

ARCHITECTURAL GUIDELINES  
OF  
SAVANNAH PLANTATION  
Sections I, II, III, IV

## I. GUIDELINES REVIEWS

This is a formal document that was approved by the Savannah Plantation Property Owners' Association, Inc., Board of Directors on 16th day of October, 2010. The Board has assumed the duties of the Architectural Control Committee set forth in the Declarations (as that term is defined below). The guidelines were adopted by the Board in accordance with Section 204.010(a)(18) of the Texas Property Code, which provides:

(18) if the restrictions vest the architectural control authority in the property owners' association or if the authority is vested in the property owners' association under Section 204.011:

(A) implement written architectural control guidelines for its own use or record the guidelines in the real property records of the applicable county; and

(B) modify the guidelines as the needs of the subdivision change.

## II. GLOSSARY OF TERMS

ACC:	Acronym for Architectural Control Committee
Application:	A formal, written, signed, request from an Owner for permission to make specific improvements to his/her Lot or existing structures on the Lot.
Association:	Savannah Plantation Property Owners' Association, Inc., a Texas non-profit corporation ("SPPOA").
Board:	The Association Board of Directors, which serves as and/or appoints the ACC.
CCR's:	Acronym for the combination of the Articles of incorporation, the Bylaws, and Declarations, and the contents of this Architectural Guidelines.
Committee Chair:	That member of the ACC, appointed by the Board who is responsible for the overall operation of the ACC.
Committee Members:	Those persons will be members of the Board of Directors, or appointees of the Board of Directors.
Declarations:	Collectively the: "Declaration of Covenants, Conditions and Restrictions of Savannah Plantation Section I", "Declarations of Covenants, Conditions and Restrictions of Savannah Plantation Section II", "Declaration of Covenants, Conditions and Restrictions of Savannah Plantation Section II as Amended June 3, 1999...", "Amendments of Declaration of Covenants, Conditions and Restrictions of Savannah Plantation Section II (Concerning Lot 19, Block 1, Section 2)", "Declaration of Covenants, Conditions and Restrictions of Savannah Plantation Section III", "Declarations of Covenants, Conditions and Restrictions of Savannah Plantation Section IV", "Amendment to Declaration of Covenants, Conditions and Restrictions of Savannah Plantation Section IV, and "Declaration of Covenant" respectively filed of record in the Official Public Records of Real Property of Brazoria County, Texas under County Clerk's File Nos. 99-004400 and re-filed under 99-010806, 99-023920, 99-028274, 02-064986, 09-051160, 00-027129, 2006025269, and 2009023395. As same may be amended from time-to-time.

Improvement:	Any addition or alteration to a lot or structure.
Lot:	Any plot of land dived or re-dived within Savannah Plantation. Also defined as “Tract” in the Declaration.
Management Company:	The organization or company that provides management services to the Association, or in the absence of a Management Company, the person(s) responsible for management of the Association.
Owner:	Any owner in Savannah Plantation Subdivision.
Savannah Plantation:	<p>Collectively Savannah Plantation, Section I, II, III, and IV, subdivisions in Brazoria County, Texas recorded as follows:</p> <p>Savannah Plantation, Section One, an unrecorded subdivision in Brazoria County, Texas, described by metes and bounds in Exhibit “A” attached to the Declaration filed in the Official Public Records of Real Property of Brazoria County, Texas under County Clerk’s File No. 99 004400 and re-filed under County Clerk’s File No. 99 010806.</p> <p>Savannah Plantation, Section Two, a subdivision in Brazoria County, Texas, according to the map or plat thereof, recorded in Volume 20, Pages 333 and 336 of the Map Records of Brazoria County, Texas and all amendments to or replats of said maps or plats, if any.</p> <p>Savannah Plantation, Section Three, a subdivision in Brazoria County, Texas, according to the map or plat thereof, recorded in Volume 21, Pages 1-2 of the Map Records of Brazoria County, Texas and all amendments to or replats of said maps or plats, if any.</p> <p>Savannah Plantation, Section Four, a subdivision in Brazoria County, Texas, according to the map or plat thereof, recorded in Volume 21, Pages 153-154 of the Map Records of Brazoria County, Texas and all amendments to or replats of said maps or plats, if any.</p>
Variance:	Any improvement or alteration (or request for same) to a lot or structure that is not in full compliance with existing CCR’s.

