

Denton County
Juli Luke
County Clerk

ORIGINAL

Instrument Number: 86345

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AMENDMENT

Recorded On: July 18, 2017 09:01 AM

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***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
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Receipt Number: 20170718000126
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STATE OF TEXAS
COUNTY OF DENTON

I hereby certify that this Instrument was FILED in the File Number sequence on the date/time
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Juli Luke
County Clerk
Denton County, TX

After recording, return to:
Montalcino Residential Community, Inc.
c/o Essex Association Management, LP
Attention: Ron Corcoran
1512 Crescent Drive, Suite 112
Carrollton, Texas 75006

STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF DENTON §

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR MONTALCINO ESTATES (this "Amendment") is made and entered by CTMGT MONTALCINO, LLC, a Texas limited liability company (the "Declarant"), as of the 10th day of July, 2017.

WHEREAS, the Declarant was the Owner of the Property (as defined In the Original Declaration) and CTMGT Land Holdings erroneously executed the Original Declaration as “Declarant;”

WHEREAS, the Declaration affects all of the real property and improvements located within land described on that certain subdivision plat entitled “Montalcino Estates”, which plat was recorded as Document No. 2012-220, in the map or plat records of Denton County, Texas and any map or plat of the real property to be included as part of the subdivision known as “Montalcino Estates” (the “Property”);

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Property, and thereby, and in accordance with Section 209.0041 of Chapter 209 of the Texas Property Code (the Texas Residential Property Owners Protection Act), pursuant to the rights reserved by Declarant under the Declaration (including, without limitation, Section 8.03 thereof), Declarant has the right to unilaterally amend the Declaration; and

WHEREAS, Declarant desires to amend and modify certain covenants, conditions and restrictions set forth in the Declaration, and ratify and affirm the Original Declaration, as amended and modified by the Supplement and by this Amendment, as more specifically provided in this Amendment.

NOW, THEREFORE, the Declarant does hereby amend the Declaration as follows:

1. Defined Terms. Unless otherwise defined in this Amendment or the context otherwise requires, each term used in this Amendment with its initial letter capitalized which has been specifically defined in the Declaration shall have the same meaning herein as given to such term in the Declaration.

2. Amendment(s) to Supplement. Paragraphs 1, 2, 4, 5 and 6 of the Supplement are hereby deleted in their entirety. Declarant hereby confirms there was a numbering error in the Supplement and no Paragraph 3 was included therein.

3. Amendment(s) to Declaration. The Declaration is hereby modified and amended as follows:

a. The definition of "Plat" as set forth in the Declaration is hereby modified and amended to read in its entirety as follows:

"Plat" means (i) Montalcino Estates Phase One, a subdivision located in Denton County, Texas, according to the map or plat recorded as Document No. 2012-220, in the Official Map/Plat Records of Denton County, Texas (the "Phase One Plat"); (ii) any map or plat of the real property to be included as part of the subdivision known as "Montalcino Estates" as described and/or depicted on Exhibit C (the "Future Phases"); and any amendments thereto as per Exhibit C-1.

b. Section 2.27 Use is hereby modified and amended to add the following after the last sentence thereof:

"No building or other structure shall be erected, altered, placed or permitted to remain on any Lot other than one (1) detached single-family residence per Lot, which residence may not exceed two and one half (2 ½) stories in height. "

c. Section 2.33 Construction Activities is hereby modified and amended to add the following after the last sentence thereof:

"Construction of any residence shall be pursued with all due diligence and, in any event, shall be completed within twelve (12) months after commencement. Construction of any other Improvement shall be completed within the time periods specified in the plan approval process. All areas under construction shall be

maintained in a clean, safe condition and debris, trash and rubble shall be stored in appropriate containers and promptly removed from the Property.”

- d. Article II is hereby modified and amended to add a new Section 2.39 as follows:

“Section 2.39 Mailboxes and Address Blocks. Individual mailboxes (if permitted) and cluster mailboxes shall be standardized throughout Montalcino Estates and shall be constructed in accordance with the Design Guidelines. An address block shall be installed on the front facade of each residence. If permitted by the United States Postal Service, residences may maintain individual brick mailboxes constructed in accordance with the Design Guidelines and any requirements of the United States Postal Service or governmental authority, which individual brick mailboxes shall serve a particular residence constructed on a Lot. Unless otherwise permitted by the United States Postal Service, mailboxes for Lots shall be cluster mailboxes of a standardized design approved in writing by the Architectural Control Committee prior to installation and shall conform to any applicable requirements of the City, the United States Postal Service or other applicable governmental authority, and shall be constructed in accordance with applicable Design Guidelines.

“In the event that any cluster mailbox installed in the subdivision requires maintenance, replacement or repairs, such maintenance, replacement and/or repairs shall be performed by the Association and the costs and expenses incurred by the Association in connection therewith shall be charged on a pro rata basis (based on the total number of mailbox units within such cluster mailbox) as a special individual assessment to the Owners with mailbox units within the cluster mailbox that has been maintained, repaired and/or replaced.”

