

ALIANA ARCHITECTURAL GUIDELINES

Minimum Standards -Section 2 (67')

WHEREAS, Article VI, Section 2 of that certain instrument entitled "Amended and Restated Declaration of Covenants, Conditions and Restrictions for Aliana Single Family Residential Areas" recorded in the Official Public Records of Real Property of Fort Bend County, Texas under County Clerk's File No. 2010067279 ("Declaration"), as amended by the instruments entitled "Amendment to Amended and Restated Declaration of Covenants, Conditions and Restrictions for Aliana Single Family Residential Areas" and "Second Amendment to Amended and Restated Declaration of Covenants, Conditions and Restrictions for Aliana Single Family Residential Areas" filed of record in the Official Public Records of Real Property of Fort Bend County, Texas under County Clerk's File Nos. 2011007842 and 2014006466 ("the Declaration as amended hereinafter still referred to as the "Declaration") provides in pertinent part:

SECTION 2. ALIANA DESIGN REVIEW COMMITTEE. There is hereby established the Aliana Design Review Committee (sometimes hereinafter called the "Design Review Committee"), which, subject to the further provisions hereof, shall have exclusive jurisdiction over all original construction on the Lots and over modifications, additions, or alterations made on or to the residences and other improvements on the Lots. The Design Review Committee may (i) adopt Builder Guidelines and Architectural Guidelines for the Properties (whether for the entirety of the Properties or individually for platted subdivisions under the jurisdiction of the Association) and (ii) establish application and review procedures for plans and specifications. The Design Review Committee shall make any Builder Guidelines or Architectural Guidelines available to Builders who seek to engage in development of or construction upon a Lot and who shall conduct their operations strictly in accordance therewith. Notwithstanding the foregoing to the contrary, during the Class B Control Period, the Declarant may, at its option, elect not to appoint the members of the Design Review Committee, in which event the Declarant shall have the right to promulgate the Builder Guidelines and Architectural Guidelines and perform all functions that the Design Review Committee would otherwise have performed. ... (emphasis added)

WHEREAS, Article I, Section 16 of the Declaration provides:

SECTION 16. "Community-Wide Standard" means the standard to be applied and is the highest of (a) the standard of use, conduct, architecture, landscaping, or aesthetic matters generally prevailing in the Properties, or (b) the minimum standards required by the Declaration, Builder Guidelines, Architectural Guidelines, Rules, and Board resolutions. The Community-Wide Standard may contain objective elements, such as specific maintenance requirements, and subjective elements, such as matters subject to the discretion of the Board or the Reviewer. The Community-Wide Standard may or may not be set out in writing. The Declarant initially shall establish such standard; however, the Community-Wide Standard may evolve as development of the Properties progresses. The Declarant may alter the Community-Wide Standard from platted subdivision to platted subdivision, in accordance with the Declarant's plan of development for the platted subdivision in

question. Changes in the Community-Wide Standard for a platted subdivision may be evidenced in a declaration of annexation, Supplemental Declaration, Builder Guidelines or Architectural Guidelines for the Properties (whether for the entirety of the Properties or individually for platted subdivisions under the jurisdiction of the Association).

WHEREAS, the Declarant is Aliana Development Company, a Texas Corporation;

WHEREAS, by virtue of those certain instruments entitled "Appointment of Members to Design Review Committee of Aliana Homeowners Association, Inc." and "Removal of Members from the Design Review Committee of Aliana Homeowners Association, Inc." respectively recorded in the Official Public Records of Real Property of Fort Bend County, Texas under County Clerk's File Nos. 2011059412 and 2014023492 Declarant has appointed the Design Review Committee which is now composed of E. Travis Stone, Jr.;

WHEREAS, the Design Review Committee desires to establish Architectural Guidelines for Aliana, Section 2, a subdivision in Fort Bend County, Texas, according to the map or plat thereof recorded under Film Code No. 20070247 of the Plat Records of Fort Bend County, Texas ("Aliana, Section 2").

NOW THEREFORE, the Design Review Committee adopts these Architectural Guidelines for Aliana Section 2, as follows:

MODIFICATIONS COMMITTEE:

Any and all changes or improvements to the exterior of your property must receive prior approval from the Modifications Committee. Internal modifications to your property may also impact the exterior view of your home. Any interior modifications that change the exterior look of your home must be submitted to the committee for review.

Work may NOT commence until you have received written approval from the Modifications Committee.

The appropriate forms for Modification submissions can be found on the community website at www.alianaliving.com or by contacting the agent for the Association. Please be aware that review can take up to 45 days.

SET BACKS FOR IMPROVEMENTS:

All improvements on a lot must conform to the minimum set back requirements as outlined below

Front Yard Setback	25'
Rear Yard Setback	8' or greater per Utility Requirement

Side Yard Setback	6'
Corner Yard Setback	11' or as platted
Corner Yard Garage Setback	20' (side yard access)

SQUARE FOOTAGE:

MINIMUM 2600 s.f. MAXIMUM 4100s.f.

Any and all additions will be considered on a case by case basis.

FENCES:

A specific fencing plan exists for this section of the community and, as such, represents the Community Standard for fencing in this section.

Continuity of public view fencing is an important feature and is defined by the community standard for the section.

Materials:

Metal:

Metal picket fences are required on all lots adjacent to landscape open space reserves. All metal fencing is to adhere to the following criteria:

Fences must be 4' minimum in height along the reserve and be set 2" above the natural ground

Metal fences are to be primed and painted semi-gloss black.

All metal picket fencing is to have a double staggered row of shrubs planted 4' o.c. along the inside of the fence. The height of shrubs is to be maintained at 4'

Gates are encouraged in the rear fences adjacent to landscape open space reserves.

Only like for like materials and style replacements are approvable.

- Reference Exhibit 1 - Typical Metal Picket Fence Detail

Wooden Privacy Fencing:

Wooden fencing shall comprise of 1' x 6' #1 cedar pickets and #2 treated (Southern pine or cedar) posts and three rails. Maximum fence height, including kickboard, is six and one half feet (6'-6")

All visible fences, including side returns, shall be stained with the Approved stain

- Reference Exhibit 2 - Fence Stain

Front Yard Fence Setbacks

Fences must be set back a minimum of ten feet (10') and a maximum of fifteen feet (15') from the front face of the house unless there are conflicts with windows or other major architectural features.

Corner Yard Fence setbacks

Corner yard fencing should be setback a minimum of six feet (6') from adjacent sidewalks. Corner yard fences require a planting buffer. All pickets must be placed facing the public view of the fence so none of the support wood is visible.

Side and Rear Yard Fencing:

Interior fencing, between lots, shall be "good neighbor" design with pickets alternating every eight foot (8') section.

- Reference Exhibit 3 - Wooden Privacy Fencing Detail. 50's and 60's Viewed and Non-Viewed

LANDSCAPING:

Landscape design should be appropriate to the style of the residence and plant material should be appropriate to the landscape style, as well as the local climate. Front yard landscape plants must be chosen from the Approved Planting List (Exhibit 4).

Irrigation systems are permitted and drip irrigation systems are encouraged. Irrigation controllers shall be placed out of public view.

Street Trees

The street trees in this section are situated in the right of way between the curb and the sidewalk of each lot.

Minimum 30 gallon, 2-1/2" - 3" caliper, 10' -12' in height with a 5'-6' crown

Minimum two trees per lot

Planted on 30' centers, or as is reasonable when planting near driveways and walkways, light poles, etc.

No tree may be planted within 50' of any traffic control signal

No trees may be planted within a corner radius

No trees may be planted within 25' of any street name sign

For corner lots the same planting rules and distance rules apply to the trees planted along the side street

Street tree species must be one of the four (4) approved tree species for this section - Live Oak, Cedar Elm, Drake Elm or Bur Oak.

If the originally installed tree has a conical shape, then any replacement tree should be of a conical variety and if it had a full canopy, then it should be replaced with a species with a full canopy

The Modification Committee will consider the removal of one street tree contingent upon the front yard addition of a minimum of twenty-five (25) one gallon plants to provide approximately 90 sq. ft. of compensating additional planting bed area. These must comprise of a minimum of two (2) species from the approved planting list.

Yard Trees

Yard trees enhance the landscape elements of the community - the front and corner yard zones have a required minimum number of shade and ornamental trees.

Minimum 30 gallon, 2" - 2 1/2" caliper, 8'-10' in height with a 4'-5' crown

Minimum 2 trees per lot

All trees must be selected from the approved tree list

Yard trees should not be placed within fifteen feet (15') of the foundation of the home

The Modification Committee will consider the removal of one yard tree contingent upon the front yard addition of one ornamental tree and ten (10) 5 gallon plants. These must comprise of a minimum of two (2) species from the approved planting list.

- Reference Exhibit 4 - Approved planting list

Planting Beds

Beds shall complement the architecture of the house and shall have a minimum width of six feet (6'). The number of plants shall be appropriate for the size of the bed. New and replacement plants shall be spaced to cover the entire area within one growing season.

Minimum two rows of five (5) gallon shrubs from the Approved Plant List shall be planted triangularly spaced on 36" centers to cover entire front/corner façade and a minimum two rows of one (1) gallon groundcover plants from the approved planting list planted on 12" centers.

Side Yard Planting Bed

Corner lots require a side yard planting bed along the exterior portion of the side fence.

- Reference Exhibit 5 - 50's, 60's side yard planting and new section planting

The Modification Committee may consider the removal of existing planting contingent upon replacement with the following planting plan:

Three 2" caliper ornamental trees, two 15 gallon shrubs, twelve 5 gallon shrubs and twenty 1 gallon shrubs from the approved planting list.

A thirty-five foot (35') by thirty-five foot (35') sight distance triangle is required at the corner. Landscape planting may not violate this requirement.

Beds will consist of a minimum of the plant material outlined above. Positioning of the trees and shrubs should not impede pedestrian access to the public sidewalk.

Planting may not significantly encroach upon the sidewalk

Grass/Turf

Grass/turf shall be St Augustine.

Gravel and Rock and Edging Material

Gravel and rock may be used at the drip line of the house but is not permitted for use as a replacement for shrubs, ground cover, mulch or grass lawns.

River rock may be used as an accent material but may not constitute more than approx. 10% of the landscaped area of the front yard. All river rock used as an edging material must be contained by a border, be installed in a workmanlike manner, and must be installed in a manner to discourage weed or grass encroachment.

All edging materials used must meet the Community Standard and be consistent with the color and material used on the home. Loose builder bricks are not permitted.

DRIVEWAYS:

Minimum driveway width is twelve feet (12') or no greater than one foot (1') wider than the width of the garage doors. Driveways for three car garages will narrow to a width no greater than 20 feet (20') at the property line. The minimum setback for driveways in this section is two feet (2') from side property line.

Walkways from the driveway to the front entrance of the property must be screened by appropriate planting, in keeping with the overall planting plan for the property.

The driveway and sidewalk in the public right of way shall be as illustrated

- Ref Exhibit 6 - Driveway and Sidewalk Layout

Driveway extensions:

Driveway extensions will only be considered for three car garage lots. The Modifications Committee may consider a driveway no greater than half the width of the third bay, extending the driveway width at the right of way and allowing for ease of access.

PAINT COLORS:

All paint colors used on the exterior of the home shall be in the same family of earth tone hues as brick and stone earth tones and be in line with the original color scheme of the home.

REBUILD:

In the event of a complete rebuild, the home shall be reconstructed as originally approved. Any variations from the original plan must be submitted for prior approval to the Modifications Committee.

Any new development on an empty lot must receive approval from the Modification Committee prior to the start of construction. The committee reserves the right to engage the services of an architect to review new construction plans. The cost of this review will be charged to the owner of the lot under development.

In the event that a lot remains undeveloped, said lot must be maintained to meet the community standard.

This represents the minimum standard for this section. Any and all changes to the exterior of your property must be submitted to the Modifications Committee prior to the start of construction. No changes may be made without approval.

The Modifications Committee will consider every application based upon the Community Standard for the Section.

ADOPTED on the date set forth opposite each name to become effective upon recording in the Official Public Records of Real Property of Fort Bend County, Texas.

ALIANA HOMEOWNERS ASSOCIATION, INC.
DESIGN REVIEW COMMITTEE

Date: 5.31.16

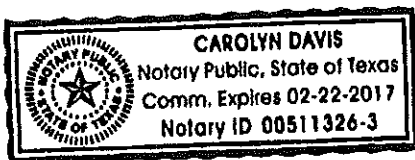

E. Travis Stone, Jr.

THE STATE OF TEXAS §

§

COUNTY OF HARRIS §

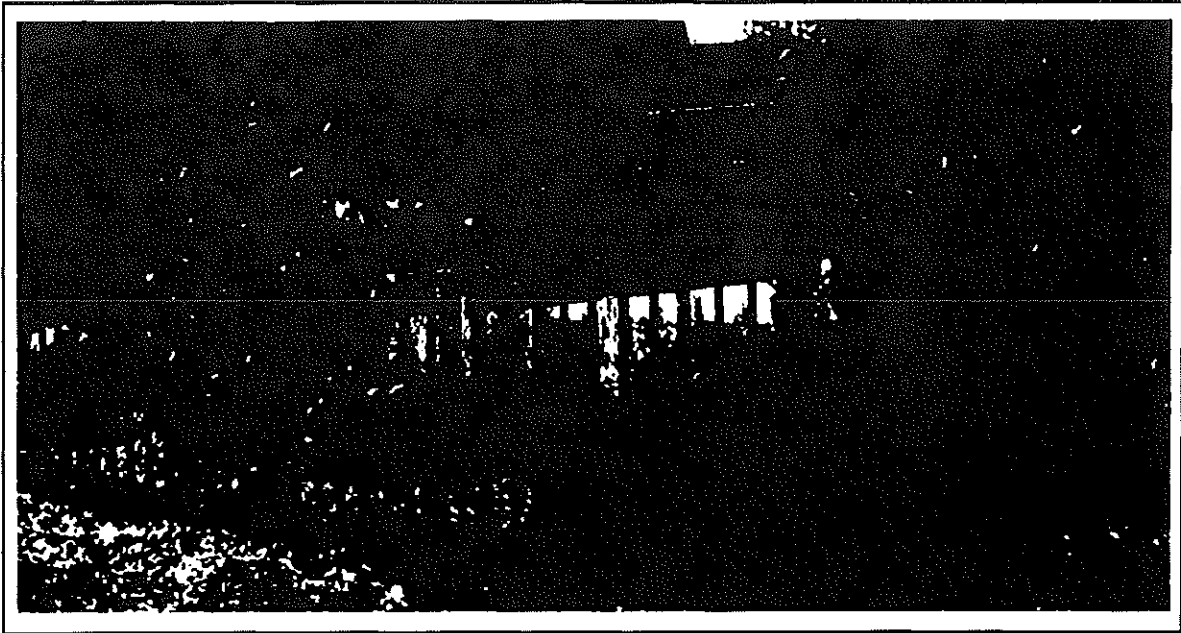
This instrument was acknowledged before me on the 31st day of May, 2016, by E. Travis Stone, Jr., a Member of the Design Review Committee, for the consideration and in the capacities stated herein.




