOLATION OF THE CCR'S.

h. Covenant Violations

All ACC notices to property owners of a violation to the CCRs must be approved by a majority of the ACC members. All ACC violation notices will be sent certified mail, hand delivery, or email. The notice will describe the basis for the violation and the actions required of the property owner to cure the situation.

i. Appeals Process

All ACC decisions must be approved by a majority of the ACC members. All ACC construction or improvement plan denials will be sent certified mail, hand delivery or email. The denial will describe the basis for the denial and the changes to the application that would allow approval. The denial will inform the owner that he/she has a right to a hearing with the Board of Directors within 30 days. While it is always best for the ACC and property owner to first try and resolve any issues together, the board will hold a hearing within 30 days of an appeals request and will provide the owner 10 days notice of the hearing. The board may choose to deliberate after a hearing to review the facts of the case, conduct research, or meet with legal counsel prior to scheduling a follow up meeting to request

additional information or render a final decision. Either party may request a 10-day postponement of any scheduled hearing.

j. Required Approvals from Other Governing Authorities

The Property Owner is responsible for any required submittals, permitting, or approvals required of any governing authority. These applicable governing authorities may require additional documents for review and final Certification of Occupancy. Owner is solely responsible for obtaining all necessary permits and approvals prior to commencing construction.

k. Amendments

These guidelines may be amended in writing at any time by the ACC without advance notice at its sole discretion and shall remain binding and enforceable on all property owners in the subdivision(s). The current approved version of this document is accessible from the northlakehills.com website.

EXHIBIT "A"

New Construction Application

Plan Review FEE AMOUNT

Fee payable to "Northlake Hills POA"

For lots on private roads owned by the POA \$1,100.00 Fee

For lots which are entirely on the public street (Reed Parks Road) and do not meet at any point a private road owned by the POA, the fee will be the prevailing cost for all plan reviews. \$ 500.00 Fee

Includes and covers but is not limited to the following: Architect review, Architect Site Reviews, Resubmissions (if deemed necessary by the ACC), Road Maintenance, Gate Maintenance, and Water quality maintenance.

APPLICATION FOR REVIEW.

Applicant _____

Property Address _____

Section Number _____ Lot Number _____

Applicant's Mailing Address _____

Applicant's Phone #: _____

Fax # _____

Email Address _____

Builder Name and Address _____

Builder Phone # _____ Fax # _____

Submittal Date _____

2 set of hard copies and one PDF electronic version of plans submitted? (Y/N)

Electronic set of plans submitted? (Y/N)

Plans include the following for each proposed improvements (check each off)

____ Architectural Site Plan with dimensions, at 1"=60'.0"

____ Topographic and Tree Survey at 10-foot contour elevations

____ Foundation Plan

____ Floor Plan

____ Roof Plan

____ Site elevations.

____ Framing Plan and Outline or Builders Architectural Specifications.

____ Landscaping and Lighting Plan, if available at the initial submittal period.

____ Drainage Management Plan- Sealed by a registered engineer

____ LCRA approved Septic Plan.

Review Fee Amount _____ Form of payment _____

Re-submitted (Y/N) _____

Additional Fee Amount _____

Variances requested _____

Date submitted to Architect: _____

Construction Walk-Thru date _____

Is this a resubmission? (Y/N) If yes, date of resubmission _____

Comments _____

POA President Initials _____

NORTHLAKE HILLS ARCHITECTURAL CONTROL COMMITTEE COMPLIANCE REPORT

Owner Name and Mailing Address: _____

Phone: _____

Fax: _____

Email: _____

Property ID: Section # _____ Lot # _____

ACC Reviewing Architect: _____

Date of Original Construction Document Submittal _____

Date(s) of Required Resubmission: _____

Date of Architect report review. _____ (Report attached).

Date of this Report: _____

Construction Documents:
(CHECK ONE)

- ☐ APPROVED
- ☐ ***APPROVED SUBJECT TO CONDITIONS BELOW***
- ☐ DISAPPROVED FOR REASONS STATED BELOW
- ☐ OWNER TO SUBMIT ADDITIONAL INFORMATION NOTES: _

Items requiring further review before approval. _____

(ACC MEMBER)

Date

(ACC MEMBER)

Date

(ACC MEMBER)

Date

This document serves as notification that the responsibility for complying with all of the construction requirements listed in all three parts of this document rests solely with the property owner.

The ACC is available to you and your builder throughout the construction project to answer any questions you may have.

