



REVISED

June 1, 2018

CONTACT

**Please direct any questions in reference to building or the construction of homes within
Rock Creek Resort to:**

Ron Cannon

Construction Manager

Mon. – Fri. 7 a.m. – 3:30 p.m.

903-523-4313

Kenna Hildebrand

Construction Administrative Assistant

Mon. – Fri. 7 a.m. – 3:30 p.m.

903-523-4313

MAILING ADDRESS:

Rock Creek Resort

Attn: ACC

21400 FM 901 North

Gordonville, TX 76245

ROCK CREEK RESORT BUILDING PACKET

Section I

GENERAL

- A. INTRODUCTION:** The Architectural Control Committee (ACC) of Rock Creek Resort Property Owners' Association, Inc. ("POA") welcomes your interest in building at Rock Creek Resort. The Declaration of Covenants and Restrictions for Rock Creek Resort (hereinafter, the "Covenants") requires the ACC to review, approve or disapprove all planned improvements on a Property Owner's lot(s). All improvements must be site-built and the initial improvement (above ground) must be a single-family dwelling. The ACC has adopted Construction Rules and Regulations, which are set forth herein and on Section II hereto (hereinafter, collectively the "Regulations"), a Building Code (hereinafter, the "Code") and our Inspection System to provide minimum standards for the safety and welfare of the Property Owners and general public in residential buildings at Rock Creek Resort. Furthermore, the Covenants specify certain building parameters. **The Regulations, Code and Covenants are all applicable to any construction in Rock Creek Resort and should be read in conjunction with one another.** The Regulations and Code supplement the Covenants and address specific construction issues but do not preclude or override the Covenants in any way. The provisions of the Covenants control in the event of any contravention. Double Diamond, Inc. ("Developer") has the right to, and may, amend the Covenants from time-to-time. It is very important that you obtain copies of the latest edition during the early stages of your construction planning. These documents are subject to revisions; therefore please call Rock Creek Resort Administration office at 903-523-4313 to verify that your copies of the Covenants and Building Packet are the most current edition.
- B. AUTHORITY OF ACC:** The ACC is limited to approving applications and plans which are in compliance with all applicable regulations and codes (including without limitation, the Code) and the Covenants. Any approval granted on applications and plans, which do not meet the requirements of the Code and Covenants shall not be deemed to be a waiver of such requirements. Only the Developer has the authority to approve variances to the Regulations, Code or Covenants.
- C. REQUIREMENTS FOR GENERAL CONTRACTORS:** All prospective contractors not included within the current approved builders list will be required to furnish the following information to the Architectural Control Committee (ACC):
1. Exhibit L, Application for Builder Approval.
 2. Current credit report, showing company stability.
 3. 10 references for previous construction activities.
 4. Financial documentation on a minimum of 4 residences exceeding \$250,000 in value constructed within the last 4 yrs (i.e. Copy of interim loan documents, final closing documents, or a copy of a certified appraisal); in addition, a reference from the home owners / buyers showing satisfaction with warranties and timely completion shall be included.
 5. Vendor / sub-contractor reference list with full contact information for the supply and installation of the following (additional contacts may be required as determined by the ACC), along with proof of invoice and payment, and the residential projects they were specifically associated with:

Dirt Work	Masonry
Concrete	Roofing
Plumbing	Flooring
Lumber	Furnishings, Fixtures & Equipment
Electrical	Landscaping
HVAC	

6. Contractor shall provide reports from the Better Business Bureau showing comments, complaints, and recommendations.
7. Contractor shall provide evidence of the following minimum insurance coverage:
 - Comprehensive General Liability - \$1,000,000 / occurrence
 - Business Auto Liability - \$300,000 / occurrence or state minimum requirements
 - Worker’s Compensation - \$1,000,000 / accident / disease (if builder has employees)

Note: The developer reserves the right to request personal credit reports and financial statements. In addition, upon any future permit requests by the contractor, the developer may request updated personal or business-related financial statements, an updated Better Business Bureau report, updated Vendor/Sub-Contractor reference list and updated Insurance Coverage documentation.

D. PROCEDURAL OVERVIEW: Section II of this document, contains the Building Code, Construction Rules and Regulations, and the Inspection System. They have been designed to assist you, your architect and your general contractor with the preparation of plans and the submission of the Application form. We recommend that you provide copies of this material to your general contractor, architect, engineer or home designer along with the Covenants. This will facilitate the development of your plans and the preparation of your application. You and your general contractor should be aware of the following issues as they relate to your building plans.

CALL BEFORE YOU DIG!!!

Underground electric and phone lines are present throughout Rock Creek Resort Subdivision. Call the Texas One Call Board at 1-800-545-6005 before you break ground to locate all underground lines on your property. Visit www.onecalltexas.com for more information.

1. **Electrical Service:** When you are ready to build call Grayson-Collin Electric Co-op at 903-482-7100 or toll-free at 800-967-5235 and apply for service. Ask the Co-op for the cost of required underground service to your house.
2. **Water Connections:** Make sure to advise your plumbing contractor of the following issues:
 - (a) Water meters will be placed at front lot corners.
 - (b) It is better to have water and sewer outlets on opposite ends of the house.
 - (c) Plumbing contractors should furnish a separate water disconnect just before water service enters house.

- (d) When installing an approved irrigation system make sure your contractor provides a double check valve or vacuum break valve between water source and irrigation system (this is a state code requirement) otherwise water from your irrigation system could siphon back into your drinking water.

3. **Central Sewer Connections:** Each home on the central sewer system will have an individual lift station. For this station to work properly, it is imperative that your contractor follow these guidelines

- (a) House sewer stub out should be plumbed as though hooking up to a septic tank. Sewer stub out cannot be more than eighteen (18) inches below final grade of the yard. Your two hundred ten (210) gallon sump tank will be installed approximately five (5) feet from the foundation, and the top of tank set at final grade. **If the sewer is brought out too low, builder will be required to purchase an extension for tank from our utility department. Homes designed with a split level below finished floor level at front of house that includes waste plumbing will be responsible for pumping equipment to move wastewater effluent to the utility department's tank at the front of the home.**
- (b) Drinking water service lines may not be any closer than nine (9) feet from any part of the sewer tank or lines.
- (c) Plumbing contractors will be responsible for running sewer line into the tank. He should also provide a clean-out directed back towards the house.
- (d) Sewer installation must be in an area that provides visibility from the street for your control box, near front corner of home. The control box has a red alarm light on top. When this light is on, it means that your lift station is not working properly.
- (e) Your electrician will be responsible for running a 220-volt/20 amp dedicated circuit to the external circuit box/emergency light. Also, the electrician will need to connect the grinder pump to the external circuit box/emergency light and completing all connections. The wire should stub out through the masonry or hardboard siding approximately 18–24 inches above the slab directly above where the sewer is stubbed out.

E. DOCUMENTS REQUIRED BY ACC: Complete and submit the documents in accordance with Exhibit “C” Building Permit checklist. Plans and Documents received by 4PM on Friday will be placed on the agenda for review at the next regularly scheduled ACC meeting. See *Section II, Paragraph L.1 - APPLICATION FOR BUILDING PERMIT*-for details.

You will need to obtain a “Certificate of Occupancy” from the ACC before moving furniture into your newly constructed residence or garage and occupying it. The POA asks that you notify the office of your mailing address once Rock Creek Resort Post Office number is assigned by completing Exhibit I.

We hope this information will assist you in planning and completing your residence at Rock Creek Resort. If you have any questions please call the ACC office at 903-523-4313.

**BUILDING CODE, CONSTRUCTION RULES & REGULATIONS
AND INSPECTION SYSTEM
SECTION II**

BUILDING CODE-GENERAL:

- A. PURPOSE:** The purpose of this Code is to provide minimum standards for the protection of life, limb, health, property and environment and for the safety and welfare of the property owners, occupants and general public of residential buildings of Rock Creek Resort Subdivision.
- B. AUTHORITY:** The ACC is hereby authorized and directed to administer and enforce all of the provisions of this Code.
- C. SCOPE:** This Code is applicable to all buildings and improvements.
- D. DEFINITIONS:** General construction terms:
- 1. Structure:** Any residence, garage, storage building, swimming pool, spa, deck, gazebo, fence, satellite dish, or any structural accessory thereto, including holes for geothermal units or any other underground work.
 - 2. Addition:** The creation of any new floor space under-roof, which did not exist before construction began, either attached to, or detached from, any previous existing structure.
 - 3. Major Modifications:** Construction or alteration which includes the addition or re-routing of electrical, gas, mechanical, or plumbing system, the installation of which is regulated by the technical codes.
 - 4. Ordinary Repairs:** Nonstructural repairs which do not include addition to, alteration of, or replacement or relocation of water supply, sewer, drainage, drain leader, gas, soil, waste, vent, or similar piping, electrical wiring, or mechanical or other work for which a permit is required by the ACC.
 - 5. Clearing of Land:** The clearing of any building lot by hand or machine.
 - 6. Inspection Code:** One and Two Family Dwelling Code (International Residential Code) (IRC) or its most recent edition.
 - 7. Setback Lines:** Lines defining building limits.
 - 8. Site/Pad Preparation:** Any excavation planned for construction shall not start prior to the issuing of a building permit.
 - 9. Code:** Rock Creek Resort Building Code.

E. GRANDFATHER CLAUSE: When building restrictions are modified or new building restrictions are adopted, Structures in existence or being constructed under permit at the time of adoption or modification are hereby granted exemption from new provisions contained in this Code, except as otherwise provided herein. When any Structure is destroyed, damaged beyond repair, or undergoes Major Modifications as defined herein, any new construction or Major Modification shall be subject to the provisions of the Code in effect at the time of such new construction or Major Modification.

F. ADMINISTRATION:

1. **ACC Chairman:** Rock Creek Resort's ACC Chairman is hereby charged by the POA and the Developer, with the overall administration of this code. The Chairman is authorized to appoint upon agreement of all ACC members, a qualified person or persons to conduct building inspections.
2. **Building Inspector:** A Building Inspector employed, or under contract to the ACC shall conduct inspections whenever this Code requires that a building permit be issued, permits must meet all requirements of this Code, and the IRC. The Building Inspector should be trained and certified, through a recognized program for the appropriate trades.

3. Violation of Code and Enforcement:

- a) **Violation:** The Building Inspector is to report non-compliance to the contractor and/or the homeowner immediately and request that corrective action be taken as quickly as possible.
- b) **Enforcement:** If owner or contractor refuses to make requested correction, the ACC committee is to be notified. If the committee agrees with the Building Inspector, and non-compliance is not corrected, the Building Inspector will issue a stop work order and all construction must stop. In the event that the non-compliance could result in immediate harm to person's property the Building Inspector can issue a stop work order, and all construction must stop. If compliance is not corrected, the property owner could be fined and the contractor could be restricted from Rock Creek Resort development and/or removed from the Approved Builders List. No building permit shall be issued for subsequent projects when the contractor and/or owner has been determined to be responsible for a violation which is still unresolved at the time of application. In the event of an emergency that threatens imminent harm to human life or damage to property, the ACC Chairman or his representative is authorized to take the necessary corrective actions. The Chairman shall notify the property owner of the emergency and any charges incurred by the corrective action taken shall be charged to the property owner.
- c) **Entry:** The ACC Chairman and/or his representative may enter at reasonable times any building, structure or premises at Rock Creek Resort, under permit, to perform any inspection required by Rock Creek Resort and the IRC
- (d) **Issue Resolution:** The ACC committee shall meet as required to resolve any issues. All issues must be submitted to the ACC in writing.

G. GENERAL CONSTRUCTION STANDARDS: The standard for all construction governed herein shall be the IRC. The ACC will not permit any prefabricated and/or pre-assembled buildings of any type to be installed on any lot located in Rock Creek Resort.

H. SETBACKS: No structure more than six (6) inches above grade shall be constructed in the area between the setbacks lines and the lot lines. Driveways and sidewalks are permissible within the setbacks. Fences may be installed along the property line (on owners' side) at sides and rear of house.

No fences or walls are allowed between the front property line and the front of building or structure. Courtyard walls that do not extend in front of home will be considered on a case-by-case basis, but must not hide architectural enhancements.

- 1. Setback Distance:** All setbacks and easements shall be in accordance with the Covenants.
- 2. Variance to Encroach within Setback Requirements:** A homeowner has the right to make application to the ACC for a variance to the setbacks and easements, but it is the requirement of the ACC to maintain these setbacks and easements for the protection of life and property. The written application will be reviewed by the ACC and final approval will be by the developer.

