

NORTHLAKE HILLS

ARCHETECTURAL CONTROL COMMITTEE PROCESS AND PROCEDURES DOCUMENT:

PART I. PLANS AND SPECIFICATIONS SUBMISSION REQUIREMENTS:

- Prior to any site development (clearing included) or building activities plans must be submitted to the ACC and approved.
- A topographical and tree survey is required.
- There is a \$1,100 fee payable to NLH POA that is due upon plan submittal.
- The ACC has 30 days to approve, disapprove or request additional info
- Submission forms are attached.

PART II. BUILDING AND SITE DEVELOPMENT REQUIREMENTS:

- Silt fencing must be installed prior to any site improvements.
- Avoid Oak Wilt by not pruning oaks between the months of February thru June.
- Construction times allowed are 7am - 6pm M-F and 8am - 6pm Saturday.

PART III. ENDANGERED SPECIES HABITAT AREA REGULATIONS:

- No tree clearing is permitted under Federal mandate March 1 thru August 1.

Please read all of the enclosed material to avoid any unnecessary conflict with your neighbors and the POA.

I PLANS AND SPECIFICATIONS SUBMITTAL REQUIREMENTS;

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

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

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

I. BUILDING AND SITE DEVELOPMENT REQUIREMENTS;

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

B. What Requires ACC Approval? The ACC must approve in writing any "**Improvements**" to the Owner's property, defined in Article 1.15 of the CCR's as "*the buildings, garages, carports, streets, roads, antennas, driveways, parking areas, walls, hedges, plantings, planted trees and shrubs, lighting and all other Structures of Landscaping of every kind and type affecting the natural condition of the property or the drainage of surface waters on, across or from the land.*" "**Structure**" is defined as "*anything erected, constructed, placed, laid or installed in, on or over said real property, the use of which requires a location on or in the ground, but not including vegetation, trees, shrubs or plantings.*" "**Landscaping**" is defined in Article 1.16 as "*growing plants (including grass, vines, groundcover, trees, shrubs, flowers and bulbs) and related materials (including mulch, landscape edging and other materials used to fertilize, cultivate and sustain such growing plants), underground sprinkler irrigations systems, and such other improvements for the landscaping and scenic enhancement of any of the Lots, any entry area into the Subdivision, or any other portion of the Property.*" The above definitions include without limitation, all fencing, fountains, statutes and monuments placed on the Owner's Lot. All construction, alterations or removal must conform to the approved Plans and Specifications.

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

II. PLANS AND SPECIFICATIONS.

A. WHAT TO SUBMIT TO ACC. (New residence construction only.) Consult with an ACC member for ancillary construction or landscaping project requirements.

1. Initial Submittal Requirements. Initially, Owner shall submit three (3) sets of Plans and Specifications, including at a minimum the following. The 30-day time period for review does not commence until such time as all required Plans, Specifications, and review fees have been submitted.

- a. Completed Application for Review (see attached form below);
- b. Application Fee, as specified in Exhibit "A"; See Page 5.
- c. Architectural Site Plan with dimensions at 1"=60'.0", indicating the finish floor elevation of the residence and other structures, all setbacks, easements, the footprint of all proposed improvements to Owner's property, swimming pools, walkways, parking areas, workshops and any other permanent structure, any fencing or unattached improvements to the Lot. The driveway shall also be indicated and any appropriate driveway termination details. Driveways, walkways, and other lot entry points must not direct water over, or away from, drainage culverts designed to carry water into retention ponds or other water management systems. The slope and path of the driveway is of concern to the ACC, and driveways that are too steep or lengthy may be asked to be re-designed to come within community standards. Samples of exterior material proposed may be required for submittal also.
- d. Topographic and Tree Survey at 10 foot contour elevations;
- e. Foundation Plan – sealed by Registered Engineer;
- f. Floor Plan(s);
- g. Roof Plan. Sample of roof material may also be required;
- h. Site Elevations; Interior Elevations;
- i. Framing Plan and Outline, or Builder's architectural specifications for all building products and construction techniques;
- j. Landscaping Plan, if available at the initial submittal period. Otherwise see below, "Ongoing Submittal Requirements."
- k. Drainage management plan

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

2. Ongoing Submittal Requirements. Owner maintains an obligation to submit to the ACC plans, specifications, and landscape plans for any exterior changes taking place on the lot at any time. Owner should include in the landscaping plan any monuments, fencing, retaining walls, permanent art/sculpture or other structure, which may be visible to neighboring lots and/or the roads adjacent to the lot.

B. WHERE TO SUBMIT PLANS AND SPECIFICATIONS.

The plans and specifications should be submitted to the POA President at his/her home address, unless otherwise specified or agreed.