### **III. PURPOSE OF ARCHITECTURAL CONTROL COMMITTEE**

The purpose of the Architectural Control Committee:

1. To protect the environmental and architectural integrity of Savannah Plantation in accordance with the terms of the Declarations.
2. To review and evaluate applications for Improvements or maintenance work to homes, structures, and properties (Lots) within the Savannah Plantation subdivision in accordance with the CCR’s.
3. To centralize architectural control in order to enhance, ensure, and protect the attractiveness, beauty and desirability of the area as a whole.
4. To notify the Owner (through the Management Company) of each determination.

## **IV. SCOPE OF RESPONSIBILITY**

The general areas of responsibility for the ACC are, but not limited to, the following:

Walls, Fences, Gazebos, Roofing, Painting, Trellises, Swing Sets, Bird Houses, Patio Covers, Utility Layout, Swimming Pools, Changes to Grading, Color of Structures, Flags and Flag Poles, Basketball Goals, Changes to Site Landscaping, Boat Docks, Water filtering, Storage Sheds and Buildings, Other Unspecified Structures, Exterior Additions to Structures, Temporary or Permanent Buildings, and Changes and Alterations to Existing Structures.

The scope includes those Improvements that are planned, started, erected, placed and/or maintained.

## **V. APPLICATION FOR IMPROVEMENTS**

Plans and specifications for improvement are to be approved in advance. No special consideration will be given in those instances when post-construction approval is requested.

Plans and specifications should include:

The nature of the change or addition, Specifications, Kind, Shape, Measurements (height, width, depth, elevation, etc.), Materials, Color, Picture of home (when submitting application for painting), Location on the property and in relation to other structures, Location in relation to topography, Location of utility easements, Timing of Completion, Signature of Owner(s), Additional information as requested by the ACC or the Board.

## **VI. OPERATING RULES**

To achieve the purpose, for which the Architectural Control Committee has been established, the following operating rules apply:

1. **Composition:** The ACC is composed of the Board of Directors, or its appointees, each of which is a current Owner or an officer or governing person of a business entity owning a Lot within Savannah Plantation subdivision.
2. **Meetings:** The ACC will meet on an as needed basis, to be determined by its Committee Chair or the President of the Association.
3. **Quorum:** The ACC must have at least 2/3<sup>rd</sup> of the Committee Members present for a quorum in order to conduct business.
4. **Voting:** The ACC shall approve or disapprove requests, ruled by a simple majority of members present.
5. **Records:** Copies of all applications, decisions, recommendations, appeals and meeting agenda will be kept by the Association or its Management Company. It is the responsibility of the ACC to forward all such material to the appropriate location.
6. **Removal:** The Board of Directors may remove any ACC Member upon written notice.
7. **Compensation:** No ACC member shall receive compensation for any service rendered to the ACC.

## **VII. OPERATING PROCEDURES**

1. **General:** An item can come before the ACC as follows:
  - a. An Owner (or his/her representative) may submit an application for Improvement to the Management Company or the Committee Chair.

