

Denton County  
Juli Luke  
County Clerk

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Instrument Number: 2547

ERecordings-RP

AMENDMENT

Recorded On: January 06, 2021 02:00 PM

Number of Pages: 73

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" Examined and Charged as Follows: "

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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:**

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# **SECOND AMENDED AND RESTATED RESIDENTIAL MODIFICATION GUIDELINES**



THIS DOCUMENT AMENDS, RESTATES, AND REPLACES IN ITS ENTIRETY THAT CERTAIN WINDSONG RANCH AMENDED AND RESTATED RESIDENTIAL MODIFICATION GUIDELINES, RECORDED AS DOCUMENT NO. 2017-101324 IN THE OFFICIAL PUBLIC RECORDS OF DENTON COUNTY, TEXAS.

**Declarant:** VP WINDSONG OPERATIONS LLC, a Delaware limited liability company, and  
VP WINDSONG INVESTMENTS LLC, a Delaware limited liability company

Cross reference to (i) Windsong Ranch Master Covenant, recorded as Document No. 201420239 in the Official Public Records of Denton County, Texas, as amended; and (ii) Windsong Ranch Amended and Restated Residential Modification Guidelines, recorded as Document No. 2017-101324 in the Official Public Records of Denton County, Texas.

**WINDSONG RANCH  
SECOND AMENDED AND RESTATED  
RESIDENTIAL MODIFICATION GUIDELINES**

These Windsong Ranch Second Amended and Restated Residential Modification Guidelines (the "**Modification Guidelines**"), are hereby adopted by **VP WINDSONG OPERATIONS LLC**, a Delaware limited liability company, and **VP WINDSONG INVESTMENTS LLC**, a Delaware limited liability company (collectively, the "**Declarant**"), and are as follows:

**RECITALS**

A. TVG TEXAS I, LLC, a Texas limited liability company ("**TVG**"), previously recorded that certain Windsong Ranch Master Covenant, recorded as Document No. 201420239 in the Official Public Records of Denton County, Texas, as same may be amended from time to time (the "**Covenant**").

B. Pursuant to *Section 6.01* of the **Covenant**, until the expiration of the Development Period, the Windsong Ranch Reviewer is the Declarant or its designee. The Development Period expires seventy-five (75) years after the **Covenant** was Recorded. The **Covenant** was recorded on March 10, 2014; as such, the Development Period has not expired.

C. Pursuant to *Section 6.04(b)* of the **Covenant**, the Windsong Ranch Reviewer has the power, from time to time, to adopt, amend, modify or supplement the Design Guidelines.

D. TVG previously recorded that certain Windsong Ranch Amended and Restated Residential Modification Guidelines, recorded as Document No. 2017-101324 in the Official Public Records of Denton County, Texas (the "**First Amended and Restated Modification Guidelines**").

E. Pursuant to that certain Assignment of Declarant Rights under the Governance Documents, recorded as Document No. 2018-89732 in the Official Public Records of Denton County, Texas, TVG granted, conveyed, transferred, assigned, set over and delivered all of its rights, responsibilities, obligations and privileges as "**Declarant**" under the **Covenant** to Declarant.

F. Declarant, as the Windsong Ranch Reviewer, desires to amend, restate, and replace the First Amended and Restated Modification Guidelines in their entirety.

**NOW, THEREFORE**, Declarant, as the Windsong Ranch Reviewer, does hereby amend and restate the First Amended and Restated Modification Guidelines in their entirety as set forth in the "Windsong Ranch Second Amended and Restated Residential Modification Guidelines" attached hereto and incorporated herein as Exhibit "A". Any capitalized terms

used and not otherwise defined herein shall have the meanings ascribed to such terms in the Covenant.

EXECUTED to be effective the day this instrument Recorded.

**DECLARANT:**

**VP WINDSONG OPERATIONS LLC,**  
a Delaware limited liability company

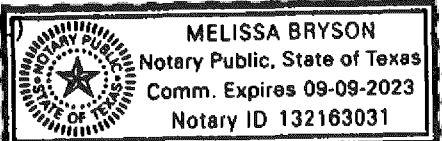
By: *David R. Blom*  
David R. Blom, Vice President

**VP WINDSONG INVESTMENTS LLC,**  
a Delaware limited liability company

By: *David R. Blom*  
David R. Blom, Vice President

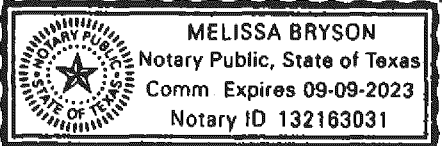
THE STATE OF TEXAS           §  
COUNTY OF Denton           §

This instrument was acknowledged before me this 5<sup>th</sup> day of January, 2021  
by David R. Blom, Vice President of VP Windsong Operations LLC, a Delaware limited liability  
company, on behalf of said limited liability company.

(SEAL)  *Melissa Bryson*  
Notary Public Signature

THE STATE OF TEXAS           §  
COUNTY OF \_\_\_\_\_ §

This instrument was acknowledged before me this 5<sup>th</sup> day of January, 2021  
by David R. Blom, Vice President of VP Windsong Investments LLC, a Delaware limited  
liability company, on behalf of said limited liability company.