I. MINIMUM DWELLING SIZE: The minimum dwelling size for a specific lot is controlled by the Covenants. Refer to Exhibit P of this packet.

J. COLOR SCHEME: The ACC has established a centralized color scheme to be used throughout Rock Creek Resort. The color scheme for Rock Creek Resort is earth tone. Any and all improvements shall conform to the centralized color scheme of the development. No variation from the centralized color scheme will be permitted without the express prior written consent of the ACC or the Developer.

K. CONSTRUCTION REQUIRING PERMITS:

1. General: Building permits are required for construction of any Structures, Additions and Major Modifications, plus certain other actions as set forth below. Minor modifications within existing structures, which do not involve re-routing or addition of electrical, plumbing, or mechanical do not require a building permit. The construction of an outbuilding shall not precede the construction of the primary residential structure (home).

2. Lot Clearing: Lot clearing and site preparation for building purposes shall require a building permit. Hand clearing shall not require a permit. However, no trees of a 3-caliper-inch or greater may be removed prior to receiving a permit.

3. Specific Projects Requiring Permits: By way of example and not limitation, a non-exclusive list of projects requiring a permit follows:

- a) Construction of a new dwelling – Refer to Exhibit A - Site Built Home Application
- b) Add-on, attached-garages or major modifications of dwelling-See Add-on or Major Modification of Dwelling
- c) Permits are issued separately for the construction of outbuildings after a residence is constructed. See Site Built Outbuilding Application
 - (1) Detached-Garages
 - (2) Storage buildings
 - (3) Gazebos or cabanas
 - (4) Solarium or Greenhouse(The exterior of any outbuilding must match the décor, roof material, roof pitch, masonry, siding and color of the residence).
- d) Miscellaneous construction done after construction of primary dwelling. See Miscellaneous Construction Application.
 - (1) Fences
 - (2) Lawn sprinkler systems (must include back flow valve)
 - (3) Retaining walls

- (4) Swimming pools and spas
- (5) Installation of propane tank
- (6) Driveways and all flatwork
- (7) Decks, porches, or patio covers

L. APPLICATION FOR BUILDING PERMIT: An application for the issuance of a building permit should be prepared according to the requirements and guidelines below.

- 1. Forms/Documents:** The following Forms/Documents must be completed, signed, initialed and dated by the Owner and General Contractor when making application for a building permit:
 - a) Exhibit A, Site Built Home Application
 - b) Exhibit B, List of Sub-Contractors and Trades (with license numbers where applicable)
 - c) Exhibit C, Building Permit Checklist
 - d) Exhibit D, Dedication of Funds Form (when applicable)
 - e) Exhibit E, Executed Agreement to Comply with Landscape Minimum Monetary Provision
 - f) Exhibit F, Agreement to Comply with Front Façade Architectural Enhancement Provision
 - g) Exhibit G, Application and Contract for Water Service
 - h) Exhibit H, Application and Contract for Sewer Service
 - i) Exhibit I, Notice of Rock Creek Resort Address

2. Proof of Ownership: The owner must provide proof of ownership of the building site by submitting a copy of the recorded Warranty Deed or other conveyance documentation reflecting ownership of property (with Vol. and Page No. stamped on copy).

3. Construction Plans: Two (2) complete sets of house construction plans that comply with the IRC (including hand rails on decks and stairways). One set is for office use and one is to be used on site visits and inspections. Plans must be full size (at least 24 inches x 36 inches and 1/4 inch to 1 foot scale) and professionally drawn by an architect, engineer, (including name, date, and state seal) or professional building designer. The Property Owner and General Contractor are responsible for the definition of property lines seeing that all construction and improvements are within all applicable easement and building lines and are on the proper lot.

Plot plan must show the following:

- (1) Survey with grade contours at 1 foot intervals, prepared by licensed surveyor, to scale of 1 inch = 20 feet or 1 inch = 30 feet. Original grade contours shown with dashed lines and final grade contours shown with solid lines. **Contour lines & flow direction indicator arrows should include entire lot and road right-of-way to edge of pavement.**
- (2) House location on lot with finished floor elevation indicated on plan.
- (3) Patios, decks, sidewalks, driveways and retaining walls. If retaining walls are shown, please specify height and material type.
- (4) Building set-backs and easement lines clearly identified with measurements.
- (5) Driveway culvert location(s) with driveway being a minimum of 14' wide. **Culvert size & flow direction must be designed by registered engineer and be consistent with the drainage design prepared for the subdivision.**
- (6) Location of Corner Pins.
- (7) Requested location of main water line connection to house.
- (8) Requested location of main sewer line connection to house.

- (9) Liquid Petroleum gas tank location and specify above or below grade.
- (10) Location of Geo Thermal Heating/Cooling Well, if applicable.
- (11) Site drainage to include construction entrance and erosion controls.

- (a) **Floor plans** must identify rooms, decks, porches, garages and plumbing fixtures, window and door schedules. Attic access and water heaters must be shown on the plans.
- (b) **Elevation** view must show front, rear, left and right sides of structure. Exterior building material and roofing material must be identified. Roof pitch must be shown on the plans. Show the finished floor elevation and grade contours of the plot plan. A maximum of eighteen (18) inches of exposed concrete above finished grade is permitted on outside beams. Elevations must show how this requirement will be met.
- (c) **Foundation plan** must show beams or foundation walls and piers with dashed lines showing the outline footing of each (including crawl space dimensions), all brick or stone ledges consistent with exterior materials shown on all elevation views, and must be designed and stamped by licensed structural engineer. Plans must include a detail of the typical beam section.
- (d) **Energy Plan** must comply with the current Residential Energy Code for North Central Texas and the Energy Star New Homes Program of the United States Environmental Protection Agency and all current local, state and federal construction and environmental codes and regulations, to specifically include but not limited to the Texas Building Energy Efficiency Performance Standards (Chapter 388, Texas Health and Safety Code). Contractor shall complete and submit the following certification forms, as applicable: (i) Texas Building Energy Code Compliance Form for Residential Buildings in Unincorporated Areas, and (ii) Energy Conservation Design Standard Compliance Certification for Residential Buildings.
- (e) **Plan Revisions:** All revisions to the approved plans must be submitted to the ACC for review and approval prior to the changes or additions being incorporated. The approved drawings will be updated or marked up, initialed and dated. Any un-approved significant structural changes that are made at the job site will be cited as a violation of the IRC and a fine of up to \$300.00 per violation may be assessed, plus a re-inspection fee of \$75.00.

3. Landscape Requirements: Owner agrees to landscape and cover the front and side yard with mulch, grass, vegetation and/or shrubbery. The minimum cost of landscaping improvements (not to include irrigation system, or two (2) required hardwood trees) to the front of the property must equal to three percent (3%) of the construction cost of the residential dwelling. In addition to the foregoing landscaping requirement, the Owner shall (a) cause to be planted in the front yard, a minimum of two (2) hardwood trees, at least three (3) inches in diameter and (b) professionally install an in-ground irrigation system of a size and type sufficient to adequately supply irrigation to the front and side yards, including the bar ditch to the curb, and any area visible from the street, Common Areas or the Golf Course. If the Lot has two (2) or more existing hardwood trees, at least three (3) inches in diameter, Owner will not be required to plant additional hardwood trees, so long as a minimum of two (2) existing hardwood trees, at least three (3) inches in diameter, are retained in the landscaping plan. Property Owner/Builder will provide the ACC with a professional quality landscaping plan prepared by a landscape professional, a cost breakdown of the plan and an executed copy of Exhibit E-Agreement to Comply with Landscape Minimum Monetary Provision. Builder will be held responsible for completion through final landscaping. A Certificate of Occupancy will not be issued until all landscaping has been completed and lawn areas stabilized.

4. Proof of Financial Capability: Owner must provide proof to the ACC of financial capability to complete the new construction. Proof of financial capability is accomplished by submission of one of the following:

- (a) A copy of an approved interim construction financing agreement from a bank or lending institution.
- (b) A signed “Dedication of Funds Form”, (see Exhibit D) supported by a statement from the controlling financial institution indicating the availability of assets planned to be used on this project.

M. BUILDING PERMIT DOCUMENT REVIEW: Upon completion of the above referenced material, this information should be submitted to the ACC Office. The Building Inspector will review your material for accuracy and completeness. Your application and plans will not be considered submitted for review by the ACC until all required materials have been completed. Completed materials received in the ACC Office by 4 P.M. on Friday, will be placed on the agenda for review at the next regularly scheduled ACC meeting. The ACC reserves the right to refuse to issue a permit, or to require a “release from liability” from the lot owner, under certain circumstances, including but not limited to the following:

- 1. When construction of a residence would alter the flow of water runoff in such a way that adjoining or nearby property, either private or owned by Developer, would be damaged or subject to damage.
- 2. When residence is designed for multi-family occupancy.

N. ISSUANCE OF PRELIMINARY BUILDING PERMIT: After receiving approval of your application you and your contractor may proceed with the following:

- 1. Brush clearing and pad prep.
- 2. Install a temporary electric pole on the lot.
- 3. Install a chemical toilet and dumpster on the lot during the entire term of the construction period.
- 4. Install a construction entrance.
- 5. Prepare site and pad preparation.
- 6. Have a form board survey prepared by registered land surveyor.
- 7. Install a sign denoting address of property.

When the above items are satisfactorily completed the ACC or Building Inspector will issue a permanent building permit. If any construction starts prior to the issue of the permanent building permit you may be cited for a building violation and fined accordingly.

NOTE: Permanent Building Permit = all items in Section N completed.

The property owner must pay all fines assessed during construction in advance of the issuance of a “Certificate of Occupancy”. Therefore, the owner and contractor should consider having an agreement regarding responsibility for violations and fines between the owner and the contractor.

Rock Creek Resort Property Owner’s Association, Inc., its Board of Directors, officers, employees, agents, Architectural Control Committee members, successors and assigns and Developer, its Board of Directors, officers, committee members, employees, agents, successors and assigns hereby expressly disclaim any representation, liability, obligation, or duty in connection with the proposed construction, including without limitation any warranty, either express or implied, of habitability, suitability, fitness for purpose, safety, compliance with applicable laws or restrictive covenants, or the effect of the proposed construction upon any surrounding property. By the execution and delivery of the application, the owner and/or applicant expressly covenants and agrees to indemnify and hold harmless Rock Creek Resort Property Owner’s Association, Inc., its Board of Directors, officers, employees, agents, Architectural Control Committee members, successors and assigns and Developer, its Board of Directors, officers, committee members, employees, agents, successors and assigns from any cost, loss claim liability, damage, expense, or other obligation arising out of, related to, or in any way connected with the construction proposed herein or the effects thereof, including without limitation any claim by any person or entity that such construction (a) fails to meet the requirements of any applicable law or restrictive covenants, (b) is unsafe or unsound, or creates a nuisance or other dangerous condition, or (c) adversely or improperly affects the drainage of water on, across, or under the property in question or any surrounding property.

O. BUILDING PERMIT FEE SCHEDULE AND RULES:

1. Fees for building permit shall be paid before construction is started, according to the following schedule.
 - a) **New Dwellings** - \$0.30 per sq. ft. of total footage under roof. Paid to Property Owners Association.
 - b) **Impact Fee** –\$2,000, paid to Developer.
 - c) **Addition or Modification to Existing Dwelling** – Fee will be based on the inspections required.
 - d) **Other Structures added after Residence is completed** - Cabanas, Gazebos, Solariums, Detached-Garages and Storage Buildings – \$0.50 per sq. ft. of building space with minimum of \$100.
 - e) **Miscellaneous** – Miscellaneous items to be installed after issuance of original Certificate of Occupancy. Fee will be \$100.
 - (1) Fences
 - (2) Retaining Wall
 - (3) Lawn Sprinkler System
 - (4) Swimming Pool and Spas
 - (5) Installation of propane tank
 - (6) Driveways and all flatwork
 - (7) Deck or Patio, or Patio Covers
 - (8) Satellite dishes not over 1 meter in diameter

P. FOUNDATIONS, SLABS, FLATWORK AND FOOTINGS: All foundations, slabs and footings shall be constructed according to Rock Creek Resort requirements and the IRC.

