

**FIRST AMENDMENT
to
ARCHITECTURAL GUIDELINES
for
BRIARGROVE PARK**

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

The undersigned, being the Board President of Briargrove Park Property Owners, Inc., a Texas non-profit corporation ("Association") does hereby certify that at a meeting of the Board of the Association ("Board") duly called and held, on July 17, 2018, with at least a quorum of the Board being present and remaining throughout, and being duly authorized to transact business, the following First Amendment to Architectural Guidelines ("First Amendment") was made and adopted by a majority of the members of the Board:

RECITALS

WHEREAS, the Association, acting through the Board and the Architectural Control Committee ("ACC"), desires to exercise the authority granted to them by the provisions of the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Briargrove Park Section I, II, III, IV, V, and VI ("Briargrove Park"), recorded on May 20, 2013, under Clerk's File No. 20130243715 and Film Code No. ER-044083-2085 of the Official Public Records of Real Property of Harris County, Texas ("Declaration"), and Chapter 204 of the Texas Property Code, to maintain the harmonious and architectural design of the subdivision in accordance with the provisions of the Declaration;

WHEREAS, The Board of Directors adopted Architectural Guidelines for Briargrove Park, which were recorded under Clerk's File No. 20150326450 and Film Code No. ER-071-98-1210 of the Official Public Records of Harris County, Texas ("Guidelines"); and

WHEREAS, pursuant to Section 2.2.B. of the Guidelines, the Guidelines may be amended upon the written approval of not less than a majority of the Board; and

WHEREAS, the Board of Directors finds it is in the best interest of the Members to adopt this First Amendment; and

NOW, THEREFORE, the Board of Directors of the Association hereby adopts the following architectural guidelines relating to Improvements on Lots or Residential Dwellings or

other Improvements thereon within all sections of Briargrove Park. Except as amended herein, all provisions of the Guidelines remain in full force and effect.

AMENDMENTS

1. Article II Application Procedures, Section 2.3. Submissions, A. Applications, is amended and restated to read as follows:

2.3. SUBMISSIONS

A. Applications. The ACC has the authority to review and approve written applications for all Improvements on Lots. The ACC must approve any demolition, commencement, erection, installation, placement, moving on to, alteration, modification, replacement, relocation, or addition to any Improvement on a Lot which affects the exterior of any Residential Dwelling or other Improvement thereon. All applications for approval must be submitted to the ACC in writing or electronically, together with the Required Submittal Materials, as set forth in the Declaration [§3.2.B.]. If the Owner chooses to submit the plans electronically rather than via paper copies, the electronic submission must be submitted in a PDF format, and the PDF must be produced directly from the program used to create the document. An application shall not be deemed to be submitted unless and all Required Submittal Materials are included with the application; the ACC has no obligation to act on an application until it is properly submitted.

2. Article V, Residential Dwelling, is added to the Guidelines and reads as follows:

5.1. FOUNDATION

All Residential Dwellings, garages, and other permanent structures must be built on either a concrete slab-on-grade foundation or raised floor foundation as provided herein, except as required by applicable law to be otherwise built on an alternate base or foundation.

A. Residential Dwellings constructed on Lots within the FEMA designated 500-year flood zone, OR as identified by the following Lot numbers may be constructed on either a concrete slab-on-grade foundation or a raised floor foundation:

Briargrove Park Section I:
Lots 618 - 619, Block 22

Lots 716 - 730, Block 26
Lots 731 - 760, Block 27
Lots 761 - 789, Block 28
Lots 790 - 802, Block 29
Lots 803 - 814, Block 30
Lots 826 - 852, 853A, 854A, 855-874, and 911 - 915, Block 31
Lots 875 - 890, Block 32

B. A Residential Dwelling constructed on a Lot not listed above in Section 5.1.A. must be constructed on a concrete slab-on-grade foundation.

5.2. RAISED FLOOR FOUNDATION

A. Elevation of First Finished Floor.

(i) The elevation of the top of the first finished floor of a Residential Dwelling must not exceed one hundred eight (108) inches above Base Flood Elevation (BFE) for the Lot as documented in an Elevation Certificate of the US Department of Homeland Security, Federal Emergency Management Agency (FEMA), or National Flood Insurance Program (NFIP).

(ii) In conjunction with construction of any raised floor foundation, submission of an Elevation Certificate of the US Department of Homeland Security, Federal Emergency Management Agency (FEMA), or National Flood Insurance Program (NFIP), and a topographic survey by a licensed surveyor must also be included in the Required Submittal Materials provided to the Architectural Control Committee pursuant to Article III, Section 3.2.

(iii) Any area of the crawlspace used for purposes other than access to utilities and infrastructure must have a floor, other than dirt, that is suitable for the intended use. Under no circumstances may the crawlspace be used as living space.

B. Stairs.

(i) Stairs are subject to all rules in the Declaration concerning Exterior, including but not limited to material and exterior material computation.

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(ii) Stairs may extend no more than five (5) feet in front of the building line.

(iii) Posts, balusters, and pickets for handrails and guardrails that extend in front of the primary house structure shall afford significant transparency. No component shall be constructed of dimensional framing lumber, synthetic wood, vinyl, fiberglass or PVC. Painted ornamental metal or prefinished aluminum components are acceptable.

C. Skirt.

(i) The full perimeter of raised floor foundations must be skirted.

(ii) On any side that faces the street, materials used for a skirt must be visually consistent with first floor exterior materials as set forth in the Declaration.

(iii) When materials used for a skirt are masonry, they must be true masonry unit; that is, brick or true stone. Concrete block or split-face concrete block must not be used.

(iv) Cast stone elements are acceptable as accents, such as for openings in foundation walls and foundation enclosures. On homes with first finished floor sixty (60) inches or more above BFE, cast stone or masonry pattern accents are strongly encouraged at line of floor level to create a horizontal band effect.

ADOPTED on the date set forth below to become effective upon recording in the Official Public Records of Real Property of Harris County, Texas.

BOARD OF DIRECTORS
Briargrove Park Property Owners, Inc.

Date: 08-23-18

By: *Kaylan Caballero*
Printed Name: Kaylan Caballero
Title: President

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Official Public Records of
HARRIS COUNTY
STAN STANART
COUNTY CLERK
Fees \$36.00

RECORDERS MEMORANDUM

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

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

THE STATE OF TEXAS
COUNTY OF HARRIS

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



Stan Stanart

COUNTY CLERK
HARRIS COUNTY, TEXAS