(SEAL)  *Melissa Bryson*  
Notary Public Signature

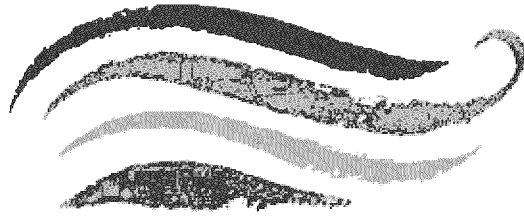
**EXHIBIT "A"**

**WINDSONG RANCH  
SECOND AMENDED AND RESTATED  
MODIFICATION GUIDELINES**

**[SEE ATTACHED]**

**EXHIBIT "A" (COVER SHEET)**

**WINDSONG RANCH  
SECOND AMENDED AND RESTATED MODIFICATION GUIDELINES**



# WINDSONG RANCH

## **SECOND AMENDED AND RESTATED RESIDENTIAL MODIFICATION GUIDELINES**

*September 1, 2015*

*Revised: December 2020*

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## **Introduction**

Once an Owner has settled into his or her new home in Windsong Ranch, there may be a need to make changes to the property in order to better fit the Owner's lifestyle or enhance the property. Changes may be any Improvement done subsequent to the original construction, including small additions to the landscaping on the Lot or adding additional living space to the home on the Lot. These changes shall be referred to as "Modifications". Modifications shall require prior written approval from the Windsong Ranch Reviewer (the "**Reviewer**") (as defined in the Master Covenant), and must comply with the design scheme established for Windsong Ranch and with the requirements of the design guidelines applicable to the Lot (i.e., the Windsong Ranch Development Design Guidelines [Residential], recorded as Document No. 2014-20640 in the Official Public Records of Denton County, Texas, as the same may be amended from time to time, or any of those certain "Village Design Guidelines" which may be adopted by the Reviewer from time to time as a supplement to the Design Guidelines and recorded in the Official Public Records of Denton County (which shall be collectively referred to as the "**Design Guidelines**"). Capitalized terms used but not defined herein shall have the meaning ascribed to such terms in that certain Windsong Ranch Master Covenant, recorded as Document No. 2014-20239 in the Official Public Records of Denton County, Texas, as the same may be amended from time to time (the "**Master Covenant**").

These Residential Modification Guidelines (the "**Modification Guidelines**") have been established to ensure the fair and consistent review of each Owner's Modification submittal. The intent of the Modification Guidelines is to help guide and clarify the requirements for Modifications by helping each Owner understand the Modification submittal process.

## **General Owner Responsibilities**

These Modification Guidelines provide a minimum set of standards and procedures allowing for exterior and structure design Modification diversity while fashioning the growing community of Windsong Ranch. Owners should strive to go beyond the minimum standards and provide the most desired Improvements and Modifications.

These Modification Guidelines establish a review procedure for all formerly submitted Modifications and/or Improvements within Windsong Ranch. These Modification Guidelines also set forth standards to ensure that all Lots are maintained with quality and consistency after the initial Lot purchase. The Modification Guidelines are to be used by the Owners and the Windsong Ranch Community Association, Inc. (the "**Association**").

## **Authority**

These Modification Guidelines are a supplement to the Master Covenant, the Design Guidelines, and other applicable Documents. These Modification Guidelines are to be enforced by the Reviewer. The Modification Guidelines refer to specific items that require prior approval from the Reviewer, but items requiring approval are not limited to items listed herein. The Reviewer shall have the right to amend these Modification Guidelines as it deems necessary and appropriate. In case there is any conflict between these Modification Guidelines and the Design Guidelines, the provisions of the All Modification submittals are reviewed by the Reviewer. Modification submittals must be approved in writing by the

Reviewer prior to installation/construction. Modifications made without prior approval by the Reviewer may be subject to a fine or removal at the Owner's expense.

### **Amendments**

The Reviewer may amend these Modification Guidelines unilaterally at any time. All amendments shall become effective upon Recordation. Amendments shall not apply retroactively so as to require modification or removal of Improvements already approved and completed or approved and in progress. The Reviewer will make these Modification Guidelines and subsequent amendments hereto available to all Owners. It is the responsibility of the Owner to ensure that he or she has reviewed the most current version of the Modification Guidelines prior to submitting a Modification application.

### **Submittal and Review Process:**

Requests for approval of proposed Modifications to an Owner's Lot, including new construction, landscaping, or exterior Modifications, must be made by submitting the information and materials outlined herein. No construction of Modifications or Improvements whatsoever may be commenced without the advance written approval of the Reviewer (the "Written Approval") upon compliance with the review and approval process set forth in these Modification Guidelines.

Submittal forms are provided at the end of this document and are listed as Schedules. Incomplete submittals will not be reviewed.

The Review and approval process set forth herein requires each Owner to obtain the Reviewer's approval of the submitted design for a Modification/Improvement project (a "Project"). This process sets minimum requirements for the information to be submitted, but each Owner is responsible for submitting any additional information necessary to adequately explain the proposed design since the Owner is uniquely qualified to determine how best to present it. Commencement of developing or attempted permitting of any construction documents whatsoever without the Reviewer's approval is not permitted and will be at the Owner's sole risk of the Reviewer's subsequent rejection.

#### **1. Final Review and Approval Process for All Projects**

The Owner must meet continuing obligations during the Project activity period. The continuing obligations are listed below. In order for the Modifications/Improvements to receive the Reviewer's final approval, the Owner must fulfill all obligations listed in the Written Approval to begin construction/work and also must be in accordance and satisfy the obligations listed here:

- a. **No Changes Without Approval:** No material changes in the design or construction reflected in the submittal may be made without Written Approval. The Reviewer may require all or part of the review and approval process to be repeated for any such requested change.
- b. **Requirements During Construction/Work:** During Project construction/work, the Owner is responsible for compliance with the Modification Guidelines. The Reviewer will not grant final approval of the Modifications/Improvements while any violation remains uncured.