1. Termite Damage Prevention:

- a) **Probability Map:** According to the IRC Termite Infestation Probability Map, Rock Creek Resort is located along the border area of very heavy/moderate to heavy termite infestation.
- b) **Treatment:** The foundation pad shall be treated chemically before concrete is poured. The concentration, rate of application and treatment method for termites shall be consistent with and never less than the label recommendations. The Building Inspector will require proof of treatment.
- c) **Prevention Issues:**

- (1) Foundation walls shall extend at least six (6) inches above the finish grade adjacent to the foundation at all points. Where masonry veneer is used, foundation walls shall extend a minimum of four (4) inches above the finish grade.
- (2) Sills and sleepers on a concrete or masonry slab, which is in direct contact with the ground, must be protected against termites and decay. A termite prevention certificate shall be provided to the Building Inspector.

2. **Concrete Slab Foundations:** All concrete foundations shall be designed by licensed structural engineer.

3. **Pier and Beam:** Pier and beam foundations must be designed by licensed structural engineer.

4. **Flatwork:** (i.e. Driveways)

- (a) **Driveway Requirement:** Driveway from existing roadway to dwelling must be a minimum of fourteen feet (14') wide at its narrowest point and must be constructed of concrete. A stone construction entrance should be provided as determined by the ACC. Gravel driveways and parking areas are strictly prohibited.
- (b) **Culverts:** The minimum specifications for culverts are defined in Article II, paragraph fourteen (14) of the Covenants. Concrete or masonry headwalls should be present at each end of the culvert.
- (c) **Material:** Concrete used in driveways shall have a minimum compressive strength of 3500 PSI and shall be at least four (4) inches thick.
- (d) **Steel Reinforcement:** Steel reinforcement in driveway flatwork shall be a minimum #3 bar, sixteen (16) inches on centers each way. All reinforcement must be adequately supported.
- (e) **Cut Joints:** Construction and cut joints shall be made as not to impair the strength of the driveway and shall not exceed thirty (30) feet between joints.

Q. PLUMBING: IRC or its most recent edition, shall apply to all plumbing work at Rock Creek Resort development.

- 1. **Licensed Plumber:** All plumbing work performed at Rock Creek Resort must be supervised by a Master Plumber. The Master Plumber must hold a current license in a municipality, and be in good standing. All other rules of the Plumbing License Law shall apply, including all the requirements of the IOTFDC.

R. WASTE TREATMENT SYSTEMS:

1. **Central Sewer System:** Double Diamond Utility Co. requires a sump tank lid that allows for inspection and service of the pump without digging the yard up. Double Diamond Utility requests that you mark the “finished grade” where the sewer discharge pipe comes out of the foundation. All property owners being served by Rock Creek Central Sewer System shall follow all rules according to the application and contract for service.
2. **Septic Systems:** Individual Septic systems are not permitted.

S. LIQUID PETROLEUM GAS TANKS: The installation of liquid petroleum gas tanks are permitted within Rock Creek Resort development. Tanks may be installed underground or above ground by a licensed installer in accordance with the Covenants and the Texas Railroad Commission rules and regulations. An above ground tank must be installed behind the mid-point (front to rear) of the house. A privacy fence or approved screening must be installed around any above ground tank. The tank must not be visible from roads, the golf course or adjoining property. An underground or aboveground tank (500 gallons or less) must be located no closer than ten (10) feet from property lines and any structure.

T. ELECTRICAL: All electrical work shall be installed in conformity with the IRC or its most recent edition.

1. **Licensed Electrician:** All electrical work performed at Rock Creek Resort must be supervised by a Master Electrician. The Master Electrician must hold a current license in a municipality, and be in good standing.

U. FRAMING: All framing requirements shall comply with the IRC:

V. ROOFING MATERIALS: All roofing material must be submitted to the ACC for approval and may require submission of sample of the material or photos.

W. ROOF PITCH: Residential dwellings (exclusive of porches) and detached garages must have a minimum roof pitch of 8:12. Storage buildings and residential dwelling porches with a span greater than eight (8) feet must have a minimum roof pitch of 8:12. Cases where the architectural design calls for a roof pitch of less than 8:12 will be reviewed by the ACC on a case-by-case basis and approved only if the design utilizes premium non-composite roofing materials such as tile, slate or preferred metal roof product.

X. HVAC (Heating, Ventilation, and Air Conditioning): All HVAC shall be constructed according to the IRC. Contractors must have a current license or endorsement issued by the State of Texas, Department of License Regulations.

Y. FIREPLACES AND CHIMNEYS: All fireplaces shall be constructed according to the IRC. Chimneys shall extend at least three (3) feet above the highest point where they pass through the roof of a building and at least two (2) feet higher than any portion of the building within ten (10) feet. All chimneys must be provided with spark and ash arrestors. Any and all portions of a chimney which are visible from the street shall be clad with approved masonry. Patio and Garden Homes may be exempted from chimney masonry requirement.

Z. GARAGES: All residential dwellings must have a minimum two (2) car garage. The maximum number of garage bays at one residence is five (5), with a maximum of 3 attached and 2 detached. No garages,

permitted outbuilding or similar structure will have an opening or aperture which is visible from the golf course. Detached garages may not exceed 720 square feet, with a maximum dimension of 30 feet on any one side of the garage.

AA. EXTERIOR MASONRY: The percentage of exterior masonry required for new dwellings, shall be in accordance with the Covenants. No building shall be constructed unless at least seventy-five percent (75%) of the total exterior consists of masonry construction of brick, Palo Pinto sandstone, ledge stone, fieldstone or other native types of stone veneer. Use of synthetic stone requires express prior written approval by the ACC. All exterior material must be submitted to the ACC for approval and may require submission of a sample of the material or photos.

BB. FENCES, WALLS OR ENCLOSURES: A building permit is required for any fence, wall, or enclosure that creates a barrier. The following guidelines apply:

1. General Guidelines:

- a) **Permit:** A building permit issued by the ACC is required before the construction of all fences, walls, or enclosures.
- b) **Construction Period:** Construction must be completed within ninety (90) days from start date.
- c) **Location:** Fences or walls shall not extend past the front corner of the house on either side. Fences or walls must be constructed just inside the property lines on the sides and back of Lot.
- d) **Line-of-Sight:** Fences or walls may not be constructed to block the line-of-sight at any intersection.
- e) **Material:** Fences may be constructed of metal, wood or composite materials. Decorative fences are permitted. A description of the fence material must be submitted to the ACC for approval. Wire mesh, t-post fencing, vinyl chain, and chain link fences are prohibited. All fences erected on Lots that abut a lake or golf course shall be of a uniform design and must be constructed in accordance with the specific standards required by the ACC and the Covenants. Chain link fencing is permitted on security enclosures owned and operated by the POA or the Developer only.
- f) **Height:** Fences and walls are limited to a height of seven (7) feet.

2. Privacy Enclosures:

- a) **Limited Usage:** Privacy enclosures may be constructed in accordance with the Covenants with wood or composite materials approved by the ACC.
- b) **Prohibited Usage:** Privacy enclosures will not be permitted on lots that abut the lake, golf course or Rock Creek Blvd.
- c) **Height:** Privacy fences shall not exceed a maximum height of seven (7) feet.
- d) **Privacy Enclosures:** Privacy enclosures to screen personal items are only permitted on the rear portion of a Lot containing a residential dwelling, provided the privacy screen is not more than seven (7) feet high, enclosed an area no greater than three-hundred (300) square feet and is attached to a residential dwelling.

3. **Golf Course, Lake and Non-Perimeter Lots:**

Fences constructed on any lots not located on the perimeter of the property, must be constructed of steel, iron or aluminum material in strict accordance with particular design specifications to be provided by the ACC. Generally, such fences must be constructed of masonry (Palo Pinto sandstone). Columns are to be located on all corners and may not exceed seven (7) feet in height and must be spaced between ten (10) to twenty-five (25) feet apart. Steel posts located between columns must be between eight (8) and ten (10) feet apart. The steel, iron or aluminum material must be painted black. Refer to Exhibit N.

CC. RETAINING WALLS:

- 1. Design Requirement:** All retaining walls over four (4) feet high shall be designed and plan stamped by a licensed structural engineer. Any retaining structure that includes courses of rock or stone whether plumb or stair step shall be considered a retaining wall unless terraces or setbacks are greater than 24 inches apart.
- 2. Footings:** All concrete or masonry retaining walls shall be supported on a continuous solid masonry or concrete footings, which shall be of sufficient design to safely support all loads.
- 3. Materials:** All retaining walls shall be constructed of Palo Pinto sandstone or reinforced concrete with a Palo Pinto sandstone fascia or dry-stacked limestone boulders if less than 4' tall consistent with the walls seen on Rock Creek Resort golf course.

DD. LAWN SPRINKLER SYSTEM:

- 1. Required:** An in-ground irrigation system of a size and type sufficient to adequately supply irrigation to the front and side yards, the area from the bar ditch to the curb and any area visible from the street, Common Areas or the Golf Course must be designed and installed by a licensed irrigator, licensed by the Texas Commission on Environmental Quality.
- 2. Permit:** A building permit must be issued by the ACC to install a lawn irrigation system.
- 3. Backflow:** Every sprinkler system shall be protected against backflow with a device acceptable to the Building Inspector and the Water Utilities Supervisor. Each installation will be inspected to insure that a backflow protection has been achieved. Backflow certificate must be furnished upon completion.

EE. SWIMMING POOLS AND SPAS: All swimming pools and spas shall be installed in accordance with Appendix B of the IRC. Swimming pools must be enclosed with a code-approved fence.

EE. STORAGE BUILDINGS: Only one storage building is permitted per residence. Storage buildings must have the same siding and color of the residence. They must have a roof with eaves similar to the residence and must have the same roofing material and design as the residence. All Structures must comply with the Covenants. No garages, permitted outbuilding or similar structure will have an opening or aperture which is visible from the golf course. Overhead doors greater than 16' in width are strictly prohibited.

CONSTRUCTION RULES & REGULATIONS:

- A) CONTRACTOR AND PROPERTY OWNER RESPONSIBILITIES:** General Contractor will make sure that all subcontractors and suppliers understand and receive a copy of the applicable Covenants and the Construction Rules and Regulations. The Property Owner and the General Contractor will be liable for any breaches of those Covenants and the Construction Rules and Regulations. General Contractor, subcontractors, material men, suppliers and their respective employees and agents may be restricted from Rock Creek Resort and/or removed from the Approved Builders List if frequent violations of Rules and Regulations occur.

General Contractor will ensure that all subcontractors, material men, suppliers, their employees, agents or assigns have valid driver's licenses to operate a vehicle within Rock Creek Resort.

Property owners shall be responsible for the conduct of their contractors. Contractors shall be responsible for the conduct of their sub-contractors and employees on the building site and on Rock Creek Resort streets and other property. Contractors shall be responsible for providing sanitation facilities for their subcontractors and/or employees.

Property Owner agrees that the General Contractor must complete the exterior and interior of any improvements to the property within eight (8) months from the date the building permit is issued for that improvement. The completion of the exterior includes any structure, driveways, walkways, pools, spas, final grading, irrigation and landscaping, cleanup, and fencing. The completion of the interior includes all fixtures, cabinets and floor covering (i.e. ready to move furniture in). A house cannot be occupied until a Certificate of Occupancy has been issued.

- B) PARKING OF VEHICLES:** Vehicles belonging to contractors or employees shall be parked on the building site and never on Rock Creek's right-of-ways. Vehicles shall never be parked on the edge of streets after sundown, and shall not be parked on or driven across any adjacent property without prior written permission of the adjacent property owner and notice to the ACC.

- C) SECURITY:** General contractors, subcontractors, material men, suppliers, their respective employees, agents or assigns must register their vehicles with security at the front gate. If it is a short-term build, a contractor's pass will be issued each day the vehicle comes onto Rock Creek Resort. This contractor pass will be required to be kept on the dash of the vehicle at all times.

The driver of the vehicle will provide their name, company name, proof of valid driver's license, proof of insurance and the location of the job site. If they prefer, a registration application package can be filled out which will provide all necessary information to obtain a yearly numbered window decal for \$5.00, which is good from January until December each year. This will allow the vehicle to enter and not to have to stop and obtain a pass each time. This decal is transferable to another vehicle, but Security must be provided with the new vehicle information. All vehicles must have either a paper dash pass or the numbered decal. Entry to the development will be denied if the proper information is not provided or if the vehicle is found not to be displaying its paper pass or decal. All commercial vehicles will be logged in at the front gate.