- e. Article II is hereby modified and amended to add a new Section 2.40 as follows:

“Section 2.40 Minimum Floor Area. The total air-conditioned living area of the main residential structure constructed on each Lot, as measured to the outside of exterior walls, but exclusive of open porches, garages, patios and detached accessory buildings shall be in accordance with any and all applicable zoning and/or subdivision ordinances or regulations, but in no event shall be less than 3,400 square feet, with sixty percent (60%) of the overall livable square footage located on the first floor of a residence.”.

- f. Section 5.06 Working Capital Assessment of the Declaration is hereby reaffirmed by Declarant as such Section 5.06 was drafted in the Original Declaration.

- g. Section 6.02(c) is hereby modified and amended to add the following after the last sentence thereof:

“The initial Design Guidelines as adopted by Declarant shall be attached hereto as Exhibit E.”

h. Section 8.03 of the Declaration is hereby modified and amended replace reference therein to “...at least seventy percent (70%) of the number of votes entitled to be cast by members of the Association.” with “at least sixty-seven percent (67%) of the number of votes entitled to be cast by members of the Association.” so as to be consistent with Section 209.0041 of Chapter 209 of the Texas Property Code (the Texas Residential Property Owners Protection Act.

i. Section 9.01 Right of Ingress and Egress is hereby modified and amended to add the following after the last sentence thereof:

“Furthermore, Declarant hereby reserves the right of the Association through its Board, to allow access through the Private Streets within the Property to individuals who may not be Members of the Association.”

j. Section 9.03 Utility Easements is hereby modified and amended to add the following after the last sentence thereof:

“Existing utilities and utility easements are located throughout Montalcino Estates. Prior to commencing construction, Owners are responsible for locating and avoiding existing water, sewer, electrical and other utility lines or building over utility easements. It is the responsibility of the Owner to repair or replace existing utilities damaged during work on his or her Lot. Each residence in Montalcino Estates must be serviced with an “Aerobic Septic System”. Such system must be properly licensed and permitted and on periodic maintenance contract as required by State and local law.”

k. The Declaration is hereby modified and amended to add Exhibit “E” attached hereto as a new Exhibit “E” to the Declaration.

4. No Other Effect. Except as expressly modified, amended and supplemented by this Amendment, the terms and provisions of the Declaration are not amended, modified or supplemented, and the Declaration, as modified, amended and supplemented hereby, is hereby amended as provided herein.

5. Ratification. The Declarant hereby ratifies and affirms the Original Declaration, as modified and amended by the Supplement and this Amendment in its entirety.

6. Severability. Invalidation of anyone provision of this Amendment by judgment or court order shall in no way affect any other provision of this Amendment or the remainder of this Amendment which shall remain in full force and effect. Furthermore, in lieu of each such illegal, invalid, or unenforceable provision, there shall be added automatically as a part of this Amendment a provision as similar in terms to such illegal, invalid, or unenforceable provision as may be possible and be legal, valid, and enforceable.

7. Headings. The headings contained in this Amendment are for reference purposes only and shall not in any way affect the meaning or interpretation of this Amendment.

REMAINDER OF PAGE LEFT BLANK - SIGNATURE PAGE FOLLOWS

EXECUTED to be effective as of the date written above.

DECLARANT:

CTMGT MONTALCINO, LLC,
a Texas limited liability company

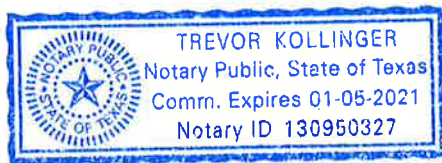
By: Centamtar Terras, LLC,
a Texas limited liability company
its Manager


By: CTMGT, LLC,
a Texas limited liability company
its Manager

By: 
Merhdad Moayedi, Manager

STATE OF TEXAS §
 §
COUNTY OF Dallas §

This instrument was acknowledged before me on the 13 day of July, 2017, by Merhdad Moayedi, the Manager of CTMGT, LLC, a Texas limited liability company, the Manager of Centamtar Terras, LLC, a Texas limited liability company, the Manager of CTMGT MONTALCINO, LLC, a Texas limited liability company, on behalf of said entity, and in the capacity herein stated.