Property owner signature

Date

Builder or property owner designated representative signature

Date

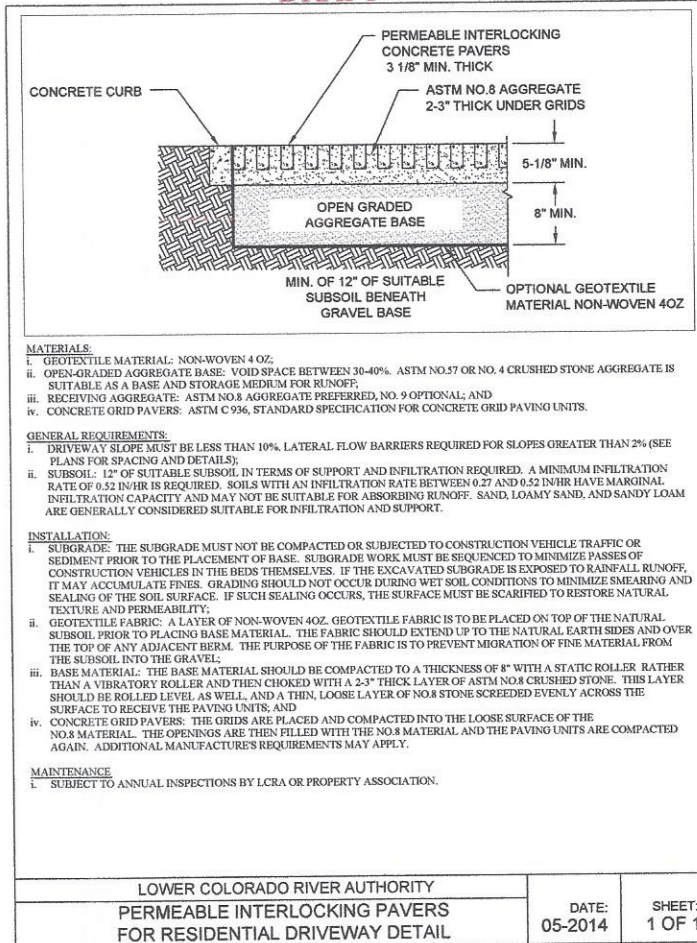
Northlake Hills representative signature

Date

EXHIBIT 'B'

BMP REQUIREMENTS

DRAFT



Please see the Excel Spreadsheet listed on the NLHACC Documents "Storm Water Credits for Residential Lots" to calculate the BMP requirements for your property.

PART II BUILDING AND SITE DEVELOPMENT REQUIREMENTS

INTRODUCTION

This document is a list of requirements and guidance's prepared by the Northlake Hills (NLH) Property Owners Association (POA) to assist property owners and builders in carrying out construction and site development efforts in the Northlake Hills Subdivision. The POA takes violations of this guidance very seriously. We encourage property owners and builders to adhere to the rules to avoid citations by the POA, City of Jonestown, Jonestown Police Department, and Federal or State regulatory agencies. Any of which can have a seriously negative effect on your construction project. Our sincere hope is for your project to be successful and for NLH to gain a good neighbor.

1. LOT CLEARING REQUIREMENTS,

1.1 General Clearing Requirements;

- 1.1.1 The POA and the City of Jonestown regulates site development activities.
- 1.1.2 In most cases the city requires that a "Tree Survey", be performed by a licensed contractor prior to any tree clearing. The City Building Official will review the survey with you and a specific site will be identified and permit issued by the city for allowed clearing activities.
- 1.1.3 Cutting of any trees or limbs on a lot you do not own is strictly prohibited.
- 1.1.4 Tree limbs must be removed from the property or chipped within 30 days of cutting.
 - 1.1.4.1 Accumulation of debris is not permitted.
 - 1.1.4.2 For more information regarding removal of debris from site clearing, please see the City of Jonestown City Code and Ordinances, Chapter 71, "Building and Construction Regulations," part 71.032, *General Permit Conditions*.
- 1.1.5 Damage caused by rainwater runoff from your property after any site modifications will be your responsibility and your expense to correct.
- 1.1.6 SILT FENCING;
 - Silt fencing must be installed before or within 48 hours after any site clearing or ground disturbing activity is initiated and maintained throughout the construction phase until landscape remediation controls are in place and become stable to protect the POA drainage systems, neighboring properties, and Lake Travis. The City Building Official can assist you with proper silt fence location. Silt fencing or other construction fencing must not be placed in the POA easement The silt fence shall be constructed per City of Jonestown, LCRA, and TNRCC standards, and placed so as to prohibit erosion as well as construction debris, dirt and mud from entering any common area, drainage system, or right of way.

