

FILE

CRANBROOK PROPERTY OWNERS ASSOCIATION

ADMINISTRATIVE RESOLUTION NO. 4 ARCHITECTURAL REVIEW PROCEDURES AND GUIDELINES

WHEREAS, Article III of the Declaration of Covenants, Conditions and Restrictions requires Board Approval for any changes or additions to lots or homes; and

WHEREAS, the Board wishes to create procedures for obtaining approval and promulgate guidelines as to what is acceptable or unacceptable;

NOW THEREFORE BE IT RESOLVED THAT the following procedures and guidelines be adopted:

I. APPLICATION PROCEDURES

A. General Procedures for Any Addition or Change

1. Each unit owner will submit his proposal for an exterior addition, alteration or improvement to the Board in writing, using an Architectural Request form. The proposal will contain a description of the project, including the height, width, length, size, shape, color, materials, and location of the proposed improvement. Photographs or sketches of similar completed projects will aid in the consideration. If the alteration affects the existing drainage pattern, the proposed drainage pattern must be included.
2. Oral requests will not be considered.
3. Each alteration or addition must be specifically approved even though the intended alteration or improvement conforms to the Declaration, and even when a similar or substantially identical alteration or addition has been previously approved.
4. The applicant shall be informed in writing of the decision.
5. If the applicant fails to receive a letter notifying of the extension of the deadline or a favorable or unfavorable reply within thirty (30) days, the request shall be considered to have been approved.
6. If a proposal is rejected, the reason(s) for disapproval shall be stated as part of the written decision.
7. The applicant is free to request reconsideration if new or additional information which might clarify the request or demonstrate its acceptability can be provided.
8. Copies of all Requests for change will be filed according to street address, along with the written decision and a statement of action, if any. There will be a cross-index which groups cases into types, for future reference. This index shall be made available, upon request to any resident considering an alteration or improvement to his property.

II. ARCHITECTURAL GUIDELINES

A. Building Alterations and Additions and Detached Structures

1. General

Any exterior addition or alteration to an existing building shall be compatible with the design character of the original building. Any new detached structure shall be compatible with the parent structure.

2. Awnings

Awnings, as a general rule, are not felt to enhance the aesthetic qualities of a community and are therefore discouraged. Exceptional interest on the part of a majority of residents may be considered by the committee, however.

3. Color and Materials

Exterior color changes will be approved only if the proposed color is in harmony with the other existing homes in the community or if the color is similar to the colors originally employed in the community.

4. Outbuildings

a. No outbuildings shall be placed within five (5) feet of any property line, fence or other structure. Such a distance will allow for the removal of grass and weeds. No outbuildings shall be placed so as to encroach upon any dedicated easement.

b. No outbuildings shall be constructed before an approved fence is constructed. This includes storage sheds, dog houses and greenhouses.

c. The length and width of any outbuilding shall be limited so that established drainage patterns will not be interrupted. Depending upon the size and placement of the lot, the length and width of any outbuilding shall be examined on an individual basis.

d. The height of the walls of the outbuilding shall not exceed eight (8) feet.

5. Patio Covers

Patio covers will be constructed only in the area of the patio.

6. Room Additions

Roof shingles shall be of a uniform design and color all over the residence.

7. Gutters

The addition of gutters to a house must be approved by the Board. Gutters must be painted the same color as the residence or the trim thereon and shall be kept in good repair.

8. Playhouses

Playhouses shall meet the requirements of all other outbuildings.

9. Roof Vents

Roof vents or turbo vents shall be installed on the back side of the residence. Roof vents or turbo vents shall be installed according to the manufacturer's specifications for installation not to exceed the ridge line by more than 15".

10. Storm Doors

a. Storm doors/screen doors will be permitted on all doors.

b. Storm doors/screen doors shall be constructed of aluminum or wood. The color should be in harmony with the existing colors of the house.

c. Storm doors/screen doors will be approved with the condition that they be kept in the proper state of repair at all times; i.e. broken glass must be replaced; screens must be properly secured.