- b. Improvements that have not been approved by the ACC may come to the attention of any member of the ACC or the Management Company; such incidents, if not received or observed directly by the Management Company, will be passed to them. The Management Company will send a letter to the Owner requesting an application be submitted. If no application is received within thirty (30) days, the Management Company will report this to the ACC, which will take the appropriate action.
  - c. If the observed unapproved Improvement appears to be a violation of the CCR's, the initial notification/request to the Owner will receive a violation notice.
- 2. **Response:** All applications should be date-stamped by the Management Company upon receipt. The Management Company must answer applications within thirty (30) days after receipt of a completed application. If the application is not complete, the application will be returned to the Owner with a request for additional information, which will be considered a denial. The Owner must sign all applications. The Management Company, once it receives a completed application, shall notify the Owner of the receipt of the application in writing; otherwise, it shall be assumed by the Owner that such application has not been received.
- 3. **Formal Review:** All items will be reviewed by the ACC at its next meeting after submission. A review consists of:
  - a. A reading and understanding of the application by all the members of the ACC present at the meeting. If possible, questions may be resolved by telephone contact with the Owner before or during the meeting.
  - b. An evaluation of the application will be based on:
    - i. Its compliance with, or violation of, the CCR's.
    - ii. The most current criteria for evaluating unusual or unique requests.
    - iii. Input from other Savannah Plantation Owners available at the time of review or solicited by the ACC.
    - iv. Precedents set by past decisions of the ACC.
    - v. The ability to defend the decision.
    - vi. These guidelines may be subject to change according to Board decisions regarding requests for violation.
  - c. A decision made by the Committee. A simple majority of the voting members present is required to reach a decision. However, the Committee should make every reasonable effort to ensure sufficient review so that all of the voting members agree with the decision. The decision will be: APPROVAL or REJECTION.
- 4. **Findings:** A summary of the findings will be forwarded to the Management Company and the Owner either in person or by mail. In the event of a rejection, the ACC will provide a detailed explanation of non-qualifying items, and how they might be amended to receive a subsequent approval.
- 5. **Appeal:** In the event the Owner chooses to appeal the decision of the ACC, the Owner may request the Board of Directors to review the matter, provided the Board has appointed a separate ACC.
- 6. **Board Notification:** Following an appeal, the Management Company will notify the Owner, in writing, the Board's decision.

## VIII. GUIDELINES AND CLARIFICATIONS

The following are guidelines established by the ACC with approval of the Board. They are intended to further ensure consistency in decisions and assist in expediting the decision process. The guidelines made by the ACC and/or Board in response to specific requests from Savannah Plantation Owners. All are based on the specific rules established by the appropriate governing documents. These guidelines may be amended by addition, deletion, or alteration at any time the ACC deems appropriate, which must be affirmed by the Board of Directors.

Throughout this document, no distinction will be made between “permanent” and “temporary” structures. Unless otherwise specified, they will be considered the same.

### 1. **New Home Construction:**

- a. Homes must have not less than 2,000 square feet of living area (air conditioned area), exclusive porches, terraces, patios, driveways, carports, and garages. In addition, any servant’s or mother-in-law’s quarters must not be less than 1,000 square feet of living area.
- b. Primary dwelling must include a minimum two (2) car garage, attached or detached, and garage doors must not be facing the primary street, unless the facing door(s) are forty (40) feet or further back from the front building line.
- c. No dwelling or garage may be constructed nearer than one hundred (100) feet from the street in Savannah Plantation, Sections II, III, and IV, and two hundred (200) feet from the street in Savannah Plantation, Section I.
- d. Homes must be constructed of a masonry product (brick, stucco, and/or stone) for areas that are viewable from the street, including the side face of a home on a corner lot.
- e. All new homes shall be equipped with a Reverse Osmosis water filtering system to provide filtered drinking water at the kitchen sink, and be connected to the refrigerator’s ice water supply. Owner is responsible to replace filters on an annual basis, or more often based upon the manufacturer’s recommendations.
- f. Owner, or their builder representative, must make application and submit a complete set of drawings, including floor plans, elevations, plat, and a description of masonry, together with exterior paint colors. Applications can be found on the Association’s website: [www.SavannahPlan.com](http://www.SavannahPlan.com).
- g. Culverts must be of concrete construction, twenty-four (24”) inches, and installed at proper grade.
- h. Prior to beginning construction on any home or building on any Lot, Owner will install a driveway from street into the property which extends twenty-five (25) feet that shall consist of at least four (4”) inches of compacted rock, gravel, crushed limestone or better to prevent tracking of mud onto the street. Furthermore, simultaneously, beginning with the construction of a dwelling, pave, with concrete, the area from Owner’s property line across the culvert or curb to the edge of the pavement of the roadway, concrete will be poured six (6”) thick and re-enforced with #4 rebar on twenty-four (24) inch centers. No driveway shall be less than twelve (12 ft) feet in width.
- i. Upon the application for a new home, a one-thousand (\$1,000) dollar deposit is required to be paid to the Association. Upon completion of the building project, a certificate of completion shall be made by the Owner indicating that all requirements being substantially met, and upon inspection by the ACC for compliance, a full refund of the deposit will be made to Owner. However, if in the event of non-compliance, Owner will have ninety (90) days in order to correct any deficiencies. Lacking compliance after the correction period, Owner will forfeit the deposit. The deposit will be credited