1.2 Seasonal Restrictions on Clearing

- 1.2.1 In 1996 the U.S. Fish and Wildlife Service (FWS) issued a Section 10(a) permit under the Endangered Species Act covering all of Northlake Hills. The protected species involved is the Golden Cheeked Warbler.
- 1.2.2 Clearing of vegetation anywhere within the subdivision is prohibited during

the breeding season, **March 1 through August 1.** (Including land below the 722-foot contour line). See 1.2.4 for the only allowed exception without FWS approval. Exception can be requested from the FWS (Austin office (512) 490-0063) for a property survey consistent with FWS guidelines to be done immediately prior to such activities. The survey will include land within 300 feet of the activity to reveal whether any Warbler territories are present.

- 1.2.3 Surveys conducted any year before the clearing activities cannot be used to determine if clearing can occur. The survey must be completed immediately prior to the clearing activities.
- 1.2.4 Minimal limbing of trees in previously cleared areas is allowed between March 1 and August 1 to clean up building area.
- 1.2.5 A violation of any terms of the Section 10(a) permit is an offense punishable under Federal law.

1.3 Design Development & Approval

All new construction must go through the ACC for review and approval. The property owner and/or builder submit an ACC Plan Review form, plans and specifications, review fees, and landscaping plans to an ACC member.. Approval and/or comments will then be provided to you by the ACC within 30-calendar days.

- 1.3.1 Changes to design, sitting, or materials following ACC approval is prohibited without prior approval. The property owner and/or builder must submit the requested change for approval prior to carrying out the change. Violations of this stipulation will be strictly enforced with fines assessed to both the property owner and builder.

1.3.1.1 Violations may result in a "Stop Work Order" issued by the City of Jonestown.

2. CONSTRUCTION

- 2.1 A trash container and/or receptacle must be delivered to the property prior to construction activity.
- 2.2 Portable toilet(s) shall be at the construction site at all times and maintained. At no time shall workers use the construction site or adjacent properties for defecation. This shall be strictly enforced.
- 2.3 Portable toilets must be placed as close to the work site as possible and at least 10 feet away from the edge of the street.
- 2.4 Open fires are not permitted for any reason unless an approved Burn Permit is first issued by the City of Jonestown.
- 2.5 For more information regarding proper behavior during the building and construction phase, please see the City of Jonestown City Code and Ordinances, Chapter 71, "Building and Construction Regulations."
- 2.6 No loud music allowed at the construction site.

3. LANDSCAPING/LIGHTING & SITE RELATED ACTIVITIES

- 3.1 Drainage considerations;
The property owner and builder must consider the effects of drainage and runoff from

the construction site and related activities. Sediment, debris, and materials can be carried from the site to the community and clog ditches, culverts, and drainage systems.

- 3.1.2 It is the responsibility of the property owner, builder, or designated representative to both prevent and clean up any sediment, debris, and materials that may impact the proper function of drainage systems in Northlake Hills.
- 3.2 Oak Wilt Prevention;
 - 3.2.2 All Landscaping activities performed by or for the property owner must follow professional arborist guidelines to prevent the spread of Oak Wilt.
 - 3.2.3 Avoid any pruning of Oak trees between mid-February and mid-June. This is the time the beetles that spread the wilt fungus are most active.
 - 3.2.4 Ask landscapers to sterilize pruning equipment before working on your trees.
 - 3.2.5 All year, immediately paint fresh wounds greater than ½ inch with a thin layer of tree wound paint. Waiting even a few hours can be too late.
 - 3.2.6 Refer to Texasoakwilt.org for additional information.

4. TRASH, RUBBISH, AND DEBRIS

- 4.1 Trash receptacles for use by workers must be on site at all times, maintained, and emptied on a weekly basis by the same service as is used by all Northlake Hills residents. Keep container lids closed at all times to keep animals out.
 - 4.1.1 No rubbish or debris of any kind will be permitted to accumulate upon the property or site. Disposal of food garbage in open top receptacles is prohibited.
 - 4.1.2 An odor arising from refuse that renders the property offensive to any property owner or occupant is prohibited.
- 4.2 The property owner and builder will be held responsible for cleanliness on the lot and in the adjacent vicinity and for the proper disposal of construction material and trash.
- 4.3 Any construction or trash material located within 300 hundred feet of any construction site shall be presumed to be from that site and is the responsibility of the property owner and builder to clean up.
- 4.4 If the garbage, refuse, and debris issues are considered severe, the City of Jonestown may issue a stop work order.
- 4.5 For more information regarding Garbage regulations, please see the City of Jonestown City Code and Ordinances, Chapter 130, "Garbage and Refuse Services."