C. ACC PROCEDURE

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

- a. *Request additional information,*
 1. ACC may request additional information, as they deem necessary in their sole discretion.
 2. ACC must respond within thirty (30) days of submittal of additional information, or plans and specifications are deemed approved.
- b. *Approve*
 1. ACC marks "Approved" and the date on plans and specifications, and returns Compliance Form marked "Approved".
 2. ACC keeps one set of plans, returns other two.
 3. If no action is taken by ACC within 30 days, then approval is presumed.
 4. Owner must begin construction or activity within ninety (90) days of approval, however the ACC may grant up to two thirty (30) day extensions.
- c. *Approve with Conditions Stated*
 1. ACC marks "Approved Subject to Conditions stated below."
 2. Owner must comply with all stated conditions within stated time frame.
 3. Aside from compliance of stated conditions, no further action is required by Owner.
- d. *Disapprove*
 1. ACC marks "Disapproved" and date on plans and specifications.
 2. Two (2) sets returned; one (1) set retained by ACC.
 3. ACC provides written explanation for rejection of plans.
 4. Owner submits three (3) revised sets of plans.
 5. ACC acts on revised plans within thirty (30) days, or they are deemed approved.

Two sets of the plans and specifications will be returned to owner when they have been approved. One copy of the approved plans and specifications shall remain at the construction site at all times. Incomplete or rejected submissions are to be corrected and returned for review. Under no circumstance shall any phase of building and site development construction occur while a set of plans and specifications is under review.

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

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

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

F. Amendments. These guidelines may be amended in writing at any time by the POA or ACC without advance notice at its sole discretion, and shall remain binding and enforceable on all property owners in the subdivision(s).

EXHIBIT "A"

NEW HOME REVIEW FEES
EFFECTIVE June 2006

<u>Plan Review</u>	<u>FEE AMOUNT</u>
Fee payable to "Northlake Hills POA"	\$1,100.00

Fee includes and covers, but is not limited to the following:

Architect review, Architect Site Reviews, Resubmissions (if deemed necessary by the ACC), Road Maintenance, Gate Maintenance, and Water quality maintenance.

APPLICATION FOR REVIEW:

Applicant _____

Property Address _____

Section Number _____ Lot Number _____

Applicant's Mailing Address _____

Applicant's Phone #: _____

Fax # _____

Email Address _____

Builder Name and Address _____

Builder Phone # _____ Fax # _____

Submittal Date _____

3 sets of plans submitted? (Y/N) _____

Plans include the following (check each off)

- ___ Architectural Site Plan with dimensions, at 1"=60'.0"
- ___ Topographic and Tree Survey at 10-foot contour elevations
- ___ Foundation Plan – sealed by Registered Engineer
- ___ Floor Plan
- ___ Roof Plan
- ___ Site elevations; Interior elevations
- ___ Framing Plan and Outline or Builders Architectural Specifications.
- ___ Landscaping Plan, if available at the initial submittal period.

Review Fee Amount _____ Form of payment _____

Re-submitted (Y/N) _____

Additional Fee Amount _____

Variances requested _____

POA President initials _____

FOR ARCHITECTURAL CONTROL COMMITTEE'S USE ONLY:

Date submitted to Architect: _____

Construction Walk-Thru date _____

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

Comments _____

**NORTHLAKE HILLS ARCHITECTURAL CONTROL COMMITTEE
COMPLIANCE REPORT**

Owner Name and Mailing Address: _____

Phone: _____

Fax: _____

Email: _____

Property ID: Section # _____ **Lot #** _____

ACC Reviewing Architect: _____

Date of Original Construction Document Submittal _____

Date(s) of Required Resubmission: _____

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

Date of this Report: _____

- Construction Documents:** **APPROVED**
(CHECK ONE)
- APPROVED SUBJECT TO CONDITIONS BELOW**
- DISAPPROVED FOR REASONS STATED BELOW**
- OWNER TO SUBMIT ADDITIONAL INFORMATION**

NOTES: _____

Items requiring further review before approval; _____

(ACC MEMBER)

Date

(ACC MEMBER)

Date

(ACC MEMBER)

Date

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

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

Property owner signature

Date

Builder or designated representative signature

Date

Northlake Hills representative signature

Date

PART II BUILDING AND SITE DEVELOPMENT REQUIREMENTS:

INTRODUCTION

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

1. LOT CLEARING REQUIREMENTS,

1.1 General Clearing Requirements;

- 1.1.1 The POA and the City of Jonestown regulates site development activities.
- 1.1.2 In most cases the city requires that a "Tree Survey", be performed by a licensed contractor prior to any tree clearing. The City Building Official will review the survey with you and a specific site will be identified and permit issued by the city for allowed clearing activities.
- 1.1.3 Cutting of any trees or limbs on a lot you do not own is strictly prohibited.
- 1.1.4 Tree limbs must be removed from the property or chipped within 30 days of cutting.
 - 1.1.4.1 Accumulation of debris is not permitted.
 - 1.1.4.2 For more information regarding removal of debris from site clearing, please see the City of Jonestown City Code and Ordinances, Chapter 71, "Building and Construction Regulations," part 71.032, *General Permit Conditions*.
- 1.1.5 Damage caused by rain water runoff from your property after any site modifications will be your responsibility and your expense to correct.