- c. Curing Violations: The Reviewer will issue directives to the Owner to correct the work or activity, or the lack of activity, which violates the Modification Guidelines, the Documents, or the Written Approval. The Owner is responsible for curing any such violation(s) regardless of whether it was identified by the Reviewer or the Association. The Owner shall promptly comply with any such directives and promptly correct the violation(s). If after a certain time the violation(s) is not corrected, it will be presented to the Reviewer for further action.
- d. Enforcement Activity: If the Owner fails to promptly cure violations, the Reviewer may take measures to obtain compliance including, without limitation, issuance of any necessary cease and desist directive, notification to the City of Prosper or other governmental agency with jurisdiction over the construction or seeking enforcement in a court of law. The Reviewer will, after notice and an opportunity to be heard are given, collect reimbursement of its attorney's fees and other reasonable costs incurred by the Reviewer relating to violations regardless of whether litigation ensues.
- e. Expiration of Approval to Begin Construction/Work: A Written Approval will be sent to the Owner. The Owner will have 90 days to complete the project from the date of approval. After 90 days, the Modification will need to be re-submitted for review by the Reviewer.

## **2. Information to Submit for Modification Projects**

- a. Completed Modification application
- b. Two (2) sets of construction documents that reflect the appearance and construction of the proposed Modifications/Improvements.
- c. Drawings and diagrams demonstrating compliance with the applicable Restrictions including, without limitation, the extent of the proposed Modifications/Improvements, location on the Lot (if applicable) drawn to scale on an official copy of the title survey/plot plan, height, exterior equipment and any other restricted feature.
- d. Any additional information necessary to show compliance with the Modification Guidelines and the other Documents.

## **3. Approvals**

- a. Response: The Reviewer will issue its approval for the Owner to move forward with the project or will issue its disapproval of the proposed project. Any disapproved designs may be revised and resubmitted or withdrawn from consideration.

## Site Plan Guidelines

### 1. Building Setbacks

- Building setbacks are determined by the lot type and location as established by the PD-40 and Developer. Setbacks are measured from the property lines and/or dwelling

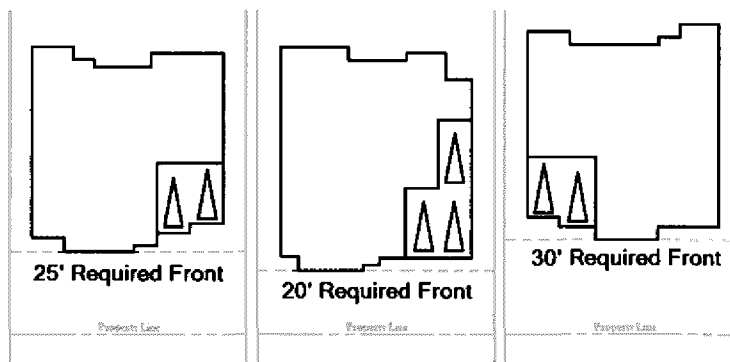
	Type A	Type B	Type C	Type D	Type E	Type F
Minimum Lot SF	8,000 SF	9,000 SF	10,500 SF	12,500 SF	6,000 SF	20,000 SF
Minimum Lot Width	60'	70'	80'	90'	50'	120'
Minimum Lot Depth	100'	100'	110'	125'	100'	150'
Lot Coverage	55%	50%	60%	55%	60%	50%
<i>Refer to the final, recorded plat for each phase to find how each lot is categorized</i>						

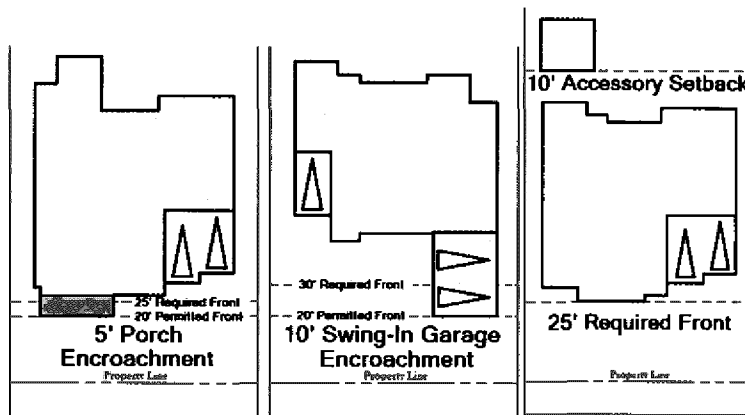
### 2. Lot Definitions:

- Typical Lots – An adjacent lot on the left and right sides
- Courtyard Lots – Open-air courtyard surrounded by three sides of the dwelling. Not allowed on Type D lots
- Corner Lots – An adjacent lot on one side and a street on the other
- Key Lots – Lots fronting a cross street

