



SPOUT SPRINGS

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CONTACT

Please direct any questions in reference to building or the construction of homes within

Spout Springs to:

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SPOUT SPRINGS BUILDING PACKET

Section I

GENERAL

A. INTRODUCTION: The Architectural Control Committee (ACC) of Spout Springs Property Owners' Association, Inc. ("POA") welcomes your interest in Spout Springs. The

Declaration of Covenants and Restrictions for Spout Springs (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 Spout Springs. Furthermore, the Covenants specify certain building parameters. The Regulations, Code and Covenants are all applicable to any construction in Spout Springs 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. Spout Springs, LLC. ("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 Spout Springs Administration office at 214-356-2125 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 J, Application for Builder Approval.(approval process to approve a builder)
2. Letter of credit from banker
3. 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 not less than 40 percent masonry

Concrete Roofing

Plumbing Flooring

Lumber Furnishings, Fixtures & Equipment

Electrical Landscaping

HVAC

6. 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

Note: The developer reserves the right to request personal credit reports and financial statements. 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.

1. Electrical Service: When you are ready to build call OnCor Electric 888-313-4747 and apply for service. Ask the Co-op for the cost of required underground service to your house.

2. Water Connections: When you are ready to build, contact SouthWest Water 866-654-7992 for your water meter. You will need to fill out an application and pay a water tap fee to get a water meter set. Make sure to advise your plumbing contractor of the following issues:

(a) Water meters will be placed at front lot..

(b) Plumbing contractors should furnish a separate water disconnect just before water service enters house.

(c) 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. Sewer contact approved site evaluator for Grayson County sanitarium they will create your sewer site plan to be viewed by ACC.

(a)Sewer stub out cannot be more than eighteen (18) inches below final grade of the yard.

(b) Drinking water service lines may not be any closer than nine (9) feet from any part of the sewer tank or lines.

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.

The POA asks that you notify the office of your mailing address once Spouts Springs Post Office number is assigned by completing Exhibit I. We hope this information will assist you in planning and completing your residence at Spouts Springs.

BUILDING CODE, CONSTRUCTION RULES & REGULATIONS

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 Spout Springs 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 applies 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, solar panels or any structural accessory thereto, including holes for geothermal units or any other underground work. All solar options need to be approved by ACC.

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: Single-family dwelling 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.

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. 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 Spout Springs.

G. 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 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.

H. MINIMUM DWELLING SIZE: The minimum dwelling size is 2200 sq. ft.

Covenants. Refer to Exhibit P of this packet.

I. CONSTRUCTION REQUIRING PERMITS:

1. Lot Clearing: Lot clearing and site preparation for building purposes shall require an application permit. Hand clearing shall not require a permit. However, no trees of a 8-caliper-inch or greater may be removed prior to receiving a permit.
2. 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)All buildings go thru ACC.
 - (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 buried propane tank
 - (6) Driveways and all flatwork
 - (7) Decks, porches, or patio covers

J. APPLICATION FOR BUILDING PERMIT issued and approved by ACC. An application for the issuance of a building permit should be prepared according to the requirements and guidelines below.

- a) Exhibit A, Site Built Home Application
- b) Exhibit B, Building Permit Checklist
- c) Exhibit C, Executed Agreement to Comply with Landscape Minimum Monetary Provision

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) House location on lot with finished floor elevation indicated on plan.
- (2) Patios, decks, sidewalks, and driveways. If retaining walls are shown, please specify height and material type.
- (3) Building set-backs and easement lines clearly identified with measurements.
- (4) Driveway culvert location(s) with driveway being a minimum of 15' wide. Culvert size & flow direction must be designed by registered engineer and be consistent with the drainage design prepared for the subdivision.
- (5) Location of Corner Pins.
- (6) 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.

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) non needed if the lot already has trees in the front. 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. All native areas of lot do not require sprinkler system. Spout Springs allows and encourages Native landscaping. Prior to construction you may underbrush, mow and groom property.

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.

K. BUILDING PERMIT DOCUMENT REVIEW: Upon completion of the above referenced material, this information should be submitted to the ACC Office. The ACC 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 will be comment or approved within 5 days of submission. 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.

L. 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. No clear cutting of lots.
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.
8. Install string line on all property boundaries for proper set backs.

M. FOUNDATIONS, SLABS, FLATWORK AND FOOTINGS: All foundations, slabs and footings shall be constructed according to Spout Spouts requirements and the IRC. All foundations must be stamped licensed structural engineer.