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- B. Fences
1. General
Any fence or screen must have written approval before installation is undertaken.
 2. Height and Materials
 - a. Fences shall be six (6) feet in height.
 - b. Fences shall not be of chain link or wire.
 - c. All fencing or screening should preferably have finished materials on both sides. If only one side has finished materials, this must face the public side of the individual lot.
 3. Location
Fences proposed for construction that are located wholly within the property lines of the homeowner's lot and which will not extend into the front yard beyond the building setback line for the main residence upon such lot and which in the opinion of the Committee will not interfere with the general harmony and external design of the subdivision will be approved by the Committee.
- C. Flower Bed Borders, Waterfalls, Sidewalk Borders, Lawn Decorations
All requests for decorative type items will be considered on an individual basis. The primary concern will be on the architectural compatibility and the effect that such an addition will have on drainage patterns.
- D. Driveways, Sidewalks
1. A request for a widened driveway or a new sidewalk shall be considered on an individual basis.
 2. Cement material must blend with the existing structure and must be carried out in a workmanlike manner.
- E. Mail Boxes
Any change to the mail box structure must be approved by the Board. Approval of the mail box request shall not be unreasonably withheld.
- F. Basketball Goals
1. Basketball goals may not be erected in such a manner as to encroach upon any building line on any lot.
 2. Basketball goals that are visible from the street shall be attached to the front of the garage.
 3. Basketball goals must be painted and the nets maintained in a manner so as not to detract from the overall appearance of the property or of the neighborhood.

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- G. Swimming Pools
1. Permanent type backyard swimming pools must have the approval of the Board before any work is undertaken.
 2. Permanent backyard swimming pools will be approved by the Board only after careful consideration of the effect such a pool will have on neighboring lots.
 3. An application for the construction of a permanent type backyard swimming pool will not be considered unless the application is accompanied by an application for an acceptable fence design or unless a fence design had already been approved and there is adequate locks on the gate to the fence.
 4. The swimming pool including the decking shall be constructed so as not to encroach upon any existing easement.
 5. Requests may be approved with the notation that the homeowner must notify the Utility District and any easement holders of his intention.
- H. Miscellaneous
1. Exterior lighting shall not be directed in such a manner as to create an annoyance to the neighbors.
 2. Trash and Garbage containers shall not be permitted to remain conspicuous except on days of trash collection.
- I. Local Building and Work Permits
1. Approval of any project by the Association does not waive the necessity of obtaining the required local permits.
 2. Obtaining a local permit does not waive the need for Association approval.
 3. The Association will not knowingly approve a project which is in violation of the local building or zoning codes.
- J. Completion of Structures
- Construction in accordance with an approved plan must be completed within 60 days of the time that construction is begun unless otherwise specifically agreed to by the Board. If not completed within the time allotted, the Board shall proceed against the homeowner as if a violation of the deed restrictions had occurred.
- Any addition or modification which would meet the guidelines and standards but which is erected in an unworkmanlike manner and which detracts from the overall appearance of Cranbrook will be deemed to have been erected in contradiction to the approval of the Architectural Review Committee and the Board shall proceed as if a violation of the Deed Restrictions had occurred.

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III. PROCEDURES FOR MONITORING ARCHITECTURAL COMPLIANCE

A. Inspection

1. The Architectural Review Committee shall periodically survey the properties for compliance with architectural standards.
2. The Architectural Review Committee or its designee may inspect properties undergoing improvement at completion, and notify the owner in writing of violations, if any

B. Alleged Violations

1. All reports of alleged violations must be submitted in writing to the Committee.
2. The chairman will appoint one member to investigate the allegation. If no violation is discovered, the complainant will be informed in writing. If it appears that there is a violation, the matter will be turned over to the Deed Restriction Committee accompanied by a report and recommendation.
3. The Deed Restriction Committee will determine the appropriate disposition of the matter after the validity of the violation has been established and initiate the Special Resolutions process if such is indicated.
4. In all cases, the name of the lot owner(s) responsible for the alleged violations shall be kept confidential until the violation has been established.
5. In all cases, the name of the complainant shall be kept confidential.