### 3. Front Setback

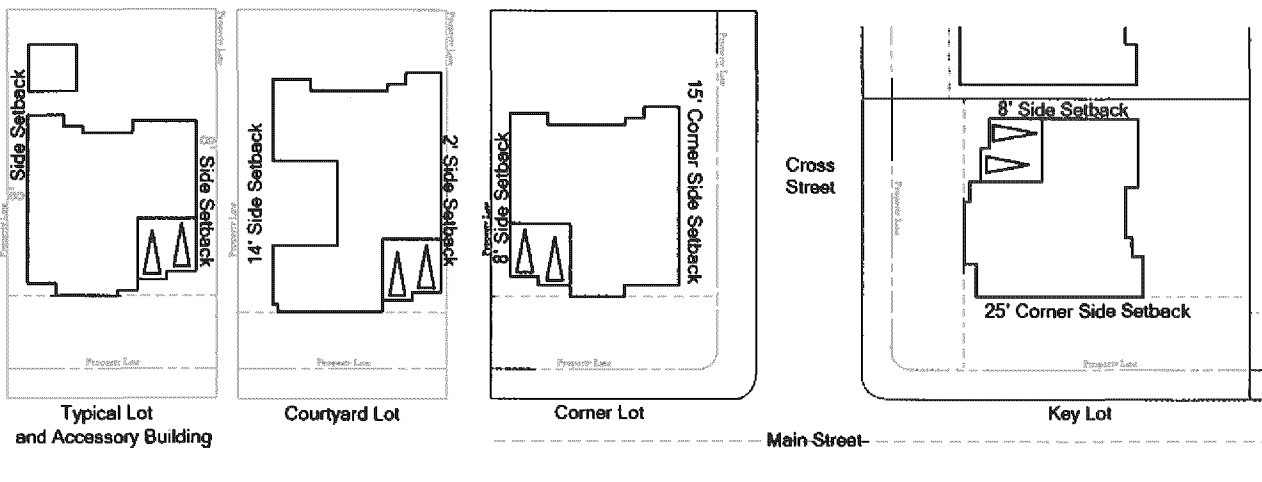
Front Setback						
	Type A	Type B	Type C	Type D	Type E	Type F
Minimum Front Setback (All Lot Definitions) *	25'	25'	25'	25'	25'	30'
Architectural Feature and Porches Encroachment	5'	5'	5'	5'	10'	10'
Swing-In Garage	10'	10'	10'	10'	10'	15'
Accessory Building, Front *	10'	10'	10'	10'	10'	10'
* May be staggered and set by the final, recorded plat for each phase						
* Minimum from the main home structure						





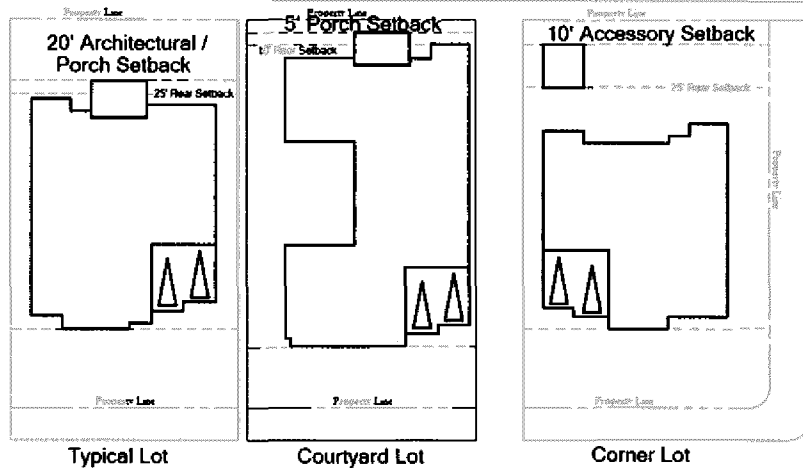
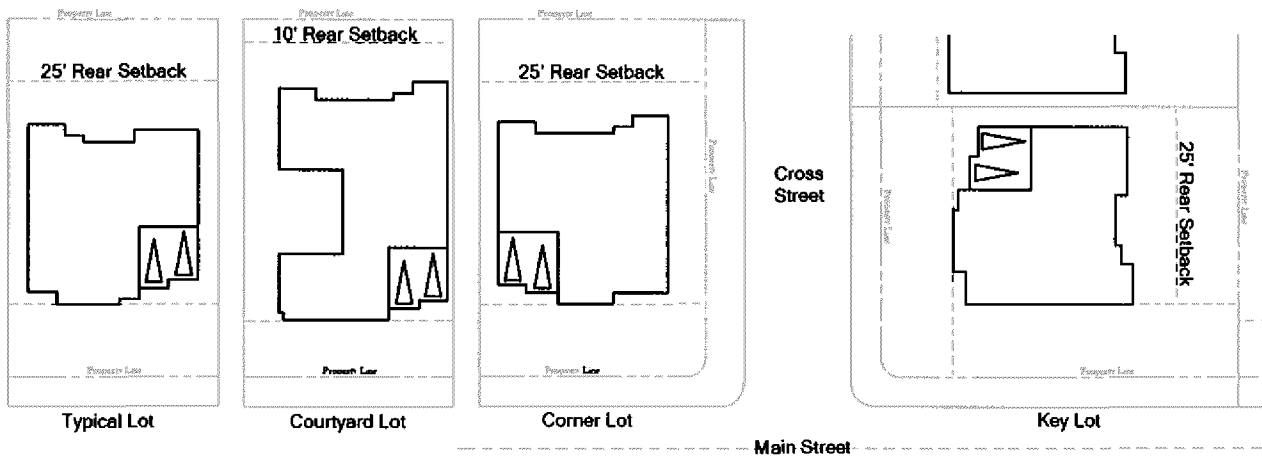
#### 4. Side Setback

