

**ADDITIONAL DEDICATORY INSTRUMENT FOR
LONGMIRE CREEK ESTATES PROPERTY OWNERS ASSOCIATION, INC.**

THE STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

BEFORE ME, the undersigned authority, on this day personally appeared Christopher J. Archambault who, being by me first duly sworn, states on oath the following:


My name is Christopher J. Archambault I am over twenty-one (21) years of age, of sound mind, capable of making this affidavit, authorized to make this affidavit, and personally acquainted with the facts herein stated:

I am the Attorney for LONGMIRE CREEK ESTATES PROPERTY OWNERS ASSOCIATION, INC.. Pursuant with Section 202.006 of the Texas Property Code, the following documents are copies of the original official documents from the Association's files:

1. **Architectural Control Guidelines;**
2. **Application for Minor Improvements;**
3. **Acknowledgement of Builders Guidelines;**
4. **LCE New Construction Application;**

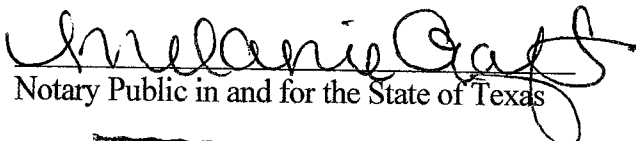
DATED this 11th day of November, 2021.

Longmire Creek Estates Property Owners
Association, Inc.

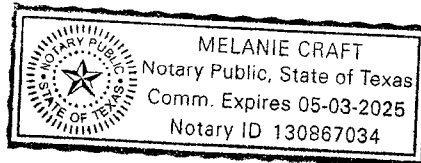
BY: 
Christopher J. Archambault, Attorney
(Printed Name)

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

THIS INSTRUMENT was **acknowledged** before me on this the 11th day of November, 2021 by the said Christopher J. Archambault, Attorney for Longmire Creek Estates Property Owners Association, a Texas non-profit corporation, on behalf of said corporation.


Notary Public in and for the State of Texas

After Recording Return To:
Daughtry & Farine, P.C.
17044 El Camino Real
Houston, Texas 77058
ATTN: CJA/mc
(1214.0001)



LONGMIRE CREEK ESTATES
ARCHITECTURAL GUIDELINES AND PROCEDURES

I. OVERVIEW

The Board of Directors of the Association has established the following outline of architectural guidelines and rules and regulations in accordance with the authority granted to them by the provisions of the Declaration of Covenants, Conditions and Restrictions for Longmire Creek Estates Property Owners Association, Inc., and any amendments thereto (the "Declaration") and the Texas Property Code. The guidelines are established to assure a uniform and fair interpretation of the Declaration and the power of the Association related to architectural control and regulation of the appearance of the Subdivision. The guidelines are intended to provide all lot owners in the Subdivision with information relating to (i) the design, color, location and grade of materials which may be used in the construction of various kinds of structures and improvements, (ii) the size and location of such improvements and structures and (iii) the procedure utilized by the Association with respect to applications for proposed improvements and structures and allocations thereto.

These procedures and guidelines may be amended by the Board of Directors of the Association from time to time as it deems necessary and appropriate.

II. ARCHITECTURAL REVIEW PROCEDURES

2.01 *Applications.* In accord with Article III of the Declaration, applications for approval to make any exterior changes, additions, improvements or to commence construction of a residential dwelling, must be submitted to the Architectural Control Committee ("ACC") in writing by completing the application form currently in use by the Association. Clear, complete and final plans, drawings, and specifications for any exterior addition, change, alteration or improvement should be attached to the application. All owners are responsible for ascertaining whether or not a city building permit is required for the change and, if necessary, obtaining the permit. The Board ACC reserves the right to see a copy of the permit prior to the beginning of construction, but the Association shall be in no way responsible for assuring that the new structure is built to comply with any guidelines or codes other than the Declaration and these Architectural Guidelines. All applications, additional information, or requests for appeal shall be mailed or delivered to the office of the Association. The Application should include:

- a. Two copies of the plans and specifications (Electronic files are preferred) for all proposed construction with owner and builder's initials along with section, block and lot numbers on each page. Plans which have been flip flopped or plans cobbled together with inconsistencies on the several sheets in the set will not be considered.

Application, plans, and specifications with any missing data as listed in the application or as listed or required under the Declaration of Covenants, Conditions and Restrictions of Longmire Creek Estates will be considered incomplete, without notice to the property owner, and will not be considered for approval. Any commencement of mobilization, site clearing or construction prior to written approval from the ACC will result in a daily fine of \$100.00.

- b. Two copies of the elevations of all sides of the exterior structure.
- c. Two copies of the floor plans.
- d. Two copies of the complete engineered (certified) foundation plans including cross sections of all beams (piers if used).
- e. Framing plans including:
 - i. Wall sections showing details of construction.
 - ii. Ceiling and floor joist size, directions, and spacing.
 - iii. Roof sections, structural details and materials.
- f. Electrical plans.
- g. Plot Plan
- h. Aerobic System Plan
- i. Landscape and Sprinkler Plans, with a minimum of \$5,000.00 spent on planting, in addition to irrigation and sodding.
- j. Two copies documenting trees with a caliper of six (6) inches or more proposed to be removed.
- k. County Permits for Development, Aerobic, and Driveway & Culvert.

2.02 Application Fees. Payment to be made upon submission of the ACC Application.

- a. New Residence Construction Processing Fee. \$300.00 (three hundred dollar) Non-refundable fee is required for construction of a new residence.
- b. Tree, Clean-up, Damage, and Violations Deposit. \$2,500.00 refundable deposit. Must be submitted by the Builder. For new construction, a \$2,500.00 (Two Thousand Five Hundred Dollars) deposit is required which will be administered or refunded based on damage done to water, signs, roads, trees, other structures or

improvements and for violations of restrictions, requirements, or covenants. (See “Tree Removal Policy” for further detail).

- c. Deposit will be returned upon the completion of all construction, including but not limited to:
 - a. Sod planting (seeding must be grown in full)
 - b. Landscaping
 - c. Disposal of all unused construction material and waste.

2.03 *Additional Information.* The ACC reserves the right to request any additional information it deems necessary to properly evaluate any application. In the event that the Board requests additional information, the application shall be considered incomplete and denied until such information is submitted to the ACC. The time allowance for approval shall not begin until such information is received. In the event that the ACC and/or the Board requests additional information and the information is not received within thirty (30) days from the date of the request, the application shall be considered denied; however, the applicant may thereafter submit a new application with the requested information to the Board for its review.

In addition to the requirements of the Deed Restrictions and Architectural Control Committee, the City requires a building permit for all residential buildings constructed in the City of Conroe.