Notary Public in and for the State of Texas

REFERENCE EXHIBIT: Exhibit 1

Typical Metal Picket Fence Illustration



REFERENCE EXHIBIT: Exhibit 2

Aliana Fence Stain

ALIANA STAIN:

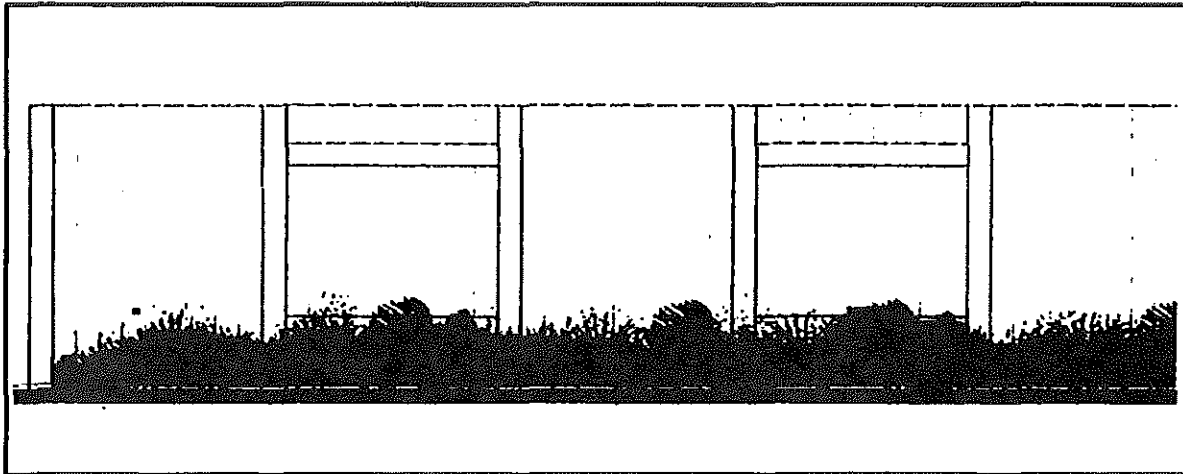
**WoodScapes® Exterior Acrylic Solid Color House Stain: Product No.: A15T00054;
Ultradeep Base; Color: Custom Manual Match**

BAC Colorant	OZ	32	64	128
W1 – White	2	16	1	
B1 – Black		35		1
R2 – Maroon		52	1	1
Y3 – Deep Gold	8	11		

Or similar product and with color to match

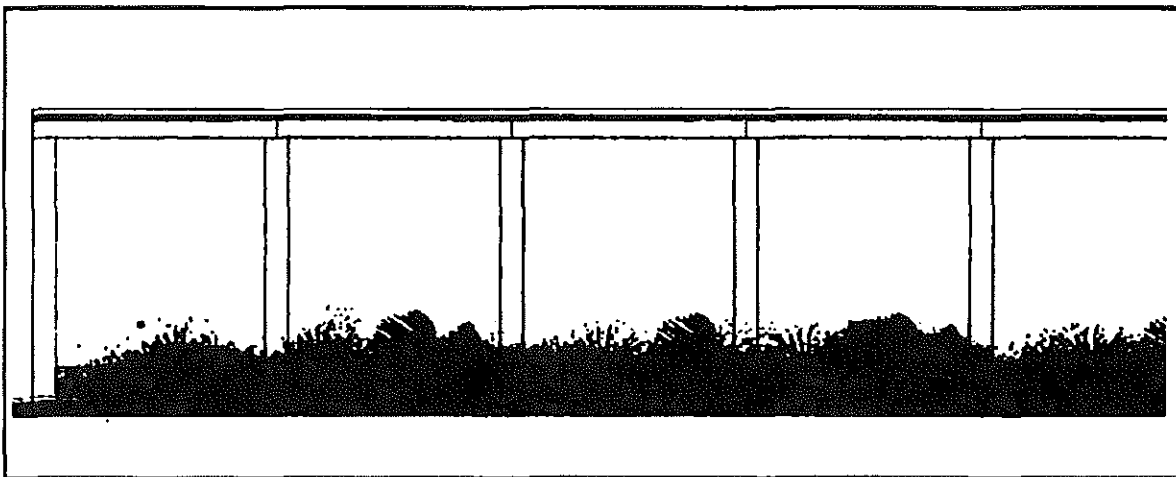
REFERENCE EXHIBIT: Exhibit 3

Wooden Privacy Fencing Detail 50's and 60's Viewed and Non Viewed



50', 60' Lot Non-Viewed Fence
Fig. 2-17

Height: 6'
Fence: Wood, 1x6 cedar wood, "Good Neighbor" design
Post: Metal posts are on the interior of the fence



50', 60' Lot Viewed Fence
Fig. 2-14a

Height: 6'
Fence: Wood, 1x6 cedar, board on board, 2x6 wood cap.
Posts: Metal posts are on the interior of the fence.

REFERENCE EXHIBIT: Exhibit 4

Approved Plant List

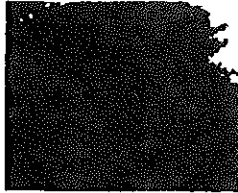
BOTANICAL NAME	COMMON NAME	BOTANICAL NAME	COMMON NAME
LARGE TREES		SMALL TREES (continued)	
<i>Acer rubrum drummondii</i>	Drummond Red Maple	<i>Duranta erecta</i>	Golden Dew Drop
<i>Carya texana</i>	Black Hickory	<i>Erythrina cristata-galli</i>	Fireman's Cap
<i>Fraxinus pennsylvanica</i>	Green Ash	<i>Halesia dipetala</i>	Silverbell
<i>Ginkgo biloba</i>	Ginkgo	<i>Ilex cassine</i>	Dahoon Holly
<i>Ilex opaca</i>	American Holly	<i>Ilex decidua</i>	Possumhaw
<i>Juniperus virginiana</i>	Eastern Red Cedar	<i>Ilex vomitoria</i>	Yaupon
<i>Liquidambar styraciflua</i>	Sweetgum	<i>Lagerstroemia</i> spp.	Grape Myrtle
<i>Magnolia grandiflora</i>	Southern Magnolia	<i>Myrica cerifera</i>	Wax Myrtle
<i>Magnolia virginiana</i>	Sweetbay Magnolia	<i>Magnolia grandiflora</i> 'Little Gem'	Little Gem Magnolia
<i>Nyssa sylvatica</i>	Black Gum	<i>Magnolia stellata</i>	Star Magnolia
<i>Pinus palustris</i>	Longleaf Pine	<i>Magnolia x soulangeana</i>	Saucer Magnolia
<i>Pinus taeda</i>	Loblolly Pine	<i>Parthenocarya aculeata</i>	Reliance
<i>Parrotia persica</i>	Parrotia	<i>Pistache chinensis</i>	Chinese Pistache
<i>Platanus mexicana</i>	Mexican Sycamore	<i>Prunus caroliniana</i>	Cherry Laurel
<i>Platanus occidentalis</i>	Sycamore	<i>Prunus mexicana</i>	Medican Plum
<i>Quercus acutissima</i>	Sawtooth Oak	<i>Rhus copallina</i>	Flame-leaf Sumac
<i>Quercus alba</i>	White Oak	<i>Sophora secundiflora</i>	Texas Mountain Laurel
<i>Quercus canbyi</i>	Canby Oak	<i>Sophora affinis</i>	Eve's Hecetace
<i>Quercus falcata</i>	Red Oak	<i>Ungnadia speciosa</i>	Medican Buckeye
<i>Quercus graciliformis</i>	Evergreen Chisos Oak	<i>Viburnum nudatum</i>	Rusty Haw Viburnum
<i>Quercus laurifolia</i>	Laurel Oak	<i>Vitex agnus-castus</i> 'Montrose Purple'	Montrose Purple Vitex
<i>Quercus macrocarpa</i>	Bur Oak		
<i>Quercus michauxii</i>	Swamp Chestnut Oak	SHRUBS	
<i>Quercus muhlenbergii</i>	Chinkapin Oak	<i>Abelia 'Little Richard'</i>	Little Richard Abelia
<i>Quercus nuttallii</i>	Nuttall Oak	<i>Alphitonia zerumbet</i> 'Variegata'	Variegated Ginger
<i>Quercus polymorpha</i>	Monterrey Oak	<i>Agave americana</i>	Leucostoe
<i>Quercus ricinifolia</i>	Loquat Leaf Oak	<i>Ardisia crenata</i>	Christmas Berry
<i>Quercus shumardii</i>	Shumard Oak	<i>Aspidistra elatior</i>	Aspidistra
<i>Quercus virginiana</i>	Live Oak	<i>Buxus microphylla</i>	Bonwood
<i>Taxodium ascendens</i>	Pond Cypress	<i>Calliandra americana</i>	American Beautyberry
<i>Taxodium distichum</i>	Bald Cypress	<i>Calistemon</i> sp. 'Little John'	Little John Bottlebrush
<i>Taxodium mucronatum</i>	Montezuma Cypress	<i>Cephaelis occidentalis</i>	Native Buttonbush
<i>Ulmus americana</i>	American Elm	<i>Eucryphia americana</i>	Strawberry Bush
<i>Ulmus crassifolia</i>	Cedar Elm	<i>Fajoua setowana</i>	Pineapple Guava
<i>Ulmus parvifolia</i>	Osage Elm	<i>Hydrangea quercifolia</i>	Oakleaf Hydrangea
<i>Zelkova serrata</i>	Zelkova	<i>Ilex</i> sp. 'Cherry Bomb'	Cherry Bomb Holly
		<i>Ilex cornuta</i> 'Burfordii'	Burford Holly
		<i>Ilex vomitoria</i> 'haha'	Dwarf Yaupon
		<i>Indigofera</i> 'Ikilowei'	Indigofera
		<i>Itea virginica</i> 'Morning Star'	Morning Star Sweetspire
		<i>Itea virginica</i> 'Little Star'	Little Star Sweetspire
		<i>Lagerstroemia</i> x 'Potomac'	Potomac Crape Myrtle
		<i>Ligustrum</i> sp. 'Wimber'	Wimber Ligustrum
		<i>Loropetalum chinensis</i> 'Bush'	Bush Chinese Witch Hazel
		<i>Leucophyllum frutescens</i>	Texas Sage
		<i>Mahonia fortunei</i>	Chinese Mahonia
		<i>Malpighia glabra</i>	Barbados Cherry
		<i>Miconia stuebeliana</i>	Stunner's Banana Shrub
		<i>Myrica pusilla</i>	Dwarf Wax Myrtle
		<i>Osmantinus fragrans</i>	Sweet Olive
		<i>Spiraea japonica</i> 'Neon Flash'	Neon Flash Spiraea
		<i>Symphoricarpos orbiculatus</i>	Coralberry
		<i>Thyrallis galpimia</i>	Golden Shower Thyrallis
		<i>Viburnum luzonicum</i>	Luzon Viburnum
		<i>Viburnum obovatum</i>	Walter's Viburnum
		<i>Viburnum obovatum densata</i>	Compact Walter's Viburnum
		<i>Viburnum propinquum</i>	Viburnum Propinquum
SMALL TREES			
<i>Acer buergerianum</i>	Trident Maple		
<i>Aesculus parva</i>	Texas Red Buckeye		
<i>Bauhinia congesta</i>	Anacacho Orchid Tree		
<i>Betula nigra</i>	River Birch		
<i>Cercis canadensis</i> 'Forest Pansy'	Forest Pansy Redbud		
<i>Chilopsis linearis</i>	Desert Willow		
<i>Chionanthus virginiana</i>	Fringe Tree		
<i>Chionanthus retusus</i>	Chinese Fringe Tree		
<i>Clethra pringlei</i>	Clethra		
<i>Cotinus obovatus</i>	Smoke Tree		
<i>Crataegus marshalli</i>	Parsley Hawthorn		
<i>Crataegus opaca</i>	Mayhaw		

BOTANICAL NAME	COMMON NAME
GROUNDCOVERS, VINES AND ORNAMENTAL GRASSES	
<i>Bignonia capreolata</i>	Crossvine
<i>Chasmanthium latifolium</i>	Inland Sea Oats
<i>Cuphea hyssopifolia</i>	Mexican Heather
<i>Dielsia iridifolia</i>	Butterfly Iris
<i>Equisetum hyemale</i>	Horsetail Rush
<i>Gelsemium sempervirens</i>	Confederate Jessamine
<i>Hedera canariensis</i>	Algerian Ivy
<i>Hedera helix</i>	English Ivy
<i>Liriope muscari</i>	Liriope
<i>Lonicera sempervirens</i>	Coral Honeysuckle
<i>Miscanthus sinensis 'Adagio'</i>	Adagio Grass
<i>Miscanthus sinensis 'Gracillimus'</i>	Gracillimus Maiden Grass
<i>Miscanthus sinensis 'Morning Light'</i>	Morning Light Grass
<i>Muhlenbergia capillaris</i>	Gulf Coast Muhly
<i>Muhlenbergia dumosa</i>	Bamboo Muhly
<i>Muhlenbergia lindheimeri</i>	Lindheimer Muhly
<i>Nasella tenuifolia (Stipa)</i>	Mexican Feather Grass
<i>Ophiopogon japonicus 'Nana'</i>	Dwarf Monkey Grass
<i>Panicum virgatum 'Prairie Sky'</i>	Prairie Sky Switch Grass
<i>Pennisetum alopecuroides 'Cassian'</i>	Cassian Fountain Grass
<i>Parthenocissus quinquefolia</i>	Virginia Creeper
<i>Trachelospermum asiaticum</i>	Asian Jasmine
<i>Trachelospermum jasminoides</i>	Confederate Star Jasmine
<i>Tulbaghia violacea</i>	Society Garlic

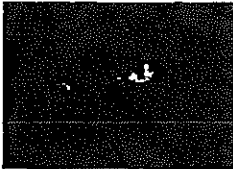
REFERENCE EXHIBIT: Exhibit 5

50's and 60's Side Yard Planting

Plant Palette

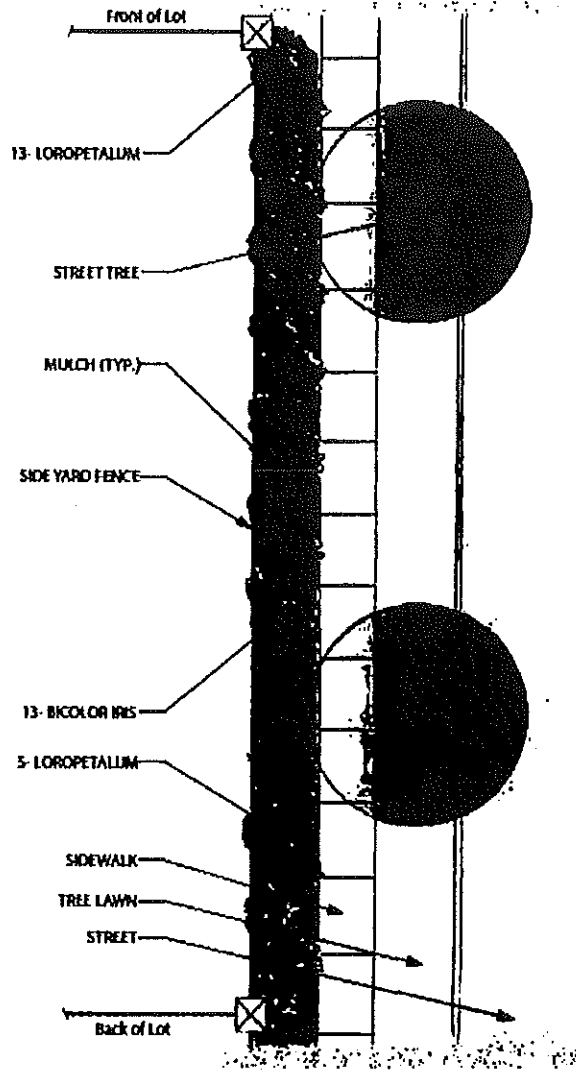


LOROPETALUM
Loropetalum chinense var. rubrum
7 gal.
48" O.C. triangular spacing



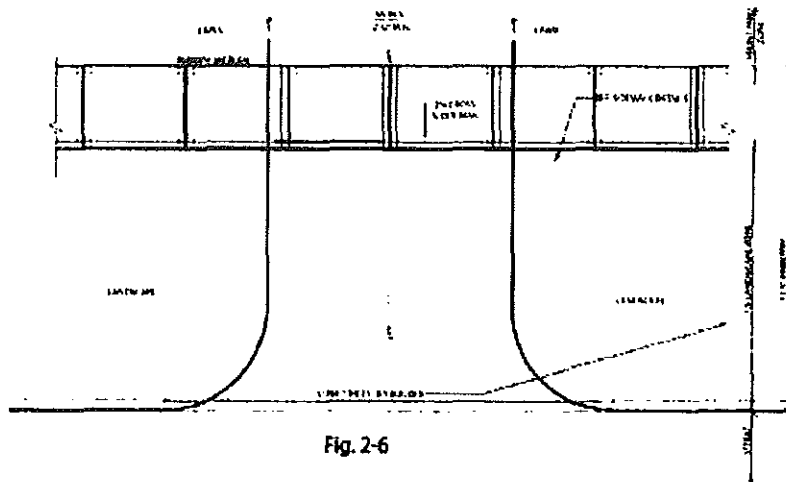
BICOLOR IRIS
Iris Bicolor
5 gal.
36" O.C. triangular spacing

Note:
Plant quantities to be adjusted to
fit within length of fence.



REFERENCE EXHIBIT: Exhibit 6

Driveway and Sidewalk Layout



**ARCHITECTURAL AND DEED RESTRICTION GUIDELINES
FOR
ALIANA HOMEOWNERS ASSOCIATION, INC.**

Adopted: _____

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ATTACHMENTS

Home Improvement Request form

**ARCHITECTURAL AND DEED RESTRICTION GUIDELINES
FOR
ALIANA HOMEOWNERS ASSOCIATION, INC.**

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

RECITALS

1. Aliana Development Company, a Texas Corporation ("**Declarant**"), caused the "Declaration of Covenants, Conditions and Restrictions for Aliana Single Family Residential Areas" (the "**Original Declaration**") to be recorded in the Official Public Records of Real Property of Fort Bend County, Texas under County Clerk's File No. 2007097598.

