

TIMBERGATE HOMEOWNERS ASSOCIATION, INC.

C/O LJ Services Property Management

P.O. Box 6406 Katy, Texas 77491

**RESOLUTION OF ARCHITECTURAL CONTROL GUIDELINES AND USE
RESTRICTIONS FOR LAWN MAINTENANCE**

WHEREAS, the Board of Directors of the Timbergate Homeowners Association, Inc. (the "Association"), held a Board of Directors' meeting on November 22, 2005, and

WHEREAS, the Board of Directors for the Association has reviewed and analyzed the initial set of Supplemental Declaration of Covenants, Conditions and Restrictions created and adopted on July 18, 1996, and recognized its inadequacies with regard to explaining the specific criteria for the proper upkeep and maintenance of yards, lawns and landscaping; and

WHEREAS, the Board of Directors sought to create an Architectural Control Guideline and Use Restriction for the Association in an effort to rectify the inadequacies contained therein; and

WHEREAS, during the course of business, a vote of the Board of Directors was taken to create an Architectural Control Guideline and Use Restriction, pursuant to the Texas Non-Profit Corporation Act, Art. 204.010.(18)(A)(B), such that the Architectural Control Guideline and Use Restriction, attached hereto as Exhibit "A" and incorporated herein for all purposes;

WHEREAS, upon review of the votes for the above Architectural Control Guideline and Use Restriction, it was determined that the attached addition to the Association's Supplemental Declaration of Covenants, Conditions and Restrictions were passed by a vote of the Board of Directors; NOW, THEREFORE,

BE IT RESOLVED, that the Association, acting by and through its Board of Directors, adopts this Architectural Control Guideline and Use Restriction of Timbergate Homeowners Association, Inc., that was voted upon and approved by the Board of Directors; and

BE IT FURTHER RESOLVED, that a true and correct copy of the newly adopted Architectural Control Guideline and Use Restriction of Timbergate Homeowners Association, Inc., shall be filed in the real property records of Harris County, Texas.

The resolution was adopted by the Board of Directors on November 22, 2005.

IN WITNESS WHEREOF, the undersigned have executed this Resolution the 22nd day of November, 2005.

Michael Dale

Michael Dale

[Signature]

Robert Dunlap

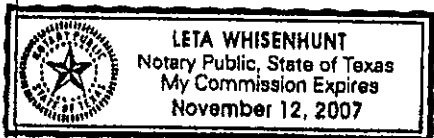
Kenneth Chibuogwu

Kenneth Chibuogwu

[Signature]

Gerardo Hurtado

SIGNED AND SWORN TO BEFORE ME, by Michael Dale, Robert Dunlap, Gerardo Hurtado and Kenneth Chibuogwu, this the 22nd day of November, 2005.



Leta Whisenhunt

Leta Whisenhunt
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

RP 056-74-1819

EXHIBIT "A"

TIMBERGATE HOMEOWNERS ASSOCIATION, INC.

Unanimous Written Consent of Directors

WE, THE UNDERSIGNED, being all of the Directors of the Timbergate Homeowners Association, Inc., a Texas non-profit corporation (the "Association"), named as such in the Articles of Incorporation of the Association, pursuant to Article 1396-9.10 of the Texas Non-Profit Corporation Act, do hereby unanimously and severally vote for, adopt, approve and consent to the following resolutions and the actions contemplated thereby.

BE IT RESOLVED, that the following restrictions be met for proper upkeep and maintenance of yards, lawns and landscaping.

1. Landscaping (defined as living plants, trees, shrubs, flowers, etc., and utilization of non-living material necessary for growth, e.g., bark, mulch, etc.) is generally not subject to ACC review except in circumstances wherein such landscaping is intended to accomplish a structural objective, such as a hedge or a visual barrier, or is visually objectionable, not in harmony with the surrounding neighborhood, or is specifically referenced in the Declaration or these Guidelines and Use Restrictions.
2. Lot owner(s) are responsible for the upkeep and appearance of front and side yards, including, but not limited to, the portion of the street right-of-way between the property line and the street curb.
3. Lawns are required to be sodden with St Augustine, Bermuda or Rye grasses. Other types of grass are subject to ACC approval.
4. Planting bed(s) are not to exceed fifty (50) percent of a front yard(s) total area.
5. Planting bed edging is not required, but encouraged for maintenance purposes and to define the shape of planting bed(s). Plastic, corrugated aluminum, wire wicket and railroad ties are not in character with the desired landscaping effect and are prohibited. Acceptable and approved edging is, but not limited to, ryerson steel, brick set in mortar, horizontal or vertical timbers and landscaping stones.
6. The use of gravel, rock or specification boulders in planting beds is prohibited without ACC approval.
7. Landscape projects should take into account the effect on drainage from resident property and adjacent properties.

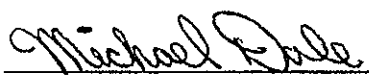
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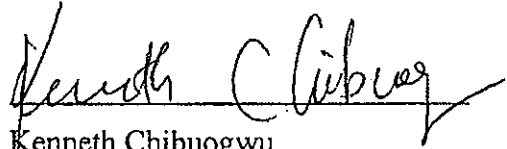
- 9. All bordering and edging around trees and mailboxes must be planted in-ground or follow Guidelines for planting bed edging contained herein. All bordering along driveways, sidewalks and pathways must be planted in ground.
- 10. Planting beds and front lawns are required to be properly irrigated, fertilized, pruned and kept free of weeds.
- 11. Potted plants placed in areas and/or locations other than the front porch shall be of a uniform size, shall be limited to six (6) in number, shall not exceed fifteen (15) gallons in size, and must be positioned in a pleasing and organized manner.
- 12. Trellises, window boxes, arbors, and permanent brick borders that are visible must have ACC approval.
- 13. No object or thing which obstructs sight lines at elevations between two (2) and six (6) feet above the surface of the streets within the triangular area formed by the curb line of the streets involved and a line running from curb line to curb line at points twenty-five (25) feet from the junction of the street curb lines shall be placed, planted or permitted to remain on any corner Lots.

IN WITNESS OF our unanimous vote for, approval and adoption of, and consent to the foregoing resolution, we have executed this Written Consent, to be effective upon the 22nd day of November, 2005. This document may be executed in any number of counterparts, each of which shall for all purposes be deemed an original, and all such counterparts shall constitute one and the same document.

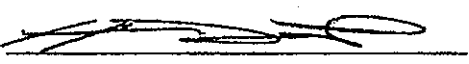
EXECUTED, this the 22nd day of November, 2005.



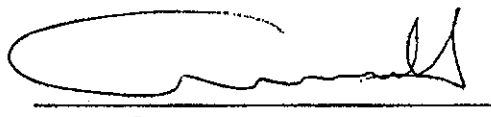
Michael Dale



Kenneth Chibuogwu



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Gerardo Hurtado