toward legal and administrative fees the Association may incur, if any. Additional costs to Owner for legal fees, court costs, and other costs or damages of any nature, may occur pursuant to legal remedies contained in this document and the Deed Restrictions.

- j. Owner shall have measures to collect and dispose of debris, and shall require all contractors to place debris in a collection area or dumpster upon completion of each task. No burning of building materials is permitted. Grounds should be generally or substantially free of debris. Owner shall take precautions to eliminate debris from blowing onto other properties, and is responsible for any clean-up in the event this occurs. Any mud tracked on the street shall be cleaned and removed immediately upon occurrence.
- k. Building timelines, from ground-breaking to the structure being substantially complete, including landscaping, shall not exceed six (6) months, unless extended. At the ACC's sole discretion, a Variance under this provision may be extended for only the following reasons: (i) weather related delays, (ii) larger homes greater than 5,000 square feet of living area, or (iii) other extraordinary circumstance. The ACC may extend this time period up to one-hundred twenty (120) days or longer as may be required in the ACC's sole discretion.
- l. Mail boxes shall be located with access to the street, and the face of the mailbox shall not be any closer than two (2) feet (vertically) from the street.
- m. Propane tanks must be located at least ten (10') feet from any building structure, and must be at least ten (10') feet from the property line. Greater distances make safer conditions. All codes must be met.
- n. Owner shall contact the Association as soon as foundation forms are set for verification that any slab is positioned in compliance with the building lines. Owner is solely responsible for the compliance of the Deed Restrictions.

2. **Landscaping; Lawn and Lot Maintenance:** For new construction applications, a landscaping plan shall be submitted to the ACC for approval. The landscaping plan shall show a placement of flower beading, shrubs, ground cover, and other ornamental plants adjacent to the home that can be viewed from the street; and the type of grass to be planted in the front lawn. Additionally, a minimum of two live oak, water oak, or pin oak trees shall be planted in the front yard for a height of at least ten (10') feet tall, with a caliper of at least four (4") inches at twelve (12") inches from grade.

In general, the addition or movement of trees, shrubs, and other live items of landscaping are acceptable without a formal review by the ACC. Exceptions are landscaping that acts as a non-compliant fence, obstructs access to a utility, or access and view of a fire hydrant, obstruction of view that may cause a hazard to vehicular or pedestrian traffic, items that create a hazardous condition or any item that generates a complaint from a Owner within the community.

Lawns for any dwelling, including flower beds and any other landscaping are to be kept in good and maintained conditions.

Unimproved lots shall be clear of any trash trees (i.e. Tallow Trees) and wild shrubs, and mowed. Grass shall not exceed six (6") inches for the first thirty (30') feet from the street, nor more than twenty-four (24") in all other areas. Lot Owners are encouraged to obtain free mowing of their lots for the production of hay. In the event of non-compliance, after ten (10) day notice from the ACC or Board of

Directors, the Association may direct and pay for the mowing of the Lot(s), and then require the lot owner to pay the costs of the Association, plus a ten (10%) percent administration fee.