2. The Original Declaration was amended and restated in its entirety by the "Amended and Restated Declaration of Covenants, Conditions and Restrictions for Aliana Single Family Residential Areas" (the "**Restated Declaration**") filed of record in the Official Public Records of Real Property of Fort Bend County, Texas under County Clerk's File No. 2010067279.

3. The Restated Declaration was amended by the "Amendment to Amended and Restated Declaration of Covenants, Conditions and Restrictions for Aliana Single Family Residential Areas," the "Second Amendment to Amended and Restated Declaration of Covenants, Conditions and Restrictions for Aliana Single Family Residential Areas," the "Third Amendment to Amended and Restated Declaration of Covenants, Conditions and Restrictions for Aliana Single Family Residential Areas," the "Fourth Amendment to Amended and Restated Declaration of Covenants, Conditions and Restrictions for Aliana Single Family Residential Areas," and the "Fifth Amendment to Amended and Restated Declaration of Covenants, Conditions and Restrictions for Aliana Single Family Residential Areas," all filed of record in the Official Public Records of Real Property of Fort Bend County, Texas under County Clerk's File Nos. 2011007842, 2014006466, 2017100218, 2020060462 and 2021005252, respectively (the Restated Declaration, as amended, hereinafter still referred to as the "**Restated Declaration**").

4. Article VI, Section 2 of the Restated Declaration provides that the Design Review Committee (the "**DRC**") may adopt builder guidelines and architectural guidelines for Aliana (the "**Properties**").

5. Pursuant to the powers reserved to it under the Restated Declaration, the DRC desires to establish Architectural Guidelines for the Properties.

NOW, THEREFORE, the Design Review Committee, with the approval of the Board of Directors of Aliana Homeowners Association, Inc. (the "**Association**"), adopts these Architectural and Deed Restriction Guidelines (these "**Guidelines**"), as follows:

GUIDELINES

ARTICLE I

DEED RESTRICTION GUIDELINES

1.1 Animals

- (a) Only dogs, cats and other common household pets (“**Pets**”) may be kept on lots, provided that they are not kept, bred or maintained for any commercial purpose. Livestock, poultry and all other animals, other than the Pets defined above, are specifically prohibited.
- (b) No more than two (2) adult Pets are permitted on each lot. Any Pet over three (3) months of age is considered an adult. The limitation does not apply to hamsters, small birds, fish or other constantly caged animals.
- (c) Pets must be physically confined to the property and in control of the Pet owner or kept in the house. When away from the property, the Pet must be maintained on a leash and be under the control of the Pet owner or other responsible person at all times. Pets are not allowed to roam freely on the Properties.
- (d) It is the Pet owner's responsibility to keep the Properties clean and free of pet debris and odors. When walking Pets on the Properties, the Pet owner or other responsible person is responsible for cleaning up and removing any pet defecation.
- (e) Pets must not be allowed to become a nuisance, annoyance or danger to the neighborhood. Excessive barking or loud barking between 10:00 p.m. and 6:00 a.m. may be considered a nuisance if not controlled by the Pet owner. The Board of Directors of the Association has the authority to determine whether barking is excessive or unreasonably loud or whether a pet is otherwise a nuisance.
- (f) The Association does not consider these guidelines to place unreasonable restrictions on persons with disabilities; however, if a person with a disability feels an exception is needed, the Association will consider any request and make a reasonable accommodation in the appropriate circumstances. To make a request, simply send a letter describing the situation and request to the Association’s office.

1.2 Antennae and Satellite Dishes

- (a) In compliance with the federal Telecommunications Act of 1996, a satellite dish and direct broadcast antennae of one (1) meter (39.37 inches) or less in diameter may be installed on properties. To the extent that receipt of an acceptable signal is not impaired, an antenna permissible pursuant to the rules of the DRC may only be installed in a side or rear yard location, not visible from the Street or neighboring property and integrated with the dwelling and surrounding landscape.
- (b) Antennae for receiving over-the-air television signals should be installed inside the attic on a Lot. If an internal mounting is not possible, the antennae must be mounted on the rear portion of the house and may not extend higher than ten (10) feet above the roofline.
- (c) Antennae used for the transmission or receipt of radio signals must be mounted on the rear portion of the house and may not extend higher than ten (10) feet above the roofline. Transmission antennae must be operated in accordance with FCC regulations and may not cause interference with the electrical equipment of other residents. Upon notice of interference, the transmitting antenna must be removed or the transmissions altered to eliminate the interference.

1.3 Business Use of Homes

All properties in the community are intended for single family residential use only, except that an Owner or Occupant may conduct business activities within a Single Family Residence so long as: (a) the existence or operation of the business activity is not apparent or detectable by sight, sound or smell from outside the lot; (b) there are no clients, customers or employees who go to the Single Family Residence on a regular basis; (c) the business activity does not involve door-to-door solicitation of residents of the properties; and (d) the business activity is consistent with the residential character of the Properties and does not constitute a nuisance, or a hazardous or offensive use, or threaten the security or safety of other residents of the Properties, as may be determined in the sole discretion of the Board. The following guidelines are established to determine whether a use of a lot is in violation of the intent of the deed restrictions. A use shall be considered a violation if any one of the conditions listed below materially exists.

- (a) Signs are placed on or around the Lot indicating a business (whether or not for profit) is being conducted from the Lot.
- (b) Promotional material is being used or distributed which indicates a business (whether or not for profit) is being conducted from the Lot. The use of a residential phone number would not constitute a violation of these Guidelines, but the use of the property address would. Normal business stationery and cards are not considered promotional materials for these purposes.
- (c) The Lot is being used in such a manner as to routinely cause an excessive flow of traffic to the Lot or an increased amount of parking on or around the Lot.
- (d) Chemicals or materials are being used, produced or stored on the Lot which are not generally for residential use.
- (e) Quantities of chemicals or materials are being used, produced or stored on the Lot in excess of normal residential requirements.
- (f) Excessive amounts of waste materials are being stored or generated on the Lot.
- (g) An activity or condition exists at the Lot that is offensive or noxious to the community by reason of odor, fumes, dust, smoke, noise or pollution.
- (h) An activity or condition exists on the Lot that is hazardous by reason of excessive danger of fire or explosion.
- (i) An activity or condition exists on the Lot which creates an increased liability to other Owners or to the Association.
- (j) Employees, contractors or other agents associated with the Owner or Occupant of the Lot travel to the Lot and conduct business or carry out their business activities on the Lot.
- (k) The Lot is being used for an activity that is illegal or immoral, as that term may be currently defined by the Courts of the State of Texas.
- (l) An activity or condition exists on the Lot which attracts an undesirable element to the community.

1.4 Maintenance of Improvements

- (a) All buildings must be kept in good repair and must be painted when necessary to preserve their attractiveness. Rotted or damaged wood must be replaced and repainted as needed. Faded, peeling or discolored wood must be repainted. Mildewed, stained or dirty siding or brick must be cleaned.
- (b) Fences must be maintained in good condition. Broken, rotted or missing pickets must be promptly replaced. Any fences or walls which are leaning noticeably must be returned to vertical.
- (c) Sidewalks and driveways must be maintained in good condition. Broken concrete or sections which have lifted or settled to create a trip hazard must be replaced. Excessive oil or rust stains, mildew or dirt must be cleaned. Staining or discoloration will be considered excessive when it is clearly noticeable and exists in a greater quantity than would exist with normal care.
- (d) All other improvements or alterations to the property, such as exterior lights, gutters, downspouts, screens, window covers, antennae, play equipment, decks, patio covers, etc., must be maintained in good condition, replaced or removed.

1.5 Maintenance of Landscaping

- (a) The Owners or Occupants of all Lots shall, at all times, maintain the lawn and landscaping in a sanitary, healthful and attractive manner. This includes mowing the lawn, edging all areas where grass meets concrete, trimming around beds, fences and buildings, keeping beds free of weeds, keeping a clear delineation between beds and lawn, keeping expansion joints free of grass, trimming shrubbery and pruning trees.
- (b) Trees should be pruned so that branches are a minimum of seven (7) feet over the sidewalk, nine (9) feet over the curb and fourteen (14) feet over the center of the street. Suckers growing from the ground and trunks of trees should be removed.
- (c) Any dead or damaged landscaping should be promptly replaced. Landscaping and lawns should be treated for insects, fungus and other problems as needed. Conversion from St. Augustine to Bermuda is permissible. Conversion from Bermuda to St. Augustine is prohibited.
- (d) Dead or damaged trees which might create a hazard to property or to the community shall be promptly removed or repaired.

1.6 Nuisances and Annoyances

- (a) No noxious or offensive trade or activity shall be permitted on any Lot, nor shall anything be done which may be, or may become, an annoyance or a nuisance to the neighborhood. A nuisance is deemed to be any condition or activity that is offensive to persons of ordinary sensitivities.
- (b) No activity, whether for profit or not, shall be conducted on any Lot which is not related to a single family residential purpose.
- (c) No condition shall be allowed to exist or continue on a Lot which would detract from the community or which would adversely affect the desirability of the Lot or surrounding Lots.

1.7 Obstructions

- (a) To maintain sight lines at intersections, no fence, wall, hedge, or shrub planting which obstructs sight lines at elevations between two (2) feet and six (6) feet above the street is permitted to remain on any corner Lot within the fifteen (15) feet from the intersection.
- (b) Trees must be pruned to prevent hazards to pedestrians and vehicles. Tree branches must be at least seven (7) feet above sidewalks, nine (9) feet above the curb and fourteen (14) feet above the center of the Street.
- (c) Trees must be pruned away from traffic signs and Street signs to maintain clear visibility.

1.8 Vehicle Storage

- (a) Parking on public or private streets and thoroughfares by the following vehicles is prohibited. This list includes, but is not limited to: commercial vehicles and equipment, mobile homes, recreational vehicles, golf carts, boats and other watercraft, trailers, stored vehicles, and inoperable vehicles. Such vehicles may be kept on the property if they are completely screened from public view within a garage or behind a solid fence.
- (b) Item (a) above does not apply to any vehicle, machinery or maintenance equipment temporarily parked and in use for the construction, repair or maintenance of a house or houses in the immediate vicinity.
- (c) No inoperable vehicle or vehicle kept stationary for a period in excess of forty-eight (48) hours shall be allowed to remain on any portion of the Properties or on any Lot or Street in such a manner as to be visible from any Lot (other than the Lot on which such vehicle is located) or from any Street or portion of the Common Area. A vehicle is deemed to be inoperable if it is mechanically unable to safely run (e.g. flat tire, wrecked, parts hanging from vehicle, missing windshield) or cannot legally operate on the public streets (e.g. expired registration, expired inspection, no plates).

1.9 Window Air Conditioners

- (a) No window or wall type air conditioners shall be permitted to be used, erected, placed or maintained on or in any Single Family Residence, except that the DRC may, at its discretion, permit window or wall type air conditioners to be installed if such unit, when installed, is not visible from a Street or any other Lot.

ARTICLE II ARCHITECTURAL GUIDELINES

2.1 Basketball Goals

- (a) Two styles of basketball goals are allowed with prior DRC approval: (1) permanent pole mounted goals and (2) portable goals.
- (b) A basketball goal may not be located nearer than five (5) feet to a property line.
- (c) Permanent pole mounted basketball goals may not be installed closer to the street than twenty (20) feet from the front property line. Permanent pole mounted basketball goals may also be installed in back yards.
- (d) Permanent garage mounted basketball goals are not permitted.

- (e) Portable basketball goals are allowed provided they are stored in a position allowed for permanent goals or are removed from public view when not in use. Overnight storage in a prohibited position is not allowed. Placement at the curb or in the street for use is not allowed.
- (f) Only commercially manufactured basketball goals are allowed. Poles must be metal; wood posts are not acceptable. Poles must be painted black. Backboards must be metal, glass, plastic or other weather-resistant material. Backboards must be white or clear. Rims and nets may be any commercially made material and color.
- (g) Permanent goals must be installed per manufacturer's instructions and must be maintained in a vertical position. Portable goals must be stored in an upright position and in a usable position if in public view. Portable goals may not have items stored on the base as weights to keep the goal from tipping - the base may be filled with sand or water for that purpose.
- (h) The basketball goal, backboard, rim, net and post or frame must be maintained in a usable condition and in a neat appearance. Bent rims and broken/damaged backboards must be replaced. Backboards and posts must be repainted if they become chipped, rusted, faded or unsightly. Nets must be replaced if they become torn, detached or are missing. Any basketball goals which are not maintained must be removed. If a pole mounted goal is removed, the pole must be removed completely or to below ground level.
- (i) Only one basketball goal is allowed per lot.
- (j) The use of basketball goals may not become an annoyance to neighbors. In placing goals beside driveways and in the back yard, consideration must be given to noise levels at the adjacent neighbor's home and the effect of balls missing the backboard. In the event the DRC determines that a basketball goal is a nuisance to a neighbor because of its location, the DRC may require the basketball goal to be removed or relocated.

2.2 Birdhouses

- (a) No birdhouse may be placed in the front yard of a Lot or in a side yard if visible from a street adjacent to the Lot. A birdhouse may not be placed in the rear yard of a Lot if visible from a street adjacent to the Lot unless such birdhouse has been approved in writing by the DRC. Notwithstanding the foregoing, birdhouses may be installed in the rear yard of a Lot in a location that is not visible from a Street adjacent to the Lot.
- (b) Birdhouses may not be placed closer than five (5) feet from any property line adjacent to another lot. Notwithstanding the foregoing, a birdhouse may be placed up to the rear property line where there is no rear neighbor. A birdhouse must be located within the property lines.
- (c) No more than two (2) birdhouses may be installed on a Lot. This section does not apply to bird feeders, which require approval from the DRC.
- (d) The maximum size of an individual birdhouse is two (2) feet wide by two (2) feet deep and two (2) feet high.
- (e) The materials and colors of each birdhouse must be harmonious with the home and other improvements on the Lot.

2.3 Buildings

- (a) A "building" is defined as the main residence situated on a Lot, any bona fide addition to the main residence and the garage, even if detached from the main structure. The term does not include any other detached structure such as a storage shed, gazebo or playhouse/fort.
- (b) A "detached garage" refers to a garage which is a free-standing building and which does not share a common wall with the residence, although it may be connected to the residence by a covered walkway and may be architecturally treated to appear to be a part of the residence building rather than a separate structure. No detached garage may exceed one (1) story in height without the prior written consent of the DRC. Every garage must correspond architecturally and in style with the dwelling.
- (c) Only residential buildings and attendant improvements may be constructed on Lots. This prohibits the placement of mobile homes or trailers, or the use of Lots for garage apartments or apartment houses. No building of any kind, with the exception of storage buildings, gazebos or children's playhouses, may ever be moved onto a lot – only new construction is allowed.

2.4 Building Lines and Easements

- (a) No building shall be located on a Lot nearer to the front, rear or side property line than the minimum building setback lines shown on the recorded applicable plat or as set forth in the Restated Declaration.
- (b) No building, including a garage, may be located nearer than five (5) feet to any interior side property line, except for zero lot line properties defined in an applicable Supplemental Declaration.
- (c) No building, including a garage, may encroach on any easement on a Lot.

2.5 Building (Exterior) Materials

- (a) Material changes must not occur on an outside corner. The technique of "shirt fronting" of masonry veneer is not permitted. Material changes are most successful when made as part of a larger offset; for example, at an architectural break point, a masonry column or a recessed window. Masonry must extend back from the front of facade a minimum of two feet (2') on all floors.
- (b) High contrast trim or material variations must be avoided in favor of variations that are chosen to blend all elements into a harmonious composition.
- (c) Materials must be used with restraint in regard to both color and diversity of material types. The intent is to create a continuity of materials throughout the Properties. Special requirements will be addressed in the deed restrictions or supplemental deed restrictions where intended.
- (d) Owners shall submit samples of all proposed finish materials to the DRC for approval. Materials will be considered individually and together as a complete composition.
- (e) Owners are encouraged to seek professionals for the selection of materials and color. Owners shall coordinate color palettes of brick, stone and paint color for approval. Submittals will not be approved without a coordinated palette (i.e. no individual brick, stone, or colors).