Notary Public, State of Texas

Attachments:

Exhibit "E" – Design Guidelines

Exhibit “E”

TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR MONTALCINO ESTATES

Design Guidelines

PART ONE: LANDSCAPING, FENCES AND EXTERIOR ELEMENTS

SECTION 1.1 LANDSCAPING:

Upon completion of each residence, each residence must comply with the landscaping requirements of the Declaration and any applicable Town of Flower Mound ordinances and Association Rules. Notwithstanding compliance with the foregoing, the following landscape elements shall be installed and requirements satisfied prior to occupancy of the residence:

- 1.1.1 Sod: Each residence shall have full sod installed for the 100% of the front, rear and side yards where there are no landscaping beds. Side, front and back yard areas shall be 100% irrigated.
- 1.1.2 Trees: A minimum of four (4) trees with a caliper of at least four inches (4”) measured at a point six inches (6”) above ground level and 10 to 12 feet in height at the time of planting shall be placed in the front yard of each lot. Each Owner shall be responsible for maintenance and preservation of trees located on their property and shall promptly replace dead trees within thirty (30) days of loss occurrence when favorable planting weather exists or sixty (60) days unless otherwise noticed by the ACC or compliance division. *The city may have a tree ordinance or tree preservation ordinance in place. Owner should check with the city before removing or replacing a tree.*
- 1.1.3 Shrubbery and Planting Beds: Landscaping should consist of a combination of sodded turf areas and bed areas containing shrubs and ground cover. Large expanses of mulch or bed areas without substantial shrub or groundcover plantings are unacceptable. Stone or gravel mulch with harsh, unnatural or high contrast colors is prohibited. The Owner shall be responsible for the maintenance a preservation of the shrubs and planting bed, and shall promptly replace dead shrubbery within thirty (30) days of loss occurrence when favorable planting weather exists or sixty (60) days unless otherwise noticed by the ACC or compliance division.

SECTION 1.2 FENCES: Fencing shall be of brick, stone, metal, cedar or a combination of same and require ACC approval. All fencing and pool barriers shall meet the City’s Pool Code.

- 1.2.1 No fence, walk gate, driveway gate, wall or hedge shall be erected, placed or altered on any Lot without the prior written approval of the ACC. No fence, wall or hedge shall be erected, placed or altered on any Lot nearer to any street than the minimum building setback line indicated on the Plat, unless otherwise permitted by the ACC and in accordance with the requirements of the City. No fence may be installed upon any public sidewalk, Common Areas or pedestrian easement, unless approved by the ACC.
- 1.2.2 Front Yard Fencing: Fencing will be allowed to extend from at least ten feet (10') back from the primary perimeter dwelling wall facing the street of a dwelling to the side or rear property lines, provided; however all fences, walk gates and driveway gates facing the street on which the house fronts shall be of black ornamental iron per the specifications identified in the Fencing Addendum attached hereto as Exhibit Attachment 1.2.3.2 and shall be constructed with brick or stone columns at the corners. All fences, walk gates and driveway gates facing the Common Areas shall be of black ornamental iron per the specifications identified in the Fencing Addendum attached hereto as Exhibit Attachment 1.2.3.2 with brick or stone columns at the corners and require prior written approval of the ACC. All fencing shall be of construction identical to the type of construction used on the Residence located on such Lot and no higher than six feet (6'). All air conditioning compressors, pool equipment, and other mechanical equipment shall be screened from public view.
- 1.2.3 Interior Side and Rear Yard Fencing: Fences should be provided for privacy of yards and patios, screening of equipment and garbage containers in side and rear yards. Fencing between Lots shall be of wood material, provided that such wood fence is of cedar material or better, has slates which are installed vertically only (not horizontally or diagonally), is no higher than six feet (6'), and stained with Ready Seal #015 Medium Brown only and in accordance with the minimum specifications identified on the Fencing Addendum attached hereto as Exhibit Attachment 1.2.2.1. Builders shall face the railed side of the cedar fence to the inside of the Lot in order that the appearance of the wood fence is homogenous throughout the addition.

Corner lot fences or any fence facing a road or major thoroughfare shall be no higher than six feet (6') of cedar material or better and stained with Ready Seal #015 Medium Brown only with brick or stone columns and in accordance with the Fencing Addendum attached hereto as Exhibit Attachment 1.2.1.1. All side yard fences on corner lots shall be constructed within the side yard building line, unless otherwise approved by the ACC.

All fences, walk gates and driveway gates facing the Common Areas shall be of black ornamental iron per the specifications identified in the Fencing Addendum attached hereto as Exhibit Attachment 1.2.3.2 with brick or stone columns and require prior written approval of the ACC. All fences visible to the street may be required or permitted to screen with shrubs and/or brick or stone columns per the

direction of the ACC. Prior written consent for any screening or variation of any type is required.

- 1.2.4 Fences are not permitted to block the flow of water on any drainage easements or adversely affect the drainage of the Lot or any Lot adjacent to it. Any fencing will have to be approved by the ACC. The ACC may, from time to time at its sole discretion, permit Owners to construct fences or walls, which are in variance with the provisions of this paragraph where, in the opinion of the ACC, the fence or wall is an integral part of the home.

SECTION 1.3 MAIL BOXES:

- 1.3.1 Standard Mail Boxes: If permitted by the United States Postal Service, residences may maintain individual mail boxes constructed out of the same brick color used on the residence it serves. Unless otherwise permitted by the United States Postal Service, mailboxes for all Lots shall be cluster mailboxes.
- 1.3.2 Mail Box Location: If permitted, any individual brick mailboxes serving a residence on a Lot shall be located on the front corner of the Lot between the sidewalk and the street approximately 1 foot inside the property line and situated in such a manner that it is side by side with the mail box to be constructed on the neighboring Lot. Cluster mailboxes utilized by the Lots shall be located as and where required by the United States Postal Service or as otherwise approved by the ACC.