2.04 *ACC Decision Requirements.* Any decision regarding a member’s architectural application must:

- 1. Be made in good faith and not be unreasonable, arbitrary or capricious and not be in conflict with any “governing provision of law” (e.g. Fair Employment and Houston Act, building codes, laws governing land use or public safety, etc.); and
- 2. Be made in writing;
- 3. If an application is disapproved (rejected), the written decision of the architectural committee must include both an explanation of why the application was disapproved and a description of the procedure through which the member may request reconsideration of the decision by the board.

If the Property Management representative is not available, it is the ACC’s responsibilities to handle property owner deed restriction violation reports/notifications that require immediate attention, site visits for confirmation (no personal contact- observe only). The ACC should notify the Property Management representative of the issue as soon as possible. Enforcement concerns will be considered by the Board when the ACC or Property Management representative has, in writing, advised the Board what violations have possibly occurred based on confirmed and observed current CCRs and Architectural violations.

- 2.05 Appeal Procedure. If an application is denied, the owner has the right to appeal the decision before the Board by requesting a hearing in writing.
- 2.06 Construction Fees and Deposits. Architectural Control Committee (ACC) approval is required for the construction of: a new residence, additions to an existing residence, or any outside alterations. Prior to submitting plans for new construction, alterations, additions, or remodeling you are to secure a copy of these Construction Regulations and Specifications and a copy of the Deed Restrictions for Longmire Creek Estates. The designer and the builder as well as the owner, should review this information. Plans which have been flip flopped, or plans cobbled together with inconsistencies on the several sheets in the set will not be considered. All interior lots must submit a plot plan showing trees to be removed, and plans must include landscaping plans. Two sets of completed plans shall be submitted and shall have the owner and (or) builder's name along with section, block and lot numbers on each sheet.
- 2.07 Construction. Construction must begin within ninety (90) days of the date of approval and be completed in a timely fashion. If the ninety day deadline is not met, a new application must be submitted for action by the Board.

ANY COMMENCEMENT OF CONSTRUCTION PRIOR TO ANY WRITTEN APPROVAL FROM THE COMMITTEE WILL RESULT IN A DAILY FINE OF \$100.00.

III. GENERAL GUIDELINES

- 3.01 Board Approval Guidelines. The ACC and/or the Board shall consider the following factors upon the review of each application for an exterior addition, change, or alteration:
- a. conformity and harmony of external design and location in relation to surrounding structures and topography;
 - b. quality of workmanship materials;
 - c. dimension, shape, height, and location;
 - d. harmony and appeal of exterior design;
 - e. structural, mechanical, electrical, and plumbing details;
 - f. nature, kind, type, and color of materials; and
 - g. such other factors as the Board may deem appropriate.

3.02 *Maintenance of Modifications.* All modifications and additions to existing buildings must be maintained at all times by the Owner of the Lot in a good, attractive and neat condition, as determined by the Board. As part of the approval process, all owners will be required to sign an agreement acknowledging the owners' responsibility to maintain any modifications and to make this transfer of responsibility known to any future owner.

Typical violations which may result in a \$100.00 (one hundred dollar) per day/incident fine will include, but are not limited to:

1. Excessive dirt in the street
2. "Fill" dirt in ditches
3. Ruts in ditches
4. Accessing or using other Lots without consent of the property owner
5. Lack of, or non-maintenance of, the 4" base material from street to slab
6. No port-a-can on site
7. No dumpster on site
8. Overflowing dumpster
9. Littering construction waste material
10. Use of non-approved or excessive signage
11. Workers on-site before/after the pre-approved construction times

Any time and/or expense required by the ACC or the POA Board of Directors for addressing violations of the *Builder's Guidelines or the Deed Restrictions during construction will be billed at an hourly rate of \$60.00 (1 hour minimum) and will be deducted from the Builder's Construction Deposit. A \$25.00 fee will be assessed for every written notification of a violation. This amount is in addition to any other fees or expenses incurred as a result of the violation.

3.03 *No Warranty.* The approval of an application shall not be construed as a warranty or representation by the Board that the change, addition or improvement, as proposed or as built, complies with any or all applicable statutes, ordinances or building codes, or as a warranty or representation by the Board of the fitness or adequacy of the design.

IV. SPECIFIC GUIDELINES

4.01 Architectural Guidelines

The following are guidelines established by the ACC with approval of the Board.

Clearing and Tree Removal:

- a. No brush cutting or tree removal of any kind is permitted within a 20' perimeter of the property without express consent of the A.C.C.
- b. Prior to clearing any lot, the following conditions must be met:
 1. Builder has shown (the location of the lot boundary lines and easement lines (corners clearly marked).
 2. Builder has shown location of proposed residence, garage (if detached), Porte cochere (if applicable) and drive by means of "string lines" or other approved means on the property.
 3. Builder has marked the trees to be removed. See "Tree Removal Policy".
 - i. Following an inspection of this activity and a determination of whether the residence and improvements, including access of garage and porte cochere are in harmony with existing structures, the committee will advise the builder if brush cutting and tree removal can be commenced. The builder shall be held accountable for damage to trees not scheduled for removal during the tree removal work. Tree protection shall be maintained during tree removal and construction as directed by the Architectural Control Committee.

Foundation:

All foundations must be designed by a licensed Professional Engineering Licensed in the State of Texas. The Engineer's license must be current with the Texas Board of Professional Engineers.

- a. Prior to pouring foundation, access must be established with culverts in place, and temporary road base to eliminate tracking of dirt onto streets. No temporary access through ditches is permitted.
- b. Refer to Deed Restrictions for driveway specifications: (DCC&R's Article IV Section 4).

Roofing:

NOTE: All roofing materials (composition) shall be of the dimensional type, must be at least 230 lb. Class or heavier, and 25 year or better. Earth and wood tones only!

- a. Must be wind and hail resistant
- b. Shall provide heating and cooling efficiencies greater than those provided by customary composite shingles; or provide solar generation capabilities.
- c. Composition shingles must weigh at least 230 pounds per square and have a stated warranty of at least 25 years. Three-tab shingles are specifically prohibited except for use as a starter and cap rows.
- d. Must be earth and wood tones.

- e. Roof overlays are not allowed
- f. Wood Shingles are specifically prohibited for safety reasons
- g. All roof protrusions, such as vents and roof jacks must be painted to match the shingles.

These guidelines are effective upon written approval from the Architectural Control Committee, and in accordance with Section 202.011 of the Texas Property Code for regulation of certain roofing materials by a property owners' association.

Plumbing:

All residences shall have backflow preventer installed in the water lines at the tap, (Permits issued by City of Conroe).

- a. Aerobic System. All lots must have an engineered and permitted aerobic system.

Codes.

All work performed must meet the requirements of the International Residential Building Code and the National Electrical Code as well as any other governing codes such as the City of Conroe.

Exterior Material:

Certain building materials are considered unacceptable for exterior use in Longmire Creek Estates. Other materials may be used for specific applications only. General guidelines are as follows:

- a. The exterior materials of the main residential structure and any garage (attached or detached) and/or porte cochere must meet the requirements set forth in the Deed Restrictions of 75% Masonry which includes; stucco, brick, and stone in Longmire Creek Estates in which the residence is to be constructed (Art. IV Section 3).