Side Setback						
	Type A	Type B	Type C	Type D	Type E	Type F
<b>Minimum Side Setback Typical Lot *†</b>	8'	8'	8'	8'	5'	20'
<b>Courtyard Lot †</b>	14'/2' or 13/3'	14'/2' or 13/3'	14'/2' or 13/3'	N/A	N/A	26'/14'
<b>Corner Lot *†</b>	15'	15'	15'	15'	15'	25'
<b>Key Lot *†</b>	25'	25'	25'	25'	25'	25'
<b>Architectural Feature and Porches Encroachment ^</b>	N/A	N/A	5'	5'	N/A	10'
<b>Accessory Building, Side †</b>	8'	8'	8'	8'	8'	8'
* May be staggered and set by the final, recorded plat for each phase						
† Measured From Property Line						
^ On Corner Lots and may only be on the road side of the Lot						



## 5. Rear Setback

Rear Setback						
	Type A	Type B	Type C	Type D	Type E	Type F
Minimum Rear Setback Typical Lot *†	25'	25'	25'	25'	25' (20' when front setback is 30')	30'
Courtyard Lot †	10'	10'	10'	N/A	N/A	20'
Corner Lot *†	25'	25'	25'	25'	25'	25'
Key Lot *†	25'	25'	25'	25'	25'	25'
Architectural Feature and Porches Encroachment	5'	5'	5'	5'	5'	5'
Accessory Building, Rear*	10'	10'	10'	10'	10'	10'
* May be staggered and set by the final, recorded plat for each phase						
† Measured From Property Line						
* Minimum from the main home structure						



**6. Lot Consolidation**

- Consolidation of two or more lots is prohibited

**7. Square Footage**

- Square footage is measured by the air-conditioned area from outside surface to outside surface

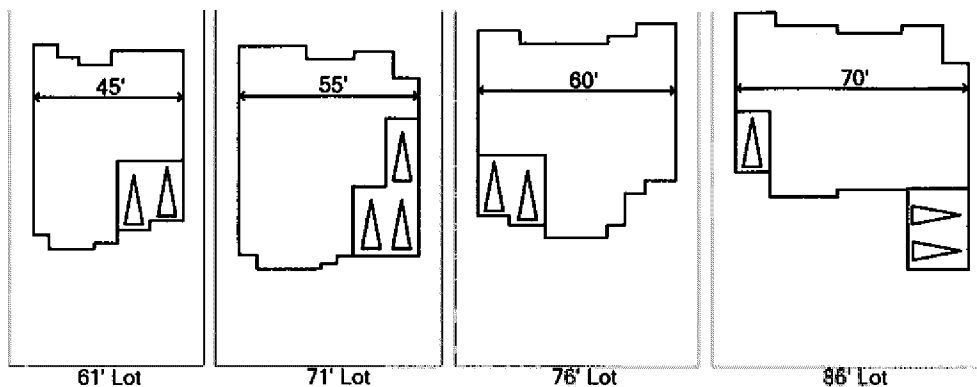
Lot Type	Number of Stories	Minimum SF	Maximum SF
50'	One	1,700	3,000
	Two	1,700	3,600
61'	One	1,900	3,600
	Two	2,200	3,800
66'	One	2,300	4,400
	Two	2,800	4,600
71'	One	2,200	4,200
	Two	2,700	4,200
76'	One	2,500	4,600
	Two	3,000	4,950
81'	One	2,750	5,100
	Two	3,250	5,200
86'	One	3,000	5,600
	Two	3,500	5,600
Custom	One	3,000	N/A
	Two	3,500	N/A

**8. Plan Width**

- The intent is to prohibit homes that are originally intended for lots smaller than the lot type they are being submitted for
  - Plans must be true lot type products
  - Plans less than the required minimum width will not be allowed
  - A variance of no more than six inches (6") may be allowed, subject to Reviewer approval
  - Reviewer may grant variances on a case-by-case basis

Lot Type	Minimum Plan Width
50' Lots	39' 6"
61' Lots	45'
66' Lots	50'
71' Lots	55'
76' Lots	60'
81' Lots	65'
86' Lots	70'
Custom	70'





### 9. Plan Height

- Structure height is measured by the vertical distance between the finished floor elevation at any point within the structure and the highest ridge, peak or gable (exclusive of chimneys and ventilators)

Lot Type	Maximum Plan Height
Type A	40'
Type B	40'
Type C	45'
Type D	45'
Type E	40'
Type F	45'

### 10. Plan Spacing and Repetition

- Plan can be repeated on the same side of the street every third (3<sup>rd</sup>) Lot (see A and C)
- Plan cannot be repeated across the street or diagonal from any other plan (see B and D)
- Different plan with elevations considered the "same as" another plan and elevation on the same side of the street can be repeated third lot (see E)
- Different plan with elevations considered the "same as" another plan and elevation cannot be repeated across the street or diagonal from another plan (see F)
- Refer to Town of Prosper Ordinance 15-55 – "Alternating Single Family Plan Elevations"
- On Type F lots, plan elevations shall not be repeated within a given platted phase

Plan	Elevation	Street Side	# of Lots Between	Key
Same	Same	Same	2	A
Same	Same	Opposite	1	B
Same	Different	Same	2	C
Same	Different	Opposite	1	D
Different	Considered Same As	Same	2	E
Different	Considered Same As	Opposite	1	F