SECTION 1.4 FLAGS AND FLAGPOLES

- 1.4.1 The only flags which may be displayed are: (i) the flag of the United States of America; (ii) the flag of the State of Texas; (iii) an official or replica flag of any branch of the United States armed forces; (iv) in the front yard area of a model home operated by a Homebuilder, the flag of a Homebuilder; and (v) School Spirit flags. No other types of flags, pennants, banners, kits or similar types of displays are permitted on a Lot if the display is visible from a street or Common Areas.
- 1.4.2 The flag of the United States must be displayed in accordance with 4 U.S.C. Sections 5-10.
- 1.4.3 The flag of the State of Texas must be displayed in accordance with Chapter 3100 of the Texas Government Code.
- 1.4.4 Any freestanding flagpole, or flagpole attached to a residence, shall be constructed of permanent, long-lasting materials. The materials used for the flagpole shall be harmonious with the residence, and must have a silver finish with a gold or silver ball at the top. The flagpole must not exceed three (3) inches

in diameter.

- 1.4.5 The display of a flag, or the location and construction of the supporting flagpole, shall comply with applicable zoning ordinances, easements, and setbacks of record.
- 1.4.6 A displayed flag, and the flagpole on which it is flown, shall be maintained in good condition at all times. Any flag that is deteriorated must be replaced or removed. Any flagpole that is structurally unsafe or deteriorated shall be repaired, replaced, or removed.
- 1.4.7 Only one flagpole will be allowed per Lot. A flagpole can either be securely attached to the face of the residence (no other structure) or be a freestanding flagpole. A flagpole attached to the residence may not exceed 4 feet in length. A freestanding flagpole may not exceed 20 feet in height. Any freestanding flagpole must be located in either the front yard or backyard of a Lot, and there must be a distance of at least 5 feet between the flagpole and the property line.
- 1.4.8 Any flag flown or displayed on a freestanding flagpole may be no smaller than 3'x5' and no larger than 4'x6'.
- 1.4.9 Any flag flown or displayed on a flagpole attached to the residence may be no larger than 3'x5'.
- 1.4.10 Any freestanding flagpole must be equipped to minimize halyard noise. The preferred method is through the use of an internal halyard system. Alternatively, swivel snap hooks must be covered or "Quiet Halyard" Flag snaps installed. Neighbor complaints of noisy halyards are a basis to have flagpole removed until Owner resolves the noise complaint.
- 1.4.11 The illumination of a flag is allowed so long as it does not create a disturbance to other residents in the community. Solar powered, pole mounted light fixtures are preferred as opposed to ground mounted light fixtures. Compliance with all municipal requirements for electrical ground mounted installations must be certified by Owner. Flag illumination may not shine into another residence. Neighbor complaints regarding flag illumination are a basis to prohibit further illumination until Owner resolves complaint.
- 1.4.12 Flagpoles shall not be installed in Common Areas or any property maintained by the Association.
- 1.4.13 All freestanding flagpole installations must receive prior written approval of ACC.

SECTION 1.5 RAIN BARRELS OR RAINWATER HARVESTING SYTEMS

- 1.5.1 Rain barrels or rain water harvesting systems and related system components

(collectively, "Rain Barrels") may only be installed after receiving the written approval of the Reviewer.

- 1.5.2 Rain Barrels may not be installed upon or within Common Areas.
- 1.5.3 Under no circumstances shall Rain Barrels be installed or located in or on any area within a Lot that is in-between the front of the property Owner's home and an adjoining or adjacent street.
- 1.5.4 The rain barrel must be of color that is consistent with the color scheme of the property owner's home and may not contain or display any language or other content that is not typically displayed on such Rain Barrels as manufactured.
- 1.5.5 Rain Barrels may be located in the side-yard or back-yard of an Owner's Lot so long as these may not be seen from a street, another Lot or any Common Properties.
- 1.5.6 In the event the installation of Rain Barrels in the side-yard or back-yard of an owner's property in compliance with paragraph 1.5.5 above is impossible, the ACC may impose limitations or further requirements regarding the size, number and screening of Rain Barrels with the objective of screening the Rain Barrels from public view to the greatest extent possible. The owner must have sufficient area on their Lot to accommodate the Rain Barrels.
- 1.5.7 Rain Barrels must be properly maintained at all times or removed by the owner.
- 1.5.8 Rain Barrels must be enclosed or covered.
- 1.5.9 Rain Barrels which are not properly maintained become unsightly or could serve as a breeding pool for mosquitoes must be removed by the owner from the Lot.

