

Del Lago Owners Association

Summary of Deed Restrictions, Use Covenants and Design Standards

Welcome to Del Lago and the Del Lago Owners Association (DLOA). This document is a summary of some of the Rules and Regulations that govern our community. This summary is written to be a user friendly, reference guide. It is not intended to be a complete and detailed listing and legal explanation of the Regulations and Design Standards that govern Del Lago.

Please contact the management company for any questions regarding: the Rules of the subdivision, enforcement of those Rules, ACC Design Standards, or for a copy of the Use Covenants and Deed Restrictions as recorded in Montgomery County.

The Deed Restrictions, Rules and Design Standards are intended to protect the integrity of the entire community for the benefit of both present and future owners. These Regulations preserve the value of the residential property and the quality of everyday life within the community.

The DLOA's Board of Directors monitors and manages the Rules and Deed Restrictions thru the appointment of a management company and committees. The Architectural Control Committee (ACC) assists property owners by reviewing project submittals to ensure that they are compliant with the Architectural Regulations and Aesthetic Design Standards of Del Lago.

Following is a summary of some of the general Use Restrictions, and Architectural Control Regulations:

Use Restrictions (also see Misc. Use Rules toward the end of this document):

On Street Parking - The streets of Del Lago are private and are subject to the Rules established by the DLOA. Our Use Restrictions are designed to keep our streets free of parked cars, trucks, etc. and to promote the safe flow of traffic and emergency vehicles. Residents' cars are to be parked in their own driveways – not stored in the streets. On street parking is limited to short time guests, and to business being conducted with the homeowner such as deliveries, home projects and lawn care. If you participate in a commuter group, the commuters' cars are to be parked in your driveway.

Overnight Parking - No vehicle is allowed to be parked in the streets overnight. Vehicles parked in the streets after 2am will be ticketed by Del Lago Security.

Driveway Parking –

Passenger cars, vans meeting the size limits, and pickup trucks may park in driveways. These vehicles must be in operable condition, have current plates and stickers and be in regular use on Texas streets and highways. All other vehicles must be stored in the garage. No RV's or non-motorized vehicles, all-terrain vehicles, trailers, boats, personal watercraft, etc. may be stored in driveways or yards. These

vehicles must be stored in the garage or off-site from the community. Vehicles are not allowed to be parked in yards or on vacant lots.

Vehicle Repairs – No repair work, dismantling or assembling of motor vehicles is permitted on streets, driveways, or any portion of a lot.

Lot Maintenance –

General Maintenance - Property owners are expected to maintain their Lots on a consistent basis. This includes mowing, edging, watering, trimming, removal of dead shrubs and removal of trash and debris. Vacant Lots of non-resident Lot owners are, generally, maintained by the DLOA at the owner's expense. Please contact the management company for questions regarding maintenance of Vacant Lots. Trees and large shrubs should not be allowed to overhang or encroach upon the streets so as to obstruct the view of street signs, the view at intersections, or the passage of vehicles. There are special Restrictions regarding the size and location of hedges and the removal of trees. Please refer to the ACC section of this document for these Rules.

Community Maintained Areas – The DLOA maintains the areas around some of the utility boxes and mailboxes, and some of the corner Lot areas. These 'pocket planting' areas are bordered by stone, and a service company will manage the plantings and maintenance. Please contact the management company with questions regarding identifying if one of these areas is on your Lot.

Removal of Debris – Please do not rake or blow the leaves, pine needles and debris from your yards and streets into the storm drains. This material should be placed in bags and stored out of view until it can be hauled away by can or on heavy trash pickup day. The storm drains need to be kept as clear as possible to keep our streets from flooding.

Storage –

No exterior storage of items of any kind is allowed unless attractively screened by landscaping or concealed from public view from the street and from the neighboring property. Such concealment is subject to ACC approval. This rule applies, without limitation, to machinery, fixtures, storage bins, equipment, landscaping equipment, recreational equipment trailers and boats, and construction materials. This rule includes, but is not limited to, storage along the sides of homes of items such as – storage bins, ladders, wheelbarrows, recreational equipment, landscaping materials and lumber, brick and other construction materials.

Pet Ownership –

Leash Laws & DLOA Rules – Montgomery County leash laws should be followed. Animals should not be allowed to roam free off of an owner's lot. Animals such as dogs, cats, birds and fish may be kept as household pets. No animals may be kept and raised for the purpose of breeding.