A	D	F	A	B			
F		C	D	E	C	B	E

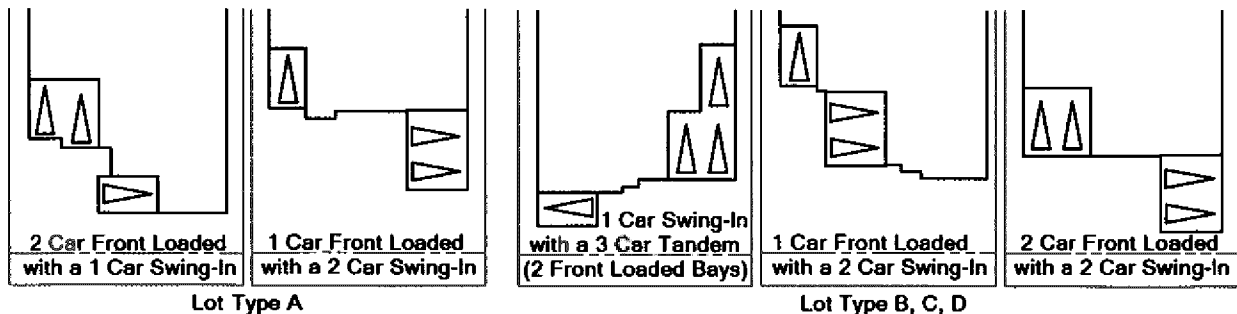
## 11. Garages

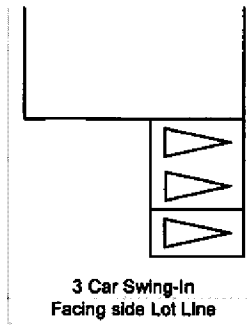
- Type A
  - i. Minimum: 2-car garage
  - ii. Maximum: 3-car garage
  - iii. Garage Doors Facing Street: No more than 2 single-loaded doors or 1 double-loaded door
  - iv. Construction Material: Metal or Wood
  - v. Prohibited: Carports
  - vi. Exceptions: Tandems are allowed
- Type B/C/D
  - i. Minimum: 2-car garage
  - ii. Maximum: 3 or 4-car garage
  - iii. Garage Doors Facing Street: No more than 2 single-loaded doors or 1 double-loaded door
  - iv. Construction Material: Metal or Wood
  - v. Prohibited: Carports
  - vi. Exceptions: Tandems are allowed
- Type E
  - i. Minimum: 2-car garage
  - ii. Maximum: 3-car tandem
  - iii. Garage Doors Facing Street: Maximum of 2 single-loaded doors or 1 double loaded door
  - iv. Construction Material: Wood or material that gives the appearance of real wood
  - v. Prohibited: Carports and 3-car front facing garages
  - vi. Exceptions:
    - Garage Doors shall have a minimum front yard setback of 25'
    - Garage Doors will feature 2 out of the 3 upgrades
      - a. Carriage style door designs giving the appearance of a classic swing-open design, with the flexibility of an overhead door operation
      - b. Doors incorporating decorative hardware
      - c. Doors with windows
    - Refer to PD-40 for clarification on any of these items and other restrictions
- Type F
  - i. Minimum: 2-car garage
  - ii. Maximum: 5-car garage
  - iii. Garage doors Facing Street: No more than 3 single-loaded doors or 1 double-loaded door and 1 single-loaded door
  - iv. Construction Material: Metal or Wood
  - v. Prohibited: None

- vi. Exceptions: Rear located carports are permitted, tandems are allowed
- Architectural Guidelines
  - i. Interior
    - Interior walls of all garages must be finished with sheetrock, textured and painted at minimum
    - Must be wired for electric door openers and automatic door openers
  - ii. Garage Doors
    - Maximum height of eight feet (8') with a maximum double door width of eighteen feet (18'), unless otherwise approved by Reviewer
    - Garage doors must be separated by twelve-inch (12") masonry columns
  - iii. Garage Roof
    - Same material as roof of the main structure
  - iv. Colors
    - Same as dwelling or darker, subject to Reviewer approval
    - Prohibited colors: Bright, white, black, primary, pastel

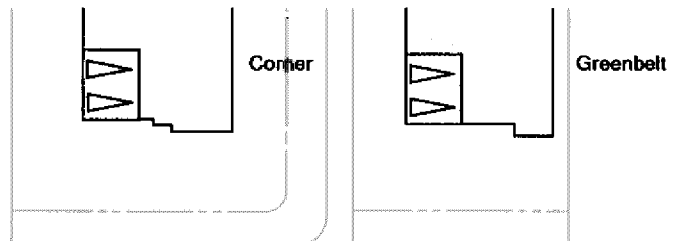
**Garage Definitions:**

- Front Loaded Garages
  - Garage bays facing the ROW
  - May extend to the front façade of the main structure
  - May not encroach into the required front yard
  - Must be located on the interior side of Corner, Common Area, or Greenbelt Lots
  - No more than two (2) garage bay widths allowed to face ROW
- Three Car Garages
  - Allowed for Side Loaded or Swing-In Garages
  - No more than two (2) garage bays side by side
  - Garage bay options allowed:
    - Two (2) car Front Loaded and a one (1) car Swing-In
    - One (1) car Front Loaded and a two (2) car Swing-In
    - One (1) car Swing-In and a three (3) car Tandem with two (2) Front Loaded bays
    - One (1) car Front Loaded and a two (2) car Side Loaded
    - Two (2) car Front Loaded and a two (2) car Swing-In
    - Three (3) car Swing-In, facing side Lot Line