1. Prevention Issues:

(A) 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. 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 15 foot. Stone masonry headwalls should be present at each end of the culvert matching the subdivision standards.

(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.

N. Septic Systems:

1. Septic system permit required and approved by Grayson County.

O. LIQUID PETROLEUM GAS TANKS: The installation of liquid petroleum gas tanks are permitted within Spout Springs development. Tanks must be installed underground by a licensed installer in accordance with the Covenants and the Texas Railroad Commission rules and regulations.

P. ROOFING MATERIALS: All roofing material must be submitted to the ACC for approval and may require submission of sample of the material or photos. No less than 30 year composition shingles.

Q. ROOF PITCH: roofing to be approved by the ACC.

R. 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.

S. 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 front of the road.

AA. 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 should be approved by the architectural control committee. Steel post and 3 split metal rail fencing in the front to include matching gate per HOA design. Back fence metal post with "TRAC" privacy rail fencing system, with infill $\frac{7}{8}$ cedar dark walnut stain design. 8ft height for all back fences. ACC can approve no fence in back if the owner is keeping trees for a natural boundary. Fencing requirement needs to be illustrated on the site plan.
- f) Height: Fences and walls are limited to a height of eight (8) feet.

2. Privacy Enclosures:

- a) Limited Usage: Privacy enclosures may be constructed in accordance with the Covenants and approved by the ACC.
- b) Height: Privacy fences shall not exceed a maximum height of eight (8) feet.
- c) Privacy Enclosures: approved by ACC.

BB. 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, sprinkler systems 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.

CC. SWIMMING POOLS AND SPAS: All swimming pools and spas shall be installed in accordance with State and County guidelines. Swimming pools must be enclosed with a code-approved fence.

DD. 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.

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 Spout Springs 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 Spout Springs.

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 Spout Springs 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 Spout Springs 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) SPEED LIMITS: Unless otherwise posted, Spout Springs has a speed limit of twenty-five (25) 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 Spout Springs.

D) CONCRETE TRUCKS: Trucks shall “wash out” only on the lot where concrete has been poured. No “wash out” is allowed on any other Spout Springs property.

E) TRASH AND BUILDING MATERIAL: Brush cleared off a lot must be removed. The contractor shall provide a dumpster for proper disposal of trash on the building site. Trash may not be disposed at Spout Springs. Developer receptacle or in any Spout Springs burn pit area. No burying of construction trash material is allowed on any job site, lot, or POA or Spout Springs property. All trash must be removed from the building site at reasonable intervals. If the accumulation of trash is excessive, the contractor may be directed by the ACC 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 Spout Springs property.

F) WARMING BARREL: The use of construction site warming barrels on Spout Springs 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) 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.

G) 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. Foundation placement of concrete in early morning hours is permitted but ACC needs to be called and scheduled prior to pour.

H) 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.

I) 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).

3) 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.

Subcontractors are not permitted to post signs on the Property.

J) 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.

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 Spout Springs 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:

OWNER

BUILDER

COVENANTS AND RESTRICTIONS _____

RULES AND REGULATIONS _____

GENERAL BUILDING CODE &
INSPECTION SYSTEM _____

OWNER (SIGNATURE) _____ BUILDER
(SIGNATURE) _____

PHONE NUMBER _____ PHONE NUMBER

EXHIBIT A

ARCHITECTURAL CONTROL COMMITTEE

SPOUT SPRINGS
SITE BUILT HOME APPLICATION

Date submitted _____
Block # _____ Lot # _____ Subdivision _____
Heated/Cooled floor space _____ sq.ft.
*Total under-roof floor space _____ sq.ft.

Minimum Square Footage required by Covenants and Restrictions is 2200 sq. ft. living area

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 _____

Business Phone # _____

Zip _____

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 = $B/A \times 100 =$ _____ % (%Masonry required by Covenants and Restrictions:40%)

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, Spout Springs 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 moving into structure.

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, Spout Springs Construction Rules and Regulations, the Covenants and all Spout Springs Rules, Regulations and Policies. I (owner) agree that failure to do so may result in suspension of my building permit.

Spout Springs 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 to 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 Spout Springs 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

Spout Springs

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.

TRADE NAME LICENSE NO. ADDRESS/PHONE

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 _____
Flooring _____
Others _____

Builder (sign): _____

Company Name: _____

Date: _____

EXHIBIT C

ARCHITECTURAL CONTROL COMMITTEE

Spout Springs 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.