- D) SPEED LIMITS:** Unless otherwise posted, Rock Creek Resort has a resort wide speed limit of thirty (30) miles per hour which will be enforced at all times. The General Contractor will ensure that all

subcontractors, material men, suppliers, their employees, agents or assigns are aware of the speed limits within Rock Creek Resort.

- E) CONCRETE TRUCKS:** Trucks shall “wash out” only on the lot where concrete has been poured. No “wash out” is allowed on any other Rock Creek property.
- F) TRASH AND BUILDING MATERIAL:** Brush cleared off a lot must be removed before the first called inspection. Houses under permit must have brush removed before a Certificate of Occupancy will be issued. The contractor shall provide a dumpster for proper disposal of trash on the building site. Plyboard trash receptacles are prohibited. Trash may not be disposed of in any Rock Creek or Developer receptacle or in any Rock Creek burn pit area. No burying of construction trash material is allowed on any job site, lot, or POA or Rock Creek property. All trash must be removed from the building site at reasonable intervals. If accumulation of trash is excessive, the contractor may be directed by the Building Inspector to dispose of it. If the trash is not cleaned up within three (3) days of the contractor and owner being notified, then a fine of \$10.00 per day will be assessed. Storage of all building materials shall be entirely on the building site. Vehicle parking and material storage on adjoining property is prohibited unless the adjoining property owner has given advance written permission to allow parking and storage. It is the contractor’s responsibility to ensure that trash and/or building materials are not washed or blown onto any other Rock Creek property.
- G) WARMING BARREL:** The use of construction site warming barrels on Rock Creek Resort property is permitted under the following guidelines:
- 1) **Period Allowed:** Warming barrels will be permitted on building sites only between November 1st and March 31st.
 - 2) **Location:** Warming barrels must be kept at least twenty-five (25) feet from any structure.
 - 3) **Unattended:** No fire is to be left unattended. No fire is to be left burning after workmen leave the building site.
 - 4) **Fire Response:** If a Fire Truck has to respond to an unattended fire, the owner and/or contractor will be charged a fine by the ACC in the amount of \$200-\$500.
 - 5) **Purpose:** The warming barrels are to be used to keep workers warm and not to get rid of building debris. Only wood products are to be burned in the warming barrels. No roofing, vinyl, PVC, carpet, paper, etc.
- H) WORK ON SUNDAY:** Construction work on Sunday is strictly prohibited. All construction work should be performed on Monday through Saturday during daylight hours unless consent is otherwise granted by a member of the ACC. The ACC and property owners request that work and material deliveries on projects not be scheduled on Sunday or before/after daylight hours during the normal work week.
- I) WATER CONTROL:** During lot preparation and construction, contractors and lot owners are responsible for ensuring that:
- 1) **Natural Drainage:** Existing natural drainage is not to be altered by construction through contour grade changes unless approval has been granted by ACC.
 - 2) **Movement of Material:** Corrective action will be the responsibility of the Contractor for any soil, trash, and/or building materials deposited by water onto any other lot owner’s property or property owned or controlled by Developer (including streets and drainage ditches) resulting

from construction. All construction materials and dirt piles must be removed and the Lot must be final graded and stabilized before an occupancy permit will be issued.

- 3) **Barriers:** Appropriate physical barriers are to be erected when necessary to prevent water damage situation and/or erosion to adjacent properties when water flow has been altered, diverted, or increased by construction activity.

J) SIGNAGE: The following guidelines apply:

- 1) **Permits Required:** The property owner or his/her representative is required to obtain a permit for signage from the ACC prior to placing a sign on improved property.
- 2) **Improved Property:** Owners of improved property (property with a residence on it) or builders, investors or their authorized agent who have constructed “spec homes” may post one sign on the improved property indicating the property is available for purchase. The sign must be of professional quality and no larger than thirty-six (36) inches x twenty-four (24) inches or eighteen (18) inches x twenty-four (24) inches in size (this is the normal size of a Realtor sign). Signs should not be visible from the Golf Course, and shall not be positioned on a lot so as to face the golf course.
- 3) **Unimproved Property:** No Signs are permitted on unimproved lots.
- 4) **Contractors:** Contractors may post one sign on lots where homes are under construction. These signs may not be put up until a building permit is issued. Contractors may post one sign on the front (street). Signs must be removed prior to or when the Certificate of Occupancy is issued. Signs shall not be visible from the Golf Course. Subcontractors are not permitted to post signs on the Property.

K) BAR-DITCHES: It is the responsibility of the owner/contractor to **(a)** restore all bar-ditches to their adequate contour and an adequate grade to ensure drainage capability on adjacent lots and **(b)** stabilize the area with grass. The driveway culvert must be installed and stabilized in a manner that will provide adequate drainage from adjacent areas. Any disturbed or destabilized areas in the bar-ditch must be stabilized; i.e. sodding.

L) USE OF AMENITIES OR FACILITIES: General contractors, subcontractors, material men, suppliers, their respective employees, agents or assigns are not allowed to use the amenities or facilities of the development or subdivision in which the construction is taking place. They shall remain on the job site at all times, except when in direct transit to and from the entrance gate and the job site.

INSPECTION SYSTEM

A. Required Inspections:

- 1) **Forms & Form Board Survey:** A form board survey prepared by a licensed surveyor must be submitted and approved by the Building Inspector before any further work can begin
- 2) **Plumbing Rough In:** Plumbing Rough In will be inspected in accordance with the IRC.
- 3) **Foundation:** Foundation will be inspected per engineered design.
- 4) **Framing, Electrical, Rough In, HVAC and Plumbing Top Out:** Building is considered “in the dry” when the completed roof is in place. All electrical and HVAC are “roughed-in” and plumbing is “topped-out”.
- 5) **Insulation:** Energy Code.

- 6) **Flatwork:** Bar-ditch grade/contour and culvert grade will be inspected. Inspection is required prior to the initial flatwork pour. The inspection of additional flatwork pours will be at the discretion of the Building Inspector.
- 7) **Final For CO:** All structural aspects, electrical, plumbing, HVAC exterior and interior are finished-out and ready for occupancy. Back Flow Test must be performed and approved.
- 8) **Certificate of Occupancy:** Issued after the final inspection has been made, permanent power is connected and all inspections and tests have been completed in accordance with all Covenants, Rules and Regulations and Building Codes at Rock Creek Resort and landscaping has been completed and inspected by a designated member of the ACC.
 - a. The owner is responsible for payment of fines assessed for any violation that occurs during construction. All fines must be paid to the Property Owners Association – ACC prior to the issuing of a “Certificate of Occupancy”.
 - b. The owner is liable for any damage to the subdivision roads, utilities, facilities, etc., which may occur as a result of his/her, or anyone in his/her employment who is working on the improvements to his/her lot.
 - c. The street shall be inspected for damage resulting from lot improvements before a Certificate of Occupancy is issued. Any such damage must be repaired prior to issuance of the Certificate of Occupancy.

B. PROCEDURE FOR REQUESTING AND SCHEDULING INSPECTIONS:

1. **Requesting Inspection:** When requesting an inspection the contractor will need to state the following:
 - (a) Block number and lot number of construction project.
 - (b) Type of inspection needed (see Required Inspections above).
 - (c) Name and phone number of Contractor
2. **Scheduling Inspection:** All contractors requesting any of the above inspections should call 72 hours in advance of the anticipated inspection. Inspections will be provided by the Building Inspector or his agent or successor. The phone number to call is 940-284-5677, Country Wide Inspection Mike Doughty. Covering up of any work requiring inspection will result in removal of covered material and/or violation fine.
3. **Notice of Inspection:** The Building Inspector will sign the inspection ticket as notice of approved inspection. All records will be kept in weatherproof container furnished by POA. The container should be clearly visible on the job site. If a red tag is issued, violations and corrections procedures will be stated on the ticket. A request for re-inspection must be called in after corrections are made.
4. **Appeals:** If contractors disagree with the inspection results, they may appeal by filing a written request for a hearing with the ACC.

- C. **VIOLATIONS AND FINES:** The property owner, in advance of the issuance of a “Certificate of Occupancy” must pay all fines assessed during construction.

- 1) Re-inspection fee for contractor error/RED TAG - \$75 fine per inspection
- 2) If inspection is required and work is covered - \$500 fine per incident and/or uncovered.
- 3) Work starting prior to a permit being issued - \$300 fine
- 4) Work continued after red tag is issued and corrective action is not completed-\$300 fine
- 5) Exterior and interior not completed in 8 months - \$20 per day fine, each day after 8 months. ACC will consider longer periods of construction or extensions, if justified, if requested at the time of application or before the end of the 6th month of construction.
- 6) Any on the job site construction or significant structural change that has not been approved by the ACC – up to \$300 fine per issue, plus re-inspection fee - \$75.00 per inspection.
- 7) Minimum landscaping not completed within 90 days from Final Inspection - \$20 per day each day after 90 days
- 8) Sign rule and regulation - \$10 per day fine after notification
- 9) Construction site not cleaned up - \$10 per day fine after notification
- 10) If residence occupied prior to issuance of “Certificate of Occupancy” – up to \$500 fine (moving in furniture or occupying before Final Inspection is completed)
- 11) Warming barrel violation-\$200-\$500 fine
- 12) Speed limits-according to Rock Creek Security rules and regulations
- 13) General Violation of the Covenants, Rules and Regulations Declaration and/or the Code – an amount commensurate with the severity and/or repetitive nature of the offense as determined by the ACC in its sole and absolute discretion

All fines are assessed against the Property Owner and are solely the responsibility of the property owner.

D. NO WARRANTY OR REPRESENTATION: In no event will any inspection, supervision, examination or approval by or on behalf of the ACC be deemed to be a warranty, express or implied, or representation by the ACC, the POA or Developer as to any matters pertaining to the construction of the improvements, including without limitation, the technical sufficiency, adequacy or safety of the structure or any of its component parts; the adequacy of any plans and specifications; the adequacy of drainage or erosion plans; the proper performance by contractors, sub-contractors, suppliers, material men and/or their respective agents or employees; the soil condition; or any other physical conditions or features pertaining to the project. The inspections are for the benefit of the POA and Rock Creek only and not for the benefit of the Owner or any other person.

E. I further certify by initialing, that I have in my possession and have received copies of the following:

	<u>OWNER</u>	<u>BUILDER</u>
COVENANTS AND RESTRICTIONS	_____	_____
RULES AND REGULATIONS	_____	_____
GENERAL BUILDING CODE & INSPECTION SYSTEM	_____	_____

OWNER (SIGNATURE)

BUILDER (SIGNATURE)

PHONE NUMBER

PHONE NUMBER

EXHIBIT A

**ARCHITECTURAL CONTROL COMMITTEE
ROCK CREEK RESORT
SITE BUILT HOME APPLICATION**

Date submitted _____
Block # _____ Lot # _____ Subdivision _____
Heated/Cooled floor space _____ sq.ft.
*Total under-roof floor space _____ sq.ft. x .30 = \$ _____ (building permit/inspection fee, Payable to POA)
Impact Fee: \$2,000.00 (Payable to Developer)
Minimum Square Footage required by Covenants and Restrictions (Exhibit B in CC&Rs) _____
Building Setbacks required by Covenants and Restrictions: Front _____, Back _____, and Sides _____
Easements required by Covenants and Restrictions: Front _____, Back _____, and Sides _____

Please print the following information:

Property Owner(s): Name _____
Current Address _____ Phone # _____
City _____ State _____ Zip _____
Temporary Address _____ Phone # _____
City _____ State _____ Zip _____
General Contractor: Name _____
Address _____ City _____ State _____
Business Phone # _____ Zip _____

The property owner and general contractor will need to submit with this application a completed list of sub-contractors or trades (See Exhibit B) that will need access to Rock Creek to perform work on this job site.