- (f) Acceptable exterior building materials are:
1. Brick - earth tone colors are required. Gray, whites, and oranges are not acceptable. Painted brick is subject to approval by the DRC;
 2. Stone/cultured stone;
 3. Fiber cement siding/shakes, stucco board or approved equal - painted in earth tone colors. The use of wood siding is prohibited;
 4. Aluminum, vinyl, or wood windows – bronze or white finish aluminum or approved substitute;
 5. Stucco; and
 6. Rot resistant accent material such as cedar or redwood.
- (g) Naturally weathered wood is prohibited.
- (h) The same building materials and color palette may not be used on an adjacent home.
- (i) Deep raked brick work is encouraged to create shadow lines on the exterior facade and to highlight brick detailing.
- (j) Varying brick courses and protrusions are encouraged to break up large expanses of brick and to add variety to the exterior facade.
- (k) Siding is not permitted in all sections of the Properties. When permitted, siding may be concrete or fiber cement only. Vinyl siding and reflective aluminum are strictly prohibited. Rough sawn plywood is prohibited. Hard board and particleboard siding are prohibited.
- (l) Horizontal (lap type) fiber cement siding is the preferred siding.
- (m) Diagonal siding is prohibited. Vertical siding is discouraged.
- (n) Homes are required to have a minimum of sixty percent (60%) masonry (fiber cement material is not considered masonry). Consideration should be given to the interaction of materials and architecture to provide interest on all sides and floor levels. The DRC may require more brick depending on the architecture of the home. The first floor of each home will be one hundred percent (100%) masonry. Covered porches maybe cementitious material.
- (o) Homes that are on corner, open space, waterway, or collector road lots are required to have one hundred percent (100%) masonry on the first floor and eighty percent (80%) total masonry on two (2) story homes.
- (p) In masonry construction, all mortar joints will be tooled or struck with mortar complimenting the brick style of the home. Mortar joints varying from those previously described may be considered on an individual basis.
- (q) Soft, subdued earth tone colors must be used. Bold, primary, or unusual colors are strongly discouraged. Each owner is required to submit a proposed color and material palette to the DRC for approval.
- (r) Trim and garage colors will be submitted and identified with the brick with which they will be used.

- (s) All fiber cement materials must be painted. Accent materials such as cedar or redwood must be stained or weatherproofed to retain original new cut color.
- (t) The number of primary materials on the exterior of a dwelling is limited to two (2), not including roof shingles, unless approved by the DRC.
- (u) Materials must be used to emphasize planes and volumes. When different materials adjoin, care should be taken to avoid the look of applied facing.
- (v) Each house will incorporate a cast stone or brass plaque displaying the house number in an approved MacKintosh style font. This plaque will be located in a visible location on the front elevation and lit appropriately.

2.6 Burglar Bars

- (a) Exterior burglar bars are not permitted on any door or window visible from public view.
- (b) Metal gates enclosing the front entry area will be considered on a case-by-case basis based on the design of the entry. A metal gate attached to the front door frame is considered to be burglar bars and is, therefore, not permitted.

2.7 Decks

A deck is defined as a low but above-ground walking and seating area that may be attached to a structure or free-standing. A high walking and seating area attached to the second story of a house is referred to as a balcony. A ground level walking and seating area, typically made from concrete or brick pavers, is referred to as a patio.

- (a) Decks may only be installed in the rear yard of a Lot. Decks may not be built over side or rear setback lines as shown on the plat for the Lot. Decks may not encroach into any utility easement shown on the plat for the Lot.
- (b) No deck may be constructed in a location or in a manner that would impede the flow of water off a Lot or cause water to flow onto an adjacent Lot.
- (c) Decks must be constructed of wood or a wood-composite material. The DRC may consider other materials if appropriate for the application. Wood decks must be built with treated wood or naturally insect/rot resistant wood (e.g. redwood or cedar).
- (d) Decks may be stained, painted, sealed or left untreated. Any colored stain, paint or sealant must be approved in advance by the DRC.
- (e) The walking surface of a deck may not be higher than eighteen (18) inches above ground level. A deck may have built in benches and/or railings installed at the natural height for those items.
- (f) All decks must be maintained in a sound and attractive manner. Any deck falling into disrepair must be promptly repaired or removed.
- (g) Landscape screening may be required on waterway or open space Lots where a metal fence is present.

2.8 Decorative Embellishments

Decorative embellishments are items which are not part of the main residential structure, garage or living landscaping on a Lot and which are placed for decorative reasons. Flags and flagpoles are addressed separately.

- (a) No decorative appurtenances, such as sculptures, birdbaths and birdhouses, fountains or other decorative embellishments may be placed on the porch or front lawn of a Lot or on the visible side or rear yard of a Lot unless such items have been approved in writing by the DRC and are in compliance with the Community Wide Standard. A reasonable number of potted live plants may be placed on a porch or on a driveway behind the front plane of a house without the prior approval of the DRC so long as such live potted plants do not block the garage.
- (b) No more than five (5) small decorative items, such as clay figures or stepping stones, may be placed in mulched beds in public view. Such small decorative items may not exceed twelve (12) inches in height and must be tasteful and blend in with the shrubbery bed. Artificial flowers are prohibited.
- (c) After review, the DRC may allow a bench to be placed in public view in an area other than the front porch. Any such approved bench would typically be small, attractive, behind the front plane of the house and not blocking the garage door.
- (d) Religious, or holiday symbols and decorations of a temporary nature are exceptions. Religious or holiday decorations may be installed no sooner than fourteen (14) days prior to the date of the holiday or event and must be removed no later than seven (7) days after the date of the holiday or event. Provided however, decorations for year-end religious holidays such as Christmas, Hanukkah and Kwanzaa may be installed no earlier than November 20 and must be removed no later than January 10. The Association may adopt time, place and manner restrictions to the items that are outdoors and visible to the public. The Association may also establish a reasonable limit to size and number of symbols and/or decorations.
- (e) One or more religious items may be displayed or attached to each or any entry to the dwelling. Such items may include anything related to any faith that is motivated by the resident's sincere religious belief or tradition. Individually or in combination with each other, the items at any entry may not exceed twenty-five (25) square inches total in size. The items may only be displayed on or attached to the entry door or frame and may not extend beyond the outside edge of the door frame. To the extent allowed by the Texas state constitution and the United States constitution, any such displayed or affixed religious items may not: threaten public health or safety; or violate any law; or contain language, graphics or any display that is patently offensive to a passerby. Approval from the DRC is required for the display of religious items in compliance with these guidelines. As provided by Section 202.018 of the Texas Property Code, the Association may remove any items displayed in a manner that violates these guidelines.
- (f) House numbers may be placed on the house but not on any type of freestanding structure in the front yard. Numbers must be between three (3) and six (6) inches in height and be in the approved McKintosh style font. The numbers should be in black. Affixing house numbers to the mailbox or painting them on the curb is prohibited.

2.9 Garages, Driveways and Sidewalks

(a) Garages

1. A garage capable of parking at least two (2) vehicles is required for every Lot.

2. Care should be taken to keep the garage in a proportionate scale to the dwelling.
3. Detached garages in rear yards are preferred, providing a street scene with an emphasis on homes rather than garage doors, driveways and cars. On interior Lots, detached garages shall be setback no closer than seven feet (7') from the rear property line or rear utility easement and no closer than three feet (3') from the side property line.
4. Detached garages on corner Lots with driveway access to the side street create interesting corner yard landscapes. A side loaded detached garage may not be located adjacent to side loaded detached garage on another Lot. Lots with side loaded garages require a minimum garage setback of eighteen feet (18') to allow adequate space to park two (2) cars in the driveway and to not interfere with pedestrian circulation along the sidewalk.
5. When a garage is detached and side loading on a corner lot, a four-foot (4') high masonry wall or metal fence, located between the house and garage, is required. Masonry materials are the same as those used on the residence. Any other material must be submitted to the DRC for approval. The architecture of the house and garage will be reviewed in conjunction with the submission to determine compatibility. An additional two foot (2') ornamental metal fence may be added to the wall for added security.
6. Detached garages on the corner and with driveway adjacent and parallel with the side street are prohibited. This site layout presents a large amount of paved area in public view and creates conflict with traffic turning from side streets.
7. Notwithstanding the foregoing, detached garages are discouraged on Lots adjacent to other open space amenities and are disapproved on Lots adjacent to waterways, on Lots that back onto or have a side exposed to open space, a Common Area or a greenbelt. When Common Area is adjacent to the side of a Lot, detached garages may be permitted, with the prior written approval of the DRC, on the opposite side of the Lot from the Common Area on a case by case basis. Detached garages are not permitted on Lots with open fencing.
8. All detached garages shall be connected to the dwelling by a covered breezeway.
9. Two (2) story detached garages are prohibited unless they are architecturally tied to the dwelling and the architecture varies such that the second story minimizes the box look and heaviness of the structure. Two (2) story detached garages require prior written approval from the DRC.
10. Attached garages siding on corner lots are discouraged and subject to review by the DRC in order to ensure that the façade retains architectural interest.
11. A fence between the garage and the rear or side fencing on a Lot shall be set back at least three feet (3') from the garage face.
12. Carports designed as an integral part of the dwelling and constructed of the same building materials as the dwelling may be permitted, with prior written approval of the DRC.

(b) Driveways

1. Driveway additions or extensions must receive prior written approval from the DRC.
2. Driveway widths are to be no greater than one foot (1') wider than the width of the garage doors. Driveways for three (3) car garages must narrow to a width no greater than twenty feet (20') and must be tapered on both sides. Consideration may be given to driveway extensions on two (2) car garages on a case by case basis.
3. Decorative pavers in lieu of extensions may be considered on a case by case basis. Patterns, colors etc., must complement the existing materials as so determined by the DRC. The use of decorative materials must be concentrated toward the street and may be eliminated toward the rear of detached garages. Larger drives and motor courts must have a higher percentage of decorative paving.
4. Any concrete work must not appear "added" in appearance and must follow the same design configuration (i.e. expansion joints, placement, shape of concrete sections, comparable concrete finish, etc.) as the original driveway. The concrete must have a light broom finish and shadow box edging on areas visible from public view.
5. Approved driveway materials are concrete or unit masonry, stamped or colored concrete (based on prior approval of the DRC), exposed aggregate concrete, interlocking concrete pavers, brick pavers and brick borders. Prohibited materials are asphalt, loose gravel and stone and timber borders.
6. Paving materials must not abut the building foundation except at entry walks or garage approaches in the front yard.
7. The concrete portion of a driveway must be a minimum of four inches (4") thick.
8. Driveways are to abut rollover curbs with a thickened section at the street in order to properly attach to the street.
9. Circular driveways will be considered on a case by case basis and will require a twelve foot (12') minimum and fourteen foot (14') maximum width. A request for any such addition must be accompanied by landscaping plans to address the appearance.
10. Driveway gates must be metal and must be submitted to the DRC for prior approval. Driveway gates are not permitted on front load garages.
11. Under no circumstances may an entire front yard be paved as a driveway. Driveway coverage must be minimized as much as possible.

(c) Sidewalks

1. All sidewalks are to be constructed in a consistent manner producing a uniform appearance.

2. Sidewalks should be located two feet (2') in from the right-of-way line, except in cul-de-sacs, where they should be located at the right-of-way line. The location of sidewalks is not to be varied except where required to avoid specimen trees or fire hydrants. Gentle radii instead of abrupt curves and angles are required for all transitions.
3. Where sidewalks cross driveways with decorative paving, the standard sidewalk design will not be carried through the driveway; however, expansion joints must still define the sidewalk as it crosses the driveway. Care should be taken to ensure that the sidewalks cross slope (maximum 2%) remains consistent across the driveway.

2.10 Drains

- (a) Positive drainage away from the building should be provided for rainfall, irrigation, air conditioner condensate and all other types of water runoff. Drainage should flow up the side yard and out to the street.

2.11 Fence Modifications

- (a) Applications to the DRC for fencing additions or modifications should (i) include a survey of the property with the proposed fence drawn in the location it will be constructed, (ii) note whether the fence is being moved from an existing location, (iii) indicate the fence height, (iv) provide the materials to be used, (v) note whether the fence materials are being altered from their original style or size, and (vi) provide a sketch of the fence design including structural support. All wood fencing is required to have the Aliana Fence Stain.

2.12 Fence Gates

- (a) All properties shall have only one (1) gate of a three (3) foot maximum matching the existing fence in style and height, accessing the back yard facing the front street. Resident owned and maintained metal fences bordering greenbelts, Common Areas and parks may have an additional three (3) foot maximum metal gate matching the existing fence in style and height that opens into the greenbelt area. The gate must be located within the right one third of the yard, as viewed looking from the rear of the dwelling, unless otherwise approved by the DRC.
- (b) Chain link, chicken wire, lattice and louver gates are not allowed.
- (c) Gates may not be installed in such a position that they open up onto a public walkway. If a gate is approved adjacent to a public area, it must open into the property.
- (d) Gates may not be installed in the boulevard or on Common Area fences owned and maintained by the Association.
- (e) Gates on the side of a dwelling, parallel with a side street are discouraged.

2.13 Fences, Walls and Hedges

- (a) Fences, either wood or metal, are installed at the time of new construction.

- (b) A minimum front fence setback of ten feet (10') and maximum of fifteen feet (15') from the front face of house is required, unless there are conflicts with windows or other architectural elements of the house.
- (c) A minimum side fence setback of six feet (6') from public walkways is required on the corner Lots for a planting buffer.
- (d) Side fences more than twenty-five feet (25') long require a planting buffer.
- (e) All interior Lot fences shall be "good neighbor" fences. Good neighbor fences must be constructed with one (1) inch by six (6) inch cedar pickets and must have seven
- (f) (7) foot long alternating panels.
- (g) All wooden fencing shall be stained using the Aliana Fence Stain. All adjacent fences must be coated with the same material and color. For a fence that crosses a side property line to connect two houses, the fence on both sides of the property line must be coated.

2.14 Flags and Flagpoles

Flagpoles are addressed in a separate policy and may either be freestanding or mounted to the residential structure under the following parameters:

- (a) Free-standing flagpoles:
 - 1. Not more than one (1) freestanding flagpole or flagpole attached to the Single-Family Residence or garage (on a permanent or temporary basis) is permitted on a Lot, which flagpole may not exceed five inches (5") in diameter, without the approval of the DRC.
 - 2. A freestanding flagpole must not be taller than twenty (20) feet when measured from ground level to the highest point of the flagpole (including the pole ornamentation); and
 - 3. A freestanding flagpole must be mounted on an appropriate footing; and
 - 4. A freestanding flagpole shall not be located nearer to a property line of the Lot than the applicable setbacks as either shown on the applicable recorded plat or as set forth in the Restated Declaration. Provided, however, on a case-by-case basis (depending on the size and configuration of the Lot) a freestanding flagpole may be located in front of the front building setback line for a Lot, if approved by the DRC.
 - 5. If the footing and/or stand for a freestanding flagpole extends above the surface of the ground, the DRC may require the installation of landscaping to screen the stand and/or footing from view.
- (b) A flagpole mounted to the residential structure:
 - 1. must be no greater than five feet (5') in length;
 - 2. may be attached to the front or rear of the residential structure;
 - 3. shall not exceed six (6) feet in length; and
 - 4. must be removed from view when no flag is displayed.