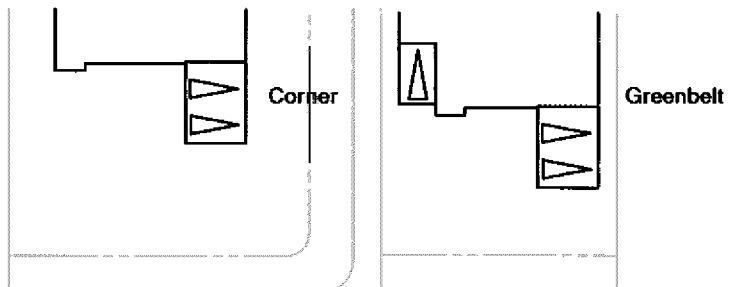




- Side Loaded (Outside Swing) Garages
  - Garage bays on the exterior side of the house, facing the side Lot Line, and have driveway access from the front or side of the lot
  - Must face the interior side of Corner and Greenbelt lots



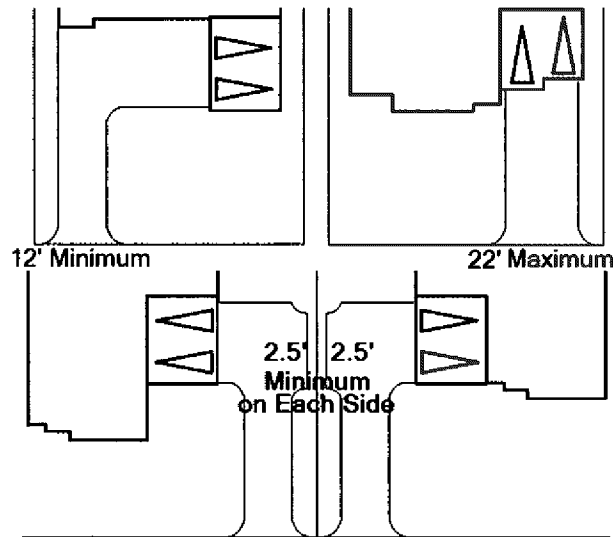
- Swing-In (Inside Swing) Garages
  - Garage bays in the center of a lot, facing the side property line, and have driveway access from the front of the lot
  - Must face the interior side of Corner and Greenbelt lots



## 12. Driveways

- Refer to City Ordinances for construction guidelines and ADA requirements
- Shall intersect the street as close to ninety (90) degrees as possible
- Driveways on dwellings that abut a cul-de-sac must access off the cul-de-sac
- One driveway access per lot
- Architectural Guidelines
  - i. Required materials: Concrete
  - ii. Decorative materials

- Brick pavers, stone, interlocking pavers, stamped & stained concrete, washed aggregate, salt finish, brushed or broom-finished, or concrete with stone or rock borders, subject to Reviewer approval
- Decorative materials must not continue through the public sidewalk
- iii. Prohibited materials
  - Pea-gravel, asphalt, loose gravel, stone, timber borders
  - Painted driveways are not permitted
- Raised Driveways or Bump-Out Driveways
  - i. Subject to Reviewer approval
  - ii. Exposed sides must be underpinned (parged), and painted
  - iii. Exposed sides must be finished/screened with landscaping or stone that matches the exterior elevation of the home
- Driveway Width (measured within 5' from the curb)
  - i. Minimum = 12'
  - ii. Maximum = 22'
- Driveway Side Setback
  - i. Minimum two- and one-half feet (2.5') from side property line when side entry garages oppose one another
  - ii. Minimum one foot (1') from the side property line on all others

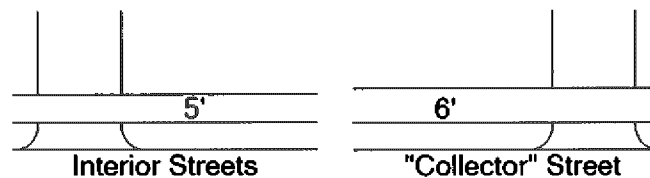


- Driveway Radius
  - i. Minimum five feet (5')

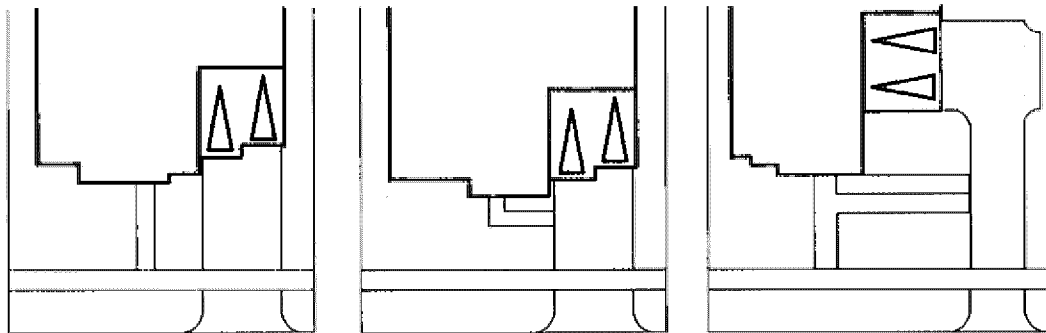


### 13. Sidewalks

- Must comply with all Texas Department of Licensing and Regulation Architectural Barriers Texas Accessibility Standards
- Sidewalk Setback
  - i. As stated on the Street Tree Exhibit – attached as **Addendum A**
- Sidewalk Width
  - i. Five feet (5') wide on interior streets
  - ii. Six feet (6') wide on "Collector" streets