Form Survey:

The Form Survey (to be prepared by a Registered Surveyor in the State of Texas) must show the location of the forms on the lot prior to pouring the foundation. This survey shall show that the structure will not violate any lot lines, building set back lines, or easements as described in the Deed Restrictions. The survey shall also show that the elevation of the finished slab is at least ten inches higher than the highest finished grade elevation of the lot.

Note: If the ten-inch top of slab requirement cannot be met, contact a member of this committee and an on-site inspection will be made to determine the proper slab elevation before pouring.

THIS ELEVATION REQUIREMENT DOES NOT ALLOW NOR CONDONE THE PLACING OF EXCESSIVE FILL THAT MAY ALTER NATURAL DRAINAGE PATTERNS AND CAUSES ADDITIONAL FLOWS ONTO ADJACENT PROPERTIES. GUTTER DRAINS (DOWNSPOUTS) WILL NOT BE DIRECTED TOWARD OR ALLOWED TO DRAIN ONTO ADJACENT PROPERTY.

Builder and Owner acknowledge and agree that neither the ACC nor the POA shall have any responsibility or liability for any damages under any circumstances arising out of drainage and/or drainage problems including but not limited to flooding of the streets, of the adjacent properties, and/or the lot or any improvements on said lot for which this application is being filed. Drainage shall be the sole responsibility of the Owner and the Builder.

Site Clearing and Maintenance:

- a. All building sites shall be kept clean and materials stored in a dumpster in an orderly manner.
- b. Construction debris enclosure must be provided for the retention of all construction material which may be windblown or otherwise inadvertently placed on adjoining property.
- c. DURING SITE CLEARING AND DURING CONSTRUCTION, ACCESS TO EACH LOT SHALL BE AT THE PROPOSED DRIVEWAY AREA(S). DIRT SHALL NOT BE USED AS A BRIDGE FOR TRUCK ACCESS TO LOTS. CULVERTS MUST BE INSTALLED TO REQUIRED GRADE PRIOR TO CONSTRUCTION. STREET MUST BE KEPT FREE OF EXCESS DIRT AND DEBRIS.

Port-a-can Facilities:

- a. Port-a-can facilities must be available at all job sites when site clearing starts; and
- b. Must be maintained in place until construction is completed.

Sign Regulations:

- a. See the Sign Regulations Policy regulating the placement of builder, sub-contractor and realty signs at building sites,
- b. NO SIGN SHALL BE PLACED ON ANY CONSTRUCTION SITE PRIOR TO COMMITTEE APPROVAL OR UNTIL CONSTRUCTION HAS STARTED.

Job Site Access:

- a. The permitted working times are from:
 - i. 7:00 a.m. to 7:00 p.m. Monday – Saturday

- ii. No Construction permitted on Sunday
- b. Workers must leave the job site by the end of the scheduled time every day. Please be sure your builder is familiar with these hours -- Variances can be obtained but must be requested and approved through the SPPE office and the ACC in order not to be considered a violation.

Garbage Containment:

- a. All construction debris must be contained in a dumpster in a manner to prevent garbage from being blown or piled on the site. Dumpster must be emptied on a regular basis to prevent debris from being visible.
- b. All building sites shall be kept clean and materials stored in an orderly manner. BURNING of any items is strictly prohibited on any lot in Longmire Creek Estates.
- c. Concrete trucks are to wash the residual from their trucks onto the lot where the concrete is installed. It is the Builder's responsibility to ensure that all concrete washout materials are removed prior to framing.

Construction Fencing Policy:

Protective fencing is required on the side and back property lines as well as around trees to be saved during construction on every lot.

Silt fencing must be installed on road frontage at curb, sides and back where slope is toward the road in front, toward back of property, and neighboring lots on side of lot. An allowance is made for site access in the future location of the driveway. This access is to be no more than fifteen feet in width. Protective fencing is not required on the sides that require silt fencing.

These protective fences must be in place upon completion of site clearing and prior to the start of foundation work, and must remain until construction is complete.

Clearing and Tree Removal:

As approved by the Board of Directors of Longmire Creek Estates, The following clearing and tree removal guidelines are to be strictly adhered:

- a. It is strictly prohibited to "clear cut" an entire lot. A natural buffer of trees and underbrush 20' in width, along the perimeter and natural vegetation frontage of each lot must be maintained to protect the forested concept of the community. The property owner may apply to partially impact this perimeter; however, this must be approved by the A.C.C.
- b. If the owner wishes to remove trees other than those approved for construction or improvements, he may, upon approval of the Architectural Control Committee, replace such removed trees with "equivalent trees" as follows:

NOTE: This does not apply to “Significant” trees as indicated on the site plan.

<u>Existing tree size (“Caliper”)</u>	<u>Number of trees (6 ft/15 gallon min)</u>
Ornamental trees and 4”- 6”	2 trees
Greater than 6' and less than 12'	3 trees
Greater than 12'	4 trees

“Caliper” shall mean the diameter of trees as measured 6” above the root collar for trees up to and including 4" in diameter and twelve inches (12”) above the root collar for trees having a larger diameter.

Equivalent trees must be approved by the Committee prior to removal of an existing tree.

- c. Any trees not approved for removal, which are damaged during construction or by excessive fill due to foundation pad elevation, shall be replaced with “equivalent trees” as indicated on the landscaping plan. Reduction of deposit refund will be made for all trees not replaced.
- d. Any unused portion of the deposit, minus all deductions, will be refunded to the party making the deposit upon completion of construction. In connection with each building permit, which involves the cutting or removal of trees, the Committee will request that the Applicant make the above described deposit request and execute a copy of the notice to evidence his agreement and consent to the disbursement of the deposit in accordance with the terms hereof.
- e. It is the Architectural Control Committee’s position that persons who violate this restrictive covenant should be held accountable for the damage they may cause to the Subdivision. Therefore, the Committee hereby gives notice that it intends to demand payment of damages from persons who violate the foregoing restrictive covenant. To achieve this objective, the Tree, Clean-up, Damage, and Violations Deposit in the amount of \$2,500.00 must be received by the Committee prior to obtaining an approved building permit for the clearing of a wooded lot. In the event that the owner/builder removes only trees that were marked for removal, and no damage is caused to the roads, water lines, ditches and/or flow lines of ditches, or other reductions in the deposit as a result of violations said deposit will be refunded upon final completion of construction.
- f. Any trees that have not been approved and marked for removal and/or become damaged, the Committee will expend such amounts of the deposit as necessary to replace the trees which were improperly removed or damaged. If said damage is more than the damage deposit, said amount shall be paid by owner/builder within 30 days, or a Certificate of Non-Compliance will be filed in the Real Property Records of Montgomery County.