Specification for New Construction

Slab or Pier and Beam _____
Modular or Stud walls _____ Masonry type _____
Siding type _____ Ext. trim mat'l _____ Color _____
Roof mat'l _____ Roof Pitch _____ Color _____
A-Square footage of all exterior walls (less doors and windows) _____ sq.ft.
B-Square footage of masonry walls (less doors and windows) in masonry areas _____ sq.ft.
%Masonry = B/A x 100 = _____ % (%Masonry required by Covenants and Restrictions: 75%)
Garages _____ (Covenants and Restrictions required a minimum of 2 car garage)
Water Application _____ Date Paid (if applicable) _____

Sewer Application _____ Date Paid _____

Driveway Material _____

Geo Thermal Heating/Cooling Yes _____ (show location of holes on plot plan) No _____

LPG _____

Estimated cost of residential dwelling \$ _____; estimated landscaping cost \$ _____;

Calculated percentage of landscaping cost to cost of residential dwelling _____%. (Covenants and Restrictions require a minimum of 3%)

I UNDERSTAND THAT:

The Architectural Control Committee (ACC) will approve or disapprove the application within forty-five (45) days of receipt of a complete application and all documentation. If the application is disapproved, the reasons for disapproval shall be given to the Applicant so corrective measures can be taken and a new application submitted.

The ACC is limited to approving applications and plans which are in compliance with all applicable regulations and codes (including without limitation, Rock Creek Resort Building Code) and the Covenants. Any approval granted on applications and plans, which do not meet the requirements of the Codes and Covenants shall not be deemed to be a waiver of such requirements. The ACC does not have the authority to approve variances to the regulations, codes or Covenants, that authority being vested solely in Developer.

The owner is liable for any damage to the subdivision roads, utilities, facilities, etc., which may occur as a result of his/her, or anyone in his/her employment who is working on the improvements to his/her lot.

The owner is responsible for the definition of property lines and to see that all construction and improvements are within all applicable easement and building lines and is on the proper lot.

The street shall be inspected for damage resulting from lot improvement before a Certificate of Occupancy is issued. Any such damage must be repaired prior to issuance of the Certificate of Occupancy.

I (owner) certify that the submitted information constitutes a true description for a building permit. I further certify that I will comply with the IOTFDC, Texas State Plumbing Code, Rock Creek Construction Rules and Regulations, the Covenants and all Rock Creek Resort Rules, Regulations and Policies. I (owner) agree that failure to do so may result in suspension of my building permit. Owner will provide the name of the Title Co. that will transact their closing, if required.

Rock Creek Resort Property Owner's Association, Inc., its Board of Directors, officers, employees, agents, successors, assigns and Architectural Control Committee members, and Developer, its Board of Directors, officers, agents, employees, committee members, successors and assigns hereby expressly disclaim any representation, liability, obligation, or duty in connection with the proposed construction project, including without limitation any warranty, either express or implied, of habitability, suitability, fitness for purpose, safety, compliance with applicable laws or restrictive covenants, or the effect of the proposed construction upon any surrounding property. By the execution and delivery of this application, the owner and/or applicant expressly covenants and agrees to indemnify and hold harmless Rock Creek Resort Property Owners' Association, Inc., its officers, directors, committee members, employees, agents, successors and assigns and Developer, its Board of Directors, officers, agents, employees, committee members, successors and assigns from any cost, loss claim liability, damage, expense, or other obligation arising out of, related to, or in any way connected with the construction proposed herein or the effects thereof, including without limitation any claim by any person or entity that such construction

(a) fails to meet the requirements of any applicable law or restrictive covenants, (b) is unsafe or unsound, or creates a nuisance or other dangerous condition, or (c) adversely or improperly affects the drainage of water on, across, or under the property in question or any surrounding property.

Property Owner: _____ Property Owner: _____ Date: _____
(Printed) (Signature)

Builder: _____ Builder: _____ Date _____
(Printed) (Signature)

EXHIBIT B

**ARCHITECTURAL CONTROL COMMITTEE
ROCK CREEK RESORT
LIST OF SUB-CONTRACTORS AND TRADES**

Heat and Air Conditioning, Plumbers, Electricians and LP Gas must be licensed. Electrician must provide a letter from municipality showing license is current and in good standing.

<u>TRADE</u>	<u>NAME</u>	<u>LICENSE NO.</u>	<u>ADDRESS/PHONE</u>
Plumbing	_____	_____	_____
Electrical	_____	_____	_____
Heat and Air Conditioning	_____	_____	_____
LP Gas	_____	_____	_____
Irrigation	_____	_____	_____
Termite Damage Prevention	_____	_____	_____
Framing	_____	_____	_____
Foundation and all Flatwork	_____	_____	_____
Insulation	_____	_____	_____
Drywall	_____	_____	_____
Masonry	_____	_____	_____
Roofing	_____	_____	_____
Painting	_____	_____	_____
Tape/Bed/Texture	_____	_____	_____
Trim out	_____	_____	_____
Cabinet	_____	_____	_____

EXHIBIT B-Continued

**ARCHITECTURAL CONTROL COMMITTEE
ROCK CREEK RESORT
LIST OF SUB-CONTRACTORS AND TRADES**

Flooring _____

Others _____

Builder (sign): _____

Company Name: _____

Date: _____

EXHIBIT C

**ARCHITECTURAL CONTROL COMMITTEE
ROCK CREEK RESORT
BUILDING PERMIT CHECKLIST**

Name: _____

Address: _____

City, State, and Zip Code: _____

RE: BLOCK: _____ LOT: _____ ADDITION: _____

- _____ 1. Owner must provide Proof of Ownership of building site. A copy of your Warranty Deed or other conveyance documentation (with Vol. and Page No. stamped on copy).
- _____ 2. Two (2) sets of construction plans. Must meet the IRC. Drawn to scale by architect or licensed designer (including name, date, and state seal).
- _____ 3. Plot Plan
- _____ 4. Financial Capability – Show financial capability to complete the new construction. Provide a copy of an approved interim construction financing agreement from bank or lending institution; or, a letter from a banking institution showing an account(s) with sufficient funds to complete the project and a letter from the property owner dedicating those funds to this project (see Exhibit D).
- _____ 5. Exhibit A, Site Built Home Application must be completed, signed, initialed, and dated by the owner and general contractor and building permit fee paid.
- _____ 6. Exhibit B, List of Sub-contractors and Trades
- _____ 7. Exhibit C – Building Permit Checklist
- _____ 8. Exhibit D – Dedications of funds form
- _____ 9. Exhibit E – Agreement to Comply with Landscape Minimum Monetary Provision
- _____ 10. Impact Fee Paid.
Date Paid _____
- _____ 11. Exhibit F – Agreement to Comply with Front Façade Architectural Enhancement Provision

EXHIBIT C
Continued

ARCHITECTURAL CONTROL COMMITTEE
ROCK CREEK RESORT
BUILDING PERMIT CHECKLIST

- _____ 12. Exhibit G - Application and Contract for Water Service.
Date Paid _____

- _____ 13. Exhibit H – Application and Contract for Central Sewer Service.
Date Paid _____

- _____ 14. Exhibit I – Notice of Rock Creek Address.

Property Owner: _____
(Printed)

Property Owner: _____
(Signature)

Builder: _____
(Printed)

Builder: _____
(Signature)

EXHIBIT D

**ARCHITECTURAL CONTROL COMMITTEE
ROCK CREEK RESORT
DEDICATION OF FUNDS FORM**

Date:

To Architectural Control Committee

I, (we) hereby dedicate \$_____ from my (our) funds on deposit with _____ Bank, Savings and Loan or Security Agency toward the cost of constructing and completing the residential dwelling on Lot _____ Block _____ of Rock Creek Resort Subdivision including the related minimum monetary landscape requirements.

Attached please find a report or statement from the controlling financial institution indicating the availability of assets planned to be used on this construction project.

Property Owner(s): _____
(Printed)

(Signature)

Property Owner(s): _____
(Printed)

(Signature)

*Fill this form out only if you are paying cash for the construction of your house.

EXHIBIT E

**ARCHITECTURAL CONTROL COMMITTEE
ROCK CREEK RESORT
Agreement to Comply with Landscape Minimum Monetary Provision**

Date: _____, 20__

Dear Architectural Control Committee,

I, (we) hereby certify that approximately \$ _____ will be spent on the cost to landscape and cover the soil with mulch, grass, vegetation and/or shrubbery of the residential dwelling on Lot ____ Block _____ in the _____ Addition of Rock Creek Resort Subdivision. The cost to landscape the front yard, as indicated above, represents approximately _____% of the construction cost of the residential dwelling.

It is further understood and acknowledged by the undersigns, that the Covenants and Restrictions on and for Rock Creek Subdivision, along with any and all Amendments thereto, covering the above referenced Lot, requires the following minimum requirements for landscaping:

Owner agrees to landscape and cover the front and side yard with mulch, grass, vegetation and/or shrubbery. The minimum cost of landscaping improvements to the front of the property must equal to three percent (3%) of the construction cost of the residential dwelling (not including sod). In addition to the foregoing landscaping requirement, the Owner shall (a) cause to be planted in the front yard, a minimum of two (2) hardwood trees, at least three (3) inches in diameter and (b) professionally install an in-ground irrigation system of a size and type sufficient to adequately supply irrigation to the front and side yards, including the bar ditch to the curb, and any area visible from the street, Common Areas or the Golf Course. If the Lot has two (2) or more existing hardwood trees, at least three (3) inches in diameter, Owner will not be required to plant additional hardwood trees, so long as a minimum of two (2) existing hardwood trees, at least three (3) inches in diameter, are retained in the landscaping plan.

To receive a Temporary Certificate of Occupancy, a letter from the property owner/builder must be received by the ACC along with a check or cashier's check in the amount of \$4000.00. This amount will be deposited into Rock Creek Property Owners Association's Account. After completion of the grading, irrigation and/or landscaping, and approval by the ACC, your deposit will be returned to you. If the work is not completed within 60 days, your deposit will be forfeited.

The property owner agrees, if requested, to provide the ACC with proof of compliance with this requirement. It is further understood and agreed that the property owner will be assessed and pay a fine of \$20 per day for failure to comply with this requirement. The fine will start **sixty (60)** days from the Final Building Inspection and continue until compliance is met.

Property Owner: _____
(Printed)

Signature: _____

Dated: _____

Builder: _____
(Printed)

Signature: _____

Dated: _____

EXHIBIT F

**ARCHITECTURAL CONTROL COMMITTEE
ROCK CREEK RESORT**

Agreement to Comply with Front Façade Architectural Enhancement Provision

Date: _____, 20__

Dear Architectural Control Committee,

I, (we) hereby certify that approximately \$ _____ will be spent on architectural enhancement of the front façade of the residential dwelling on Lot _____ Block _____ of Rock Creek Resort Subdivision. The cost of said architectural enhancements, as indicated above, represents approximately _____% of the construction cost of the residential dwelling. I acknowledge that the Covenants and Restrictions require these architectural enhancement to equal a minimum of three (3%) percent of construction costs.

It is further understood and acknowledged by the undersigns, that the Covenants and Restrictions on and for Rock Creek Subdivision, along with any and all Amendments thereto, covering the above referenced Lot, mandates the following minimum requirements:

No building shall be constructed or permitted to exist on any Lot unless at least seventy-five percent (75%) of the total exterior other than windows, doors and glassed areas, consists of masonry construction of brick, Palo Pinto sandstone, ledgerstone, fieldstone or native types of stone veneer. Up to forty percent (40%) of the masonry construction may be comprised of stucco, however, imitation stucco products such as "Dryvit" or EIFS systems are not permitted. Synthetic stone may be included in the masonry construction, subject, however, to prior approval by the Committee. Any chimney visible from the street shall have an exterior finish of brick, stone or other approved masonry material. A minimum of three percent (3%) of construction costs shall consist of architectural enhancement of the dwelling's facade. Examples of approved enhancements are leaded glass, cast stone, decorative lighting, contrasting brick or stone, dormers, awnings, custom doors and woodwork. The foregoing list is by way of example and is not intended to be an exhaustive list, however, the Architectural Control Committee reserves sole and absolute discretion in determining the enhancements which satisfy this requirement.

Property Owner: _____
(Printed)

Builder: _____
(Printed)

Signature: _____

Signature: _____

Dated: _____

Dated: _____

EXHIBIT G - Double Diamond Utilities Co.
APPLICATION AND CONTRACT FOR WATER SERVICE

Date _____, 20____

Name _____

Telephone (____) _____

Address _____

(Hereinafter referred to as the "Applicant") requests sewer service be made available by Double Diamond Utilities Co. (Hereinafter referred to as the "Supplier") to:

Rock Creek Lot _____ Block _____ Phase _____
Resort

Applicant agrees to pay Supplier a non-refundable water tap-on fee as approved by the Texas Commission on Environmental Quality (TCEQ) prior to commencement of water service. Applicant further agrees to pay the Supplier a monthly usage fee according to the rates in the tariff on file and approved by the TCEQ. Usage fee must be paid upon receipt of the monthly statement.