Dog Houses – Dog houses and dog runs are not allowed to be located on lots for housing and keeping animals. Elevated exercise or restraint lines, such as those strung between trees are not approved.

Property Courtesy – Please remember to clean up your dog's droppings in the street and on vacant lots, and dispose of it properly – not in the storm drains or on the golf course. Please respect your neighbors who ask that you do not walk your dog on their lot. The golf course is the private property of La Torretta Del Lago Resort & Spa. Please do not walk your dog on their property.

Golf Carts –

Operation – The streets of Del Lago are private streets and the DLOA rules allow the operation of golf carts. Children under the age of 13, operating a golf cart, must be accompanied by an adult. The golf course is the private property of La Torretta Resort. Please do not drive your personal golf cart on the course or cart paths. Please contact the Resort with questions in this area of cart access to the golf course property.

Signs –

Type, Number and Placement – One contractor sign may be placed facing the front of a Lot while a project is in progress. The sign must be removed immediately at the completion of the project. One realtor 'For Sale' sign may be placed in a front yard during the sale of a home. During an 'Open House', no more than two directional and/or 'Open House' signs may be used, **but only when an agent or sales representative is present on the lot.** Such 'Open House' signs can be no more than 8" vertical and 24" horizontal. Placement of political campaign signs prior to and just after a public election are determined by State Code. Display of any signs other than the ones mentioned are not allowed anywhere on a lot unless the lot owner has received written approval from the ACC.

Garage Sales –

Private garage sales are not allowed. The DLOA usually coordinates community garage sales twice a year. The dates, times, etc. will be announced in the DLOA newsletter or by email communications from the management company. Please contact the management company with any questions.

Architectural Control Committee (ACC) Regulations and Design Standards:

The Architectural Control Committee (ACC) works for our community by reviewing proposed projects and assisting homeowners in complying with the Architectural Regulations and Aesthetic Standards of the subdivision so as to preserve and protect our home values. Projects will be reviewed in areas of design, location, materials and color. The definition of the projects that require ACC pre-approval is quite broad and includes most types of exterior modifications to your house or lot: new construction, improvement, placement of a structure, and design, material or color change to a structure. Such projects also include major landscaping projects such as Tree Removal or retaining walls.

ACC Applications – When and Why – The Deed Restrictions state that ACC approval is required **before** these projects are started. If a projects begun or completed that is not compliant with Restrictions and Design Standards, the homeowner will be requested to remove or change it. Working with the ACC to get pre-approval for projects can save a homeowner time and money! Please contact the management company for assistance in determining which projects require ACC approval.

Where is the ACC Application? You can find the Home Improvement (Project) Request Forms in the “Documents” section of our Del Lago website. If you need assistance accessing the website, please contact the management company, IMC, Megan Berry (936) 756-0032.

What Do I Include with My ACC Application? The Application Form will instruct you as to the information and attachments that are to be submitted with your Application and sent to the management company. Please remember that for most Projects you will need to include a Site Survey showing the location of the proposed project in relationship to Lot lines and existing structures on the Lot.

Following are some of the ACC Restrictions and Design Standards as well as a list of projects that require an Application for ACC approval:

Minimum square footage - 2000 sq. ft. 1800 for patio lots

Required masonry - 70% (Hardiplank Siding is not deemed to be masonry)

Garages – must have a minimum 2 bays, for not more than 3 automobiles, must be attached and enclosed.

Setbacks – apply to many types of projects. Generally, setbacks for Homes and Home Additions are 5 feet from side lot lines, 15 feet from rear lot lines and 25 feet from front lot lines or the setback easement on the plat. Setback restrictions include eaves and roof overhang. Homes located on Corner Lots and ‘Patio Homes’ have different side setback rules, and owners should contact the management company for specifics.

Other projects have unique setback requirements and include but are not limited to: decks and patios, deck and patio coverings, fences and hedges, recreational equipment pools, boat docks and flag poles.

Decks and Patios – Decks and Patios are included within the Deed Restrictions' definition of Permanent Improvements. Decks and Patios and any Roof Coverings are subject to the Rules and Regulations for Permanent Improvements and to ACC Design Standards that include location, materials, color and design.

Fences and Hedges – Fences and Hedges extending closer to the street than the front building setback line may not exceed two feet in height. (Special rules apply for the street side of Corner Lots – please contact the management company for specifics). Fences and hedges should be no more than five feet in height. Only black, wrought iron fences are approved.