3. **Construction Materials:** Certain building materials are considered acceptable and unacceptable for exterior use in Savannah Plantation. Some materials may be used for specific applications only. General guidelines are as follows:
  - a. Brick, Stone, and Stucco: Generally Acceptable.
  - b. Aluminum: Acceptable for rain gutters and window framing only.
  - c. Fiberglass: Generally unacceptable for any application.
  - d. Window Glass or Acrylic Sheet: Generally acceptable for window openings.
  - e. Glass Block: Generally acceptable, except from view from the street.
  - f. Manufactured Concrete Siding: Generally acceptable.
  - g. Plastic Siding: Generally unacceptable for any application.
  - h. Roofing: Clay, Concrete Shingle, Slate, Standing Seam Metal, or Composition (must include 30 year warranty – 300 lbs or greater) are acceptable.
4. **Exterior Lighting:** In general, the addition of exterior lighting is both acceptable and desirable. This includes ground-level lighting, stand-alone lampposts and lighting mounted on a house or approved structure. Such lighting fixtures must be compatible with the general tone and design of the community. Stand-alone lighting fixtures must not exceed a height of twelve (12) feet. Lighting may not be directed toward another property that may be annoying to others.
5. **Precedents:** From time to time, the ACC may make a decision that, in retrospect, is not in the best interest of the community. The ACC reserves the right to recognize such a situation, documents it in the minutes of a meeting, and no longer permits its use as a precedent. The same right applies if the ACC makes an error in permitting a change or addition.
6. **Quality of Repairs:** From time to time, Owners will be required to make repairs to portions of their property that may be damaged or deteriorated. This includes such items as driveways, porches, fences, mailboxes, etc. Repairs are required to be of equal or better quality than original construction and of the same type. While there is no specific requirement for the Owner to apply to the Committee for such an in kind repair, the quality of such work may come under the scope of the ACC's responsibilities if the repair is performed in such a way as, in the ACC's opinion, to detract from the appearance of the community.
7. **Painting:** All homes in Savannah Plantation have some painted areas, and all new construction applications shall provide the color of paint to be used. If the Owner wishes to change paint colors of any exterior structure on their property, approval of the committee is required. Selected colors must be in compatible with the general tone and design of the community. Subtle earth-tone colors are desirable. Hot and/or florescent colors, for example, will not be permitted. In submitting a color change, a photograph of the home showing brick, stone, or the stucco, and roof color must be included in the application.
8. **Enclosed and "Invisible" Improvements:** Some improvements are not readily visible from any street and/or other home in the community. In general, such lack of or limited visibility does not exempt the Owner from complying with the CCR's. However, the ACC may take such a situation into consideration when considering a Variance.
9. **Emergency and Disaster Reaction:** Disasters such as fire and weather may cause significant construction and repair activity to take place. Temporary repairs on structures (those that are present for no longer than six (6) months during reconstruction) will be acceptable under such a condition.



Reconstruction in the form that existed before the disaster will be acceptable without the approval by the ACC. Approval for changes to the form structure will be made with all haste possible so as to have no adverse impact on the Owner. The Board and ACC will take whatever action is reasonable to expedite its responsibilities. The intent will be to reestablish the community to its former quality as quickly as possible.