- _____ 5. Professional landscaping plan and cost breakdown
- _____ 6. Exhibit A, Site Built Home Application must be completed, signed, initialed, and dated by the owner and general contractor and building permit fee paid.
- _____ 7. Exhibit B, List of Sub-contractors and Trades
- _____ 8. Exhibit C – Building Permit Checklist
- _____ 9. Exhibit E – Agreement to Comply with Landscape Minimum Monetary Provision
- _____ 10. Exhibit F – Agreement to Comply with Front Façade Architectural Enhancement Provision
- _____ 11. Exhibit G - Notice of Spout Springs Address.

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

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

EXHIBIT D

ARCHITECTURAL CONTROL COMMITTEE

Spout Springs

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 Spout Springs 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

Spout Springs

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 Spout Springs Subdivision. The cost to landscape the front yard, as indicated above, represents approximately 3 % 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 Spout Springs 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 to front of property. 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.

If a property owner takes possession of property without landscaping on front and sides. A \$4000.00 deposit is required upon occupying the property.

This amount will be deposited into Spout Springs 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: _____ Builder: _____

(Printed) (Printed)

Signature: _____ Signature: _____

Dated: _____ Dated: _____

EXHIBIT F

ARCHITECTURAL CONTROL COMMITTEE

Spout Springs

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 Spout Springs 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 Spout Springs 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 forty percent(40%) of the total exterior other than windows, doors and glassed areas, consists of masonry construction of brick, stone, fieldstone or native types of stone veneer. EIFS is not approved.

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: _____ Builder: _____

(Printed) (Printed)

Signature: _____ Signature: _____

Dated: _____ Dated: _____

EXHIBIT G

ARCHITECTURAL CONTROL COMMITTEE

Spout Springs

TO: Prospective Resident at Spout Springs

FROM: Property Owners Association

Upon completion of your home or assignment of Post Office box at Spout Springs (#_____). Please return this

form to the POA office at:

Spout Springs

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 H

ARCHITECTURAL CONTROL COMMITTEE

Spout Springs

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 I

ARCHITECTURAL CONTROL COMMITTEE

Spout Springs

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 I

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:

Sole Proprietorship

General Partnership

Limited Partnership

Corporation

BANK REFERENCES

Include banks where you are an approved builder or have construction financing.

Name Contact Phone Fax

1. _____

2. _____

CONSTRUCTION HISTORY

List of 4 residences constructed during the last four (4) years OF \$250,000.00 or more in value

Address Value Name of Owner Phone # of Owner

Construction Period (length of time)

Warranty

Issued (length of time)

You may type this information on a separate page

COMPANY AND OWNER EXPERIENCE

1. How many years have you been in the building business? _____
2. Check all that applies: Build Remodel Residential Commercial 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? Yes No If yes, list all names used within the last 2 years: _____

DECLARATIONS

If you answer "Yes" to any questions a through e, please explain in writing

- a. Are there any outstanding judgments against you?
- b. Have you declared bankruptcy within the last three (3) years?
- c. Have you had property foreclosed upon or given title or deed in lieu thereof in the last 4 years?
- d. Are you a party in a lawsuit?
- 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
- f. Are you a U. S. Citizen?
- g. Are you a permanent resident alien? If "yes" provide proof.

REQUIRED DOCUMENTS

The following documents must be attached:

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)

If required by the Spout Springs community, the general contractor will provide a performance bond issued in favor of the Spout Springs in an amount up to \$100,000.

REQUIRED SIGNATURES

The builder/general contractor, as an individual and an officer of the building company, hereby authorizes the Architectural Control Committee of Spout Springs to make any normal inquiries, 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 J

Spout Springs

OUTDOOR LIGHTING ORDINANCE

All outdoor lighting shall not be directed into neighboring structures windows or glass doors.

ation 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 K

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 Spout Springs Building Codes provisions apply to all construction but specific attention should be given to the following: Please refer to Spout Springs Building Packet

Fences

Lawn Sprinkler System

Swimming Pools and Spas

Propane Tank

Driveways and other Flatwork

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, 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 (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, and driveways.
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 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, Spout Springs Construction Rules and Regulations, the applicable Covenants and all Spout Springs Rules, Regulations and Policies. I (owner) agree that failure to do so may result in suspension of my building permit.

Spout Springs 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 Spout Springs

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.