- (c) A flagpole, whether freestanding or attached to the Single-Family Residence or garage, must be constructed of permanent, long-lasting materials with a finish appropriate to materials used in the construction of the flagpole and harmonious with the Single-Family Residence on the Lot on which it is located. So as to keep all flagpoles in Aliana (whether freestanding or attached) harmonious with each other and the Single-Family Residences, flagpoles must be constructed of anodized bronze.
- (d) Owners are prohibited from placing a flagpole within an easement on an owner's lot, or in a location that encroaches on a setback on an owner's lot.
- (e) Owners are prohibited from locating a flag or flagpole on property owned or maintained by the Association.
- (f) Owners are prohibited from locating a flag or flagpole on property owned in common by the members of the Association.
- (g) All flagpoles must be installed per the manufacturer's guidelines.
- (h) All flags and flagpoles must be properly maintained at all times, including, but not limited to, immediate replacement of faded, frayed or torn flags and replacement of poles that are scratched, bent, rusted, faded, leaning or damaged in any way. A deteriorated or structurally unsafe flagpole must be repaired, replaced or removed.
- (i) Flagpole halyards must be securely fastened at all times and must not make noise under any conditions.
- (j) Telescoping flagpoles must not make noise under any conditions.
- (k) The size of the flag must be appropriate for the length of the flagpole, and the DRC shall have sole discretion as to this determination.
- (l) The United States flag must be displayed in accordance with the federal law, and the Texas flag must be displayed in accordance with the Texas state law.
- (m) Flags must be attached to a flagpole in order to be displayed.
- (n) If evening display of the flag is desired, the flag may be lit from the base of the flagpole (maximum two bulbs) with a total of no more than 150 watts. The light must shine directly up at the flag and cannot cause any type of light spillover onto adjoining properties. All exterior lighting must be submitted to the DRC for prior approval.
- (o) Freestanding flagpoles require prior written approval from the DRC. Completed applications must be submitted to the DRC in accordance with following:
 - 1. If a back-yard location is desired, an application must be submitted with a copy of the applicable plat or survey showing the proposed location of the freestanding flagpole along with pictures showing the location of the improvement and the manufacturer's brochures or sample material, if applicable;
 - 2. If a front yard location is desired, an application must be submitted with a copy of the applicable plat and/or survey indicating the front lot line, front building setback line, and proposed location of the freestanding flagpole, along with pictures showing the location of the improvement and the manufacturer's brochures or sample of material, if applicable;

3. Locations closer to the dwelling are typically preferred; and
 4. Regardless of desired location, the color of the materials being used in relation of house color, the location of the flagpole in relation to the dwelling and any noise created are of specific concern.
- (p) These Guideline apply to the display of permitted flags as defined below:
1. Only the three (3) types of flags addressed in this Section shall be displayed on a freestanding flagpole. Other types of flags may be displayed on a wall-mounted flagpole as otherwise provided in architectural guidelines adopted by the Association or as otherwise permitted by the Association.
 2. No more than two (2) of the permitted types of flags shall be displayed on a flagpole at any given times.
 3. The maximum dimensions of a displayed flag on a freestanding flagpole that is less than fifteen (15) feet in height or on a flagpole attached to the Single-Family Residence or garage shall be three (3) feet by five (5) feet.
 4. The maximum dimensions of a displayed flag on a freestanding flagpole that is fifteen (15) feet in height or greater is four (4) feet by six (6) feet.
 5. A displayed flag must be maintained in good condition; a deteriorated flag must be replaced or removed.
 6. A flag must be displayed on a flagpole. A flag shall not be attached to the wall of the Single-Family Residence or other structure on a lot or a fence, or be displayed in a window of the Single-Family Residence or other structure on a lot.
 7. The flag of the United States must be displayed in accordance with applicable provisions of 4 U.S.C. Sections 5-10; and
 8. The flag of the State of Texas must be displayed in accordance with applicable provisions of Chapter 3100 of the Texas Government Code; and
 9. The official flag of any branch of the United States armed forces may be displayed.

2.15 Garage Conversions

- (a) Garages may not be converted into living space or storage space which precludes their primary use for the storage of vehicles.
- (b) Second story living units above detached garages are prohibited.
- (c) Any workshop, potting shed, greenhouse or other attachment to a garage must be approved in writing by the DRC prior to construction or placement on a Lot.
- (d) Aluminum, sheet metal or fiberglass carports are not permitted.

2.16 Garage Sales

- (a) Garage sales are prohibited.

2.17 Landscaping

- (a) Landscaping is defined as plants, trees, shrubs, flowers, mulch, and landscape borders. Landscaping in view of public areas is subject to DRC review.
- (b) Landscaping on properties must be maintained to at least the same level as was originally installed by the Builder. Landscaping in the front beds must fully screen the foundation of the house facing any street. Dead or diseased shrubbery must be removed and replaced.
- (c) Front lots with widths from 0' to 65' shall have at minimum one six (6") inch caliper shade tree, one two (2") caliper ornamental tree, three 15-gallon, thirty-five 5-gallon and forty 1-gallon shrubs*.
 - 1. Front lot widths from 66' to 100' shall have at minimum 2** six (6") inch caliper shade trees, 1** two (2") inch caliper ornamental trees, five 15-gallon shrubs, fifty-five 5-gallon shrubs and eighty 1-gallon shrubs*.
(a minimum of two (2) 15-gallon and 10% of all shrubs required to be junipers.)*
- (d) Dead or diseased trees must be removed with the stump ground below grade and sodded over. Replacement shade trees must be a minimum of six (6") inch caliper and replacement ornamental trees must be a minimum of two (2") inch caliper.
- (e) Trellises, window boxes, arbors and permanent or semi-permanent brick borders in public view must have DRC approval.
- (f) Permitted borders include Ryerson steel edging (or similar), brick set in mortar and/or natural stone. ** The usage of homebuilding bricks is permitted with DRC approval provided they are aligned in a manner so the holes do not show.*
- (g) Plant beds must be mulched with shredded hardwood bark.
- (h) Pebble rock in lieu of mulch, plastic edging, loose brick edging, concrete scallop edging, corrugated aluminum edging, wire wickets, railroad ties or ties, chicken coop wire attached to stakes and small picket fencing is prohibited.

2.18 Lighting

- (a) Approved exterior lighting shall be of high-quality materials and workmanship and be in scale and in corresponding style with the residence. The following materials are prohibited: plastic, colored lighting, pole mounted lights and lampposts.
- (b) All lighting must comply with Fort Bend county lighting ordinance.
- (c) Exterior decorative lights, security lights or floodlights must be directed so as to not shine onto a neighboring property. Any light which is a nuisance to neighbors will not be permitted.
- (d) Security lights may not be mounted on poles, fences, trees or structures other than the house or garage.
- (e) Mercury vapor security lights, when the fixture is visible from public view or from other lots, are prohibited. Mercury vapor lights, when used for special landscape lighting affect (hung in trees as up and down lights), are permissible with DRC approval.

- (f) Holiday lighting of a temporary nature may be installed on the dwelling or around the property. All such lighting, including bulbs, fixtures, wiring, clips, stands, etc., must be removed within seven (7) days of the end of the holiday.

2.19 Maintenance by Association

- (a) In some cases, the Association may go onto private Lots to cure certain violations if the Owner or Occupant has failed to do so. Prior to taking such action, the Association must give the Owner written notice at least ten (10) days in advance. It is the Association's policy to send at least one certified letter to the Owner of record, clearly stating the work needed, the timeframe in which it must be completed, the remedy that it will be assigned to a contractor and that the costs will be billed to the Owner.
- (b) Forced maintenance may be used on the categories of deed restriction violations listed below. The decision to use forced maintenance will be made on a case-by-case basis depending on the circumstances of a particular violation.
 - 1. Lawn care including mowing, edging, bed weeding and shrubbery pruning
 - 2. Tree pruning and removal of dead wood
 - 3. Fence and gate repairs
 - 4. Trash removal
 - 5. Mildew cleaning from walls, fences and exterior house/garage surfaces
 - 6. Graffiti cleaning from the residence, garage, walls, fences and concrete surfaces
- (c) On any forced maintenance, the full cost of the work plus an administrative fee will be billed back to the Owner's account. Collection of the maintenance costs will be done per the Association's standard collection procedures.

2.20 Outbuildings - Storage Buildings and Greenhouses

- (a) Storage buildings should have a peaked roof no higher than eight (8) feet from the ground to the highest point and a maximum of one hundred and twenty (120) square feet of floor space.
- (b) Storage buildings and greenhouses are not allowed on yards with open iron fencing without an approved landscape screening plan. The structure must be kept a minimum of five (5) feet from any property line. Any building visible from public view should be placed to minimize the amount seen from public view. No building should block drainage on a Lot or divert drainage onto an adjacent Lot.
- (c) Storage buildings may be built in the side yard of a home if the storage building is located a minimum of fifteen (15) feet behind the side yard fence.
- (d) If the storage building is under six (6) feet and fully hidden from public view by a solid fence, it may be placed in the side yard less than fifteen (15) feet from the side yard fence provided it does not block drainage or divert drainage onto an adjacent Lot. The wall of the building must be a minimum of three (3) feet from property side.
- (e) Materials should match those of the main residence in both size and color, however, the DRC will consider small prefabricated metal storage buildings, provided the color is consistent with the main residence and it is fully screened from public view.

2.21 Outbuildings – Other Structures

An “outbuilding” is defined as any structure which is not attached to the main structure. This definition includes structures such as bathhouses, cabanas and gazebos. It does not include attached additions incorporated into the main residence or detached garages, storage buildings and greenhouses.

- (a) Outbuildings must generally be no more than twelve (12) feet high and may not contain more than three hundred (300) square feet of floor space, although the DRC may approve larger dimensions on a case-by-case basis.
- (b) Outbuildings to be placed on top of a utility easement are not permitted.
- (c) The colors and materials of an outbuilding must match or be consistent with the predominant exterior colors and materials of the main residence.
- (d) Outbuildings must be approved in writing by the DRC.
- (e) A survey of the property with the outbuilding drawn to scale in the location it will be constructed must be submitted to the DRC. Such survey must (i) indicate the distances from the outbuilding to all easements and property lines, (ii) provide a picture or drawing of the outbuilding showing all dimensions, (iii) show the height over the ground of the outbuilding, including any foundation or supports, (iv) indicate wall, column, roof materials and colors, and (v) if the outbuilding is commercially made, include a manufacturer's brochure.

2.22 Painting and House Colors

Any changes in the color scheme of a building must be approved in writing by the DRC. The DRC may consider the color of the brick and the style of house in making its decision.

- (a) Exterior paints and stains for each residence shall be selected to compliment or harmonize with the colors of the other materials with which they are used. The color scheme for a home may contain one, two or three colors for the base, trim and accent colors. The base color would typically be used on the siding, soffit, pillars and garage doors. The trim color would typically be used on window trim, door trim, fascia and gutters. Accent colors would typically be used on shutters and front doors.
- (b) Siding and trim colors should generally be earth tones (i.e. brown, tan, beige).
- (c) Bold and primary colors, such as blues, reds, greens or yellows, are not allowed.
- (d) Front doors must be maintained in good condition. They may be stained a natural wood color or painted to match the house colors.
- (e) The bricks on homes may not be painted without specific approval from the DRC.
- (f) Flat and gloss paint should not be used on the exterior or the house.
- (g) An Owner must submit to the DRC a color photograph of the home and color chips of the paint to be used before painting or changing the color of his home. If more than one color is to be used, the Owner must identify which color will be used for the base color (typically siding and garage door), which will be used as an accent color, and what areas will be accented (e.g. shutters, front door and gutters).

2.23 Patio Covers

- (a) Patio covers should be constructed from materials which compliment the style and color of the main residential structure. Patio cover roofs may be constructed with plywood and shingles, or wood slats. Fabric, fiberglass, plastic and other synthetic materials are specifically prohibited.
- (b) Prefabricated covers made of aluminum may be approved providing they are of a color that substantially matches the house colors. Unfinished aluminum is not allowed. All metal must be painted.
- (c) If a slatted cover is used (arbor/pergola), the wood must be stained. Only treated wood, redwood or cedar may be left to weather naturally - any other wood must be painted or stained.
- (d) If attached to the house, the patio cover must be integrated into the existing roof line (flush with eaves) and, if it is to be shingled, the shingles must match the existing roof. The entire patio cover and posts should be trimmed out to match the house. Supports must be brick, painted wood or metal columns. No pipe is allowed.
- (e) Maximum height at the peak of the roof shall be no higher than the roof of the dwelling unit to which the patio cover is attached.
- (f) A patio cover may not cross a building setback line. A patio cover may not encroach into any utility easement.
- (g) Patio covers must be situated on the Lot to provide drainage solely onto the Owner's Lot. Patio covers cannot be closer than ten (10) feet from a side lot line.
- (h) An application to the DRC for a patio cover must (i) include a survey of the property with the cover drawn onto it, (ii) indicate the size of the cover and the distances from all easements and property lines, (iii) provide an elevation drawing with height of various parts of the cover, (iv) provide detail on the structural design and tie-in to existing structures, and (v) provide details on the materials to be used, paint or stain colors and roofing material.

2.24 Play Equipment

- (a) All play equipment must be at least ten (10) feet from all property lines and must be located at the rear of the house and behind a fence or otherwise screened from public view. The DRC will consider neighbors' privacy in approving a specific location.
- (b) A playhouse/fort may not exceed twelve (12) feet in height measured from the ground to the highest point of the playhouse/fort. No multicolored play covers are allowed. If a fort has a platform, then the platform may be no higher than six (6) feet off the ground.
- (c) Swing sets may have a maximum height of eight (8) feet.
- (d) Owners desiring to install play equipment must provide to the DRC a survey of the property which (i) shows the play equipment drawn to scale in the location it will be installed, (ii) indicates the distances from all easement and property lines, (iii) provides a picture or drawing of the play structure indicating materials and all dimensions, including height of platforms and full structure, and (iv) if the play equipment is commercially made, include a manufacturer's brochure showing the play structure.

2.25 Rain Barrels

Rain barrels are addressed in a separate policy and may be installed with advance approval of the DRC. Submission of plans must include a completed application for DRC review and a site plan showing the proposed location of the improvement, along with pictures showing the location of the modification and the manufacturer's brochures or sample material if applicable. The color of the materials being used in relation to the house color, the visibility from public streets and neighboring properties/Common Areas and any noise created are of specific concern to the Association and the DRC.

- (a) All rain water recovery systems must be installed on land owned by the property Owner. The rain harvesting system must collect and store the water underground. The portion of a rain harvesting system that is above-ground must appear to be a landscape or water feature. The above-ground portion of the rain harvesting system may not extend above the surface of the ground by more than thirty-six (36") inches. The above-ground portion of the rain harvesting system must be screened with evergreen landscaping to minimize visibility from a street, another Lot, and Common Area, unless otherwise approved in writing by the DRC.
- (b) No portion of the rain water recovery systems may encroach on adjacent properties, Common Areas, or between the front of the Owner's home and an adjoining or adjacent street.
- (c) Rain barrels that are located on the side of a house or any other location that is visible from a street, another Lot, or a Common Area must comply with the following:
 - 1. Rain barrels must have adequate screening, as determined by the DRC. Screening may be accomplished by:
 - i. placement behind a solid fence or structure or evergreen vegetation; or
 - ii. by burying the tanks or barrels; or
 - iii. by placing equipment in an outbuilding otherwise approved by the DRC.
 - 2. Only commercial and professional grade rain barrels are permitted;
 - 3. the rain barrel may not exceed 50 gallons;
 - 4. the rain barrel must have an appearance of an authentic barrel and is either entirely round or has a flat back to fit flush against a wall. A rain barrel must have a manufactured top or cap to prevent or deter the breeding of mosquitoes;
 - 5. the rain barrel must be made of wood, metal, polyethylene or plastic resin designed to look like an authentic barrel in brown or other earth tone color;
 - 6. the barrel may not display language or content other than the manufacturer's typical display;
 - 7. the rain barrel must be installed in close proximity to the structure on a level base with the guttering downspout leading directly to the rain barrel inlet at a substantially vertical angle;

8. the downspout which provides water to the rain barrel must be the same color and material as the gutters on the Single-Family Residence, if any. Further, the downspout must be vertical and attached to the wall against which the rain barrel is located; and
 9. any hose attached to the rain barrel discharge must be neatly coiled and stored behind or beside the rain barrel in the least visible position when not in use.
- (d) Overflow lines from the rain water recover systems must not be directed onto or adversely affect adjacent properties or Common Areas.
 - (e) Inlets, ports, vents and other openings must be sealed or protected with mesh to prevent children, animals and debris from entering the rain barrels, tanks or other storage devices. Open top storage containers are not allowed, however, where space allows and where appropriate, ACC approved ponds may be used for water storage.
 - (f) All rain water recover systems must be maintained in good repair. Unused rain water recovery systems should be drained and disconnected from the gutters. Any unused rain water recovery systems in public view must be removed from public view from any street or Common Area.
 - (g) Rain barrels may not create unsanitary conditions or be of nuisance to any neighboring properties
 - (h) Harvested water must be used and not allowed to become stagnant or a threat to health
 - (i) Rain barrels must be maintained in good repair.

2.26 Roof Attachments

- (a) Wind turbine vents are not permitted.
- (b) Sky lights must be integrated into the roof with the roof design and in a manner parallel to the roof pitch. Skylight glazing must be clear, solar, bronze or gray. Skylight framing must match the color of the roofing materials.
- (c) Solar panels are addressed separately.

2.27 Roof Material

- (a) Composition shingles are the preferred roofing material.
- (b) Roof shingle materials must be earth tone colors (browns – i.e. “weathered wood”). Black is discouraged, and blue, green, red and white are not permitted.
- (c) Composition shingles must weigh at least 230 pounds per square and have a stated warranty of at least thirty (30) years. Shingles must have a laminated design.
- (d) Roof overlays are not allowed. Prior to roofing, all existing materials must be removed down to clean decking. Any damaged or deteriorated decking must be replaced.
- (e) Roof vents are encouraged to improve ventilation, reduce attic temperature and reduce cooling costs, but such roof vents are not required.
- (f) All roof protrusions, such as vents and roof jacks, must be painted to match the shingles. Roof penetrations shall be set no higher than the minimum code height.