Sign Regulations:

- a. One builder sign (not to exceed 6 square feet in size) is allowed at construction site while home is under construction.
- b. At such time that the home is offered or listed by a Real Estate Company, the builder's sign must be removed before the Realtor's sign is posted.
- c. No real estate company signs are to be posted unless an "in writing" exclusive listing is current with the legal owner.
- d. No signs are to be posted to trees. All signs are to be on single or double posts or as otherwise directed by the Property Owner's Association.
- e. "For Sale By" or "Offered By" may be part of the original builder or realtor signs, but may not be added in the form of additional signs attached to the original.
- f. Home owners are allowed one sign only, whether offered by the property owner or their agent.
- g. After the owner takes possession, builder's sign and/or realtor's sign must be removed.
- h. No sub-contractor signs are allowed advertising work done at a location such as lawn service, pool service, roofer, etc.
- i. No signs whatsoever, are allowed on vacant lots or unapproved lots.
- j. By authority of our Deed Restrictions, Article IV, Section 15, the Architectural Control Committee shall have the right to remove and dispose of any and all unauthorized signs.
- k. Only the developer of Longmire Creek Estates shall have the right to erect signs offering spec homes available by a preferred builder.

Side Loading Garages.

The following design criterion is created to promote harmony and aesthetics within The Longmire Creek Estates community:

- a. All residences with attached garages, portico, or porte cocheres shall be side loading unless otherwise approved by the Architectural Control Committee.
- b. A modified portico or porte cochere (minimum, 8'-0") extending from front loading garages will be subject to approval by the Architectural Control Committee.

This criteria has been made to protect and enhance views from adjacent lot owners, and the overall appearance of the subdivision, which in turn affects all property owners' values.

Driveways and Culverts.

- a. Driveways.
 - i. All driveways must be paved. Dirt, gravel or loose stone driveways are not permitted.
 - ii. Lots having 150 feet or less of street frontage shall be limited to a single driveway approach, and lots having more than 150 feet of street frontage shall be limited to two driveway approaches.
 - iii. For lots having two driveways, a minimum separation distance of 50 feet shall be maintained between driveway approaches, with the following exception: if storm water drainage lines prevent a separation distance of 50 feet, then the minimum separation line shall be fifteen (15) feet.
 - iv. The minimum setback line for all driveways shall be ten (10) feet from side property lines.
 - v. Driveways and sidewalks must be constructed of concrete, and can include patterned or stamped designs. Other materials may be used only if approved by ACC committee.
- b. Culverts.
 - i. Prior to installation proper permits for culverts must be obtained from the City of Conroe and the design must be approved by the ACC committee. (See the DCC&R's Article IV Section 14).

Erosion Control Requirements.

All property owners and their builders will be responsible to maintain all erosion caused by this construction. Builders are responsible for removing or leveling all excess dirt left on property after construction is completed. Builders will be required to maintain proper Erosion Control Management. This includes either properly installed sod or properly installed erosion control blankets with silt fencing and grass seed. The Builder shall also repair any damage to ditch crossing used to access property. Failure to perform the work described above within 15 business days of the date the POA approval letter will result in a fine. Longmire Creek Estates POA will not be held liable for any damages caused by this construction activity.

Builder Guidelines.

The Association in an effort to maintain the highest standards and consideration of the residents and Community living in Longmire Creek Estates, would like to remind the Contractors and Property Owners of the Builder's Guidelines for Construction and required compliance of the Declaration, Covenants, Conditions, and Restrictions and Specifications and any amendments thereto.

- a. Construction hours are from Monday thru Saturday 7am to 7pm. Sundays are prohibited. All workers must be clear of jobsite by 7:00pm every day. Fines or Fees will be issued to any contractor in violation.
- b. Construction sites should be maintained clean and materials stored in an orderly manner.
- c. Please take measures to prevent and clean-up excessive dirt in the street and curbs.
- d. All sites must maintain construction fencing and erosion/silt fencing during the building process.
- e. No accessing or using adjacent or other lots for storing construction material without acquiring written authorization from the POA/Home owner.
- f. All construction debris MUST be contained in a construction container.
- g. Port-A-Can facilities must be available at all job sites and kept maintained.

Longmire Creek Estates Property Owners Association

ARCHITECTURAL CONTROL COMMITTEE BUILDING/IMPROVEMENT APPLICATION

A review fee of \$50.00 in the form of check, money order or cashier's check made payable to Longmire Creek Estates must accompany this application.

DATE: _____

A. LEGAL DESCRIPTION: SECTION _____ BLOCK _____ LOT _____

PROPERTY ADDRESS: _____

B. PROPERTY OWNER: _____

OWNER MAILING ADDRESS (if different from above): _____

PHONE: _____

C. BUILDER/CONTRACTOR: _____

ADDRESS: _____

PHONE: _____

D. IMPROVEMENT SQUARE FOOTAGE: _____

E. EXTERIOR MATERIALS: _____

F. EXTERIOR COLORS (PAINT AND/OR BRICK): _____

G. START DATE: _____ COMPLETION DATE: _____

H. LIST BUILDING SET BACK LINES, WHICH AFFECT THE LOT:

SIDE (RIGHT): _____ FT. / SIDE (LEFT): _____ FT. / FRONT: _____ FT. / BACK: _____ FT.

*Please include a copy of your plat showing the location of proposed improvement.

I. DESCRIPTION OF IMPROVEMENTS AND COMMENTS:

By signing below, Owner(s) authorizes the Architectural Control Committee (ACC) or its agents to enter upon and inspect the above for the purpose of ascertaining whether thereon is in compliance with the recorded deed Restrictions and this Application. If approved, neither the ACC nor its agents shall be guilty of trespass by reason of such entry for inspections. By signing below, Owner(s) agrees to comply with the minimum architectural standards for subdivision construction and as such standards are Covenants, which are part of the Restrictions.

Owner's Signature: (REQUIRED)

Date:

Builders Signature: (REQUIRED, if applicable) Date:

Longmire Creek Estates
Property Owners Association, Inc.

Acknowledgement of

Builder Guidelines for Longmire Creek Estates POA

The Association in an effort to maintain the highest standards and in consideration of the residents and Community living in Longmire Creek Estates POA, would like to remind the Contractors and Property Owners of the Builder's Guidelines or Construction and required compliance of the Declaration, Covenants, Conditions, and Restrictions and Specifications and any amendments thereto.

Please see the below guidelines and initial that you acknowledge all requirements for construction out at Longmire Creek Estates POA.

_____ Construction hours are from Monday thru Saturday 7am to 7pm. Sundays are prohibited. All workers must be clear of jobsite by 7:00pm every day!!! Fines or Fees will be issued to any contractor in violation.

_____ Construction sites should be maintained clean and materials stored in an orderly manner

_____ Please take measures to prevent and clean-up excessive dirt in the street and curbs.

_____ All sites must have construction fencing and erosion/silt fencing during the building process.

_____ No accessing or using adjacent or other lots for storing Construction material without acquiring written authorization from the POA/Home owner.