SECTION 1.6 RELIGIOUS DISPLAYS

- 1.6.1 An Owner may display or affix on the entry to the Owner's or Resident's residence one or more religious items, the display of which is motivated by the Owner's or Resident's sincere religious belief.
- 1.6.2 If displaying or affixing of a religious item on the entry to the Owner's or Resident's residence violates any of the following covenants, the Association may remove the item displayed:
 - (1) threatens the public health or safety;
 - (2) violates a law;

- (3) contains language, graphics, or any display that is patently offensive to a passerby;
- (4) is in a location other than the entry door or door frame or extends past the outer edge of the door frame of the owner's or occupant's residence; or
- (5) individually or in combination with each other religious item displayed or affixed on the entry door or door frame has a total size of greater than 25 square inches

1.6.3 No Owner or Resident is authorized to use a material or color for an entry door or door frame of the Owner's or Resident's residence or make an alteration to the entry door or door frame that is not authorized by the Association, Declaration or otherwise expressly approved by the Architectural Control Committee.

PART TWO: RESIDENCES

SECTION 2.1 ROOFS

- 2.1.1 Roof Pitch: Roof Pitch for homes and garages shall have a minimum of 10-in-12 slopes. Roof Pitch for porches and patios may have a lesser pitch as may be typical of the architectural style of the main residence, but any lesser roof pitch shall be subject to approval of the Declarant or ACC.
- 2.1.2 Roofing Materials: Roofing materials shall in any event be fireproof and conform to governmental requirements, and are subject to ACC prior written approval. Asphalt shingles shall be minimum of three-ply 30-year rated shingle and have a weatherwood or similar color. Other roofing materials or colors shall not be used without written approval from the Architectural Control Committee.
- 2.1.3 Dormers & Above Roof Chimneys: Dormers and Chimney Chases, above roof structure and roofing materials, may be finished with an approved exterior grade siding material. All Fireplace flues shall be enclosed and finished; exposed pre-fabricated metal flue piping is prohibited.
- 2.1.4 Mediterranean, Tuscan style houses which use tile or similar and approved "hard" roofing product are not anticipated or expected to have a roof pitch of 10:12 and will be reviewed generally and approved by the ACC if the ACC approves the overall look and style of the proposed residence.

SECTION 2.2 CERTAIN ROOFING MATERIALS

- 2.2.1 Roofing shingles covered by this Section are exclusively those designed primarily to: (i) be wind and hail resistant; (ii) provide heating and cooling efficiencies greater than those provided by customary composite shingles; or (iii) provide solar generation capabilities (collectively, "Roofing Shingles").

2.2.2 Roofing Shingles allowed under this Section 2.2 shall:

- (1) resemble the shingles used or otherwise authorized for use in the Subdivision and/or Property;
- (2) be more durable than and are of equal or superior quality to the shingles used or otherwise authorized for use in the Subdivision and/or Property.
- (3) match the aesthetics of the property surrounding the property of the owner requesting permission to install the Roofing Shingles.

2.2.3 The owner requesting permission to install the Roofing Shingles will be solely responsible for accrediting, certifying and demonstrating to the Reviewer that the proposed installation is in full compliance with paragraphs a and b above.

2.2.4 Roofing Shingles shall be installed after receiving the written approval of the Reviewer.

2.2.5 Owners are hereby placed on notice that the installation of Roofing Materials may void or adversely other warranties.

SECTION 2.3 SOLAR PANELS

2.3.1 Solar energy devices, including any related equipment or system components (collectively, "Solar Panels") may only be installed after receiving the written approval of the Architectural Control Committee.

2.3.2 Solar Panels may not be installed upon or within Common Areas or any area which is maintained by the Association.

2.3.3 Solar Panels may only be installed on designated locations on the roof of a home, on any structure allowed under any Association dedicatory instrument, or within any fenced rear-yard or fenced-in patio of the owner's property, but only as allowed by the Reviewer. **Solar Panels may not be installed on the front elevation of the home.**

2.3.4 If located on the roof of a home, Solar Panels shall:

- (1) not extend higher than or beyond the roofline;
- (2) conform to the slope of the roof;
- (3) have a top edge that is parallel to the roofline; and
- (4) have a frame, support bracket, or wiring that is black or painted to match the color of the roof tiles or shingles of the roof. Piping must be painted to match the surface to which it is attached, i.e. the soffit and wall. Panels must blend with the color of the roof to the greatest extent possible.

2.3.5 If located in the fenced rear-yard or patio, Solar Panels shall not be taller than the fence line or visible from a Lot, Common Areas or street.

- 2.3.6 The Reviewer may deny a request for the installation of Solar Panels if it determines that the placement of the Solar Panels, as proposed by the property owner, will create an interference with the use and enjoyment of land of neighboring owners.
- 2.3.7 Owners are hereby placed on notice that the installation of Solar Panels may void or adversely affect roof warranties. Any installation of Solar Panels which voids material warranties is not permitted and will be cause for the Solar Panels to be removed by the Owner.
- 2.3.8 Solar Panels must be properly maintained at all times or removed by the Owner.
- 2.3.9 Solar Panels which become non-functioning or inoperable must be removed by the Owner of the property.