- (g) Other wind or hail resistant roofing materials such as copper, slate, tile, and standing metal seam roofs may be approved by the DRC provided they:
 - 1. Are compatible with the architectural character of the home;
 - 2. Are wind or hail resistant materials;
 - 3. Provide heating and cooling efficiencies greater than those provided by customary composite shingles;
 - 4. Provide solar generation capabilities;
 - 5. Resemble the shingles used or otherwise authorized for use within the subdivision;
 - 6. Are more durable and of equal or superior quality to the shingles authorized for use within the subdivision; and
 - 7. Match the aesthetics of the property surrounding the Owner's property.
- (h) Wood shingles are specifically prohibited for safety reasons.
- (i) In order to apply for a new roof and/or addition, and Owner must (i) provide a color photograph of home and a small shingle sample (2"x2") or manufacturer's brochure, (ii) identify the manufacturer, shingle style, warranty and color, and (iii) provide the roofer's quote or indicate whether other work will be done (add ridge vents, remove turbo vents, remove skylights, etc.) to the DRC. With regard to alternative roofing materials, the submission of plans to the DRC for review must include a completed application and a site plan and/or roof plan showing the proposed location of the improvement along with pictures showing the location of the modification and the manufacturer's brochures or sample material, if applicable. The color of the materials being used in relation to the roof or house color, the visibility from public streets and neighboring properties/Common Areas and any noise created and/or light reflected are of specific concern to the Association and the DRC.

2.28 Room Additions

- (a) Exterior materials and colors should match the house.
- (b) Room additions may not encroach into any utility easement and must comply with all setback requirements for buildings.
- (c) The allowed size and shape of a room addition will depend on DRC architectural style and layout of the home, the size of the Lot and how well the room addition integrates with existing home. Plans for room additions must show room size in proportion to room dimensions of the residence. The roof of the addition must integrate with existing roof line so as to appear to have been part of the original house.
- (d) Building permits, as required by the municipalities (city, county, etc.), must be submitted with an application for DRC approval of a room addition. In some instances, the DRC will grant a conditional approval with the provision that a copy of the permit must be provided to the DRC prior to the start of construction.
- (e) Rear balconies may be permitted on non-interior Lots and must be approved in writing by the DRC prior to construction.

- (f) An Owner desiring to create a room addition must (i) provide a survey of the property with the room addition drawn to scale in the location it will be constructed, (ii) indicate the distance of the room addition from all easements and property lines, (iii) note all materials and colors of the room addition, and (iv) provide detailed construction drawings and city building permits to the DRC.

2.29 Signs: Other Than Political Signs

- (a) No signs, billboards, posters or advertising devices of any character shall be erected or displayed to the public view on any Lot except for one (1) ground-mounted sign of not more than six (6) square feet extending not more than three (3) feet above the surface advertising the property for sale or for lease.
- (b) Notwithstanding anything contained herein to the contrary, a Builder or contractor may utilize one (1) professional sign of not more than five (5) square feet per Lot for advertising and/or sales promotion of the residence on such Lot.
- (c) One (1) sign which gives notice of a home security system is permitted if placed at or near the front entrance and if no larger than twelve (12) inches by twelve (12) inches. In addition, window/door stickers no larger than four (4) inches by four (4) inches may be placed in no more than fifty percent (50%) of the windows and on the front door or front entry area of the house which gives notice of a home security system or a "Child Find" or similar program.
- (d) One (1) school spirit signs per child residing on a Lot is permitted, provided such school spirit sign is no larger than 36 inches by 36 inches and is not displayed for more than ten (10) days per month and three (3) months per year. School spirit signs must remain in good repair and must be removed or replaced if faded or in disrepair.
- (e) Lost pet signs and garage sale signs are not permitted.

2.30 Signs: Political Signs

Chapter 202.009 of the Texas Property Code addresses political signage within property owners' associations in the state of Texas. It is the intention of this section to provide guidelines in compliance with the law.

- (a) Political signage covered by these guidelines includes signs advertising a specific candidate or ballot issue in an election in the precinct in which the property is located.
- (b) One (1) political sign advertising a political candidate or ballot item for an election may be displayed as early as ninety (90) days before the date of the election and must be removed no later than ten (10) days after that election date.
- (c) Political signs unrelated to a candidate or ballot issue for an upcoming election may not be displayed at any time. Issue oriented signage which does not name a specific candidate or ballot issue for an upcoming election may not be displayed at any time.
- (d) Only one (1) sign at a time may be displayed on a Lot for each candidate, or pair of candidates in the case of a presidential election, or ballot item.
- (e) Signs may be no larger than 4 feet by 6 feet.
- (f) Signs must be ground mounted with small wooden or metal stakes and the top of the sign may be no higher than six (6) feet above the ground. Signs may not be painted onto DRC architectural surfaces such as buildings, walls or fences. Signs may not be attached to buildings, structures, walls, fences, trees, landscaping, utility poles,

vehicles, trailers or other objects. Bumper stickers and other such materials adhered to and flush with the surface of passenger vehicles are not prohibited by these Guidelines.

- (g) Signs must be made of standard political signage materials and may not contain roofing material, siding, paving materials, flora, balloons, lights or any other similar building, landscaping, or nonstandard decorative component.
- (h) No sign may be displayed which is accompanied by music or other sounds or by streamers, balloons or lights or be otherwise distracting to motorists.
- (i) No sign may be displayed which contains language, graphics, or any display that would be offensive to the ordinary person.
- (j) No sign may be placed in a manner which violates any law or threatens public health or safety.
- (k) Any sign or signs displayed in violation of these guidelines may be removed by the Association or its agents without liability for trespass or otherwise.

2.31 Solar Energy Devices

A solar energy device (“**Devices**”) as defined in Section 171.107(a) of the Texas Tax Code means a system or series of mechanisms designed primarily to provide heating or cooling or to produce electrical or mechanical power by collecting and transferring solar-generated energy. The term includes a mechanical or chemical device that has the ability to store solar-generated energy for use in heating or cooling or in the production of power. Solar energy devices are also addressed in a separate policy.

- (a) Devices, including solar panels, shall only be installed with advance written approval of the DRC.
- (b) Any such Device must be installed on land or structures owned by the property Owner.
- (c) No portion of the Devices may encroach on adjacent properties or Common Areas.
- (d) Such Devices may only be installed in the following locations:
 - 1. On the roof of the main residential dwelling; or
 - 2. Within a fenced yard or patio.
- (e) For Devices mounted on a roof, the Device must:
 - 1. Be mounted in an area on the back of the home unless an alternate location increases the estimated annual energy production by more than 10% above the area designated by the Association (as determined by a publicly available modeling tool provided by the National Renewable Energy Laboratory);
 - 2. have no portion of the Device extend higher or beyond the roofline; =
 - 3. conform to the slope of the roof;
 - 4. be aligned so the top edge of the Device is parallel to the roof ridge line for the roof section to which it is attached; and

5. have a frame, brackets and visible piping or wiring that is a color to match the roof shingles or a silver, bronze or black tone commonly available in the marketplace.
- (f) For Devices located in a fenced yard or patio, no portion of the Device may extend above the top of the fence. If the fence is not a solid fence which blocks view of the Device, the Association may require the Device be placed in a location behind a structure or otherwise require visual screening.
 - (g) All Devices must be installed in compliance with manufacturer's instruction and in a manner which does not void material warranties. Licensed craftsmen must be used where required by law. Permits must be obtained where required by law.
 - (h) Installed Devices may not:
 1. Have been adjudicated by a court to be a threat to public safety or violate any law; or
 2. Substantially interfere with the use and enjoyment of land by causing unreasonable discomfort or annoyance to any adjoining property Owner.
 - (i) All Devices must be maintained in good repair. Unused or inoperable Devices must be removed.
 - (j) Submission of plans to the DRC for review must include a completed application, a site plan and/or roof plan showing the proposed location of the improvement, along with pictures showing the location of the modification and the manufacturer's brochures or sample material, if applicable. The color of the materials being used in relation to the roof or house color, the visibility from public streets and neighboring properties/Common Areas and any noise created and/or light reflected are of specific concern to the Association and the DRC.

2.32 Storm Doors

- (a) The frames of storm doors must be of a color compatible with the exterior house colors and/or general use and appearance of the house. All storm doors visible from public view must be a full view with clear glass. No screen doors are allowed on doors visible from public view.

2.33 Swimming Pool Applications

- (a) An Owner desiring to install a swimming pool on his Lot must provide to the DRC a survey of the property with the pool drawn to scale in the location it will be constructed which (i) indicates the distance between the pool and all easements and property lines, (ii) shows any above ground elements such as waterfalls, diving boards, slides, etc., (iii) indicates the location of the pool mechanical equipment and the method of screening the mechanical equipment from public view, (iv) shows the contractor access point. If the contractor access point is adjacent to a Common Area or community fence, the contractor may not remove Association fencing or go through a Common Area for access to property.
- (b) A \$500.00 pool deposit (cashed, not held) paid to the Association in the form of a check or money is required. The pool deposit will be returned to the Owner upon a favorable inspection by the water management company at the time of completion.

2.34 Swimming Pools and Spas

- (a) All pools and spas shall be made of gunite.
- (b) No underground portion of a pool or spa of any type may encroach into any utility easement. The surface deck surrounding the pool or spa may encroach on a utility easement if written consent to encroach is provided from each utility company with access to the easement.
- (c) No underground portion of a pool or spa of any type may be closer than ten (10) feet from a side or rear property line or encroach into a building line. The pool deck may be as close as five (5) feet from a property line, provided provisions are made to maintain proper drainage.
- (d) All pool mechanical equipment, such as pumps and filters, must be located either at the side of the house, or against the back plane of the house and must be screened from public view by a solid wood fence or landscaping. Open fencing cannot be used to screen this equipment unless it is landscaped.
- (e) All private swimming pools and spas shall be completely enclosed by a solid wood or metal type fence enclosure meeting all codes and adopted county ordinances.
- (f) Above ground pools, other than small, portable children's pools, are not permitted.
- (g) A Fort Bend County or city building permit must be obtained in advance of any pool construction. Inspections during construction may be required by the county or city.
- (h) If access over an area maintained by the Association is used for construction, the Owner forfeits his \$500.00 pool deposit. The Association may retain some or all of the deposit to make any repairs necessary as determined by the Association. The pool deposit does not limit the owner's liability for damage to the Common Areas.
- (i) Pool water must at all times be maintained in a sanitary and safe condition.

2.35 Swimming Pool Enclosures

- (a) Pool enclosures are defined as any structure that is attached or detached from the existing house that covers a pool for the purpose of excluding the enclosed area from the environment.
- (b) All pool enclosures must be approved by the DRC prior to construction.
- (c) Pool enclosures are not allowed on Lots with open fencing.
- (d) Enclosures may be located in the rear yard only and must be located at a minimum of five (5) feet from any utility easement or building, and must be ten (10) feet or more from the side property line.
- (e) The maximum height of a pool enclosure must be the lesser of either fifteen (15) feet or the maximum height of the existing house roof; and maximum enclosed surface area (footprint) of the pool enclosure shall be the lesser of 1000 square feet or 25 percent of the back yard adjacent to the patio.
- (f) The pool enclosure must be screened with landscape according to a landscape plan that has been approved by the DRC.
- (g) The material used for the pool enclosure should match those of the house in both size and color. Roof material may not be a corrugated-shaped material.

- (h) The following are the minimum DRC application requirements for a pool enclosure:
 - (i) elevation plans showing all views of the enclosure, (ii) photos of the location and surrounding area to include short of neighboring properties, (iii) a survey clearly showing location, orientation, house footprint, building lines and utility easements, (iv) a brochure of any prefabricated construction, (v) samples of screen-mesh materials, (vi) a description of solid transparent material and color tinting used for sides and (vii) a description of the height, width and depth of the enclosure.

2.36 Trash Storage and Disposal

- (a) No Lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall be kept in sanitary containers. All equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.
- (b) In no event may a Lot be used for storage of materials and equipment which are not appropriate for normal residential requirements or incident to construction of improvements at the property.
- (c) Trash containers, recycle bins, garbage, trash, rubbish, lawn clippings or other debris (herein "**Trash**") must be stored out of public view from any street or Common Area at all times other than as described in item (d) below.
- (d) Trash may be placed in the vicinity of the curb, but not in the street and not blocking the sidewalk, no sooner than 6:00 p.m. on the evening prior to the regularly scheduled pickup date. Empty trash containers must be removed from the curb and from public view by the end of the day on the day of the pickup.
- (e) Items that are not accepted for pickup by the trash collection contractor may not be placed at the curb at any time. Items placed at the curb must comply with any rules set by the trash collection contractor (e.g. bundling, weight, length, etc.).

2.37 Windows: Awnings and Window Shades

- (a) Awnings are permitted on the rear windows of a house and must be of the same color as the house. Awnings on playhouses or used as patio covers must be of the same color as those on the house. In all cases, colors must match or compliment the primary color of the house. Once installed, awnings are to be maintained in good condition at all times.
- (b) All exterior shades must be approved by the DRC prior to installation. In all cases, colors must match or compliment the primary color of the house. After installation, exterior shades must be kept in good condition at all times.

2.38 Windows: Solar Film

Solar film is a thin plastic sheet applied to the inside of windows. It is attached to the windows with a special adhesive. The purpose of solar film is to reduce the light and temperature within the house. This is essentially the same material used on commercial office buildings and to darken vehicle windows.

- (a) Solar film, or window tinting, is allowed on windows only if it blends with the brick, paint and roof colors. Only one (1) color of solar film may be used on a house.
- (b) The color and appearance of solar film must be approved by the DRC. Samples of solar film must accompany each application.

- (c) Solar film must be a low-reflective type.
- (d) If any window is covered on one side of the house then all windows on that side must be covered. If the solar film is removed from one window, it must be replaced or the film must be removed from all windows on that side of the house.
- (e) Solar film must be maintained in good and attractive condition. Discolored, faded, torn or bubbled film must be promptly replaced. Any such replacement must match the remaining film.

2.39 Windows: Solar Screens

Solar screens are a fabric, mesh material stretched across lightweight frames that is installed on the outside of windows with the purpose of reducing the light and temperature in the house. Except for the fabric, they are very similar in appearance and installation to conventional windows screens.

- (a) The color of the solar screen fabric must be harmonious with the house colors, brick and other DRC Architectural elements. Fabric colors must generally be dark gray or dark brown unless otherwise specifically approved by the DRC. The color of the frames must match the underlying window frames unless otherwise specifically approved by the DRC. All solar screens on the home must have the same fabric and frame color.
- (b) All solar screens which are installed in a location visible from public view must include decorative grids that match the individual window panes on the underlying window. If an underlying window does not have individual window panes, the solar screens may not have decorative grids of matching color.
- (c) If any window is covered on one side of the house, then all windows on that side must be covered. If any solar screen on one side of the house has decorative grids, then all solar screens on that side must have decorative grids.
- (d) If front doors have clear glass side panels or transoms (glass above the door frame), then those windows must also be covered if solar screens are placed on the front of the house. Leaded glass, stained glass and other decorative glass or windows may not be covered with solar screens.
- (e) The width of the screen frames must match the underlying individual window size (i.e. double width screens are not allowed). Frames must have adequate support to prevent sagging.
- (f) Prior to installation, solar screen materials, colors and placement must be approved by the DRC. A color photograph of each side of the house proposed to receive solar screens must be submitted with the application and the Owner must provide a manufacturer's brochure or samples of the screen material and frame.

2.40 Windows: Storm and Replacements

- (a) The frames of storm windows must be of a color compatible with the exterior house colors and/or general use and appearance of the house. All windows facing the same direction on the house must be consistent.

- (b) Individual window panes (typically about 8"x12" in size) or decorative grids to simulate individual panes are not required on windows. However, if a grid appearance is used all windows facing the same direction on the house must be consistent.
- (c) Unless otherwise approved, windows must be clear, uncolored glass.

2.41 Additional Criteria:

- (a) No alternation or other improvement (i.e. landscaping, curb, obstacle, etc.) is permitted within the street ROW.
- (b) All Lots must have positive drainage, away from the house, and Lots must drain to the drainage system provided to said Lot.
- (c) All approved modifications to a Lot must be maintained to the standards of the Association as outlined in the declaration.

These Guidelines supersede any guidelines for Architectural Design previously in effect.

[SIGNATURE PAGE FOLLOWS]

EXECUTED on the date set forth in the acknowledgements, to be effective upon recording in the Official Public Records of Real Property of Fort Bend County, Texas.



Lucy Robertson, President
Aliana Homeowners Association, Inc.



Colby McClary, Secretary
Aliana Homeowners Association, Inc.