Supplier agrees to install saddle tap corporation stop, curb stop, 5/8 inch water meter and meter box ("Equipment") at the front of Applicant's lot within 30 days of the date of this Application (construction progress permitting). Applicant agrees to have a licensed plumber install a service line from that point to Applicant's residence. The Equipment is and remains the property of Supplier, and any abuse of, or tampering with the Equipment, may result in immediate termination of water service.

Applicant grants Supplier access to the water tap and all supply lines for purpose of repair and readings. Supplier shall have the express right of inspecting, during reasonable hours, with or without notice, all plumbing or other connections located on Applicant's lot and Applicant agrees to allow such inspection and acknowledges that Supplier may disconnect immediately, any connection or apparatus which, in Supplier's opinion, creates any unsafe or unsanitary condition or potentially creates such a condition. Unsafe and prohibited activities or conditions include, without limitation, (i) cross-connection between Supplier's water system and any private water well or system, (ii) pipe or pipe fittings installed by Applicant's plumber which contains more than 8.0% lead, (iii) use of solder or flux at any pipe connection which contains more than 0.2% lead, or (iv) any other activity prohibited by statute or ordinance and any abuse of, or tampering with the Equipment. If Applicant fails to disconnect such connection or to correct such conditions immediately, Supplier shall have the right to immediately terminate this Contract and discontinue service to Applicant until such connection is corrected. Upon reconnection, Applicant shall be required to pay Supplier's reconnection fee as approved by the TCEQ, plus payment of any delinquent bills.

Applicant may not transfer any rights under this Contract without written consent of Supplier and payment of Supplier's transfer fee as approved by the TCEQ, payment of all previously accrued charges and execution by such transferee of an agreement to assume this Contract or execution of a new Application and Contract.

The Supplier hereby retains the right to cancel this Contract for failure to pay usage or transfer fees in accordance with its tariff on file with the TCEQ, currently ten (10) days after Supplier places in the U.S. Mail, postage prepaid, addressed to the applicant at the above stated address, written notice of such cancellation. The rate and fees are subject to change to meet changes in cost of services. Any notice of other requirements of any applicable governmental authority will be complied with in case of any rate or fee change.

This Contract supersedes, voids, cancels and nullifies any prior understandings, correspondence, representations and/or agreements, written or oral, between Applicant and Supplier or any representative of Supplier.

Date Service Desired: _____

Signature of Applicant – Owner

Tap-On Payment/Transfer Fee Paid:

Amount \$ _____

Date: _____

Double Diamond Utilities Co. - Authorized Agent

Exhibit H - Double Diamond Utilities Co.
APPLICATION AND CONTRACT FOR SEWER SERVICE

Date _____, 20____

Name _____

Telephone (____) _____

Address _____

(Hereinafter referred to as the "Applicant") requests sewer service be made available by Double Diamond Utilities Co. (Hereinafter referred to as the "Supplier") to:

Rock Creek Lot _____ Block _____ Phase _____
Resort

Applicant agrees to pay Supplier a non-refundable sewer tap-on fee as approved by the Texas Commission on Environmental Quality (TCEQ) prior to commencement of sewer service. Applicant further agrees to pay the Supplier a monthly usage fee according to the rates in the tariff on file and approved by the TCEQ. Usage fees are due upon receipt of the monthly statement.

Prior to commencement of sewer service, Supplier agrees to install, at Supplier's expense, a submersible centrifugal wastewater grinder pump designed specifically for individual residential sewer applications, a holding tank, service lines from the sewer main to the holding tank, saddletap, check and ball valve and control panel ("Equipment"). Applicant agrees to have a sewer line from Applicant's residence to the pump basin installed by a licensed plumber and to have the control panel wired into Applicant's electrical system by a licensed electrician within thirty (30) days after the pump is installed, or prior to occupancy of the residence, whichever occurs first. After installation, the Equipment is and remains the property of Supplier and any abuse of, or tampering with the Equipment, may result in immediate termination of sewer service.

The Supplier shall have the express right of inspecting, during reasonable hours, with or without notice, all plumbing or other connections located on Applicant's lot and Applicant agrees to allow such inspection and to disconnect immediately any connection or apparatus which, in Supplier's reasonable discretion, creates any unsafe or unsanitary condition or potentially creates such a condition. If Applicant fails to disconnect such connection or to correct such condition immediately, Supplier shall have the right, at its option, to immediately terminate this Contract and discontinue service to Applicant until such connection is corrected. Applicant shall be required to pay Supplier's reconnection fee as approved by the TCEQ, plus payment of any delinquent bills.

Applicant may not transfer any rights under this Contract without express written consent of Supplier and payment of Supplier's transfer fee as approved by the TCEQ, payment of any accrued charges and execution by such transferee of an agreement to assume this Contract or execution of a new Application and Contract.

The Supplier hereby retains the right to cancel this Contract for failure to pay usage or transfer fees in accordance with its tariff on file with the TCEQ, currently ten (10) days after Supplier places in the U.S. mail, postage prepaid, addressed to the applicant at the above stated address, written notice of such cancellation. The rate and fees are subject to change to meet changes in cost of services. Any notice or other requirements of any applicable, governmental authority will be complied with in case of any rate or fee change.

This Contract supersedes, voids, cancels and nullifies any prior understandings, correspondence, representations and/or agreements, written or oral, between Applicant and Supplier or any representative of Supplier.

Date Service Desired: _____

Signature of Applicant – Owner

Tap-On Payment/Transfer Fee Paid:

Amount \$ _____

Date: _____

Double Diamond Utilities Co. - Authorized Agent

EXHIBIT I

**ARCHITECTURAL CONTROL COMMITTEE
ROCK CREEK RESORT
NOTICE OF ROCK CREEK RESORT ADDRESS**

TO: Prospective Resident at Rock Creek Resort

FROM: Property Owners Association

Upon completion of your home or assignment of Post Office box at Rock Creek (# _____). Please return this form to the POA office at:

Rock Creek Resort POA

In addition, please provide us with your complete street address for energy purposes. Your street address will be as follows:

Lot Number: _____
Block Number: _____
Addition: _____
Street Name: _____

Thank you for your assistance in this matter.

Property Owner(s):

Name: Last _____ First _____

Name: Last _____ First _____

This will allow us to update and maintain an accurate file of all our Residents.

Thank You
Property Owners Association

EXHIBIT J

**ARCHITECTURAL CONTROL COMMITTEE
ROCK CREEK RESORT
INSPECTIONS REQUIRED CHECKLIST**

Name: _____

Address: _____

City, State, and Zip Code: _____

RE: BLOCK: _____ LOT: _____ ADDITION: _____

- _____ 1. Form board survey
- _____ 2. Plumbing rough
- _____ 3. Foundation pre-pour
- _____ 4. Framing
- _____ 5. Electric rough
- _____ 6. Plumbing top out
- _____ 7. HVAC rough
- _____ 8. Insulation (energy code)
- _____ 9. Flat work pre-pour & culvert
- _____ 10. Building Final
- _____ 11. Landscaping/site inspection (ACC Chairman)

Property Owner: _____
(Signature)

Builder: _____
(Signature)

EXHIBIT K

**ARCHITECTURAL CONTROL COMMITTEE
ROCK CREEK RESORT
REQUIREMENTS FOR CO CHECKLIST**

Name: _____

Address: _____

City, State, and Zip Code: _____

RE: BLOCK: _____ LOT: _____ ADDITION: _____

- _____ 1. Final inspection (CO signed)
- _____ 2. Customer Service Inspection Certificate (provided by inspector)
- _____ 3. All re-inspection fees paid in full
- _____ 4. Termite treatment certificate
- _____ 5. Backflow certificate
- _____ 6. Utilities inspection
- _____ 7. ACC final approval

Property Owner: _____
(Signature)

Builder: _____
(Signature)

EXHIBIT L
APPLICATION FOR BUILDER APPROVAL

GENERAL INFORMATION	
Company Name: _____ Company Address: _____ _____ Principal/Officer: _____ Title : _____ Business Home Phone: _____ Phone: _____ Fax: _____ Social Security Number: _____ Tax ID Number: _____	Check One: <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input type="checkbox"/> Corporation

BANK REFERENCES			
Include banks where you are an approved builder or have construction financing.			
	Name	Contact	Phone
1.	_____		
2.	_____		

CONSTRUCTION HISTORY					
<i>List of 4 residences constructed during the last four (4) years OF \$250,000.00 or more in value</i>					
Address	Value	Name of Owner	Phone # of Owner	Construction Period <i>(length of time)</i>	Warranty Issued <i>(length of time)</i>

You may type this information on a separate page

APPLICATION FOR BUILDER APPROVAL
EXHIBIT L-Continued

COMPANY AND OWNER EXPERIENCE	
1.	How many years have you been in the building business? _____
2.	Check all that applies: <input type="checkbox"/> Build <input type="checkbox"/> Remodel <input type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Sub-contracting
3.	In what geographical areas: _____
4.	Average project cost for current year: _____ Price range of building projects for current year: _____ Price range of remodeling projects for current year: _____
5.	Active number of current projects: Pre-Sale: _____ Specs: _____
6.	Has the business or principals ever operated under another name? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, list all names used within the last 2 years:</i> _____

DECLARATIONS	
If you answer "Yes" to any questions a through e, please explain in writing	
a. Are there any outstanding judgments against you?	<input type="checkbox"/> Yes <input type="checkbox"/> No
b. Have you declared bankruptcy within the last three (3) years?	<input type="checkbox"/> Yes <input type="checkbox"/> No
c. Have you had property foreclosed upon or given title or deed in lieu thereof in the last 4 years?	<input type="checkbox"/> Yes <input type="checkbox"/> No
d. Are you a party in a lawsuit?	<input type="checkbox"/> Yes <input type="checkbox"/> No
e. Are you presently delinquent or in default on any Federal debt or any other loan, mortgage, financial obligation, bond or loan guarantee? If "yes" give details	<input type="checkbox"/> Yes <input type="checkbox"/> No
f. Are you a U. S. Citizen?	<input type="checkbox"/> Yes <input type="checkbox"/> No
g. Are you a permanent resident alien? If "yes" provide proof.	<input type="checkbox"/> Yes <input type="checkbox"/> No

REQUIRED DOCUMENTS	
The following documents must be attached:	
1.	Certificates for insurance: Lack of documentation assumes that the builder does not have coverage. Comprehensive/General Liability (To be submitted with each Site Built Home Application)--Minimum Amount of \$1,000,000.00 Business Auto Liability (To be submitted with each Site Built Home Application) Worker's Compensation (To be submitted with each Site Built Home Application)
2.	Home Owner References: Ten (10) references whom you have built a home for (\$250,000.00 or more in value) with current contact information; Name, Address, Phone Number, Email Address. Incomplete references will delay scheduling of an ACC meeting.
3.	Copy of most recent financial statement (audited if available).
If required by the Rock Creek community, the general contractor will provide a performance bond issued in favor of the Rock Creek Resort in an amount up to \$100,000.	
_____ Yes	
_____ No	

APPLICATION FOR BUILDER APPROVAL
EXHIBIT L-Continued

REQUIRED SIGNATURES

The builder/general contractor, as an individual and an officer of the building company, hereby authorizes the Architectural Control Committee of Rock Creek Resort to make any normal inquires, including but not limited to obtaining credit report(s), necessary for the ACC to satisfactorily review the builder for acceptance as an approved builder. It is understood that any inquiry or satisfactory review by the ACC is not intended for lending purposes. The undersigned hereby certifies he/she is authorized to do business in the company's name.

(You must always sign as an individual. If you have an officer's designation for your company, you may also sign by what type of officer you are.)

Signature: _____ (As "an individual) Date: _____

Signature: _____ (As _____) Date: _____

ACC USE ONLY

Reviewed by: _____ **Date:** _____

Approved by: _____ **Date:** _____

Check Which Applies:

- The builder/contractor is APPROVED
- The builder/contractor is DENIED
Comment:

EXHIBIT M

**ROCK CREEK RESORT
OUTDOOR LIGHTING ORDINANCE**

A. Purpose: This Ordinance sets forth criteria for the protection of neighboring properties from nuisance glare and stray light from poorly aimed, placed, shielded or applied light sources, and assists in the promotion of efficient design and operation with regard to energy conservation.