_____ All construction debris MUST be contained in a construction container.

_____ Port-A-Can facilities must be available at all job sites and kept maintained.

_____ Acknowledge that Contractor has read and understood and will comply with all the Covenants, Conditions, Restrictions of Longmire Creek Estates, these Builder's Guidelines, the Construction Regulations and Specifications and any amendments thereto.

In order to avoid any penalties and fines we want to be assured all Builder's are in acknowledgement and understand the guidelines. This form must be initialed and submitted with ACC packet or return either by fax at 936-756-0023 or email to our Management Company at jskinner@imcmanagement.net.

The Community would like to thank you for your consideration, and look forward to an established community.

Very Sincerely,
Board of Director's for
Longmire Creek Estates POA

Longmire Creek Estates

New Construction Application

Initials of Homeowner and Builder is required on all 16 pages

Legal Description: Section _____ Block _____ Lot _____

Property Owner: _____ Builder Name: _____

Property Address: _____ Builder (used to return deposit) Address: _____

Phone: _____ Phone: _____

Email : _____ Email: _____

Improvement Proposed: _____

Proposed Start Date: _____ (Not to exceed **Three months**)

Required Completion Date: _____ (Not to exceed **Seven (7) months** from start)

ALL ASSESSMENTS MUST BE PAID IN FULL AND MUST BE CURRENT FOR APPLICATION TO BE CONSIDERED.

- 1) The undersigned ("APPLICANT(S)") hereby request Longmire Creek Estates Architectural Control Committee's ("Committee's") approval to construct the improvements described above in accordance with the Plans and Specifications submitted with this Application. Applicant(s) represent and agree as follows:
- 2) Applicant(s) have carefully read and reviewed the Deed Restrictions applicable to the above-described property and the Construction Regulations and Specifications and state that the improvements will be made in compliance with such Deed Restrictions and Construction Regulations and Specifications.
- 3) Applicant(s) understand and agree that if the committee approves this Application and the Agreements or Representations made by Applicant(s) are not complied with, the Committee will revoke and rescind its approval of the Application.
- 4) Each Application made to the Committee shall be **COMPLETE** and accompanied by:
 1. Two sets of plans and specifications (Electronic files are preferred) for all proposed construction with owner and builder's initials along with section, block and lot numbers on each page. Plans which have been flip flopped or plans cobbled together with inconsistencies on the several sheets in the set will not be considered.
 2. Application, plans, and specifications with any missing data as listed in the application or as listed or required under the Declaration of Covenants, Conditions and Restrictions of Longmire Creek Estates will be considered

Longmire Creek Estates

New Construction Application

incomplete, without notice to the property owner, and will not be considered for approval. **Any commencement of mobilization, site clearing or construction prior to written approval from the ACC will result in a daily fine of \$100.00.**

- 3. Elevations of all sides of the exterior structure.
- 4. Floor plans.
- 5. Complete engineered (certified) foundation plans including cross sections of all beams (*piers* if used).
- 6. Framing plans including:
 - a. Wall sections showing details of construction.
 - b. Ceiling and floor joist size, directions, and spacing.
 - c. Roof sections, structural details and materials.
- 5) Electrical plans.
- 6) Plot Plan
- 7) Aerobic System Plan
- 8) Landscape (minimum \$5,000.00 must be spent) and sprinkler plans.
- 9) Pool plan (if applicable).
- 10) County Permits for Development, Aerobic, and Driveway & Culvert.

IMPORTANT NOTE: Applicant acknowledges that home plans will not be approved, and construction cannot commence until the home site is staked, trees are marked for clearing at all four comers, 20' frontage for natural vegetation is marked, inspected, and approved.

_____ (initial) Builder _____ (initial) Homeowner.

In addition to the requirements of the Deed Restrictions and Architectural Control Committee, the City requires a building permit for all residential buildings constructed in the City of Conroe.

By applying for and accepting a New Construction Application from Longmire Creek Estates Architectural Control Committee, the Builder and Homeowner agree to the above conditions, and acknowledge their agreement to these conditions by signing and dating in the space below.

I HAVE READ AND UNDERSTAND THIS DOCUMENT AND AGREE TO ABIDE BY ALL SPECIFICATIONS, Including the deposit refund policy.

Executed this _____ day of _____, _____.

Owner-Applicant (s): _____

Builder (s): _____

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PLEASE DO NOT WRITE BELOW THIS LINE

The plans for this proposed improvement have been:

APPROVED

DENIED

CONDITIONALLY APPROVED: _____

By: _____ Title: _____

Date: _____

I. Plans-Specifications-Fees

Check List

__ EXECUTED CONSTRUCTION APPLICATION

__ TWO SETS OF PLANS AND SPECIFICATIONS FOR ALL PROPOSED CONSTRUCTION

__ 1. Site plans showing the location and dimensions of all structures and appurtenances on the lot.

__ 2. Elevations of all sides of the exterior structure.

__ 3. Floor plans.

__ 4. Complete foundation plans including cross sections of all beams (and piers if used.)

__ 5. Framing plans including:

A. Wall sections showing details of construction.

B. Ceiling and floor joist size, directions, and spacing.

C. Building section(s) showing structural details and materials required to clarify construction.

__ 6. Electrical plans.

__ 7. Aerobic System Plan.

__ 8. Landscape and Sprinkler System Plans.

__ 9. Trees to be removed identified as stated in the Clearing and Tree Removal Policy.

__ 10. County Permits for Development, Septic, Driveway and Culverts.

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NEW CONSTRUCTION FEES

___ Tree, Clean-up, Damage, and Violations Deposit **(\$2,500.00)**: Refundable
(To be paid by Builder) ~ Check payable to Longmire Creek Estates POA.

Builder's Signature: _____

Builder's Check Number: _____

**Refund will be made to the issuer of the check.

___ Processing Fee **(\$300.00)**: Non-Refundable

___ Additional review of plans, after original submission, **(\$60.00/per hour)** minimum one hour:
Non-Refundable

Homeowners Name

Address

Date

Material list

Shingle Manufacturer _____

Shingle Color _____

Shingle Warranty _____

Brick Manufacturer _____

Brick Color _____

Exterior Paint Color (s) _____
(Attach a sample)

Driveway Entry Plan. (DCC&R's Art. IV Section 4)

Driveway Material to Residence _____

Culvert Headwall Material _____(required on all culverts)

Culvert Size Length _____ Diameter _____ see Declarations for requirements.

Culvert Material _____ see Declarations DCC&R's Art IV Section 14 for
requirements

Mailbox material _____(Must Match Residence).