Any architectural request not covered by these guidelines shall be reviewed on an individual basis. All requests shall not be unreasonably withheld.

These guidelines and standards may be amended or modified from time to time as the Board shall deem appropriate.

DATE ADOPTED: June 25, 1983

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SECRETARY: Kathi Jackson

CRANBROOK PROPERTY OWNERS ASSOCIATION

ADMINISTRATIVE RESOLUTION NO. 5

DEED RESTRICTION VIOLATIONS

WHEREAS Article IV, of the Declaration of Covenants, Conditions and Restrictions of the Cranbrook Property Owners Association states the deed restrictions and whereas the Board of Directors are the elected representatives of the members of the Association and therefore should enforce the restrictions, and,

WHEREAS there is a need to establish a procedure for the enforcement of deed restrictions so that all actions will be consistent;

NOW THEREFORE BE IT RESOLVED to follow these steps in the enforcement of deed restrictions:

- 1) If the violation is one that can be determined by visual inspection then it can be reported by anyone in the subdivision or by the manager;
- 2) If the violation is one that cannot be seen from the street then the person making the complaint will have to do so in writing and agree to act as a witness should court action be necessary.
- 3) After receiving a report of the violation the manager will mail a letter to the homeowner notifying him of the violation, indicating what action would be necessary to correct the violation, and stating a date for compliance. In general ten days will be allowed for correction of the violation. This letter will also give the unit owner the right to request a hearing to discuss the violation.
- 4) If the violation is not corrected within ten (10) days a second letter will be mailed by certified mail to the unit owner. This letter will indicate the violation, the action required, the time of compliance and also give a statement indicating that the association will take any legal action at its disposal to correct the violation and the cost of such action will be at the expense of the unit owner. The letter will also give the unit owner the right to request a hearing to discuss the violation.
- 5) If the violation is not corrected by the specified time the Board will discuss the further steps to be taken at a regular or special board meeting. The two choices will be to drop the legal process or to turn the case over to an attorney for further legal action.

DATE ADOPTED June 25, 1983

PAGE NUMBER 2

SECRETARY Kathi Jackson

ADMINISTRATIVE RESOLUTION

INSPECTION PROCEDURES OF ASSOCIATION RECORDS

In the absence of a meeting, but as approved by all Directors as witnessed by their signatures below, the following actions were taken in accordance with Article V., Section 5. of the By-Laws of the Cranbrook Property Owners Association, Inc. As of this date, the Directors of the Association are: Donald W. Suman, Sue Harshman, Henry Edwin Boyd, III, Kathi Jackson and Debbie Franklin.

WHEREAS, Article XI of the By-Laws of the Association requires of the Association that the books, records and papers of the Association shall at all times, during reasonable business hours, be subject to inspection by any Member; and

WHEREAS, the Board wishes to establish a uniform and open policy in order to comply with the intent of the applicable statutes;

NOW, THEREFORE, BE IT RESOLVED; that the following requirements are hereby established for the inspection of records of the Cranbrook Property Owners Association, Inc.