B. Applicability: The provisions of this Ordinance shall apply to all outdoor lighting;

C. Criteria:

1. Illumination Levels

The following intensities and uniformity ratios shall serve as baseline criteria, and the Development maintains the right to modify or accept higher or lower intensities on a case-by-case basis. Review and enforcement of lighting and lighting plans shall be the responsibility of the ACC.

Use/Task	Maintained Footcandles	Uniformity Avg.:Min.
Single & multi-family		
Residential/pedestrian	0.2 min.	4:1
Building entrances	5.0 avg.	-

- Illumination levels shall be defined as maintained horizontal footcandles on the task. For example, the pavement or area surface.
- Uniformity ratios dictate that average illumination values shall not exceed minimum values by more than the product of the minimum value and the specified ratio. For example, in the case of a single family yard, the average footcandles shall not be in excess of .8 (0.2 x 4).
- In no case shall illumination exceed 0.2 footcandles at the adjoining property line and illumination projected onto a residential property. The exception to this being an installation for the purpose of illumination of an intersection at a public street
- Lamp types and colors shall be in harmony within the community, any special circumstances existing on the site, and with surrounding installations. Lamp types and colors shall be consistent with the task and setting, and shall not create a mix of colors unless otherwise approved for cause shown.

2. Lighting Fixture Design

- a) Fixtures shall be of a type and design appropriate to the lighting application and aesthetically acceptable to the ACC.
- b) For lighting horizontal tasks such as roadways, pathways and parking areas, fixtures shall not have more than 2.5% of their light output emitted above 90 degrees at any lateral angle around the fixture.
- c) Fixtures shall be equipped with light directing devices such as shields, visors or hoods when necessary to redirect offending light distribution.

3. Control of Nuisance and Disabling Glare

- a) All outdoor lighting, whether or not required by this ordinance; shall be aimed, located, designed, fitted and maintained so as not to present a hazard to drivers or pedestrians by impairing their ability to safely traverse, i.e., disabling glare, and so as not to create a nuisance by projecting or reflecting objectionable light onto a neighboring use or property, i.e., nuisance glare.
- b) Floodlights and spotlights shall be so installed or aimed that they do not project their output into the windows of neighboring residences, adjacent uses, directly skyward or onto a roadway.
- c) Vegetation screens shall not be employed to serve as the primary means for controlling glare. Rather, glare control shall be achieved primarily through the use of such means as cutoff fixtures, shields and baffles, and appropriate application of fixture mounting height, wattage, aiming angle and fixture placement.
- d) The intensity of illumination projected onto a residential use from another property shall not exceed 0.2 vertical footcandles, measured at thirty inches above the ground at the property line.

4. Installation

- a) Lighting fixtures shall not be mounted on an existing structure in excess of 20 feet above grade, unless specific prior written approval is obtained.
- b) All newly constructed electrical feeds to lighting standards shall run underground, not overhead.

5. Maintenance: Lighting fixtures shall be maintained so as to always meet the requirements of this Ordinance.

D. Plan Submission: Lighting plans submitted to the ACC for review and approval shall include a layout of the proposed fixture locations; iso-footcandle plots that demonstrate adequate intensities and uniformity; and manufacturer's catalog cuts that present a description of the equipment, including glare reduction devices, lamps, switching devices, mounting heights and mounting methods proposed.

E. Compliance Monitoring:

1. Safety Hazards

If the ACC judges that a lighting installation creates a safety or personal security hazard, the person(s) responsible for the lighting shall be notified and requested to take timely remedial action.

2. Nuisance Glare and Inadequate Illumination Levels

- a) If the ACC judges that an installation produces unacceptable levels of nuisance glare or skyward light or that illumination levels are insufficient or not being maintained in accordance with this Ordinance, the Officer shall cause notification of the person(s) responsible for the lighting and request remedial action.
- b) If the infraction so warrants, the problem may be corrected as shown in section E.3.a.

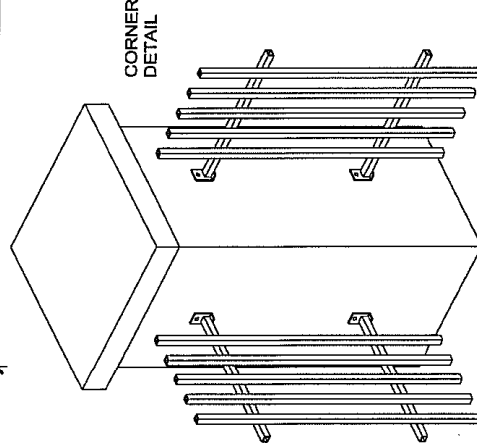
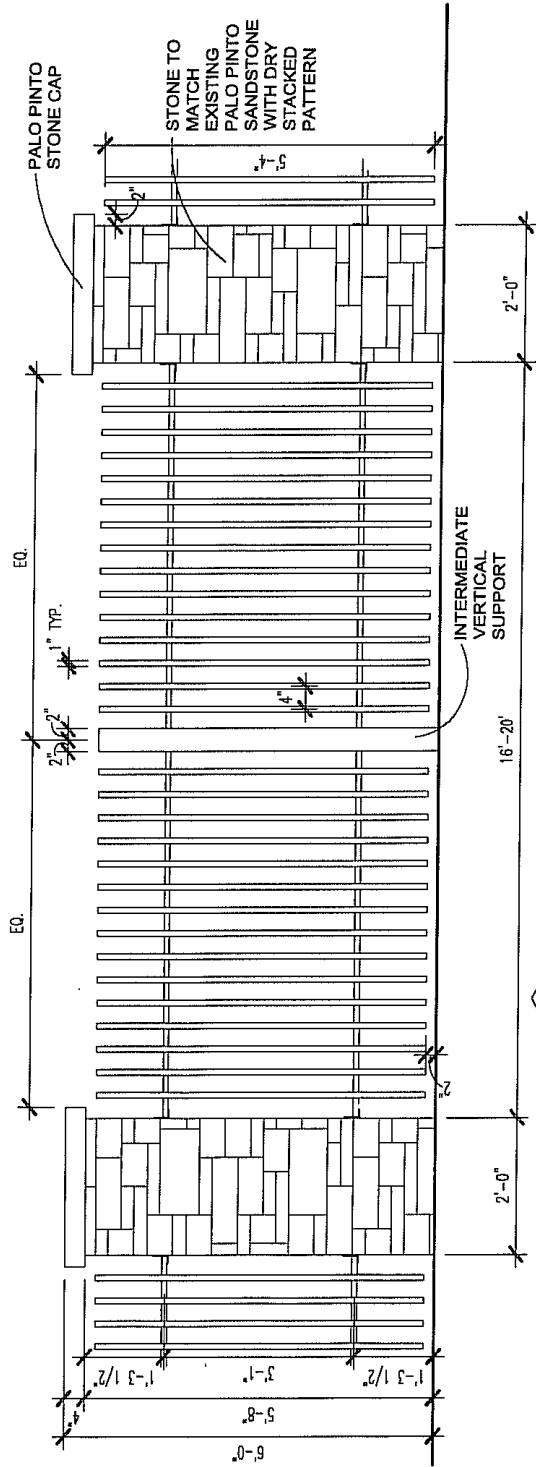
3. Penalty

Any person who shall violate any provision of this Ordinance shall be subject to a fine of up to \$ 100.00 plus costs. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

F. Nonconforming Lighting: Lighting: Any pre-existing lighting fixture (existing prior to this ordinance) shall be considered a lawful, nonconforming lighting fixture, subject to the following: A nonconforming lighting fixture shall be made to comply with the requirements of this Ordinance when such fixture is replaced, relocated or repaired.

EXHIBIT N

FENCE DETAIL



01 Fence Exhibit 'R'
 SCALE: 1/2" = 1'-0"

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EXHIBIT O

Minimum Culvert Sizing

Pronghorn:

Block A

18" Lots 14-27, 35-43,
50, 55, 70-88,
98-106
21" Lots 44-45, 89-94
24" Lots 46-47, 95-97
27" Lots 48-49, 56-57
30" Lots 58-61

Block B

18" Lots 8-39, 49-71
21" Lots 4-7, 72-75
24" Lots 1-3, 76-77

Block C

18" Lots 1-9, 30-31, 34-39
21" Lots 32-33

Block D

18" Lot 18

Muirfield:

Block A

18" Lots 1-7, 12-15, 26-31,
73-83
21" Lots 8-11, 70-72

Block B

18" Lots 8-11
21" Lots 6-7
24" Lots 1-5

Block C

18" Lots 9-12
21" Lots 7-8
24" Lots 1-6

Block D

18" Lots 1-4, 10-11, 13-14
21" Lots 5-6
30" Lot 7

Block E

18" Lots 1-4, 7-12
21" Lots 5-6

EXHIBIT P

MINIMUM SQUARE FOOTAGE & SETBACK REQUIREMENTS

Standard Utility Easements of 10' front, 10' rear, and 5' side (10' at right of way) apply to all lots.

MUIRFIELD ADDITION

BLOCK	LOT NUMBERS	MINIMUM SQUARE FOOTAGE REQUIRED	SETBACK REQUIREMENT FRONT/REAR/SIDE (FT)
Block A	Lots 1-83, inclusive	2,000	20/10/6 (20 at right of way)
Block B	Lots 1-22, inclusive	2,000	20/10/6 (20 at right of way)
Block C	Lots 1-25, inclusive	2,000	20/10/6 (20 at right of way)
Block D	Lots 1-27, inclusive	2,000	20/10/6 (20 at right of way)
Block E	Lots 1-23, inclusive	2,000	20/10/6 (20 at right of way)

PRONGHORN ADDITION

BLOCK	LOT NUMBERS	MINIMUM SQUARE FOOTAGE REQUIRED	SETBACK REQUIREMENT FRONT/REAR/SIDE (FT)
Block A	Lots 1-106, inclusive	2,800	25/10/6 (20 at right of way)
Block B	Lots 1-77, inclusive	2,800	25/10/6 (20 at right of way)
Block C	Lots 1-39, inclusive	2,800	25/10/6 (20 at right of way)
Block D	Lots 1-40, inclusive	2,800	25/10/6 (20 at right of way)
Block E	Lots 1-17, inclusive	2,800	25/10/6 (20 at right of way)
Block F	Lots 1-16, inclusive	2,800	25/10/6 (20 at right of way)

THE WYNSTONE ADDITION

BLOCK	LOT NUMBERS	MINIMUM SQUARE FOOTAGE REQUIRED	SETBACK REQUIREMENT FRONT/REAR/SIDE (FT)
Block A	Lots 1-16; 20-68 inclusive	3,500	30/30/10 (15 at right of way)
Block A	Lots 1-77, inclusive	3,500	30/40/10 (15 at right of way)

THE BEAR LAKES ADDITION

BLOCK	LOT NUMBERS	MINIMUM SQUARE FOOTAGE REQUIRED	SETBACK REQUIREMENT FRONT/REAR/SIDE (FT)
Block A	Lots 1-52, inclusive	1,800	25/10/6 (15 at right of way)
Block A	Lots 1, 15-18,43-46,51-52	1,800	25/25/6 (15 at right of way)

THE SHERWOOD ADDITION

BLOCK	LOT NUMBERS	MINIMUM SQUARE FOOTAGE REQUIRED	SETBACK REQUIREMENT FRONT/REAR/SIDE (FT)
Block A	Lots 9-30, inclusive	1,800	25/10/6 (15 at right of way)
Block A	Lots 1-8, 31-41	1,800	25/25/6 (15 at right of way)

TOSCANA ADDITION

BLOCK	LOT NUMBERS	MINIMUM SQUARE FOOTAGE REQUIRED	SETBACK REQUIREMENT FRONT/REAR/SIDE (FT)
Block A	1-26,28,44-51	2,800	30/30/10 (15 at right of way)
Block A	27.29-43	3,500	30/40/10 (15 at right of way)
Block B	1-18	2,800	30/30/10 (15 at right of way)
Block C	1-20	2,800	30/30/10 (15 at right of way)

ROARING FORK ADDITION

BLOCK	LOT NUMBERS	MINIMUM SQUARE FOOTAGE REQUIRED	SETBACK REQUIREMENT FRONT/REAR/SIDE (FT)
Block A	Lots 1-34	2,800	30/40/10 (15 at right of way)
Block A	Lots 35-38	2,000	30/30/10 (15 at right of way)
Block B	Lots 1-22	2,000	30/30/10 (15 at right of way)