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Construction Fees and Deposits

I. Architectural Control Committee (ACC) approval is required for the construction of a new residence, additions to an existing residence, or any outside alterations. Prior to submitting plans for new construction, alterations, additions, or remodeling you are to secure a copy of these Construction Regulations and Specifications and a copy of the Deed Restrictions for Longmire Creek Estates. The designer and the builder as well as the owner, should review this information. Plans which have been flip flopped, or plans cobbled together with inconsistencies on the several sheets in the set will not be considered. All interior lots must submit a plot plan showing trees to be removed, and plans must include landscaping plans. Two sets of completed plans shall be submitted and shall have the owner and (or) builder's name along with section, block and lot numbers on each sheet.

THE PLAN REVIEW TIME IS THIRTY (30) DAYS FROM THE DATE OF THE SUBMISSION OF COMPLETE ACC PACKAGE INCLUDING BUT NOT LIMITED TO PLANS, PERMITS and FEES.

ANY COMMENCEMENT OF CONSTRUCTION PRIOR TO ANY WRITTEN APPROVAL FROM THE COMMITTEE WILL RESULT IN A DAILY FINE OF \$100.00.

II. **APPLICATION FEES:** The payment to be made upon submission of the attached application is composed of:

1. **Tree, Clean-up, Damage and Violations Deposit - REFUNDABLE \$2,500.00:** For new construction, a \$2,500.00 (Two Thousand Five Hundred Dollars) deposit is required which will be administered or refunded based on damage done to water, signs, roads, trees, other structures or improvements and for violations of restrictions, requirements, or covenants.

For further details, refer to the attached "Tree Removal Policy" Page 11.

Completion of all construction including but not limited to:

- Sod planting (seeding will have to be grown in full)
- Landscaping
- Disposal of all unused construction material and waste.

Once all the above has been completed the deposit will be refunded less any charges for violations or damages. (See violation notice.) – **This deposit is required to be submitted by the Builder.**

2. **NEW RESIDENCE CONSTRUCTION PROCESSING FEE—NON-REFUNDABLE \$300.00:** (Three Hundred Dollars) is required for new residence.

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Construction Fees and Deposits Violation Notice

Violation of this document or the Declarations of Covenants, Conditions and Restrictions of Longmire Creek Estates may result in a one hundred dollar (\$100.00) a day and/or per incident fine assessed by the Board of Directors of the POA

Typical violations that may result in this fee being assessed are as follows: (but not limited to):

- 1. Excessive dirt in the street**
- 2. Fill dirt in ditches**
- 3. Ruts in ditches**
- 4. Accessing or using other lots without consent of property owner.**
- 5. Lack of or non-maintenance of the 4" base material from street to slab**
- 6. No port-o-can on site**
- 7. No dumpster on site**
- 8. Dumpster overflowing**
- 9. Construction waste material littering lot**
- 10. Use of non-approved or excessive signage**
- 11. Worker on-site before or after allowed times**

Any time and/or expense required by the ACC or the POA Board of Directors for addressing violations of the *Builder's Guidelines or the Deed Restrictions during construction will be billed at an hourly rate of \$60.00 (1 hour minimum) and will be deducted from the Builder's Construction Deposit. A \$25.00 fee will be assessed for every written notification of a violation. This amount is in addition to any other fees or expenses incurred as a result of the violation.

*** Refer to Acknowledgement of Builders Guidelines on Page 16 of the New Construction Application packet, to be initialed and signed by property owner and Builder.**

Longmire Creek Estates

New Construction Application

Construction Regulations & Specifications

I. CLEARING AND TREE REMOVAL

- a. No brush cutting or tree removal of any kind is permitted within a 20' perimeter of the property without express consent of the A.C.C.
- b. Prior to clearing any lot, the following conditions must be met:
 - i. Builder has shown (the location of the lot boundary lines and easement lines (corners clearly marked).
 - ii. Builder has shown location of proposed residence, garage (if detached), Porte cochere (if applicable) and drive by means of "string lines" or other approved means on the property.
 - iii. Builder has marked the trees to be removed. See attached copy of "Tree Removal Policy".
 - a. Following an inspection of this activity and a determination of whether the residence and improvements, including access of garage and porte cochere are in harmony with existing structures, the committee will advise the builder if brush cutting, and tree removal can be commenced. The builder shall be held accountable for damage to trees not scheduled for removal during the tree removal work. **Tree protection shall be maintained during tree removal and construction as directed by the Architectural Control Committee.**

1. FOUNDATION

All foundations must be designed by a licensed Professional Engineering Licensed in the State of Texas. The Engineer's license must be current with the Texas Board of Professional Engineers.

- (a). Prior to pouring foundation, access must be established with culverts in place, and temporary road base to eliminate tracking of dirt onto streets. **No temporary access through ditches is permitted.**
- (b). Refer to Deed Restrictions for driveway specifications: (DCC&R's Article IV Section 4.)

2. ROOFING

NOTE: All roofing materials (composition) shall be of the dimensional type, must be at least 230 lb. Class or heavier, and 25 year or better. Earth and wood tones only!

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- a) Must be wind and hail resistant
- b) Shall provide heating and cooling efficiencies greater than those provided by customary composite shingles; or provide solar generation capabilities.
- c) Composition shingles must weigh at least 230 pounds per square and have a stated warranty of at least 25 years. Three-tab shingles are specifically prohibited except for use as a starter and cap rows.
- d) Must be earth and wood tones.
- e) Roof overlays are not allowed
- f) Wood Shingles are specifically prohibited for safety reasons
- g) All roof protrusions, such as vents and roof jacks must be painted to match the shingles.

These guidelines are effective upon written approval from the Architectural Control Committee, and in accordance with Section 202.011 of the Texas Property Code for regulation of certain roofing materials by a property owners' association.

3. PLUMBING

All residences shall have backflow preventor installed in the water lines at the tap, (Permits issued by City of Conroe).

a) Aerobic System

All lots must have an engineered and permitted aerobic system.

4. CODES

All work performed must meet the requirements of the International Residential Building Code and the National Electrical Code as well as any other governing codes such as City of Conroe.

5. EXTERIOR MATERIALS

(a). The exterior materials of the main residential structure and any garage (attached or detached) and/or porte cochere must meet the requirements set forth in the Deed Restrictions of 75% Masonry which includes stucco, brick, and stone in Longmire Creek Estates in which the residence is to be constructed.(Art. IV Section 3)

(b). The construction of your mailbox is to be built of material that will match the outside structure of your home.

6. FORM SURVEY

The Form Survey (to be prepared by a Registered Surveyor in the State of Texas) must show the location of the forms on the lot prior to pouring the foundation. This survey shall show that the structure will not violate any lot lines, building set back lines, or easements as described in the Deed Restrictions. The survey shall also show that the elevation of the finished slab is at least ten inches higher than the highest finished grade elevation of the lot.

IMPORTANT!!!! If the ten-inch top of slab requirement cannot be met, contact a member of this committee and an on-site inspection will be made to determine the proper slab elevation

Longmire Creek Estates

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before pouring.

