

(X) date filed: Sept. 28, 2006  
Harris Co. Clerks  
File No. 20060080976

**CREEKS AT AUGUSTA PINES HOMEOWNERS ASSOCIATION, INC.**

**SUPPLEMENTARY DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
AUGUSTA PINES SECTION ELEVEN (11)**

STATE OF TEXAS                   §  
  §           KNOW ALL MEN BY THESE PRESENTS THAT  
COUNTY OF HARRIS           §

WHEREAS, under date of September 26, 2006, SHADOW CREEK ESTATES, LTD, ("Declarant"), as the owner of certain land created that certain subdivision known as the CREEKS AT AUGUSTA PINES, by the execution and recordation of that certain Declaration of Covenants, Conditions and Restrictions for the Creeks at Augusta Pines (the "Declaration") recorded under Clerk's File No. 20060021221 of the Real Property Records of Harris County, Texas; and

WHEREAS, by terms of said Declaration, land subject to the Declaration is placed within the jurisdiction of the Creeks of Augusta Pines Homeowners Association, Inc. (the "Association"); and

WHEREAS, the Declaration calls out that Declarant may establish different neighborhoods within the Community of the Creeks at Augusta Pines, which neighborhoods may have different marketing names and may also have different guidelines for the Builders building Residences therein, which would be set forth by the execution and recordation of a Supplemental Declaration for each such neighborhood; and

WHEREAS, Declarant has established the neighborhood of Augusta Pines, Section Eleven (11), being approximately 41.550 acres in Harris County, Texas; the plat for which was recorded under Film Code Y507644 of the Map Records of Harris County; containing 103 lots, 2 blocks and 5 reserves; and

WHEREAS, this is the Supplemental Declaration for Augusta Pines, Section Eleven (11) and any and all Builders and Owners of Lots within such Augusta Pines, Section Eleven (11) must comply with the terms hereof;

NOW, THEREFORE, pursuant to the power reserved in the Declaration, Declarant does hereby declare that the following must be complied with for any and all improvements to any Lots within Augusta Pines, Section Eleven (11):

1. Square Footage Requirements: 1600 to 3000 sqft
2. Height of Residence: 38' max
3. Building Materials:
  - Exterior Walls: 50% masonry
  - Fireplaces: Direct Vent
  - Roofing: 240# min. 25 year warranty profile composition shingle

- Driveways: Concrete min. 10' in width
4. Setbacks: Front – 25'  
Rear – 10' except as is further defined by utility or other easements  
Side – 5'
5. Fencing: 6' cedar
6. Landscaping: The front and rear of each completed sodded between property line and street curb. Provide two (2) trees (hardwood) min 4" cal per front yard. Min. planting bed width to be (2) feet from the house foundation. Shrubs planted in a pleasing organized design. Min. 15 5gal and 30 1gal per front yard.
7. Exterior Lighting: All exterior lighting fixtures visible from the street or greenbelt area must have ARC approval and should complement the architectural features to the residence.

The Requirements set forth herein do not replace or amend the architectural approval process set forth in the Declaration; any improvement constructed or modified must obtain the architectural approval as set forth therein.

Nothing herein contained is intended or shall be construed to amend the Declaration other than to specify terms and provisions of the Declaration which are applicable to specific lots and land within Augusta Creek, Section One (1).

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has hereunto set its hand and seal this 26th day of September, 2006.

**Declarant**

SHADOW CREEK ESTATES, LTD, a Texas limited partnership,

By: SHADOW CREEK ESTATES GP, LLC  
general partner

By:  \_\_\_\_\_

STATE OF TEXAS

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§  
§

COUNTY OF HARRIS

This instrument was acknowledged before me on this 26<sup>th</sup> day of September 2006 by JA Kent, Member of Shadow Creek Estates GP, LLC, which is the general partner of Shadow Creek Estates, Ltd, a Texas limited partnership.

Kristina Kilgore Powell  
Notary Public, State of Texas

After Recording please return to:

Sarah Ann Powers  
Hoover Slovacek LLP  
5847 San Felipe, Suite 2200  
Houston, Texas 77057  
HS File No. 351090-07