SECTION 2.4 EXTERIOR WALLS

2.4.1 Exterior Wall Materials: Exterior walls shall be a minimum of one hundred percent (100%) brick, stone, Portland cement stucco, masonry or other material approved by the Declarant. All materials shall be subject to the prior written approval of the ACC in accordance with these Design Guidelines and the terms of the Declaration as to the aesthetic appearance and shall in any event conform to any and all governmental requirements.

2.4.1.1 Prohibited Materials: The following materials are specifically prohibited except with the express written consent of the ACC:

- Metal structures such as sheds
- Metal as a building skin
- Mirrored glass
- Exposed cinder block
- Vinyl siding
- Pressed Masonite

2.4.1.2 Calculation of Total Exterior Wall Area: All areas above the height of the standard height first (1st) floor are not excluded from the calculation of total exterior wall area.

2.4.1.3 Chimneys: Chimney wall structures that are a direct extension of an exterior wall shall match the requirement of said wall.

SECTION 2.5 WINDOWS

2.5.1 Windows shall be constructed of vinyl, divided light on all front windows,

divided light on all windows backing siding collectors, parks or open spaces. Reflective glass is prohibited.

SECTION 2.6 GARAGE

2.6.1 Garage doors shall be constructed of metal or wood and shall be kept in good repair at all times.

SECTION 2.7 ADDRESS BLOCKS

2.7.1 All address blocks shall be cast stone.

SECTION 2.8 ELEVATION AND BRICK USAGE

2.8.1 Same Plan with Same Elevation: The repeat of the same floor plan with the same elevation design shall be governed by the following provisions:

2.8.1.1 Residences using the **same floor plan and same elevation** shall be separated by a minimum of two (2) Lots. Residences using the **same floor plan, but a different elevation**, shall be separated by a minimum of one (1) Lot. For purposes of this Paragraph 2.8.1.1, the street right-of-way adjacent to a Lot serves as the equivalent of (1) one Lot. Residences with the same floor plan and same elevation shall not be constructed directly across the street right-of-way from one another.

2.8.2 Repeat Brick Usage: All residence submittals shall calculate the percentage coverage for each material as follows:

2.8.2.1 Same Side of Street: No combination of brick color, mortar color, and sand color shall be repeated for adjacent residences. Street and alley intersections are acceptable separation elements.

2.8.2.2 Opposite Side of Street: There are no restrictions for the use of brick color, mortar color, and sand color for residences on opposing sides of the street.

2.8.2 Exterior Material Area Calculations: All residence plan submittals shall calculate the percentage coverage for each material as follows:

2.8.2.1 Calculation Method: Calculations for material coverage percentages shall include all exposed areas of the wall surface, excluding window and door openings.

2.8.2.2 Calculation Format: Calculations shall indicate the area coverage for front, side, and rear wall areas. Calculations shall be submitted in the following format:

Brick Calculations

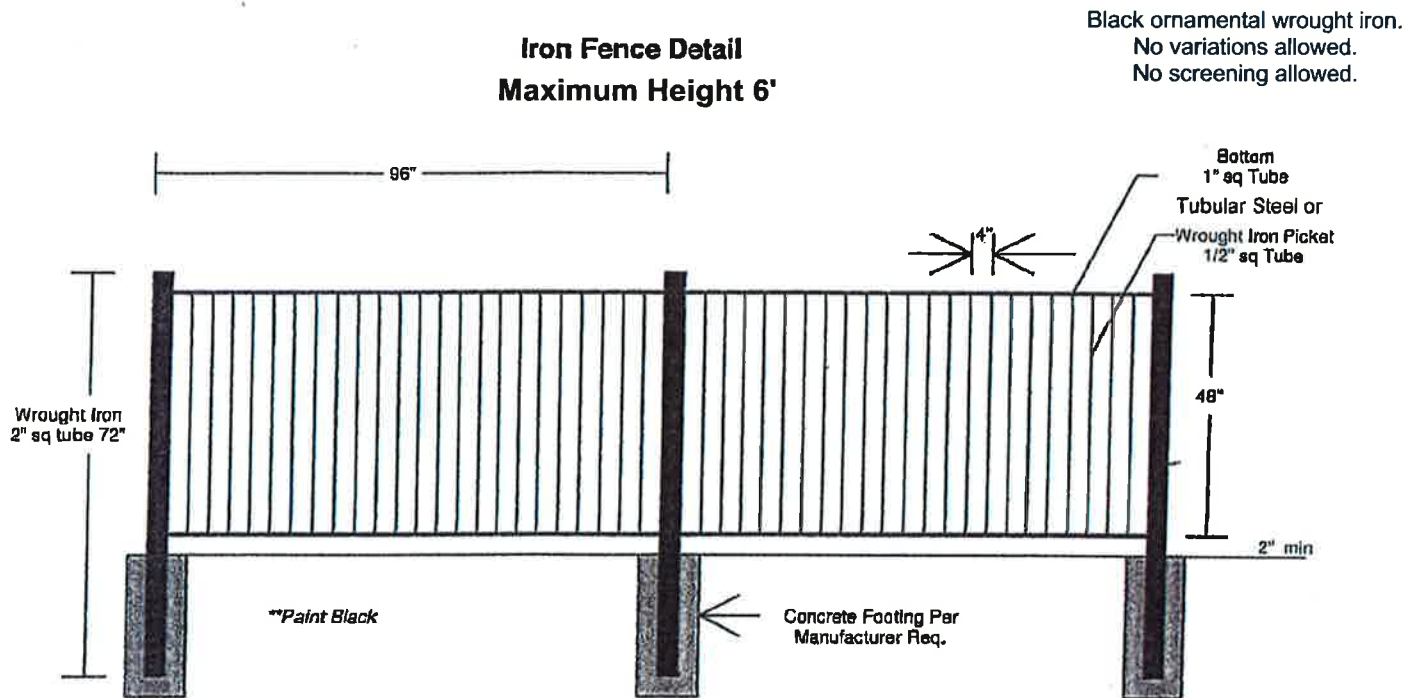
| | |
|------------------------|------|
| Overall | |
| Total Wall Area | 0 sf |
| Total Brick Area | 0 sf |
| Total Brick Percentage | 0% |
| Front | |
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| Total Brick Area | 0 sf |
| Total Brick Percentage | 0% |
| Left | |
| Total Wall Area | 0 sf |
| Total Brick Area | 0 sf |
| Total Brick Percentage | 0% |
| Right | |
| Total Wall Area | 0 sf |
| Total Brick Area | 0 sf |
| Total Brick Percentage | 0% |
| Rear | |
| Total Wall Area | 0 sf |
| Total Brick Area | 0 sf |
| Total Brick Percentage | 0% |

