

RESTR
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CREEKS AT AUGUSTA PINES HOMEOWNERS ASSOCIATION, INC.

SUPPLEMENTARY DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
SECTION 5 AUGUSTA CREEK RIDGE

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

WHEREAS, under date of September 5, 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 recorded under Clerk's File No. 20060021221 of the Real Property Records of Harris County, as amended by instrument recorded under Harris County Clerk's File No. 20110143460 (the "Declaration"); Texas; and

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WHEREAS, by the 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, by the terms of said Declaration, the Declarant may establish Rules that among other matters, will govern as design/architectural guidelines, and which may, as part of such design/architectural guidelines, establish a list of approved Builders (custom or production Builders) that may be revised from time to time as circumstances warrant and which may be different for different neighborhoods; and

WHEREAS, the Declaration further 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 is in the process of establishing the neighborhood of Section 5 Augusta Creek Ridge, being approximately 41.815 acres in Harris County, Texas; the plat for which Section 5 Augusta Creek Ridge has been recorded in the Map Records of Harris County and will contain 118 lots, 2 blocks and 7 reserves; and

WHEREAS, the real property that is platted as Section 5 Augusta Creek Ridge is more particularly described on Exhibit "A" attached hereto and made a part hereof (the "Section 5 Augusta Creek Ridge Property")

WHEREAS, this is a Supplemental Declaration for the Section 5 Augusta Creek Ridge Property and any and all Builders and Owners of Lots within such Section 5 Augusta Creek Ridge Property must comply with the terms hereof;

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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 Section 5 Augusta Creek Ridge Property:

1. Square Footage Requirements:

Minimum 2,200
Maximum 4,000

2. Height of Residence:

Two (2) story Maximum height restriction on all houses.

3. Building Materials:

Exterior Walls: First Floor – 100% Masonry
Second Floor - Masonry, Stucco, Stucco look-a-like & Hardie
Exception: The below list of lots require 100% Masonry on the Back side of the second floor or ARC Approval.

Block 1:

Lots: 1, 2, 3, 11, 12, 13, 14, 32, 33

Block 2:

Lots: 37, 42, 43, 44, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66

Fireplaces: Brick, Stone, Stucco, Hardie in Stucco Fiber Cement Panel Siding (must look like Stucco not Hardie)

Roofing: Composition shingles (minimum 30 yr warranty) – dimensional

Driveways: Concrete

4. Setbacks:

Front: 25' per plat

Back: 20'

Sides: 5' and 5'

5. Fencing: Capped 6' fence plus rot board underneath. As needed additional rot boards shall be installed underneath the 6' capped fence to ensure the fence maintains level to accommodate for the changing slopes and dips in ground level. The exact additions shall be determined by the fencing company that is hired.

6. Landscaping: Submit to ARC for approval. (Note: All trees within 10' of the footprint of the house and pool are to be removed; all trees outside of the 10' footprint of the house and/or house and pool must remain and be protected during construction unless such trees

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are dead, damaged beyond repair or an obstruction for the approved placement of the driveway or sidewalk.)

- 7. Exterior lighting: None required : by submit to ARC before any are installed.
- 8. Architectural Review Committee ("ARC"):

J. Alan Kent, Duane Islet and Vanessa Kent Stroberg (Maison Property Management, LLC)

- 9. Walks, Pools, Patios, Pool Decks:
Tile, Slate, Cool Deck, Patterned Concrete, Pea Gravel and others approved ARC;
Front walk to be 4 foot wide, broom finished / picture framed concrete.

- 10. Approved Builders:
Westin Homes
M/I Homes

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 the Section 5 Augusta Creek Ridge Property.

This Supplementary Declaration may be amended from time to time in the same fashion and manner as the Declaration.

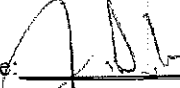
IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has hereunto set its hand and seal this 19th day of NOVEMBER, 2013.

Declarant:

SHADOW CREEK ESTATES, LTD, a Texas limited partnership,

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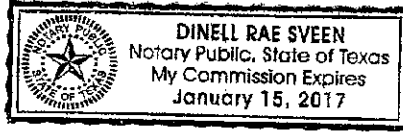
By: Shadow Creek Estates GP, LLC
general partner

By: 
Name: _____
Title: GENERAL PARTNER

STATE OF TEXAS

COUNTY OF HARRIS

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This instrument was acknowledged before me on this 19 day of November, 2013 by J. Alan Kent, of Shadow Creek GP, which is the general partner of Shadow Creek Estates, Ltd, a Texas limited partnership.

Notary Public, State of Texas

A handwritten signature in black ink, appearing to read 'Dinell R. Sveen', written over a horizontal line.

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EXHIBIT "A"
(Legal Description)

Augusta Creek Ridge Section 5, being approximately 41.815 acres in Harris County, Texas; the plat for which was recorded under Film Code 658012 of the Map Records of Harris County, Harris Clerk's File No. 20130483074; containing 118 Lots, 2 Blocks and 7 Reserves. Such plat incorrectly reflected the name of the subdivision as Shadow Creek Estates Section 1.

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20130589797
Pages 6
11/22/2013 08:08:20 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
STAN STANART
COUNTY CLERK
Fees 32.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



Stan Stanart

COUNTY CLERK
HARRIS COUNTY, TEXAS