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STATE OF TEXAS
COUNTY OF TRAVIS

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AFFIDAVIT

BEFORE ME, the undersigned authority, on this day personally appeared Blucher S. Tharp, who upon his oath stated the following:

1. My name is Blucher S. Tharp. I am the President of Cat Mountain Home Owners Association, Inc. (the Association). The Association is charged with responsibility for administering and managing Cat Mountain Villas, a planned unit development (Cat Mountain). The real property included in Cat Mountain Villas is more particularly described in an affidavit of record in Volume 10615, page 515 of the Real Property Records of Travis County, Texas.

2. Attached to this affidavit is a true copy of the Architectural Guidelines and Standards duly adopted and presently in full force and effect for Cat Mountain.

3. I have personal knowledge of the foregoing facts. I am not a minor, mental incompetent, or convicted felon; and I am in all respects fully competent to testify to said facts.

Blucher S. Tharp
BLUCHER S. THARP

SUBSCRIBED AND SWORN TO before me by the said Blucher S. Tharp, in his capacity as President of Cat Mountain Home Owners Association, Inc., on this 16th day of June, 1989.

Janice Kelley Johnson
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

1390001.AFF
JA/kh/hmw:052689-A

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REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS
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PRINTED NAME: _____

My commission expires: _____

STATE OF TEXAS

COUNTY OF TRAVIS

This instrument was acknowledged before me on the 16th day of June, 1989, by Blucher S. Tharp, President of Cat Mountain Home Owners Association, Inc., a Texas corporation, on behalf of said corporation.

Julia Kelley Johnson
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
PRINTED NAME: _____



My commission expires: _____

RETURN TO:
Arnold and Fleckman, P.C.
Attorneys at Law
406 Sterzing Street
Austin Texas 78704-1027

1390001.AFF
JA/kh/hmw:052689-A

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ARCHITECTURAL GUIDELINES AND STANDARDS
FOR CONSTRUCTION IN CAT MOUNTAIN VILLAS SUBDIVISION

The purpose of this document is to set forth the policies and procedures by which plans will be formulated and prepared for construction of new homes, alterations to existing homes or any other construction which affects the exterior surfaces of the house or lot.

The authority and responsibility for the implementation and enforcement of these controls rests with the Cat Mountain Home Owners Association through the Environmental Control Committee. This committee derives its authority from the DECLARATIONS OF COVENANTS, CONDITIONS, AND RESTRICTIONS which were placed on file by the developer at the time this planned unit development was created.

The committee may establish rules for the submittal and processing of plans such as a written application, multiple copies of drawings, reasonable fees, samples of materials to be used, etc.

The Board of Directors has appointed the members of the committee and the address of the committee shall be the address of the principle office of the Association, 6007 Mount Bonnell Road, Austin, Texas 78731. The Association may move this meeting place within the confines of Travis County at its discretion.

In the event of a conflict between this document and the DECLARATIONS, the DECLARATIONS shall prevail.

I. CONSTRUCTION WHICH MUST BE REVIEWED BY THE COMMITTEE

- A. All construction affecting the exterior of the house and/or lot which includes, but is not limited to, initial construction of the house, and accessory building(s), garage, fence, retaining wall, mailbox, steps, awnings, trellises, decks, pools, recreational apparatus, antennas, etc.;
- B. Installation of hard surfaces and/or grading of the lot which will affect existing drainage.
- C. Remodeling of existing structures which will change their original appearance as approved.

II. SUBMITTAL PROCEDURE

- A. Use of the attached ECC Plan Submittal/Review Form will be required. Two (2) copies of the plans and specifications MUST accompany the application.
- B. Although not required, it is recommended that all plans for a significant construction project be submitted in preliminary form for comments by the committee.
- C. Approval of the committee does not imply that the proposed construction meets with city building codes. The committee will not knowingly approve proposed construction which is in violation of the codes.

III. DEVELOPMENT STANDARDS

- A. Zero Lot Line - In instances where the plat does not reflect a building setback on one side of the lot (zero lot line), the committee will require that the structure be built with one side, or wall, on the lot line intended for that purpose.
 1. It is the intent of these criteria to create privacy for the occupants adjacent to the "zero" side of the house. The overall design should accommodate this concept.
 2. The committee will not approve plans which include windows in the wall which are placed on the lot line (zero side).
 3. A fence or wall must be constructed on the balance of the lot line not occupied by the wall of the house. This wall or fence must be compatible with the finish of the house.