5. VEHICULAR TRAFFIC

- 5.1 All construction traffic must observe a 25-mile per hour speed limit on all streets within the subdivision. Northlake Hills is regularly patrolled by the Jonestown Police Department and JPD is authorized to issue traffic citations as necessary.
- 5.2 Any damage to the security gates or fences by a builder, contractor, or his subcontractor will be assessed to the owner for payment for repairs.
- 5.3 Any damage to the roadway or other infrastructure will be assessed to the owner for payment for repairs.
- 5.4 Care should be taken to ensure construction vehicles do not block the roadway or restrict vehicle movement on residential streets. Construction vehicles may not park on the roadway, especially the concrete ribbon curbs. For public safety and emergency services

needs, no parking of contractor maintenance or construction company vehicles, trailers, or machinery is allowed in the cul-de-sacs or within 50 feet of any fire hydrant.

- 5.5 Cement trucks are prohibited from parking at any time on the POA streets or ribbon curbs. All cement trucks must be parked on the owner's property while performing operations.

6. EMERGENCY SITE WORK

- 6.1 Emergency site stabilization may be required in the event of heavy rains or wind. Please notify the Northlake Hills ACC immediately of any temporary site stabilization actions.
- 6.2 The property owner and/or building shall follow-up with a written description of what precipitated the emergency stabilization, corrective action taken, and whether the action will be permanent in nature.

7. PERMITS AND UTILITIES

Builder shall contact all appropriate utility companies or locating services prior to beginning any clearing or excavation operations. Owner shall be responsible for paying any and all fees and for obtaining all required building permits from the City of Jonestown.

8. SITE ACCESS

Access to the site shall be at builders option provided the following criteria are met:

- (1) Access over existing drainage culverts shall have a minimum 18" diameter reinforced concrete placed in the drainage culvert and stabilized with concrete. Concrete pipe to be a minimum of 12'-0" long with concrete headwall at each end. Headwall to have a radius to assist in vehicular access and to provide a smooth transition to the public right of way.
- (2) Temporary construction access that has the potential to generate dirt and sediment in the public right of way shall have a stabilized construction entrance (SCE). This entrance shall have open graded rock of 6" min size. The stabilized entrance must be 8' wide with a maximum slope of 4 in 12 and a minimum of 8" deep. It shall be the builders' responsibility to maintain the entrance and remove loose rocks and trapped or accumulated silt each day from the roadway.

Permanent Driveways: Approved driveway materials are concrete, pavers or asphalt. Asphalt driveways must have concrete ribbon curbing a minimum of 12 inches wide. Driveways uphill from the road must be designed so rainwater runoff is diverted into the adjacent ditch or culvert. Existing drainage swales or culverts uphill from planned driveways must not be impeded such that runoff is diverted onto the road or neighboring properties. Only one driveway per address intersecting the POA private streets or Reed Parks Road is permitted.

9. BUILDING MATERIALS CLARIFICATION

The Declaration of Covenants, Conditions and Restrictions (CCRs) document stipulates "the exposed surface of the exterior walls of all single-family dwellings shall be constructed of at least 75% masonry, stone or other materials specifically approved in writing by the Committee." The ACC will prohibit the use of Hardie Board (also called Hardy Board, Hardy Plank, etc.) on the front side of the dwelling. The ACC may accept Hardie Board on other

parts of the structure as long as it harmoniously blends with the look and feel of the surrounding neighborhood. Exterior wall surfaces must be clearly described in the plans submitted. Any windows in garage doors must be opaque, so as to not see the contents of the garage.

Fences must be a traditional wrought iron look

10. DAMAGE TO NEIGHBORING AND COMMUNITY PROPERTY

Owner and Builder shall be responsible for damage to surrounding personal and community property and vegetation. Trailers and equipment left overnight are to be parked off the public right of way.

11. CONSTRUCTION HOURS

Construction and large, loud equipment use Hours are from 7:00 am to 6:00 pm Monday through Friday, and from 8:00 a.m. to 6:00 p.m. on Saturdays. No construction on Sundays or Federal Holidays .