- 10. Easement Encroachments:** It is not the responsibility of either the ACC or the Board to police encroachment into utility easement areas. If possible, the ACC will advise the Owner of a possible encroachment and recommend that the Owner seek approval or waiver from the appropriate utility. However, the ACC will not be liable for any expense incurred by an Owner as a result of action by a utility if such encroachment occurs, even if the ACC approved the change or addition without a comment.
- 11. Basketball Goals and Hoops:** Basketball goals are permitted to be pole mounted along the driveway of a home, if they remain in good condition and repair. The goal must be behind the centerline of the home. No goals are to be mounted on the garage or house structure. Colors of goals must not be offensive to the landscaping of the community. No bright or fluorescent colors are permitted.
- 12. Holiday Decorations:** Holiday decorations are both permitted and encouraged and will not require approval by the ACC. However, all such decorations may be installed no sooner than thirty (30) days prior to the holiday and must be removed within fifteen (15) days after the holiday for which they are intended. The ACC may require the removal of decorations that, in their opinion, generate complaints, are offensive, or detract from the community.
- 13. Fencing:** All perimeter fences shall be a 3-board fence built in conformity to Savannah Plantation's perimeter fence ("Perimeter Fence"). The Perimeter Fence may not be removed or altered without the approval of the ACC. The fence shall be painted white that runs parallel to the street, and either be painted white or left natural wood color for all other areas. Fencing that surrounds swimming pools shall be made of wrought iron, and conform to local code for safety. Wrought iron fencing shall be painted black or dark grey. Cedar or treated wood fences that are no more than four (4) feet in height may be used to contain propane tanks, air conditions, and trash collection areas. No fencing shall be located closer than 25 feet from the street. Brick or stone pillars may be constructed and used as fence posts, and will not exceed eight (8) feet in height. No chain link fences are permitted.
- 14. Yard Art, Ornaments, Fixtures and Furniture:** All yard art, ornaments, decorations, statutes, bird baths, lawn ornaments, and decorative items, other than temporary Holiday Decorations, that are viewable from the street, shall be submitted to the ACC for approval. Play sets, swings, pools, and large toys are not acceptable. Furniture, including chairs, benches, swings, and chaises viewable from the street shall be made of quality construction of metal or wood. No plastic furniture is acceptable. All items of this nature must be tasteful, and be compatible with the general tone and design of the community.
- 15. Pools, Decks and Arbors/Patio Covers:**
  - a. In general, pools, decks, and ground level patio coverings are acceptable so long as they are made of approved materials. No above ground pools are permitted.
  - b. Arbors, sun shades, patio coverings and similar structures are acceptable as long as they are not less than ten (10) feet in height.
  - c. Products that provide shade that are made of canvas, nylon or other fiber material are acceptable as long as they are not bright or fluorescent in color. Exception: Temporary materials used for a special event that is removed within twenty-four (24) hours.

- 16. Signs, Advertisements, and Billboards.** Political Signs - Notwithstanding the provisions in the Declaration, due to a change in the law, the following restrictions apply to signs advertising a political candidate or ballot item for elections, as regulated by Section 202.009 of the Texas Property Code ("Political Signs"). No Political Sign may be placed on an Owner's Lot prior to the ninetieth (90th) day before the date of the election to which the sign relates, or remain on an Owner's Lot subsequent to the tenth (10th) day after the election date. No more than one (1) Political Sign is allowed per political candidate or ballot item. No Political Sign may: contain roofing material, siding, paving, materials, flora, one (1) or more balloons or lights, or any other similar building, landscaping, or nonstandard decorative component; be attached in any way to plant material, a traffic control device, a light, a trailer, a vehicle, or any other existing structure or object; include the painting of architectural surfaces; threaten the public health or safety; be larger than four feet (4') by six feet (6'); violate a law; contain language, graphics, or any display that would be offensive to the ordinary person; or be accompanied by music, other sounds, by streamers or is otherwise distracting to motorists.
- 17. Play Structures and Equipment:** Play structures, equipment and freestanding swings sets are limited to ten (10) feet in height. Swing sets must be located to the rear of the main residential structure.
- 18. Out Buildings:** All out buildings including stables, storage buildings, pool houses, well houses, shall be constructed of a design and materials in keeping with the dwelling on the tract. Plans and specifications must be approved by the ACC.
- 19. Miscellaneous:**
- a. Flag poles shall not exceed twenty (20) feet in height, and shall be limited to two (2) per home. Flags mounted to a home or garage structure shall be limited to a six (6) foot pole. American and State of Texas flags are acceptable. No other flags shall be displayed, other than those falling under Holiday Decorations.
  - b. Grills, smokers, cookers, air conditioners and other such appliances must be shielded from view from the street.
  - c. Wood piles are permitted, but may not be visible from the street.
  - d. No exterior antennas, aerials, satellite dishes, or other apparatus for the reception of television, radio, satellite or other signals of any kind shall be placed, allowed, or maintained upon any Lot, which are visible from any street, Common Area or another Lot, unless it is impossible to receive an acceptable quality signal from any other location. In that event, the receiving device may be placed in the least visible location where reception of an acceptable quality signal is possible. The Board of Directors of the Association may require painting or screening of the receiving device, which painting or screening does not substantially interfere with an acceptable quality signal. In no event are the following devices permitted: (i) satellite dishes, which are larger than one (1) meter in diameter; (ii) broadcast antenna masts, which exceed the height of the center ridge of the roofline; or (iii) MMDS antenna masts, which exceed the height of twelve feet (12') above the center ridge of the roofline. No exterior antennas, aerials, satellite dishes, or other apparatus shall be permitted, placed, allowed or maintained upon any Lot, which transmit television, radio, satellite or other signals of any kind. This section is intended to be in compliance with the Telecommunications Act of 1996 (the "Act"), as the Act may be amended from time to time; this section shall be interpreted to be as restrictive as possible, while not violating the Act. Mail boxes shall be located with access to the street, and shall not be any closer than two (2) feet (vertically) from the street.
  - e. Propane tanks that are visible from the street must be hidden by shrubbery or a wooden fence.