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

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4. The Austin Building Code currently requires that the surfaces of a wall or roof overhang on or over the lot line ("zeroed") must have a one hour fire rating. Placement of 5/8" sheetrock behind the soffit and fascia will meet this requirement. Asbestos under the shingles on the portion of the overhang which crosses the lot line will also meet this code.
- B. Ridge Line Heights - As this is impossible to accurately and reasonably determine in advance of construction, the committee will establish these heights on an individual basis. THE OWNER OR HIS REPRESENTATIVE SHOULD REQUEST HEIGHT RESTRICTION INFORMATION PRIOR TO DRAFTING PLANS.
- C. The setbacks are noted on the plat. Note that the structure may not extend beyond the rear setback or property line into any common area. However, decks and roofs over decks may be cantilevered five feet into a common area lot or easement. These decks must not be supported outside the property line of the lot.
- D. Fences, walls or hedges exceeding six (6) feet in height will not normally be permitted. The design of the fence or wall must be approved by the committee and the structural supports of the fence, i.e. the "skeleton framing" shall not be exposed to public view. Specifics as to height and location must be approved by the committee prior to construction.
- E. Patios, Sunshades and Gazebos - In general these structures must complement the architectural features of the house. The design, materials and height will be subject to the approval of the committee.
- F. Garages and Carports - Will be approved at the time the plans for construction are submitted. Additions after construction will require a separate set of plans illustrating the method by which the structure will be integrated with the existing dwelling.
- G. Electrical and gas meters, air conditioning units, electrical panels, etc. - These items shall be screened from view and/or painted to match the existing wall or dominant color which surrounds them.
- H. Paved Areas - Walks and driveways which are exposed to the public view shall consist of concrete (trowel finished or exposed aggregate), wood, masonry units or combinations of these.
- I. Mailboxes - Shall be designed to complement the architectural style and color of the house. Mailbox structures shall be subject to the approval of the committee.
- J. In the event that posts or columns are used to support the structure (as on sloping sites), the underside of the building and the supports must be hidden from view by walls or acceptable covering.
- K. The use of common areas for access to construction sites is prohibited without written approval of the Environmental Control Committee.
- IV. BUILDING MATERIALS - The final plan submission must include by illustration and/or printed specifications the following:
- A. Exterior surface shall be wood, masonry, stucco, or combinations of these.
1. Exposed concrete block is unacceptable.
 2. Wood trim, siding and beams are to be stained or sealed.
 3. Shingle siding may be weathered.
- B. Exposed Sheet Metal
1. Gutters and downspouts shall be painted to match or blend with the colors on the house. Gutters will be required on

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

10984 1181

any roof overhang which extends past the property line.

2. All flashing such as at the chimney or sidewall and all metal caging at the eave line shall be painted an appropriate color to blend with the predominant color surrounding the flashing.
 - C. Roofing materials preferred are wood and clay or concrete tile. Metal roofs may be used on certain architectural designs only if painted. Built up roofs will be permitted on flat surfaces only. These following types of composition shingles are permitted: 1) Elk Prestique I; 2) Flintkote Firehalt I; 3) GAF Timberline. All of the above shall be equivalent to a 300 lb. shingle or of like quality or better. Roof pitch shall be a minimum of 4 in 12 or flat.
 - D. Walls and fences - shall be of wood, slump block, stucco, wrought iron, plexiglass panels or a continuation of the use of the same materials used on the dwelling. All fence or wall details are subject to committee approval including the colors used. Any other materials which are desired must receive a specific exception to the above by the committee.
 - E. Patio structures, sunshades, trellises, gazebos and sun decks shall utilize wood as the primary material and shall follow the architectural detailing of the house. Roofing materials shall match the materials used on the house. Any exception from this material specification shall require an exception from the committee.
 - F. Venting of plumbing, heating equipment or kitchen hoods shall be directed to the rear behind the ridge line, except in cases of conflict with city requirements. All such vents must be painted to match the color of the shingles as closely as is possible.
 - G. Antennas for the reception of electro-magnetic wave radiation shall be located inside the dwelling. Any deviation from this requirement must be granted by the committee.
 - H. Trash containers - must be screened from public streets and adjacent properties.
 - I. Drainage - It is the responsibility of each lot owner to provide for drainage from his lot so as not to create large amounts of water runoff across the lots adjacent to his.
- V. LANDSCAPING - It is mandatory that the front of each home shall be landscaped within six (6) months of completion.
- VI. CONDITIONS OF APPROVAL - Approval of the submitted plans shall be subject to the following conditions:
- A. Construction operations on the exterior shall be confined to reasonable daylight hours. Excessive noise from interior or exterior construction is not permitted on Sundays or at night.
 - B. All debris from construction shall be properly disposed of promptly. Excess materials shall be kept in a neat and orderly condition. Trash shall be removed as needed, preferably prior to weekends.
 - C. If signs are posted by the builders and/or realtors, the sign must be clean and freshly painted and properly maintained. See Article VIII, Section 18 of the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS for the Cat Mountain Home Owners Association for other requirements.
 - D. If the design is changed from the plan, the committee is to be notified with a plan of the revision.
- VII. AMENDMENT PROCEDURE
- A. These standards may be revised by the Board of Directors without prior notice. For current standards check with the committee chairman.
- VIII. RELAXATION AND ADDITION OF COVENANTS - The committee shall have

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

10984 1182

the right and privilege to permit any owner without consent of other owners to deviate from these standards; provided that such deviation is necessary in order to carry out the general purpose of the COVENANTS, nothing in these standards shall limit the right of the Association to alter the community facilities or the residences or to construct such additional properties as the Association deems advisable prior to completion of improvements upon and sale of the entire covered property.

This revised edition of the Architectural Guidelines and Standards for Construction in Cat Mountain Villas Subdivision was approved by the Board of Directors of the Cat Mountain Home Owners Association, Inc. on July 12, 1988.

STATE OF TEXAS COUNTY OF TRAVIS
I hereby certify that this instrument was FILED on
the date and at the time stamped hereon by me; and
was duly RECORDED, in the Volume and Page of the
named RECORDS of Travis County, Texas, on

JUL 21 1989



David L. ...
COUNTY CLERK
TRAVIS COUNTY, TEXAS

FILED

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DANA LEE BOHR
COUNTY CLERK
TRAVIS COUNTY, TEXAS

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RECORDER'S MEMORANDUM:
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions, and changes were present at the time the instrument was filed and recorded.