12. PARKING OF CONSTRUCTION VEHICLES

Cement trucks are prohibited from parking on POA streets at all times. Builders' workers are to park their vehicles so as not to impede access and exit from the subdivision, nor property owners' access from adjoining properties. Parking is not permitted on both sides of the road at any time unless the vehicles are pulled completely off the roadway including the concrete ribbon curbs. Violations may result in JPD traffic citations and/or towing at the vehicle owner's expense.

For public safety and emergency services needs, no parking of contractor/maintenance or construction company vehicles, trailers, or machinery is allowed in the cul-de-sacs or within 50 feet of any fire hydrant.

13. ACCESS GATE DURING CONSTRUCTION

Builder must call the POA President or Vice President in advance of date for major vehicular construction activities, such as concrete pours and if possible, masonry and framing deliveries. The POA will hold the gates open to minimize construction delays and minimize any possible damage to the gate. The lot owner shall be held responsible for any damages caused by construction traffic to the entry gate, fences, or other common areas.

14. NOTIFICATION OF BUILDER

Builder must post a sign, visible from the street, with the name and phone number of the builder's company and the street address of the lot under construction.

15. INTERPRETATION

The provisions of these Construction Guidelines are not intended to conflict with the CCR's, but rather set forth more specific guidelines related to the initial submittal. If there is a conflict between this document and the CCR's, the CCR's shall prevail.

16. REVIEW, MONITORING & TECHNICAL ASSISTANCE

The Northlake Hills ACC is available to the property owner and/or builder to answer questions related to the interpretation of these regulations and of any unforeseen issues that may arise during construction. The ACC will periodically inspect the building site for adherence to POA regulations.

PART III ENDANGERED SPECIES HABITAT AREA REGULATIONS

Dear Northlake Hills Property Owner,

In 1996, the U.S. Fish and Wildlife Service (FWS) issued a Section 10(a) permit under the Endangered Species Act to The Volente Group of Texas, Inc. for the development of a portion of the former D.C. Reed Estate (now subdivided into **Northlake Hills**, along with other developments such as Ranchland Hills, Lighthouse Estates, Northshore, The Pointe, Long Hollow Estates, and Volente Hills). This 10(a) permit set certain restrictions on the clearing, development, and use of land within the former Reed Estate. These restrictions apply to all property owners within any portion of the former Reed Estate.

These restrictions were also adopted into our deed restrictions and Property Owner's Association Declaration of Covenants, Conditions, and Restrictions (CCR's) which were provided to every property owner at the time of closing.

It is important that every property owner follow these guidelines, as an offense is grounds for civil prosecution of the offending property owner, and to a much greater scale, revocation of the 10(a) permit by the FWS that could make any development in the former Reed Estate illegal. This could cause each and every landowner to seek an individual 10(a) permit which would be extremely time consuming and costly.

The CCR's, which were given to you at the time of closing, clearly address FWS requirements. Property owners are encouraged to read the language carefully to ensure full compliance with the regulations.

The key point to remember is that clearing of trees between the following dates is prohibited:

March 1 and August 1 of every year

In addition to the FWS regulations, the removal of certain trees within the entire Northlake Hills development is subject to recently adopted City of Jonestown ordinances. The CCR's, which were given to you at the time of closing, make reference to City of Jonestown restrictions for removal of trees; however this reference is not up to date with current Jonestown City Code. Currently, removal of **hardwoods** greater than a certain diameter **or mature Ash Juniper (also known as Cedar)** greater than 18" diameter, is restricted at all times of the year and require a special permit from the city. Property owners must consult with City of Jonestown's staff to acquire the proper permits.

Since any violation of the FWS 10(a) permit may adversely effect the Northlake Hills development as a whole, the Northlake Hills Property Owners Association requires each property owner to make application with the POA's Architectural Control Committee (ACC) and the City of Jonestown for formal approval prior to any lot clearing activities. Please contact the current POA president, Rod Schaffner at 512-869-9659 for further details.

I understand that no construction activity from myself, my contractor or any other related service would begin without proper permitting from the City of Jonestown and approval from the Northlake Hills Architectural Control Committee.

STATEMENT OF AGREEMENT;

NORTHLAKE HILLS PROPERTY OWNERS:

This document serves as notification that the responsibility for compliance and the liability for failure to meet ACC and CCR requirements rests solely with the property owner.

PROPERTY OWNER (BUYER)

DATE