Changes in Color, Materials or Design – Any change to color or materials of shingles or roof coverings, exterior paint or trim, exterior doors, driveway, paving or most other existing structure requires pre-approval by the ACC. Changes to the design of any existing external structure or paving requires pre-approval by the ACC.

Tree Removal – No tree having a trunk diameter greater than 6 inches, as measured 2 feet from the ground, may be removed without getting pre-approval from the ACC. This includes dead and dying trees. The Deed Restrictions give the ACC the authority to review the condition and location of trees prior to their removal. Penalties may be imposed for failure to get pre-approval when required.

Pool Construction Standards – Deed Restrictions and ACC Design Standards require that all pools, i.e. in-ground spas and swimming pools, be enclosed by a black wrought iron fence, a minimum of 4 feet in height, **prior to the pool being filled with water.** (Lake Front Lots have special rules for fence location requirements). The gates to pool fencing must be self-closing and self-latching. No above ground pools are allowed. In-ground pools, spas, and above ground hot tubs, and maintenance equipment require approval by the ACC as to design, location, etc. Please contact the management company for Pool Construction Restrictions and Design Standards. (See the 'Misc. Use Rules' for Pool Maintenance).

Boat Docks and Bulkheads – Boat dock design and location, including Boat Covers and any structural additions, require ACC approval. The 5 foot side setbacks apply to boat docks at the bulkhead, and as the dock extends into the water. The San Jacinto River Authority requires pre-approval from the Del Lago ACC before it will review and approve plans and issue dock permits. A Lot owner must first obtain approval from the ACC. Please contact the management company for Design Standards for Boat docks. All plans for Bulk Heads must be approved by the ACC, the San Jacinto River Authority and applicable government authority.

Flag Poles, Staffs and Flags – Rules are determined by State and Federal Code. In addition, there are ACC Design Standards for type of pole, color of pole and location of pole and flag staffs. These Standards include that poles should be metal, black or silver, and are to be located no closer than 20 feet to the street. Location and design of flag staffs should be approved by the ACC. Design Standards discourage flag staffs being mounted on trees. Owners are encouraged to follow the American Flag Etiquette as represented in the Flag Code.

Playground Equipment, Including Basketball Poles and Goals – requires ACC approval **prior** to being placed on any Lot. Such equipment is subject to Deed Restrictions and Design Standards that include location, design, color and use. Obtaining approval of the type and design of play equipment is strongly recommended prior to its purchase – there are designs, sizes and colors that will not be approved. The location of all play equipment must be pre-approved by the ACC. An owner will be asked to relocate equipment if it is placed in a location that does not meet approval.

Restrictive Standards include, but are not limited to: Generally, only one type of equipment will be approved for a Lot. All play equipment must be maintained in good condition. When not in use, portable play equipment must be stored out of public and neighboring view – whichever is farthest from the street. Basketball goals must have a net at all times. The net must be in good condition or be replaced.

Drainage – Construction and landscaping projects should not change grade elevations and water flow in such a way as to adversely impact a neighboring lot. The ACC reviews construction and major landscaping projects for effect on drainage. However, it is ultimately the responsibility of the project's homeowner to be compliant with state law in this area.

Other Projects Requiring an Application for ACC Approval Include, but are not limited to:

Landscaping projects – such as retaining walls and decorative landscaping walls require ACC approval. Structures such as gazebos, trellises and arbors, and larger yard decorations such as fountains, birdbaths and some statuary require ACC approval. Design Standards and Restrictions also apply to landscaping projects that include a substantial change in elevation. Holiday decorations are encouraged and do not, generally, require ACC approval. Owners are requested to limit display of holiday decorations to within a reasonable time period before and after a holiday.

Other ACC Projects: Construction of Outdoor Kitchen areas, Walkways and Paving Projects, screened Rooms and Sunrooms, Awnings and Exterior Window Coverings or Decorative Elements such as Shutters, Outside Lighting – (see 'Misc. Use Rules'), and Poles for Birdhouses and Weather Vanes.

Miscellaneous Use Rules:

Outside Speakers and Amplifiers – no radio, stereo, broadcast or loudspeaker units may be placed upon, or outside, or be directed to the outside of any building without prior written approval of the DLOA.