THE ANNADALE ADDITION

BLOCK	LOT NUMBERS	MINIMUM SQUARE FOOTAGE REQUIRED	SETBACK REQUIREMENT FRONT/REAR/SIDE (FT)
Block A	Lots 1-28	2,800	25/10/10 (15 at right of way)
Block B	Lots 1-18	2,800	25/25/10 (15 at right of way)

THE BARRINGTON ADDITION

BLOCK	LOT NUMBERS	MINIMUM SQUARE FOOTAGE REQUIRED	SETBACK REQUIREMENT FRONT/REAR/SIDE (FT)
Block A	Lots 1-7	3,500	30/20/10 (15 at right of way)
Block A	Lots 7-12	2,800	30/20/10 (15 at right of way)
Block A	Lots 13-25	2,800	30/30/10 (15 at right of way)
Block B	Lots 1-10	2,800	30/30/10 (15 at right of way)

LA PALOMA ADDITION PHASE I

BLOCK	LOT NUMBERS	MINIMUM SQUARE FOOTAGE REQUIRED	SETBACK REQUIREMENT FRONT/REAR/SIDE (FT)
Block A	Lots 1-11	1,800	20/25/6 (15 at right of way)
Block A	Lots 12-19	1,800	20/10/6 (15 at right of way)
Block B	Lots 1-36	1,200	20/10/6 (15 at right of way)
Block C	Lots 1-9	1,800	20/25/6 (15 at right of way)
Block C	Lots 10-29	1,800	20/10/6 (15 at right of way)
Block D	Lots 1-4	1,800	20/10/6 (15 at right of way)

CASTLE PINES ADDITION PHASE I

BLOCK	LOT NUMBERS	MINIMUM SQUARE FOOTAGE REQUIRED	SETBACK REQUIREMENT FRONT/REAR/SIDE (FT)
Block A	Lots 1-13	2,800	30/30/10 (15 at right of way)
Block A	Lots 14-22	3,500	30/40/10 (15 at right of way)
Block B	Lots 1-13	2,800	30/30/10 (15 at right of way)
Block C	Lots 1-4	2,800	30/30/10 (15 at right of way)

PALISADES ADDITION PHASE I

BLOCK	LOT NUMBERS	MINIMUM SQUARE FOOTAGE REQUIRED	SETBACK REQUIREMENT FRONT/REAR/SIDE (FT)
Block A	Lots 1-4	2,000	25/25/6 (15 at right of way)
Block A	Lots 5-41	1,800	25/10/6 (15 at right of way)
Block B	Lots 1-24	1,800	25/10/6 (15 at right of way)
Block C	Lots 1-4	2,000	25/25/6 (15 at right of way)

PALISADES ADDITION PHASE II

BLOCK	LOT NUMBERS	MINIMUM SQUARE FOOTAGE REQUIRED	SETBACK REQUIREMENT FRONT/REAR/SIDE (FT)
Block A	Lots 1-3	2,000	25/30/6 (15 at right of way)
Block A	Lots 4-21	2,000	25/10/6 (15 at right of way)
Block A	Lots 22-39	2,800	25/10/10 (15 at right of way)

PALISADES ADDITION PHASE II - CONTINUED

BLOCK	LOT NUMBERS	MINIMUM SQUARE FOOTAGE REQUIRED	SETBACK REQUIREMENT FRONT/REAR/SIDE (FT)
Block B	Lots 1-16	2,000	25/10/6 (15 at right of way)
Block C	Lots 1-4	2,000	25/10/6 (15 at right of way)
Block D	Lots 1-13	2,000	25/10/6 (15 at right of way)
Block E	Lots 1	2,000	25/10/6 (15 at right of way)

GRAND CYPRESS ADDITION PHASE I

BLOCK	LOT NUMBERS	MINIMUM SQUARE FOOTAGE REQUIRED	SETBACK REQUIREMENT FRONT/REAR/SIDE (FT)
Block A	Lots 1-7	3,500	40/40/10 (15 at right of way)
Block A	Lots 8-21	3,500	30/40/10 (15 at right of way)
Block B	Lots 1-6	3,500	30/40/10 (15 at right of way)

PASADERA ADDITION PHASE I

BLOCK	LOT NUMBERS	MINIMUM SQUARE FOOTAGE REQUIRED	SETBACK REQUIREMENT FRONT/REAR/SIDE (FT)
Block A	Lots 1-2	2,000	25/25/6 (15 at right of way)
Block A	Lots 3-27	2,000	25/10/6 (15 at right of way)
Block B	Lots 1-9	2,000	25/10/6 (15 at right of way)
Block C	Lots 1-4	2,000	25/10/6 (15 at right of way)
Block D	Lots 1-3	2,000	25/25/6 (15 at right of way)
Block E	Lots 1-12	2,000	25/10/6 (15 at right of way)

PALISADES ADDITION PHASE III

BLOCK	LOT NUMBERS	MINIMUM SQUARE FOOTAGE REQUIRED	SETBACK REQUIREMENT FRONT/REAR/SIDE (FT)
Block A	Lots 1	2,400	25/25/6 (15 at right of way)
Block A	Lots 2-13	2,400	25/10/6 (15 at right of way)
Block B	Lots 1-15	2,400	25/10/6 (15 at right of way)
Block C	Lots 1-2; 5-7; 16-18	2,400	25/25/6 (15 at right of way)
Block C	Lots 3-4; 8-15; 19-39	2,400	25/10/6 (15 at right of way)
Block D	Lots 1-12	2,400	25/10/6 (15 at right of way)
Block E	Lots 1-12	2,400	25/10/6 (15 at right of way)

PALMILLA ADDITION PHASE I

BLOCK	LOT NUMBERS	MINIMUM SQUARE FOOTAGE REQUIRED	SETBACK REQUIREMENT FRONT/REAR/SIDE (FT)
Block A	Lots 1-9	2,400	25/25/6 (15 at right of way)
Block A	Lots 10-42	2,400	25/10/6 (15 at right of way)
Block A	Lots 43-57	2,400	25/25/6 (15 at right of way)
Block B	Lots 1-21	2,400	25/10/6 (15 at right of way)

PASADERA ADDITION PHASE II

BLOCK	LOT NUMBERS	MINIMUM SQUARE FOOTAGE REQUIRED	SETBACK REQUIREMENT FRONT/REAR/SIDE (FT)
Block A	Lots 1-48	2,000	25/10/6 (15 at right of way)
Block B	Lots 1-16	2,000	25/10/6 (15 at right of way)
Block C	Lots 1-5	2,000	25/10/6 (15 at right of way)
Block D	Lots 1-25	2,000	25/10/6 (15 at right of way)
Block E	Lots 1-22	2,000	25/25/6 (15 at right of way)
Block F	Lots 1-13	2,000	25/10/6 (15 at right of way)

EXHIBIT Q

MISCELLANEOUS CONSTRUCTION APPLICATION

Date submitted _____

Block # _____ Lot # _____

Permit Fee Paid: \$ _____ Date: _____

Please print the following information:

Property Owner(s): Name _____

Current Address _____ Phone # _____

City _____ State _____ Zip _____

Contractor: Name _____

Address _____ City _____ State _____

Business Phone # _____ Zip _____

The property owner and general contractor will need to submit with this application a completed list of sub-contractors or trades (See Exhibit B) that will need access to Rock Creek to perform work on this job site.

Type of Miscellaneous Construction

Fences: ___ Retaining Wall: ___ Lawn Sprinkler System: ___ Swimming Pools and Spas: ___ Installation of Propane Tank: ___ Driveways and other Flatwork: ___
Decks, Porches, or Patio Covers: ___ Satellite Dishes not over 1 meter in diameter: ___
Other (Specify): _____

Specification for Miscellaneous Construction:

Please provide a description of the proposed construction: _____

The Rock Creek Building Codes provisions apply to all construction but specific attention should be given to the following: **Please refer to Rock Creek Building Packet**

Fences: section II, I Building Code – General, BB
Retaining Walls: Section II, I Building Code – General, CC
Lawn Sprinkler System: Section II, I Building Code – General, DD
Swimming Pools and Spas: Section II, I Building Code – General, EE
Propane Tank: Section II, I Building Code – General, S
Driveways and other Flatwork: Section II, I Building code – General, P.4

I UNDERSTAND THAT:

The Architectural Control Committee (ACC) will approve or disapprove the application within forty-five (45) days of receipt of a complete application and all documentation. If the application is disapproved, the reasons for disapproval shall be given to the Applicant so corrective measures can be taken and a new application submitted.

The ACC is limited to approving applications and plans which are in compliance with all applicable regulations and codes (including without limitation, the Rock Creek Building Code) and the Covenants. Any approval granted on applications and plans, which do not meet the requirements of the Codes and Covenants shall not be deemed to be a waiver of such requirements. The ACC does not have the authority to approve variances to the regulations, codes or Covenants, that authority being vested solely in Developer.

The Applicant/Property owner (henceforth "owner") must provide the following prior to any consideration by the ACC.

- A.** This Application and Construction Rules and Regulations (Section II of the Building Packet (pages 7 through 24), completed, signed, initialed and dated by the owner and the general contractor.
- B.** Site plan professionally drawn to scale showing the following:
 - 1. Location of Miscellaneous Construction on lot.
 - 2. Existing location of house, approved outbuildings, patios, decks, sidewalks, driveways and retaining walls.
 - 3. Building set-backs and easement lines clearly identified with measurements.
 - 4. Location of Corner Pins.
 - 5. Connections to existing water line, if applicable.
 - 6. Liquid petroleum gas tank and connecting line locations to existing house or outbuilding, if applicable.

The permit/inspection fee is \$100. This fee is payable after your application is approved and prior to a building permit being issued.

The Owner is responsible for payment of fines assessed for any violation that occurs during construction. All fines must be paid to the Property Owners Association-ACC prior to the building inspector's final release.

The owner is liable for any damage to the subdivision roads, utilities, facilities, etc., which may occur as a result of his/her, or anyone in his/her employment who is working on the improvements to his/her lot.

The owner is responsible for the definition of property lines and to see that all construction and improvements are within all applicable easement and building lines and is on the proper lot.

I (owner) certify that the above information, together with the attached plot plan, building plans and specifications constitute a true description for a building permit. I further certify that I will comply with the IOTFDC, Texas State Plumbing Code, Rock Creek Construction Rules and Regulations, the applicable Covenants and all Rock Creek Rules, Regulations and Policies. I (owner) agree that failure to do so may result in suspension of my building permit. Owner will provide the name of the Title Company that will transact their closing, if required.

Rock Creek Property Owner's Association, Inc., its Board of Directors, officers, employees, agents, Architectural Control Committee members, successors and assigns and Developer, its Board of Directors, officers, committee members, employees, agents, successors and assigns hereby expressly disclaim any representation, liability, obligation, or duty in connection with the proposed construction, including without limitation any warranty, either express or implied, of habitability, suitability, fitness for purpose, safety, compliance with applicable laws or restrictive covenants, or the effect of the proposed construction upon any surrounding property. By the execution and delivery of the application, the owner and/or applicant expressly covenants and agrees to indemnify and hold harmless Rock Creek Property Owner's Association, Inc., its Board of Directors, officers, employees, agents, Architectural Control Committee members, successors and assigns and Developer, its Board of Directors, officers, committee members, employees, agents, successors and assigns from any cost, loss claim liability, damage, expense, or other obligation arising out of, related to, or in any way connected with the construction proposed herein or the effects thereof, including without limitation any claim by any person or entity that such construction (a) fails to meet the requirements of any applicable law or restrictive covenants, (b) is unsafe or unsound, or creates a nuisance or other dangerous condition, or (c) adversely or improperly affects the drainage of water on, across, or under the property in question or any surrounding property.

AFTER THIS APPLICATION HAS BEEN APPROVED BY THE ARCHITECTURAL CONTROL COMMITTEE, I MUST REQUEST INSPECTION BY THE BUILDING INSPECTOR AT WHICH TIME I WILL RECEIVE A CONSTRUCTION PERMIT TO BEGIN CONSTRUCTION. NO CONSTRUCTION MAY BE STARTED BEFORE A PERMIT IS ISSUED.

Property Owner: _____ Date: _____
(printed name)

Property Owner: _____
(signature)

General Contractor: _____ Date: _____
(printed name)

General Contractor _____
(signature)