THIS ELEVATION REQUIREMENT DOES NOT ALLOW NOR CONDONE THE PLACING OF EXCESSIVE FILL THAT MAY ALTER NATURAL DRAINAGE PATTERNS AND CAUSES ADDITIONAL FLOWS ONTO ADJACENT PROPERTIES. GUTTER DRAINS (DOWNSPOUTS) WILL NOT BE DIRECTED TOWARD OR ALLOWED TO DRAIN ONTO ADJACENT PROPERTY.

Builder and Owner acknowledge and agree that neither the ACC nor the POA shall have any responsibility or liability for any damages under any circumstances arising out of drainage and/or drainage problems including but not limited to flooding of the streets, of the adjacent properties, and/or the lot or any improvements on said lot for which this application is being filed. Drainage shall be the sole responsibility of the Owner and the Builder.

7. SITE CLEARING AND MAINTENANCE

- i) All building sites shall be kept clean and materials stored in a dumpster in an orderly manner.
- ii) Construction debris enclosure must be provided for the retention of all construction material which may be wind blown or otherwise inadvertently placed on adjoining property.
- iii) **DURING SITE CLEARING AND DURING CONSTRUCTION. ACCESS TO EACH LOT SHALL BE AT THE PROPOSED DRIVEWAY AREA(S). DIRT SHALL NOT BE USED AS A BRIDGE FOR TRUCK ACCESS TO LOTS. CULVERTS MUST BE INSTALLED TO REQUIRED GRADE PRIOR TO CONSTRUCTION. STREET MUST BE KEPT FREE OF EXCESS DIRT AND DEBRIS.**

8. PORT-A-CANS

- i) Port-a-can facilities must be available at all job sites when site clearing starts and
- ii) Maintained in place until construction is completed.

9. SIGN REGULATIONS

- i) See the attached Sign Regulations policy regulating the placement of builder, sub-contractor and realty signs at building sites, **NO SIGN SHALL BE PLACED ON ANY CONSTRUCTION SITE PRIOR TO COMMITTEE APPROVAL OR UNTIL CONSTRUCTION HAS STARTED.**

10. JOB SITE ACCESS

- i) The permitted working times are from:
 - (1) 7:00 a.m. to 7:00 p.m. Monday – Saturday
 - (2) No Construction permitted on Sunday
- ii) Workers must leave the job site by the end of the scheduled time everyday. **Please be sure your builder is familiar with these hours -- Variances can be obtained but must be requested and approved through the SPPE office and the ACC in order not to be considered a violation.**

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11. GARBAGE CONTAINMENT

- i) All construction debris must be contained in a dumpster in a manner to prevent garbage from being blown or piled on the site. Dumpster must be emptied on a regular basis to prevent debris from being visible.

- ii) All building sites shall be kept clean and materials stored in an orderly manner. BURNING of any items is strictly prohibited on any lot in Longmire Creek Estates.

- iii) Concrete trucks are to wash the residual from their trucks onto the lot where the concrete is installed. It is the Builder's responsibility to ensure that all concrete washout materials are removed prior to framing.

12. CONSTRUCTION FENCING POLICY

Protective fencing is required on the side and back property lines as well as around trees to be saved during construction on every lot.

Silt fencing must be installed on road frontage at curb, sides and back where slope is toward the road in front, toward back of property, and neighboring lots on side of lot. An allowance is made for site access in the future location of the driveway. This access is to be no more than fifteen feet in width. Protective fencing is not required on the sides that require silt fencing.

These protective fences must be in place upon completion of site clearing and prior to the start of foundation work and must remain until construction is complete.

13. CLEARING AND TREE REMOVAL POLICY

As approved by the Board of Directors of Longmire Creek Estates, the following clearing and tree removal guidelines are to be strictly adhered.

It is strictly prohibited to "clear cut" an entire lot. A natural buffer of trees and underbrush 20' in width, along the perimeter and natural vegetation frontage of each lot must be maintained to protect the forested concept of the community. The property owner may apply to partially impact this perimeter; however, this must be approved by the A.C.C.

If the owner wishes to remove trees other than those approved for construction or improvements, he may, upon approval of the Architectural Control Committee, replace such removed trees with "equivalent trees" as follows:

NOTE: This does not apply to "Significant" trees indicated on the site plan.

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Existing tree size *Caliper	Number of trees **6 Foot height minimum
Ornamental trees and 4"- 6"	15-gallon minimum 2 trees
Greater than 6' and less than 12'	3 trees
Greater than 12'	4trees

*Caliper shall mean the diameter of trees as measured 6" above the root collar for trees up to and including 4" in diameter and twelve inches (12") above the root collar for trees having a larger diameter.

**** Equivalent trees must be approved by the Committee prior to removal of an existing tree.**

Any trees not approved for removal, which are damaged during construction or by excessive fill due to foundation pad elevation, shall be replaced with "equivalent trees" as indicated on the landscaping plan. Reduction of deposit refund will be made for all trees not replaced.

Any unused portion of the deposit, minus all deductions, will be refunded to the party making the deposit upon completion of construction. In connection with each building permit, which involves the cutting or removal of trees, the Committee will request that the Applicant make the above-described deposit request and execute a copy of the notice to evidence his agreement and consent to the disbursement of the deposit in accordance with the terms hereof.

It is the Architectural Control Committee's position that persons who violate this restrictive covenant should be held accountable for the damage they may cause to the Subdivision. Therefore, the Committee hereby gives notice that it intends to demand payment of damages from persons who violate the foregoing restrictive covenant. To achieve this objective, the **Tree, Clean-up, Damage, and Violations Deposit in the amount of \$2,500.00** must be received by the Committee prior to obtaining an approved building permit for the clearing of a wooded lot. In the event that the owner/builder removes only trees that were marked for removal, and no damage is caused to the roads, water lines, ditches and/or flow lines of ditches, or other reductions in the deposit as a result of violations said deposit will be refunded upon final completion of construction.

Any trees that have not been approved and marked for removal and/or become damaged, the Committee will expend such amounts of the deposit as necessary to replace the trees which were improperly removed or damaged. If said damage is more than the damage deposit, said amount shall be paid by owner/builder within 30 days, or a Certificate of Non-Compliance will be filed in the Real Property Records of Montgomery County.

14. SIGN REGULATIONS POLICY

One builder sign (not to exceed 6 square feet in size) is allowed at construction site while home is under construction.

At such time that the home is offered or listed by a Real Estate Company, the builder's sign must be removed before the Realtor's sign is posted.

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No real estate company signs are to be posted unless an "in writing" exclusive listing is current with the legal owner.

No signs are to be posted to trees. All signs are to be on single or double posts or as otherwise directed by the Property Owner's Association.

"For Sale By" or "Offered By" may be part of the original builder or realtor signs, but may not be added in the form of additional signs attached to the original.

Home owners are allowed one sign only, whether offered by the property owner or their agent.