** Openings removed from areas in all calculations

See Exhibit Attachments:

- Exhibit Attachment 1.2.3.2 – Wrought Iron or Ornamental Metal Fence Detail
- Exhibit Attachment 1.2.2.1 – Standard Wood Fence Detail
- Exhibit Attachment 1.2.1.1 – Wood Fence – Major Thoroughfare and Corner Lot Fencing

EXHIBIT ATTACHMENT 1.2.3.2

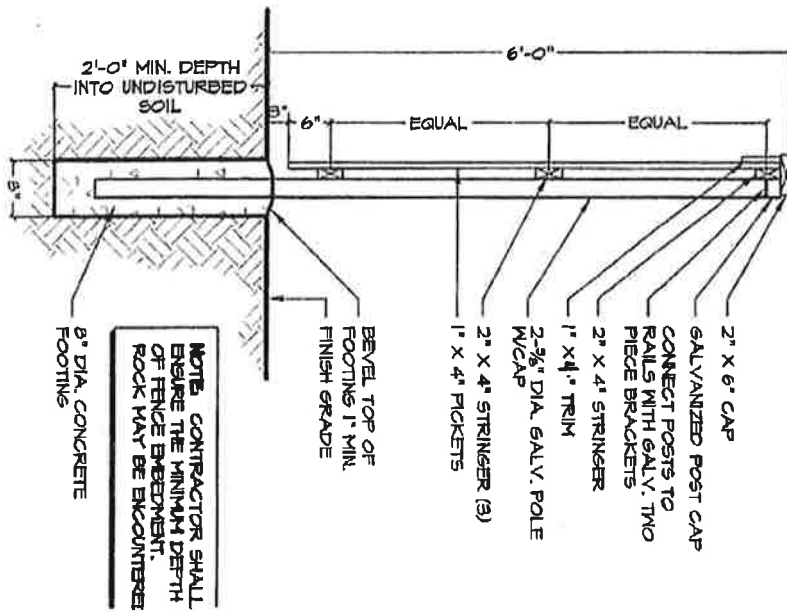
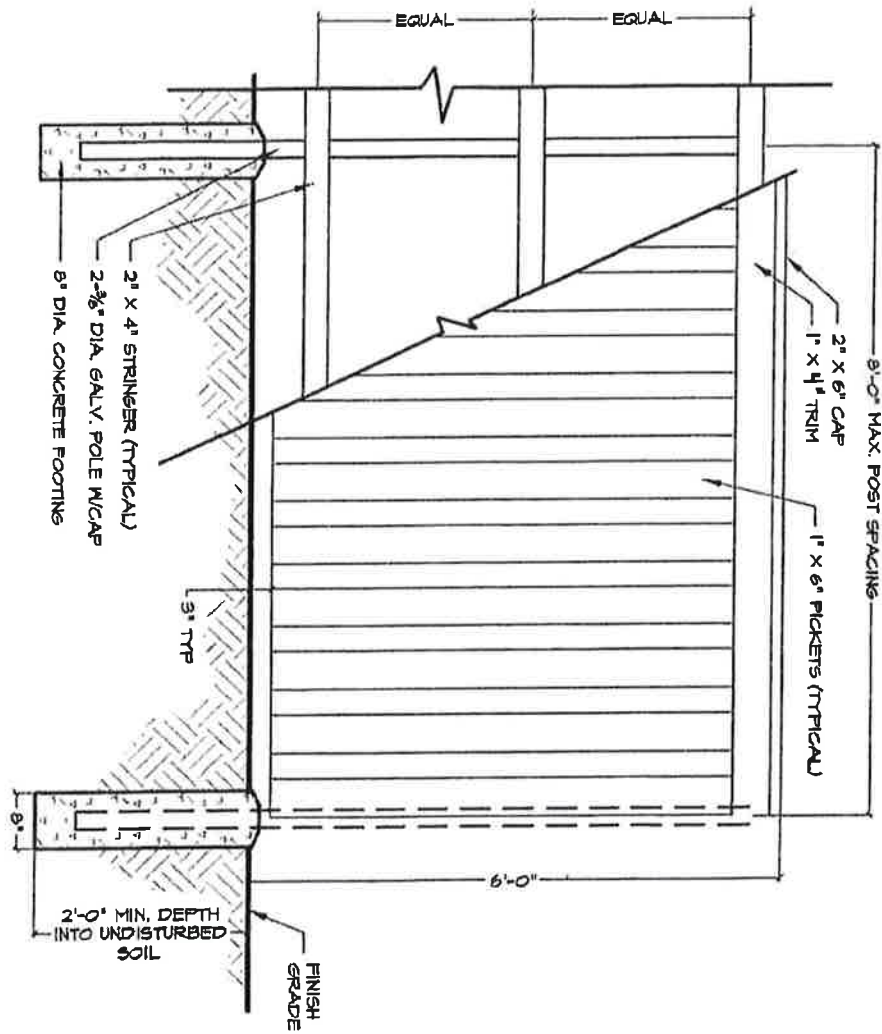