1. A notice of intent to inspect must be submitted in writing to the Board of Directors or its duly authorized agent at least 24 hours prior to the planned inspection.
2. The notice must specify with particularity which records are to be inspected.
3. All records shall be inspected at the registered office of the Association located at 7001 Corporate Drive, Suite 301, Houston, Texas between the hours of 9:00 A.M. to 5:00 P.M., Monday through Friday.
4. At the discretion of the Board of Directors, or its agent, certain records may only be inspected in the presence of a Board member or employee of Agent.
5. The person(s) requesting access shall not disrupt the ordinary business activities of the registered office or its employees during the course of the inspection.
6. No actual records may be removed from the office without the express written consent of the Board of Directors.
7. When applicable, all costs of inspection shall be borne by the person requesting access. In the event, the person reviewing the records is desirous of making photocopies, all costs of copying will be incurred by the person requesting same.
8. Limitations of Access
Consistent with an individual's right to privacy and applicable law, the following records will not be made available without the express written consent of the Board of Directors.
 - a) Minutes of Executive Sessions
 - b) Minutes of Administrative Hearings pertaining to the imposition of fines, late fees or other punitive disposition.
 - c) Where disclosure would violate a constitutional or statutory provision or applicable public policy.

CRANBROOK PROPERTY OWNERS ASSOCIATION

ADMINISTRATIVE RESOLUTION NO. 6

ASSESSMENT COLLECTION

WHEREAS Article VII, Section 7.1 of the Declaration of Covenants, Conditions and Restrictions of the Cranbrook Property Owners Association establishes that the Association will collect assessments: and

WHEREAS Article VII, Sections 7.4 and 7.6 of the Declaration of Covenants, Conditions and Restrictions of the Cranbrook Property Owners Association states that the Board of Directors will determine the due date of the assessment as well as the delinquent date of the assessments; and

WHEREAS there is a need to establish a consistent policy of notice of assessment and delinquency that can be published for the lot owners use, the treasurer's use, and the manager's use;

NOW THEREFORE BE IT RESOLVED to follow these procedures in the collection of assessments:

- 1) Notice of the annual assessment rate will be mailed (first class) to all lot owners at the last known address by December 1st of each year.
- 2) A bill will be issued by December 1st of each year either to the unit owner if he is responsible for paying his assessment directly to the association or to the mortgage company if the assessment payment is escrowed with the mortgage payment and the Unit Owner has instructed the association to do so.
- 3) The due date for all assessments will be January 1st of each year.
- 4) The delinquent date for all assessments will be February 1st of each year.
- 5) If payment is not received by February 1, a delinquent notice will be mailed (first class) to the unit owner. This notice will show the total amount due plus a 10% interest charge.
- 6) If payment is not received within 20 days a Demand Letter will be mailed (certified mail return receipt requested) to the unit owner. Such notice will show the total amount due including interest, mail charges, and collection fees and indicate that a lien will be filed on the property if payment is not received within fifteen days, and that the resident cannot use the recreational facilities until assessment and penalties are paid in full.
- 7) If payment is not received by the final date shown on the Demand Letter, a lien will be filed on the property with a copy of the lien being mailed to the unit owner by first class mail and to the owner's mortgage company if known.
- 8) For the lien to be released, the owner must send a cashier's check or money order covering the assessment, interest, collection fees, and filing fees to the association. Once deposited a release of lien will be prepared and recorded and a copy sent to the Lot owner.

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- d) Where disclosure could result in a discernable harm to the Association or any of its members.
 - e) Personnel records
 - f) Inter-office memoranda
 - g) Litigation files
 - h) Preliminary data, information or investigations which have not been formally approved by the Board of Directors, such as contractor bid prospects.
 - i) Where disclosure may result in an invasion of personal privacy, breach of confidence or privileged information.
 - j) Where disclosure would unreasonably interfere with or disrupt the operation of the association.
 - k) Where access results in a private harm or damage that outweighs the right to access.
9. The association is under no obligation for any additional information other than that which is required by law.

The undersigned certify that they constitute all of the Directors of the Cranbrook Property Owners Association, Inc. entitled to vote on the foregoing resolution and that the adoption of such resolution by unanimous written consent of the Directors is authorized by the By-Laws of the corporation.

This unanimous written consent shall be filed with the minutes of the proceedings of the corporation.

Effective June 1, 1984.

_____ Donald W. Suman

_____ Sue Harshman

_____ Henry Edwin Boyd, III

_____ Kathi Jackson

_____ Debbie Franklin