After the owner takes possession, builder's sign and/or realtor's sign must be removed.

No sub-contractor signs are allowed advertising work done at a location such as lawn service, pool service, roofer, etc.

No signs whatsoever, are allowed on vacant lots or unapproved lots.

By authority of our Deed Restrictions, Article IV, Section 15, the Architectural Control Committee shall have the right to remove and dispose of any and all un-authorized signs.

Only the developer of Longmire Creek Estates shall have the right to erect signs offering spec homes available by a preferred builder.

15. SIDE LOADING GARAGES

The following design criterion is created to promote harmony and aesthetics within The Longmire Creek Estates community.

All residences with attached garages, portico, or porte cocheres shall be side loading unless otherwise approved by the Architectural Control Committee.

A modified portico or porte cochere (minimum, 8'-0") extending from front loading garages will be subject to approval by the Architectural Control Committee.

This criteria has been made to protect and enhance views from adjacent lot owners, and the overall appearance of the subdivision, which in turn affects all property owners' values.

16. DRIVEWAYS AND CULVERTS

Driveways:

All driveways must be paved. Chert, gravel or loose stone driveways are not permitted.

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Lots having 150 feet or less of street frontage shall be limited to a single driveway approach, and lots having more than 150 feet of street frontage shall be limited to two driveway approaches.

For lots having two driveways, a minimum separation distance of 50 feet shall be maintained between driveway approaches, with the following exception: if storm water drainage lines prevent a separation distance of 50 feet, then the minimum separation line shall be fifteen (15) feet.

The minimum setback line for all driveways shall be ten (10) feet from side property lines.

Driveways and sidewalks must be constructed of concrete, and can include patterned or stamped designs. Other materials may be used only if approved by ACC committee.

Culverts:

Prior to installation proper permits for culverts must be obtained from the City of Conroe and the design must be approved by the ACC committee. (See the DCC&R's Article IV Section 14).

17. EROSION CONTROL REQUIREMENTS

All property owners and their builders will be responsible to maintain all erosion caused by this construction. Builders are responsible for removing or leveling all excess dirt left on property after construction is completed. Builders will be required to maintain proper Erosion Control Management. This includes either properly installed sod or properly installed erosion control blankets with silt fencing and grass seed. The Builder shall also repair any damage to ditch crossing used to access property. Failure to perform the work described above within 15 business days of the date the POA approval letter will result in a fine. Longmire Creek Estates POA will not be held liable for any damages caused by this construction activity.

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Request for Refund Form

Upon completion of construction, please complete this form for inspection and request for refund.

Homeowners Name: _____ Sec _____ Blk _____ Lot _____

Street Address: _____

Mailing Address of Homeowner(s):

Builder Name: _____

Builder Mailing Address

Deposit will be refunded to Builder.

-
- 1. All landscape must be completed prior to requesting for the refund.**
 - 2. The deposit will be returned to the party who made the deposit. Please allow 30 days for the refund process. If the refund is denied the Builder must contact SPPE for a list of items needed for completion and the 30 day process will begin again once the Builder notifies SPPE that the property is ready for re-inspection.**
 - 3. If the property requires more the two inspections, the cost for each additional inspection will be \$40.00 which will be charged against the deposit.**
 - 4. The most common reasons for deposits not being refunded are landscaping not being completed (Seed or Sod front yard) If seed is installed, refund will not be approved until grass has grown in to cover the entire front yard. Construction material (unused bricks and various material) being left in public view. All dumpster/port-o-cans and signs are required to be removed. If the refund policies change during the time of your construction the current refund policy will apply to any request for refund. Check with SPPE to obtain a current refund request form.**

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REFUND CHECK LIST

- _____ New home construction completed
- _____ Building material removed from public view
- _____ Landscape completed (including seed or sod front yard)
- _____ Removal of tree debris (front and rear of property)
- _____ Builder sign removed
- _____ Driveway installation completed with culvert headers
- _____ Dumpster and Port-o-Can removed
- _____ Restore ditch to insure proper water flow
- _____ Written change of address given to SPPE
- _____ Current on all fees due to Association
- _____ Current refund form submitted at time of request for refund

It is the Property Owner's responsibility to ensure that the improvements made to the property comply with all the Covenants, Conditions, and Restrictions of Longmire Creek Estates, the Builders' Guidelines, Construction Regulations, and Specifications and any amendments thereto. Any failure of the Property Owner's or Builder to comply with all the Covenants, Conditions and Restrictions of Longmire Creek Estates, the Builders' Guidelines, Construction Regulations, and Specifications and any amendments thereto may result in the filing of a Certificate of Non-Compliance in the Real Property Records of Montgomery County and all deposits paid by the Builder to the POA related to the improvement at issue may be forfeited.

Inspected By: _____

Refund Entire Amount _____

No Refund. Reason(s) _____

Date of Inspection(s) _____

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Builder Guidelines and Acknowledgement for Longmire Creek Estates POA

The Association in an effort to maintain the highest standards and consideration of the residents and Community living in Longmire Creek Estates POA, would like to remind the Contractors and Property Owners of the Builder's Guidelines for Construction and required compliance of the Declaration, Covenants, Conditions, and Restrictions and Specifications and any amendments thereto .

Please see the below guidelines and initial that you acknowledge all requirements for construction in Longmire Creek Estates POA.

_____ Construction hours are from Monday thru Saturday 7am to 7pm. Sundays are prohibited. All workers must be clear of jobsite by 7:00pm every day!!! Fines or Fees will be issued to any contractor in violation.

_____ Construction sites should be maintained clean and materials stored in an orderly manner.

_____ Please take measures to prevent and clean-up excessive dirt in the street and curbs.

_____ All sites must maintain construction fencing and erosion/silt fencing during the building process.

_____ No accessing or using adjacent or other lots for storing construction material without acquiring written authorization from the POA/Home owner.

_____ All construction debris MUST be contained in a construction container.

_____ Port-A-Can facilities must be available at all job sites and kept maintained.

_____ Acknowledgement that Builder has read, understood and will comply with all the Covenants, Conditions, Restrictions of Longmire Creek Estates, the Builder's Guidelines & Construction Regulations and Specifications and any amendments thereto.

In order to avoid any penalties and/or fines we want to be assured all Builder's are in acknowledgement and understand these guidelines. This form must be initialed and submitted with ACC packet or returned either by fax at 936-756-0032 or email to Jennifer Skinner – jskinner@imcmanagement.net

The Community would like to thank you for your consideration, and look forward to an established community.

Longmire Creek Estates
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Very Sincerely,

Longmire Creek Estates POA

Investment Management

Company

E-FILED FOR RECORD

11/12/2021 09:41AM



COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number sequence on the date and time stamped herein by me and was duly e-RECORDED in the Official Public Records of Montgomery County, Texas.

11/12/2021



County Clerk
Montgomery County, Texas