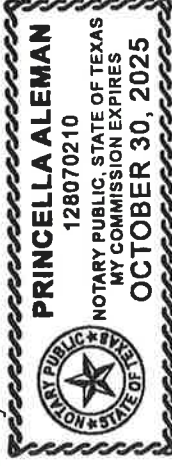
STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

Before me, the undersigned notary public, on this 16 day of November, 2021, personally appeared Lucy Robertson, the President of Aliana Homeowners Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purpose and in the capacity therein expressed.



Princella Aleman

Notary Public in and for the State of Texas



STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

Before me, the undersigned notary public, on this ____ day of _____, 2021, personally appeared Colby McClary, the Secretary of Aliana Homeowners Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purpose and in the capacity therein expressed.

Notary Public in and for the State of Texas

BACKYARD CONCRETE OR HARD SURFACE COURTS

As previously noted, the DRC is receiving a number of requests to install backyard courts for basketball or pickleball or simply play areas. While the Architectural Guidelines allow for a basketball goal to be placed in the backyard of a lot, there are no rules presently in place regarding concrete or hard surface courts in backyards.

To provide guidance to the DRC, the Board will establish prospective guidelines for such courts.

1. Since public view lots, with metal fencing, are held to a higher landscape and appearance standard, concrete courts are not permitted in backyards of such lots, unless fully screened from public view by landscaping;
2. The use of concrete or other hard surface in backyards should be minimized as much as possible and a minimum of 25% of a backyard shall be landscaping (defined as plants, trees, shrubs, flowers, mulch and landscape borders) and turf;
3. No court shall exceed 500 square feet, but smaller dimensions may be required by the DRC based on the size of the backyard and the existence of other concrete or hard surface areas.
4. Courts must be installed at least ten feet (10') from a rear and side property line. Basketball goals, if applicable, shall be situated such that shots towards the basket will be away from the nearest property line and fence;
5. Basketball goals may not exceed twelve feet (12') in height;
6. No additional lighting for any court shall be permitted;
7. The use of backyard courts may not become an annoyance or nuisance to neighbors. Consideration must be given to noise levels at the adjacent neighbor's home and the effect of balls or other objects striking neighboring fences.



SUPPLEMENTAL NOTICE OF DEDICATORY INSTRUMENTS
for
ALIANA HOMEOWNERS ASSOCIATION, INC.

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

The undersigned, being the Authorized Representative for Aliana Homeowners Association, Inc. ("Association"), a property owners' association as defined in Section 202.001 of the Texas Property Code, hereby amends and supplements that certain instrument entitled "Notice of Dedicatory Instruments for Aliana Homeowners Association, Inc.", "Supplemental Notice of Dedicatory Instruments for Aliana Homeowners Association, Inc.", "Supplemental Notice of Dedicatory Instruments for Aliana Homeowners Association, Inc.", "Supplemental Notice of Dedicatory Instruments for Aliana Homeowners Association, Inc.", "Supplemental Notice of Dedicatory Instruments for Aliana Homeowners Association, Inc." and "Supplemental Notice of Dedicatory Instruments for Aliana Homeowners Association, Inc." filed of record in the Official Public Records of Real Property of Fort Bend County, Texas under County Clerk's File Nos. 2012018582, 2014028972, 2014052120, 2014087749, 2014096147 and 2015028139 (the "Notice") was filed of record for the purpose of complying with Section 202.006 of the Texas Property Code.

1. Property. The Property to which the Notice applies also includes the Property described as follows:
 - a. Aliana, Section Thirty-Eight (38), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20150219 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
 - b. Aliana, Section Forty (40), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20150048 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
 - c. Aliana, Section Forty-Six (46), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20150112 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
2. Restrictive Covenants. In addition to the description of the documents imposing restrictive covenants on the Property contained in the Notice, the following documents likewise impose restrictive covenants and the title and recording information for such documents are as follows:
 - a. Documents:
 - (1) Amendment to Supplemental Declaration of Covenants, Conditions and Restrictions for Aliana, Section One (1) (Designation of Neighborhood).

- (2) Correction Supplemental Declaration of Covenants, Conditions and Restrictions for Aliana, Section Eleven (11).
- (3) Supplemental Declaration of Covenants, Conditions and Restrictions for Aliana, Section Thirty-Eight (38).
- (4) Declaration of Annexation Aliana, Section Thirty-Eight (38).
- (5) Supplemental Declaration of Covenants, Conditions and Restrictions for Aliana, Section Forty (40).
- (6) Declaration of Annexation Aliana, Section Forty (40).
- (7) Supplemental Declaration of Covenants, Conditions and Restrictions for Aliana, Section Forty-Six (46).
- (8) Declaration of Annexation Aliana, Section Forty-Six (46).

b. Recording Information:

- (1) Fort Bend County Clerk's File No. 2015079916.
- (2) Fort Bend County Clerk's File No. 2015118904.
- (3) Fort Bend County Clerk's File No. 2015118906.
- (4) Fort Bend County Clerk's File No. 2015118905.
- (5) Fort Bend County Clerk's File No. 2015057505.
- (6) Fort Bend County Clerk's File No. 2015057504.
- (7) Fort Bend County Clerk's File No. 2015049544.
- (8) Fort Bend County Clerk's File No. 2015049543.

3. Additional Dedicatory Instrument. In addition to the Dedicatory Instruments identified in the Notice, the following document is a Dedicatory Instrument governing the Association:

- a. Standby Electric Generator Policy for Aliana Homeowners Association, Inc.

A true and correct copy of such Dedicatory Instrument is attached to this Supplemental Notice.

This Supplemental Notice is being recorded in the Official Public Records of Real Property of Fort Bend County, Texas for the purpose of complying with Section 202.006 of the Texas Property Code. I hereby certify that the information set forth in this Supplemental Notice is true and correct and that the copy of the Dedicatory Instrument attached to this Notice is a true and correct copy of the original.

Executed on this 25th day of November, 2015.

ALIANA HOMEOWNERS ASSOCIATION, INC.

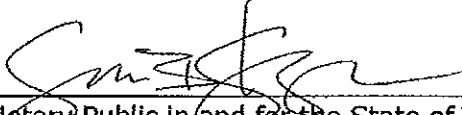
By:



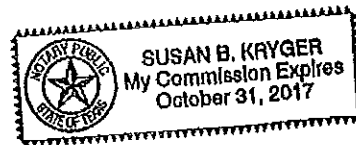
Rick S. Butler, Authorized Representative

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned notary public, on this 25th day of November, 2015 personally appeared Rick S. Butler, Authorized Representative for Allana Homeowners Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and in the capacity therein expressed.



Notary Public in and for the State of Texas



STANDBY ELECTRIC GENERATOR POLICY
for
ALIANA HOMEOWNERS ASSOCIATION, INC.

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

I, Carolyn Davis, Secretary of Aliana Homeowners Association, Inc. (the "**Association**"), certify that at a meeting of the Board of Directors of the Association duly called and held on the 8th day of October, 2015, with at least a quorum of the Board members being present and remaining throughout, and being duly authorized to transact business, the following Standby Electric Generator Policy was approved by not less than a majority of the Board members in attendance.

RECITALS:

1. Section 202.019 of the Texas Property Code was enacted effective June 19, 2015 to address the installation and operation of standby electric generators.
2. The Board of Directors of the Association desires to adopt a policy relating to the installation and operation of standby electric generators on Lots in the Subdivision consistent with Section 202.019 of the Texas Property Code.

WITNESSETH:

The following sets forth the policy of the Association regarding the installation and operation of standby electric generators.

Section 1. Definitions. Capitalized terms used in this policy have the following meanings:

1.01. Association – shall mean and refer to Aliana Homeowners Association, Inc.

1.02. Declaration – shall mean the following:

a. Documents:

- (1) Amended and Restated Declaration of Covenants, Conditions and Restrictions for Aliana Single Family Residential Areas.
- (2) Amendment to Amended and Restated Declaration of Covenants, Conditions and Restrictions for Aliana Single Family Residential Areas.
- (3) Second Amendment to Amended and Restated Declaration of Covenants, Conditions and Restrictions for Aliana Single Family Residential Areas.
- (4) Supplemental Declaration of Covenants, Conditions and Restrictions for Aliana, Section

- One (1).
- (5) Declaration of Annexation Allana, Section One (1).
 - (6) Supplemental Declaration of Covenants, Conditions and Restrictions for Allana, Section Four (4).
 - (7) Declaration of Annexation Allana, Section Four (4).
 - (8) Supplemental Declaration of Covenants, Conditions and Restrictions for Allana, Section Six (6).
 - (9) Amendment to Supplemental Declaration of Covenants, Conditions and Restrictions for Allana, Section Six (6).
 - (10) Declaration of Annexation Allana, Section Six (6).
 - (11) Supplemental Declaration of Covenants, Conditions and Restrictions for Allana, Section Eight (8).
 - (12) Declaration of Annexation Allana, Section Eight (8).
 - (13) Supplemental Declaration of Covenants, Conditions and Restrictions for Allana, Section Eleven (11).
 - (14) Declaration of Annexation Allana, Section Eleven (11).
 - (15) Supplemental Declaration of Covenants, Conditions and Restrictions for Allana, Section Twelve (12).
 - (16) Declaration of Annexation Allana, Section Twelve (12).
 - (17) Supplemental Declaration of Covenants, Conditions and Restrictions for Allana, Section Thirteen (13).
 - (18) Declaration of Annexation Allana, Section Thirteen (13).
 - (19) Supplemental Declaration of Covenants, Conditions and Restrictions for Allana, Section Fourteen (14).
 - (20) Declaration of Annexation Allana, Section Fourteen (14).
 - (21) Declaration of Annexation Allana, Section Fifteen (15).
 - (22) Supplemental Declaration of Covenants, Conditions and Restrictions for Allana, Section Fifteen (15).
 - (23) Amended and Restated Supplemental Declaration of Covenants, Conditions and Restrictions for Allana, Section Fifteen (15).
 - (24) Declaration of Annexation Allana, Section Fifteen (15) Replat No. 3 and Extension.
 - (25) Supplemental Declaration of Covenants, Conditions and Restrictions for Allana, Section Sixteen (16).

- (26) Declaration of Annexation Aliana, Section Sixteen (16).
- (27) Supplemental Declaration of Covenants, Conditions and Restrictions for Aliana, Section Seventeen (17).
- (28) Declaration of Annexation Aliana, Section Seventeen (17).
- (29) Supplemental Declaration of Covenants, Conditions and Restrictions for Aliana, Section Eighteen (18).
- (30) Declaration of Annexation Aliana, Section Eighteen (18).
- (31) Supplemental Declaration of Covenants, Conditions and Restrictions for Aliana, Section Nineteen (19).
- (32) Declaration of Annexation Aliana, Section Nineteen (19).
- (33) Supplemental Declaration of Covenants, Conditions and Restrictions for Aliana, Section Twenty (20).
- (34) Declaration of Annexation Aliana, Section Twenty (20).
- (35) Supplemental Declaration of Covenants, Conditions and Restrictions for Aliana, Section Twenty (20) Partial Replat No. 1.
- (36) Declaration of Annexation Aliana, Section Twenty (20) Partial Replat No. 1.
- (37) Supplemental Declaration of Covenants, Conditions and Restrictions for Aliana, Section Twenty-One (21).
- (38) Declaration of Annexation Aliana, Section Twenty-One (21).
- (39) Supplemental Declaration of Covenants, Conditions and Restrictions for Aliana, Section Twenty-Two (22).
- (40) Declaration of Annexation Aliana, Section Twenty-Two (22).
- (41) Supplemental Declaration of Covenants, Conditions and Restrictions for Aliana, Section Twenty-Three (23).
- (42) Declaration of Annexation Aliana, Section Twenty-Three (23).
- (43) Supplemental Declaration of Covenants, Conditions and Restrictions for Aliana, Section Twenty-Four (24).
- (44) Declaration of Annexation Aliana, Section Twenty-Four (24).
- (45) Supplemental Declaration of Covenants, Conditions and Restrictions for Aliana, Section Twenty-Five (25).
- (46) Declaration of Annexation Aliana, Section Twenty Five (25).
- (47) Supplemental Declaration of Covenants,

- Conditions and Restrictions for Aliana, Section Twenty-Six (26).
- (48) Declaration of Annexation Aliana, Section Twenty-Six (26).
 - (49) Supplemental Declaration of Covenants, Conditions and Restrictions for Aliana, Section Twenty-Seven (27).
 - (50) Declaration of Annexation Aliana, Section Twenty-Seven (27).
 - (51) Supplemental Declaration of Covenants, Conditions and Restrictions for Aliana, Section Twenty-Eight (28).
 - (52) Declaration of Annexation Aliana, Section Twenty-Eight (28).
 - (53) Supplemental Declaration of Covenants, Conditions and Restrictions for Aliana, Section Twenty-Nine (29).
 - (54) Declaration of Annexation Aliana, Section Twenty-Nine (29).
 - (55) Supplemental Declaration of Covenants, Conditions and Restrictions for Aliana, Section Thirty (30).
 - (56) Declaration of Annexation Aliana, Section Thirty (30).
 - (57) Supplemental Declaration of Covenants, Conditions and Restrictions for Aliana, Section Thirty-One (31).
 - (58) Declaration of Annexation Aliana, Section Thirty-One (31).
 - (59) Supplemental Declaration of Covenants, Conditions and Restrictions for Aliana, Section Thirty-Two (32).
 - (60) Declaration of Annexation Aliana, Section Thirty-Two (32).
 - (61) Supplemental Declaration of Covenants, Conditions and Restrictions for Aliana, Section Thirty-Three (33).
 - (62) Declaration of Annexation Aliana, Section Thirty-Three (33).
 - (63) Supplemental Declaration of Covenants, Conditions and Restrictions for Aliana, Section Thirty-Six (36).
 - (64) Declaration of Annexation Aliana, Section Thirty-Six (36).
 - (65) Supplemental Declaration of Covenants, Conditions and Restrictions for Aliana, Section Thirty-Seven (37).
 - (66) Declaration of Annexation Aliana, Section Thirty-Seven (37).
 - (67) Supplemental Declaration of Covenants, Conditions and Restrictions for Aliana, Section Forty (40).
 - (68) Declaration of Annexation Aliana, Section Forty

- (40).
- (69) Supplemental Declaration of Covenants, Conditions and Restrictions for Aliana, Section Forty-Six (46).
- (70) Declaration of Annexation Allana, Section Forty-Six (46).

b. Recording Information:

- (1) Fort Bend County Clerk's File No. 2010067279.
- (2) Fort Bend County Clerk's File No. 2011007842.
- (3) Fort Bend County Clerk's File No. 2014006466.
- (4) Fort Bend County Clerk's File No. 2011102524.
- (5) Fort Bend County Clerk's File No. 2011102525.
- (6) Fort Bend County Clerk's File No. 2012070630.
- (7) Fort Bend County Clerk's File No. 2012070629.
- (8) Fort Bend County Clerk's File No. 2011102953.
- (9) Fort Bend County Clerk's File No. 2011113976.
- (10) Fort Bend County Clerk's File No. 2011102954.
- (11) Fort Bend County Clerk's File No. 2012108565.
- (12) Fort Bend County Clerk's File No. 2012108564.
- (13) Fort Bend County Clerk's File No. 2013155504.
- (14) Fort Bend County Clerk's File No. 2013155503.
- (15) Fort Bend County Clerk's File No. 2011125128.
- (16) Fort Bend County Clerk's File No. 2011125127.
- (17) Fort Bend County Clerk's File No. 2012102267.
- (18) Fort Bend County Clerk's File No. 2012102266.
- (19) Fort Bend County Clerk's File No. 2013111836.
- (20) Fort Bend County Clerk's File No. 2013111835.
- (21) Fort Bend County Clerk's File No. 2008038731.
- (22) Fort Bend County Clerk's File No. 2008038732.
- (23) Fort Bend County Clerk's File No. 2011018635.
- (24) Fort Bend County Clerk's File No. 2012099076.
- (25) Fort Bend County Clerk's File No. 2014008843.
- (26) Fort Bend County Clerk's File No. 2014008842.
- (27) Fort Bend County Clerk's File No. 2014046918.
- (28) Fort Bend County Clerk's File No. 2014046917.
- (29) Fort Bend County Clerk's File No. 2012139734.
- (30) Fort Bend County Clerk's File No. 2012139733.
- (31) Fort Bend County Clerk's File No. 2013132846.
- (32) Fort Bend County Clerk's File No. 2011018636.
- (33) Fort Bend County Clerk's File No. 2012137406.
- (34) Fort Bend County Clerk's File No. 2012137405.
- (35) Fort Bend County Clerk's File No. 2014129008.
- (36) Fort Bend County Clerk's File No. 2014129007.
- (37) Fort Bend County Clerk's File No. 2012062280.
- (38) Fort Bend County Clerk's File No. 2012062279.
- (39) Fort Bend County Clerk's File No. 2012137404.
- (40) Fort Bend County Clerk's File No. 2012137403.
- (41) Fort Bend County Clerk's File No. 2012097885.
- (42) Fort Bend County Clerk's File No. 2012097884.
- (43) Fort Bend County Clerk's File No. 2013153848.
- (44) Fort Bend County Clerk's File No. 2013153847.