1.1.6 SILT FENCING;

Silt fencing must be installed before or within 48 hours after any site clearing or ground disturbing activity is initiated and maintained throughout the construction phase until landscape remediation controls are in place and become stable to protect the POA drainage systems, neighboring properties, and Lake Travis. The City Building Official can assist you with proper silt fence location. The silt fence shall be constructed per City of Jonestown, LCRA, and TNRCC standards, and placed so as to prohibit erosion as well as construction debris, dirt and mud from entering any common area, drainage system, or right of way.

1.2 Seasonal Restrictions on Clearing;

- 1.2.1 In 1996 the U.S. Fish and Wildlife Service (FWS) issued a Section 10(a) permit under the Endangered Species Act covering all of Northlake Hills. The protected species involved is the Golden Cheeked Warbler.
- 1.2.2 Clearing of vegetation anywhere within the subdivision is prohibited during the breeding season, **March 1 through August 1**. (Including land below the 715-foot contour line). See 1.2.4 for the only allowed exception without FWS approval.
 - 1.2.2.1 Exception can be requested from the FWS (Austin office (512) 490-0063) for a property survey consistent with FWS guidelines to be done immediately prior to such activities. The survey will include land within 300 feet of the activity to reveal whether any Warbler territories are present.
- 1.2.3 Surveys conducted any year before the clearing activities cannot be used to determine if clearing can occur. The survey must be completed immediately prior to the clearing activities.
- 1.2.4 Minimal limbing of trees in previously cleared areas is allowed between March 1 and August 1 to clean up building area.
- 1.2.5 A violation of any terms of the Section 10(a) permit is an offense punishable under Federal law.

1.3 Design Development & Approval:

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

- 1.3.1 Changes to design, sitting, or materials following ACC approval is prohibited without prior approval. The property owner and/or builder must submit the requested change for approval prior to carrying out the change. Violations of this stipulation will be strictly enforced with fines assessed to both the property owner and builder.
 - 1.3.1.1 Violations may result in a “Stop Work Order” issued by the City of Jonestown.

2. CONSTRUCTION;

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

3. LANDSCAPING & SITE RELATED ACTIVITIES;

- 3.1 Drainage considerations;

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

4. TRASH, RUBBISH, AND DEBRIS

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

4.5 For more information regarding Garbage regulations, please see the City of Jonestown City Code and Ordinances, Chapter 130, "Garbage and Refuse Services."

5. VEHICULAR TRAFFIC

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

6. EMERGENCY SITE WORK

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

7. Permits and utilities;

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

8. Site Access;

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

9. Damage to Neighboring and Community Property;

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

10. Construction Times;

Construction Times are from 7:00 am to 6:00 pm Monday through Friday, and from 8:00 a.m. to 6:00 p.m. on Saturdays.

11. Parking of Construction Vehicles;

Builders' workers are to park their vehicles so as not to impede access and exit from the subdivision, nor property owners' access from adjoining properties.

12. Access Gate during Construction;

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

13. Notification of Builder;

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

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

15. REVIEW, MONITORING & TECHNICAL ASSISTANCE

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

16. DISPUTE RESOLUTION

If the property owner, builder, or designated contractor objects to any of these regulations and wishes to request a variance promptly notify the ACC. Decisions made by the ACC or any fines which may be assessed by the ACC for not meeting requirements may be appealed to the full ACC committee for review. The decisions of the ACC are final and binding.

PART III ENDANGERED SPECIES HABITAT AREA REGULATIONS:

Dear Northlake Hills Property Owner,

In 1996, the U.S. Fish and Wildlife Service (FWS) issued a Section 10(a) permit under the Endangered Species Act to The Volente Group of Texas, Inc. for the development of a portion of the former D.C.

Reed Estate (now subdivided into **Northlake Hills**, along with other developments such as Ranchland Hills, Lighthouse Estates, Northshore, The Pointe, Long Hollow Estates, and Volente Hills). This 10(a) permit set certain restrictions on the clearing, development, and use of land within the former Reed Estate. These restrictions apply to all property owners within any portion of the former Reed Estate. These restrictions were also adopted into our deed restrictions and Property Owner's Association Declaration of Covenants, Conditions, and Restrictions (CCR's) which were provided to every property owner at the time of closing.

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

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

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

March 1 and August 1 of every year

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

Since any violation of the FWS 10(a) permit may adversely effect the Northlake Hills development as a whole, the Northlake Hills Property Owners Association requires each property owner to make application with the POA's Architectural Control Committee (ACC) and the City of Jonestown for formal approval prior to any lot clearing activities. Please contact the current POA president, Mike Grant, at (512) 627-3455 for further details.

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

STATEMENT OF AGREEMENT;

NORTHLAKE HILLS PROPERTY OWNERS:

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

SIGNATORIES

PROPERTY OWNER (BUYER) _____
DATE