Outside Lighting – no outside lighting, other than indirect lighting, may be placed or maintained on any Lot without prior written approval of the DLOA. Backyard elevated pole lighting will, generally, not be approved. Any outside lighting, including security lighting, must be located, and be of an intensity, so as not to have a negative impact on a neighbor's enjoyment of their own property. Security lighting requires written approval of the DLOA.

House Numbers – should be readable and visible from the street day and night.

Repairs- No repairs of any detached machinery, equipment, or fixtures may be made upon any portion of any Lot within view of neighboring property and streets without prior written approval of the DLOA.

Air Conditioners and Wall Heaters – No window or wall type air conditioner or heater shall be placed or maintained on or in any Permanent Improvement.

Pool Maintenance – Pools must be properly clean and maintained so as to allow the sides and bottom to be visible at all times. Pools cannot be used for storage. No vegetation is allowed within the pool.

Clothes Lines and Drying – Outdoor clothes lines and other exterior clothes drying devices, and the drying of clothes in public view is not allowed.

Firearms and Weapons – the discharge of firearms, and weapons, including bow and arrow is prohibited.

Fires and Incinerators – No open fires are allowed at any time, and no incinerators may be located on any Lot. This does not preclude the use of residential grills and outdoor kitchens (outdoor kitchens require pre-approval by the ACC).

Speed Zones – There are posted speed limits on the Boulevard and the streets within the subdivision. Drivers should comply with the posted speeds.

Please contact the management company with any questions regarding Use Rules or Projects that require ACC approval.

DEL LAGO OWNERS ASSOCIATION (DLOA)

LA TORRETTA LAKE RESORT AND SPA

La Torretta Lake Resort and Spa is a privately owned resort founded in 1983. It consists of 36 lakeside villas, 102 golf cottages and 307 units in the tower.

The resort has an 18 hole golf course, a health spa, workout center, lighted tennis courts, water part, numerous restaurants and beautiful resort facilities.

Memberships are required to use the facilities. The membership director for La Torretta Lake Resort is Jina Shabacy (936) 582-6338.

Relationship with the DLOA – The by-laws of the DLOA define that each tower hotel room, each lakeside villa and each golf cottage are equal to a residential lot. The Resort pays an assessment for each unit. The resort has two board members on the DLOA and is the majority contributor to the association.

SECTION III

Section III has been included in this directory as a convenience and courtesy. Section III is not a legal part of the DLOA; however, it does pay the DLOA for some services and is a welcome part of the social community of Del Lago. Section III administers its own Covenants, Conditions and Restrictions.

DLOA RESPONSIBILITIES

As a property owner you have one vote per lot and the annual meeting is in October. At that meeting we discuss the budget, review the minutes from the prior meeting, elect three members of the Board, and then open up meeting for other discussions. The officers are then appointed by the Board. Board meetings are open to the public but notice to be on the agenda is required.

ARCHITECTURAL CONTROL COMMITTEE reviews all construction and improvements and is comprised of 3-5 community volunteers. They each donate their time to review plans for new construction & improvements and to assure strict adherence to deed restrictions. They make an arduous effort to fairly maintain the value of all properties.

ACC PERMITS:

An approved permit is required by the ACC for all new or improvement construction and other items required by the deed restrictions. Forms are available from Investment Management Company. An application fee may be charged. Our representative with IMC is Megan Berry (936) 756-0032.

ASSESSMENTS:

The DLOA is funded by semi-annual property assessments from all members due on January 1st and July 1st. Your property assessment includes trash pickup.

Your Role as Homeowner and Neighbor

1. Review the covenants, conditions and restrictions and other Association documents before you buy a home.
2. Read them again when you move in.
3. Pay your assessments on time.
4. Attend the annual meeting.
5. Read the mailed or online newsletter and the minutes of association meetings.
6. Follow the rules and regulations. Questions should be directed to Megan Berry at Investment Managements Company (936) 756-0032

Be a Good Neighbor

1. Curb thy dog
2. Keep televisions and music at reasonable volumes
3. Park in your garage or driveway, not in the street

4. Take care of your property – mowing and maintenance.
5. Keep an eye out in your neighborhood for anything unusual
6. Offer to lend a hand
7. Nurture relationships

Should you have general questions about this area or questions about your neighborhood, feel free to give a call to a member from the Welcome Committee. Perhaps we can at least direct you to someone who can.

Camille Pritchett	936-232-2683	Presidio
Vicki Contella	936-582-4813	La Costa
Julie Ellsworth	936-828-0167	Laguna