

4/CS



Rocky Creek Maintenance Corporation

Architectural Design Standards and Guidelines

Affidavit

The following is a list of guidelines, put together by the Architectural Control Committee (ACC) and approved by the Board of Directors to allow standardization of expectations in the process of building a house in Rocky Creek Ranch Subdivision. This is an attempt to summarize all the things that have come up in the past and might possibly be an issue in the future. If you have any issue with these guidelines, Please call or e-mail your concerns to: Phone/Fax - (830) 935-4016 E-mail - rcmc@rockycreektexas.org

Guidelines for construction

1. Design and Construction plans, including a Plat showing the location of the structure on the lot which indicates setback from the property lines, must be submitted to our secretary: Phone/Fax - (830) 935-4016 E-mail - rcmc@rockycreektexas.org or US Mail to: RCMC, 2005 Rocky Ridge Loop, Canyon Lake, TX 78133.
2. New construction homes on any lot must provide, to the ACC, a form survey prior to pouring concrete. This survey will ensure that the proposed site of the new home is not in any easements or setbacks prior to pouring. No part of the home, including the roof overhang, can be within the easement or building setback without the proper release of easement or in the case of a building setback encroachment, the approval in writing by the Texas Department of Transportation AND Comal County for setbacks along FM-484; and must first be approved in writing by Comal County for setbacks along any county road.
3. Early submission is recommended, the ACC has up to 30 days to accomplish review and approval. The approval must be received back **BEFORE START OF CONSTRUCTION**.
4. Only one Single Family Residence (SFR) is permitted on each lot, and the home must have no Less than 1250 sq. ft. of heated/cooled living space, excluding porches, breezeways, carports, patios and garages.
5. Under ordinary topographical circumstances the building will be required to be set back 25 feet from roadways bordering the tract. Any deviation from this must first be approved in writing by the Texas Department of Transportation AND Comal County for setbacks along FM-484; and must first be approved in writing by Comal County for setbacks along any county road.
6. All raised foundations with exposed posts or beams must be covered with a solid surface. I.e. Pier & Beam, Prefab/Modular homes. **This excludes** raised porches/decks.
7. No Garage or Temporary structure will be built, prior to construction of house.
8. Phases 1 – 10 have a 5 ft. water line and utility easement is hereby reserved on the front, back and sides on each lot.
9. Phases 11-16 have a 10 ft. water line and utility easement is hereby reserved on the front, back and sides on each lot.
10. Construction must be completed within 14 months after foundation is laid.
11. The tie-in of driveways and streets must be approved by Comal County as does the installation of all septic systems.

12. Lots fronting FM Road 484 must have written approval From TXDOT (Department of Transportation) for direct access. Contact Driveway Inspector, TXDOT @ (830) 609-0707
13. Builders/Contractors/Workers/Lot Owners are not to trespass on other properties during construction and/or remodeling of a home.
14. Portable Toilets must be provided during construction of homes. Construction begins, whenever the foundation forms or construction material is delivered to the site, whichever comes first.
15. Trash Removal facilities must be provided during construction and promptly removed upon completion of construction. If trash blows onto adjacent property, it is your responsibility to clean it up. No lot shall be used or maintained as a dumping ground for rubbish.
16. No manufactured homes are permitted. This includes mobile homes, doublewides, and house trailers.

A manufactured home is defined as a structure built on a permanent chassis, designed for use as a dwelling with or without a permanent foundation, when the structure is connected to the required utilities, transportable in one or more sections.

17. **For Removal on easements**, a letter and a copy of the survey must be submitted to the Comal County Commissioner's Office to the Attn: of the County Engineer requesting a removal of the easement from the plat.
18. **For Release on easements**, a letter and a copy of the survey must be submitted to each utility company requesting the release from their (the utility company) easement. Any application for construction and/or Driveways which will encroach or be in an easement must be able to produce the appropriate release of easements if requested.
19. In Phases 1 – 13, new modular homes may be moved onto a tract only with the express prior approval of the ACC.

A modular home is defined as a structure designed for the occupancy of one or more families*, that is constructed in one or more modules or constructed using one or more modular components built at a location other than the permanent site; and designed to be used as a permanent residential structure when the module or the modular component is transported to the permanent site and erected or installed on a permanent foundation system.

*Only single family residences are permitted.

20. In Phases 14 – 16 No Modular homes are permitted.
21. Speed Limits must be strictly adhered to. No excessive noise (such as loud radios) and no profanity.
22. Building on adjacent lots - In accordance with the Texas Property Code, an owner of a property containing a residence may use an adjacent owned lot for residential purposes to include the construction of buildings, structures, fences, and other improvements customarily accompanying a residential property.

Prior to any construction, the owner must submit design and construction plans to the ACC as stated above in Paragraph 1.

Subsequent Sale of Lots:

A. Upon the sale of the lot containing the residence, the owner may:

1. include the adjacent lot in the sales agreement and transfer the lot to the new owner under the same dedicatory conditions; OR
2. or the HOA may require the owner to restore the adjacent lot to the original condition before the addition of the improvements, to the extent that the lot would again be suitable for the construction of a separate residence. **This may include the complete removal of any buildings and improvements.**

B. The adjacent lot may be sold separately only for the purpose of the construction of a new residence that complies with existing requirements in the dedicatory instruments unless the lot has been restored as described above.

The owner must submit a notarized statement, provided by the Association, agreeing to the above conditions before approval of the plans can be granted.

IN WITNESS WHEREOF, the undersigned has executed this certificate on the 3rd day of Dec, 2024.

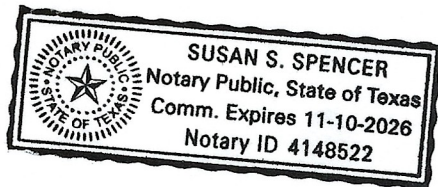
Lori Steed

Signature

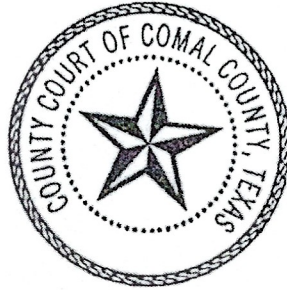
STATE OF TEXAS
COUNTY OF COMAL

BEFORE ME, the undersigned Notary Public on the 3rd of December, 2024, by Lori Steed, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes of consideration therein expressed, on behalf of said corporation.

This instrument was given to me under my hand and seal of this office this 3rd day of December, 2024.



Susan S. Spencer



This page has been added to comply with the statutory requirement that the clerk shall stamp the recording information at the bottom of the last page.

This page becomes part of the document identified by the file clerk number affixed on preceding pages.

Filed and Recorded
Official Public Records
Bobbie Koepp, County Clerk
Comal County, Texas
03/04/2025 01:46:17 PM
TERRI 4 Page(s)
202506006056



Bobbie Koepp