- (45) Fort Bend County Clerk's File No. 2013111838.
- (46) Fort Bend County Clerk's File No. 2013111837.
- (47) Fort Bend County Clerk's File No. 2014046920.
- (48) Fort Bend County Clerk's File No. 2014046919.
- (49) Fort Bend County Clerk's File No. 2013121363.
- (50) Fort Bend County Clerk's File No. 2013121362.
- (51) Fort Bend County Clerk's File No. 2014071354.
- (52) Fort Bend County Clerk's File No. 2014071355.
- (53) Fort Bend County Clerk's File No. 2014065534.
- (54) Fort Bend County Clerk's File No. 2014065533.
- (55) Fort Bend County Clerk's File No. 2014083720.
- (56) Fort Bend County Clerk's File No. 2014083719.
- (57) Fort Bend County Clerk's File No. 2015019222.
- (58) Fort Bend County Clerk's File No. 2015019221.
- (59) Fort Bend County Clerk's File No. 2015019224.
- (60) Fort Bend County Clerk's File No. 2015019223.
- (61) Fort Bend County Clerk's File No. 2014129006.
- (62) Fort Bend County Clerk's File No. 2014129005.
- (63) Fort Bend County Clerk's File No. 2014065536.
- (64) Fort Bend County Clerk's File No. 2014065535.
- (65) Fort Bend County Clerk's File No. 2014103660.
- (66) Fort Bend County Clerk's File No. 2014103661.
- (67) Fort Bend County Clerk's File No. 2015057505.
- (68) Fort Bend County Clerk's File No. 2015057504.
- (69) Fort Bend County Clerk's File No. 2015049544.
- (70) Fort Bend County Clerk's File No. 2015049543.

Any subsequent amendments and supplements thereof.

1.03. Design Review Committee – The Design Review Committee of the Association as established by the Declaration.

1.04. Single Family Residence – The single family residential dwelling situated on a Lot.

1.05. Standby Electric Generator – A device that converts mechanical energy to electrical energy and is:

- a. powered by natural gas, liquefied petroleum gas, diesel fuel, biodiesel fuel, or hydrogen;
- b. fully enclosed in an integral manufacturer-supplied sound attenuating enclosure;
- c. connected to the main electrical panel of the Single Family Residence by a manual or automatic transfer switch; and
- d. rated for generating capacity of not less than seven (7) kilowatts.

1.06. Subdivision – shall mean the following:

- a. Allana, Section One (1), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20110122 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.

- b. Allana, Section Two (2), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20070247 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
- c. Allana, Section Three (3), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20070251 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
- d. Allana, Section Four (4), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20120061 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
- e. Allana, Section Five (5), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20070253 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
- f. Allana, Section Six (6), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20110121 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
- g. Allana, Section Seven (7), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20070252 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
- h. Allana, Section Eight (8), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20120126 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
- i. Allana, Section Nine (9), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20070255 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
- j. Allana, Section Ten (10), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20070273 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.

- k. Allana, Section Eleven (11), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20130219 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
- l. Allana, Section Twelve (12), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20110177 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
- m. Allana, Section Thirteen (13), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20120103 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
- n. Allana, Section Fourteen (14), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20130119 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
- o. Allana, Section Fifteen (15), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20070263 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
- p. Allana, Section Fifteen (15) Replat No. 3 and Extension, a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20120166 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
- q. Allana, Section Sixteen (16), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20130271 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
- r. Allana, Section Seventeen (17), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20140017 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
- s. Allana, Section Eighteen (18), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20120173 of the Plat Records

of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.

- t. Allana, Section Nineteen (19), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20110029 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
- u. Allana, Section Twenty (20), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20120180 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
- v. Allana, Section Twenty (20) Partial Replat No. 1 (commonly known as Section 39), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20140170 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
- w. Allana, Section Twenty-One (21), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20120047 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
- x. Allana, Section Twenty-Two (22), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20120145 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
- y. Allana, Section Twenty-Three (23), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20120102 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
- z. Allana, Section Twenty-Four (24), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20130232 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
- aa. Allana, Section Twenty-Five (25), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20130112 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.

- bb. Allana, Section Twenty-Six (26), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20140013 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
- cc. Allana, Section Twenty-Seven (27), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20130130 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
- dd. Allana, Section Twenty-Eight (28), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20140044 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
- ee. Allana, Section Twenty-Nine (29), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20140045 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
- ff. Allana, Section Thirty (30), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20140100 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
- gg. Allana, Section Thirty-One (31), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20140237 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
- hh. Allana, Section Thirty-Two (32), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20140238 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
- ii. Allana, Section Thirty-Three (33), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20140168 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.
- jj. Allana, Section Thirty-Six (36), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20140047 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.

kk. Allana, Section Thirty-Seven (37), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20140096 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.

ll. Allana, Section Forty (40), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20150048 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.

mm. Allana, Section Forty-Six (46), a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded under Film Code No. 20150112 of the Plat Records of Fort Bend County, Texas and all amendments to or replats of said maps or plats, if any.

And such additional property as annexed into the Association.

Other capitalized terms used in this policy have the same meanings as that ascribed to them in the Declaration.

Section 2. Design Review Committee Approval, Requirements, and Screening.

2.01. Design Review Committee Approval. The Declaration requires an Owner to submit an application for a proposed exterior improvement on the Owner's Lot and obtain the written approval of the application from the Design Review Committee prior to installation or construction. Accordingly, a Standby Electric Generator may not be installed on a Lot unless an application therefor is first submitted to and approved in writing by the Design Review Committee as to compliance with the provisions of this policy. The submission of plans must include a completed application for Design Review Committee review, a site plan showing the proposed location of the Standby Electric Generator, the type of screening to be used (if required as provided in Section 2.03., below), and a copy of the manufacturer's brochures. The Design Review Committee may not withhold approval of a Standby Electric Generator if the proposed installation meets or exceeds the provisions set forth in Section 2.02., below, and, if visible as provided in Section 2.03., below, the Standby Electric Generator is screened in the manner required by the Design Review Committee.

2.02. Requirements. The installation and operation of a permanent Standby Electric Generator on a Lot is permitted, subject to the prior written approval of the Design Review Committee and compliance with the following requirements:

- a. a Standby Electric Generator must be installed and maintained in compliance with the manufacturer's specifications and applicable governmental health, safety, electrical, and building codes;

- b. all electrical, plumbing, and fuel line connections for a Standby Electric Generator must be installed by a licensed contractor;
- c. all electrical connections for a Standby Electric Generator must be installed in accordance with applicable governmental health, safety, electrical, and building codes;
- d. all natural gas, diesel fuel, biodiesel fuel, or hydrogen fuel line connections for a Standby Electric Generator must be installed in accordance with applicable governmental health, safety, electrical, and building codes;
- e. all liquefied petroleum gas fuel line connections for a Standby Electric Generator must be installed in accordance with rules and standards promulgated and adopted by the Railroad Commission of Texas and other applicable governmental health, safety, electrical, and building codes;
- f. a nonintegral Standby Electric Generator fuel tank must be installed and maintained to comply with applicable municipal zoning ordinances and governmental health, safety, electrical, and building codes;
- g. a Standby Electric Generator and all electrical lines and fuel lines relating to the Standby Electric Generator must be maintained in good condition;
- h. a deteriorated or unsafe component of a Standby Electric Generator, including electrical or fuel lines, must be repaired, replaced, or removed;
- i. periodic testing of a Standby Electric Generator shall be in accordance with the manufacturer's recommendations, and shall occur not more than once a month, between the hours of 10:00 a.m. and 4:00 p.m.; and
- j. the preferred location of a Standby Electric Generator is:
 - i. at the side or rear plane of the Single Family Residence;
 - ii. outside (not within) any easement applicable to the Lot;
 - iii. outside (not within) the side setback lines applicable to the Lot.

However, in the event the preferred location either (i) increases the cost of installing the Standby Electric Generator by more than ten percent (10%) or (ii) increases the cost of installing and connecting the electrical and fuel lines for the Standby Electric Generator by more than twenty percent (20%), the Standby Electric Generator shall be located on the Lot in a position that complies as closely as possible with the preferred location without violating either (i) or (ii) herein.

2.03. Screening. If a Standby Electric Generator is:

- a. visible from the street in front of the Single Family Residence on the Lot on which it is located,

- b. located in an unfenced side or rear yard of the Lot and is visible either from an adjoining Lot or from adjoining property owned by the Association, or
- c. located in a side or rear yard of the Lot that is fenced by a wrought iron fence or residential aluminum fence and is visible through the fence either from an adjoining Lot or from adjoining property owned by the Association,

the Owner will be required to screen the Standby Electric Generator by evergreen landscaping or in another reasonable manner, as determined by the Design Review Committee.

Section 3. Prohibitions.

3.01. Non-Payment for Utility Service. A Standby Electric Generator shall not be used to generate all or substantially all of the electrical power to a Single Family Residence, except when utility-generated electrical power to the Single Family Residence is not available or is intermittent due to causes other than non-payment for utility service to the Single Family Residence.

3.02. Property Owned by the Association. No Owner may install or place a Standby Electric Generator on property owned or maintained by the Association.

Section 4. Non-Compliance. The installation of a Standby Electric Generator that is not in compliance with the provisions of this Standby Electric Generator Policy will be considered a violation of the dedicatory instruments governing the Subdivision.

Section 5. Property Owned or Maintained by the Association. This Standby Electric Generator Policy does not apply to property that is owned or maintained by the Association.

I hereby certify that this Standby Electric Generator Policy was approved by the Board of Directors of the Association on the date set forth above and now appears in the books and records of the Association. This Standby Electric Generator Policy is effective as of the date of recording in the Official Public Records of Real Property of Fort Bend County, Texas.

ALIANA HOMEOWNERS ASSOCIATION, INC.

By: Carolyn Davis

Printed: Carolyn Davis

Its: Secretary

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned notary public, on this 8th day of October, 2015 personally appeared Carolyn Davis, Secretary of Allana Homeowners Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purpose and in the capacity therein expressed.

Elizabeth L. Gregory
Notary Public in and for the State of Texas

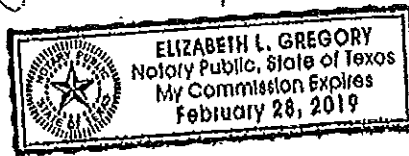


EXHIBIT 3 - Approved Stain

ALIANA STAIN:

WoodScapes® Exterior Acrylic Solid Color House Stain: Product No.: A15T00054;
 Ultradeep Base; Color: Custom Manual Match

BAC Colorant	OZ	32	64	128
W1 – White	2	16	1	
B1 – Black		35		1
R2 – Maroon		52	1	1
Y3 – Deep Gold	8	11		

Or similar product and with color to match

Recommended Tree Species List for Aliana

Common Name	Scientific Name	Size
Acacia, Sweet	<i>Acacia farnesiana</i>	Small
Anacua	<i>Ehretia anacua</i>	Medium
Arborvitae	<i>Thuja occidentalis</i>	Medium
Ash, Green	<i>Fraxinus pennsylvanica</i>	Large
Ash, Texas	<i>Fraxinus texensis</i>	Medium
Baldcypress	<i>Taxodium distichum</i>	Large
Bottlebrush	<i>Callistemon viminalis</i>	Small
Buckeye, Mexican	<i>Ungnadia speciosa</i>	Small
Buckthorn, Carolina	<i>Rhamnus caroliniana</i>	Small
Crapemyrtle	<i>Lagerstroemia spp.</i>	Small
Cypress, Montezuma	<i>Cupressus mucronatum</i>	Large
Eastern Redcedar	<i>Juniperus virginiana</i>	Large
Elm, American	<i>Ulmus americana</i>	Large
Elm, Cedar	<i>Ulmus crassifolia</i>	Large
Elm, Chinese	<i>Ulmus parvifolia</i>	Large
Elm, Winged	<i>Ulmus alata</i>	Large
Eve's Necklace	<i>Sophora affinis</i>	Small
Fringetree	<i>Chionanthus virginicus</i>	Small
Ginkgo	<i>Ginkgo biloba</i>	Medium
Hawthorne, Mayhaw	<i>Crataegus opaca</i>	Small
Hawthorne, Parsley	<i>Crataegus marshallii</i>	Small
Holly, American	<i>Ilex opaca</i>	Small
Holly, Possumhaw	<i>Ilex decidua</i>	Small
Holly, Savannah	<i>Ilex attenuata</i>	Small
Holly, Yaupon	<i>Ilex vomitoria</i>	Small
Jerusalem Thorn	<i>Parkinsonia aculeata</i>	Small
Laurel, Carolina Cherry	<i>Prunus caroliniana</i>	Medium
Laurel, Texas Mountain	<i>Sophora secundiflora</i>	Small
Ligustrum, Glossy	<i>Ligustrum lucidum</i>	Small
Ligustrum, Waxleaf	<i>Ligustrum japonica</i>	Small
Loquat	<i>Eriobotrya japonica</i>	Small
Magnolia, Little Gem	<i>Magnolia grandiflora</i> 'Little Gem'	Medium
Magnolia, Saucer	<i>Magnolia soulangiana</i>	Medium
Magnolia, Southern	<i>Magnolia grandiflora</i>	Large
Maple, Drummond Red	<i>Acer rubrum drummondii</i>	Medium
Maple, Japanese	<i>Acer palmatum</i>	Small
Maple, Trident	<i>Acer buergerianum</i>	Medium
Oak, Bur	<i>Quercus macrocarpa</i>	Large
Oak, Chinquapin	<i>Quercus muhlenbergii</i>	Large
Oak, Lacey	<i>Quercus laceyi</i>	Medium
Oak, Loquat Leaf	<i>Quercus rhizophyllus</i>	Large
Oak, Monterrey	<i>Quercus polymorpha</i>	Large

Oak, Nuttall	<i>Quercus texana</i>	Large
Oak, Overcup	<i>Quercus lyrata</i>	Large
Oak, Sawtooth	<i>Quercus acutissima</i>	Large
Oak, Shumard	<i>Quercus shumardii</i>	Large
Oak, Sierra Red	<i>Quercus canbyi</i>	Medium
Oak, Swamp Chestnut	<i>Quercus michauxii</i>	Large
Olive, Sweet	<i>Osmanthus fragrans</i>	Small
Orchid Tree, Anacacho	<i>Bauhinia lunarioides</i>	Small
Parrotia	<i>Parrotia persica</i>	Medium
Pear, Callery	<i>Pyrus calleryana</i>	Medium
Pear, Kawakami	<i>Pyrus kawakami</i>	Small
Pecan	<i>Carya illinoensis</i>	Large
Persimmon, Texas	<i>Diospyros texana</i>	Small
Photinia, Chinese	<i>Photinia serrulata</i>	Small
Pine, Afghan	<i>Pinus elderica</i>	Medium
Pineapple Guava	<i>Feijoa sellowiana</i>	Small
Pistache, Chinese	<i>Pistacia chinensis</i>	Medium
Pistache, Texas	<i>Pistacia texana</i>	Small
Plum, Mexican	<i>Prunus mexicana</i>	Small
Raintree, Golden	<i>Koelreuteria paniculata</i>	Medium
Redbud, Oklahoma	<i>Cercis canadensis 'Oklahoma'</i>	Small
Redbud, Texas	<i>Cercis canadensis var. Texensis</i>	Small
Rose of Sharon (Althea)	<i>Hibiscus syriacus</i>	Small
Smoke Tree, American	<i>Cotinus obovatus</i>	Small
Soapberry, Western	<i>Sapindus saponaria var. drummondii</i>	Small
Sweetgum	<i>Liquidambar styraciflua</i>	Large
Sycamore, Mexican	<i>Platanus mexicana</i>	Large
Sycamore, Texas	<i>Platanus occidentalis 'Glabrata'</i>	Large
Viburnum, Rusty Blackhaw	<i>Viburnum rufidulum</i>	Small
Vitex	<i>Vitex agnus-castus</i>	Small
Walnut, Black	<i>Juglans nigra</i>	Large
Willow, Desert	<i>Chilopsis linearis</i>	Small
Yew, Japanese	<i>Podocarpus macrophyllus</i>	Medium
Zelkova, Japanese	<i>Zelkova serrata</i>	Medium