- f. Water drainage must be directed in a manner away from adjacent lots, either to a street ditch, or to a pond or lake. No water may be directed to flow onto another's property.
  - g. No private driveways may enter Savannah Plantation Blvd.
  - h. Use of water wells to supply water to any building structure, and use of any type septic systems where water and sewer utility services are available is prohibited.
- 20. Variance:** Variances are very rarely approved by the ACC; however, if there is an unusual circumstance where the CCR's do not address an issue due to some building restraint or adverse condition, the ACC will review the matter. Variances are not granted to circumvent the CCR's.
- 21. Enforcement Date:** Any new rule, bylaw, guideline, or deed restriction that requires an Owner to make Improvements or changes, shall be enforceable after ninety (90) days of the enactment of such.
- 22. Limitation of Liability:** Neither Declarant, the Association, the ACC, the Board, nor any of the respective officers, managers, partners, directors, Members, successors or assigns of the above, shall be liable for damages or otherwise to anyone who submits matters for approval to any of the above-mentioned parties, or to any Owner affected by the Declarations by reason of mistake of judgment, negligence, or nonfeasance arising out of or in connection with the approval or disapproval or failure to approve or disapprove any matters requiring approval herein. Approval by the ACC, the Board, or the Association, or any of their respective officers, partners, directors, agents, managers, Members, successors or assigns, is not intended as any kind of warranty or guarantee as to the integrity or workability of the plans or the competency or workmanship of the contractors used. "Approval" means that the ACC has reviewed the application submitted and had relied on its accuracy, and has found the submission to be in substantial compliance with Declarations and this Architectural Guideline; in the event the ACC does not identify a condition that is out of compliance with Declarations or this Architectural Guideline, the Owner remains responsible and legally committed to comply with all regulations once discovered; and review of the application, and any subsequent approval by the ACC, is not related to compliance with any local building codes.
- 23. Legal Action:** In the event that the Association is compelled to take legal action related to the enforcement pursuant to the Articles of Incorporation, Bylaws, Deed Restrictions, and the contents of this Architectural Guidelines, the Owner shall pay all costs of attorney's fees, court costs, collection fees, and pre- and post-interest at the highest rate allowed by law.
- 24. Conflict:** If there is any conflict between this Architectural Guideline and the Declaration or By-Laws, the Declarations or By-laws shall prevail.

EXECUTED THIS \_\_\_\_ day of \_\_\_\_\_, 2011

SAVANNAH PLANTATION PROPERTY  
OWNER'S ASSOCIATION, INC.

By: \_\_\_\_\_  
Forrest Jenkins, President

THE STATE OF TEXAS                   §  
                                                         §  
COUNTY OF BRAZORIA               §

ACKNOWLEDGEMENT

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_ 2011 by  
Forrest Jenkins, President of Savannah Plantation Property Owners' Association, Inc.

\_\_\_\_\_  
Notary Public, State of Texas

\_\_\_\_\_  
Print Name of Notary