Attachment: 1.2.3.2

All fences, walk gates and driveway gates facing the street on which the home fronts shall be of black ornamental iron. Fencing shall be per the specifications identified in this exhibit and shall be constructed with brick or stone columns at the corners. All fencing requires the prior written approval of the ACC.

EXHIBIT ATTACHMENT 1.2.1.1

Cedar Wood or better

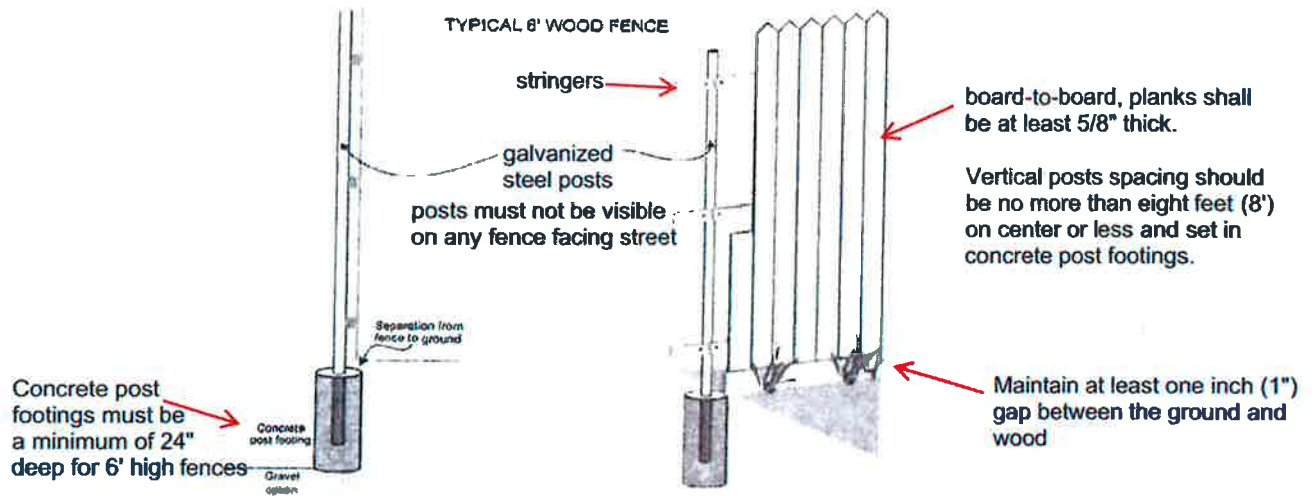


NOTE: CONTRACTOR SHALL ENSURE THE MINIMUM DEPTH OF FENCE EMBEDMENT. ROCK MAY BE ENCOUNTERED

EXHIBIT ATTACHMENT 1.2.2.1

STANDARD SIDE AND REAR YARD FENCES

Fences shall be constructed of cedar



TOP RAIL REQUIRED. TRIM FOR SIDE AND REAR YARD FENCES NOT VISIBLE FROM THE STREET ARE OPTIONAL. ALL PORTIONS OF THE FENCE THAT MAY BE VIEWED FROM ANY STREET SHALL BE STAINED WITH THE COLOR SPECIFIED.