- Lead Walks
  - i. Location
    - May lead from the front door of the elevation to the sidewalk or driveway
    - May lead from the front door of the elevation to both the sidewalk and driveway
    - Walkways to the sidewalk must stop at the sidewalk and not continue to the street
      - a. Allowed for Model Homes, but are to be removed when home is converted to owner-occupied home



- ii. Width
  - Must be minimum three feet (3') to maximum four feet (4') wide
  - May be four feet (4') to maximum six feet (6') with decorative border
- iii. Architectural Guidelines
  - Brushed concrete or exposed aggregate required for all walkways
  - Decorative paving, stone or brick and all other accent materials must match the exterior of the home, subject to Reviewer approval
  - Decorative material must stop at the sidewalk

- Prohibited materials
  - a. Pea-gravel, asphalt, loose gravel, stone, timber borders
- iv. Maintenance
  - Owner is responsible to maintain all lead walks
  - Maintenance to include repair and replacement of cracked or damaged lead walk panels

#### **14. Fencing**

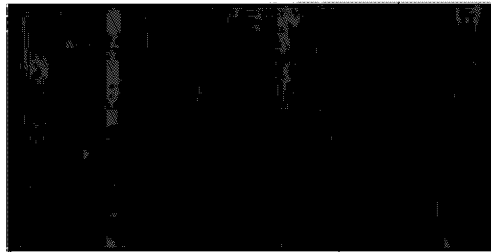
- Wood Fence
  - i. Six foot (6') visible fencing
  - ii. Up to eight foot (8') non-visible interior, subject to Reviewer approval
    - Must taper down to meet adjoining fences
  - iii. Alternating board on board cedar pickets in one eight-foot (8') panel
  - iv. Alternating panels every eight feet (8')
  - v. Steel, galvanized posts
  - vi. Two inch (2") by six inch (6") cap
  - vii. Six inch (6") trim
  - viii. Three (3) rails



- Transition Wood
  - i. Wood fencing must transition down or up to meet adjoining fencing
  - ii. Must transition in one foot (1') sections

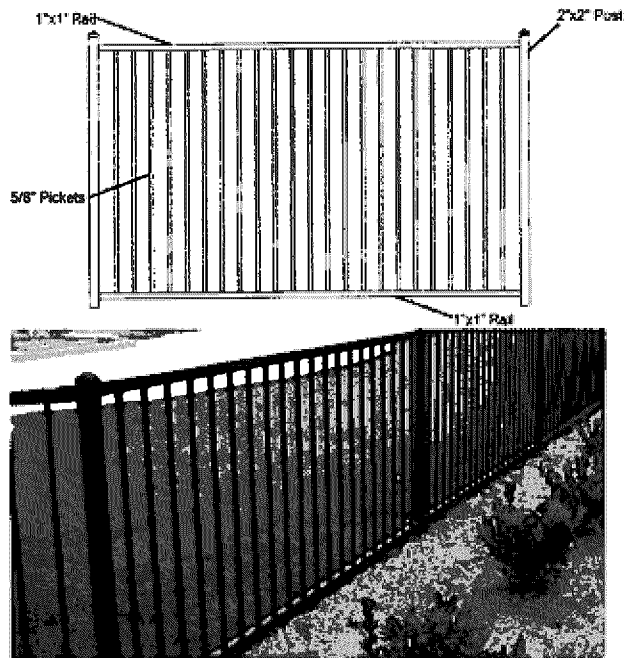


- Fence Stain
  - i. All fences shall be stained (visible and interior non-visible)
  - ii. Stain color
    - Medium brown, semi-transparent
    - Subject to Reviewer approval
      - a. Each builder must select and submit the stain color they have chosen to match the sample

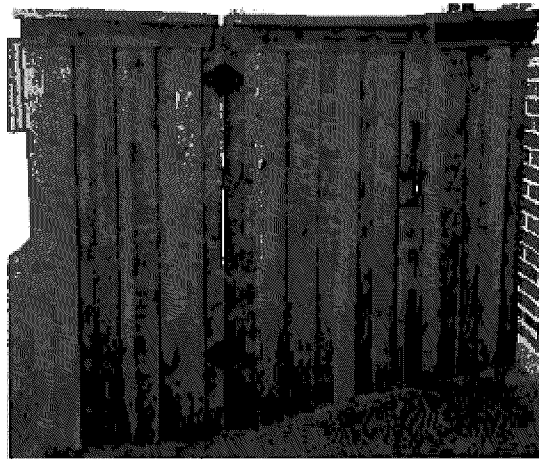


- Metal Fencing
  - i. May be required by Reviewer on specific lots
  - ii. Ace Fence ornamental wrought iron or equivalent, subject to Reviewer approval
  - iii. Maintenance
    - Fences must be maintained at all times to include repair, replacement and painting as needed
    - Owner will be responsible for all steel fencing on and facing the lot
  - iv. Five feet (5') pickets
    - Four inches (4") on center
    - Five-eighths inch (5/8") picket with one inch (1") rail attached to two inch (2") thick posts
    - Two (2) rails

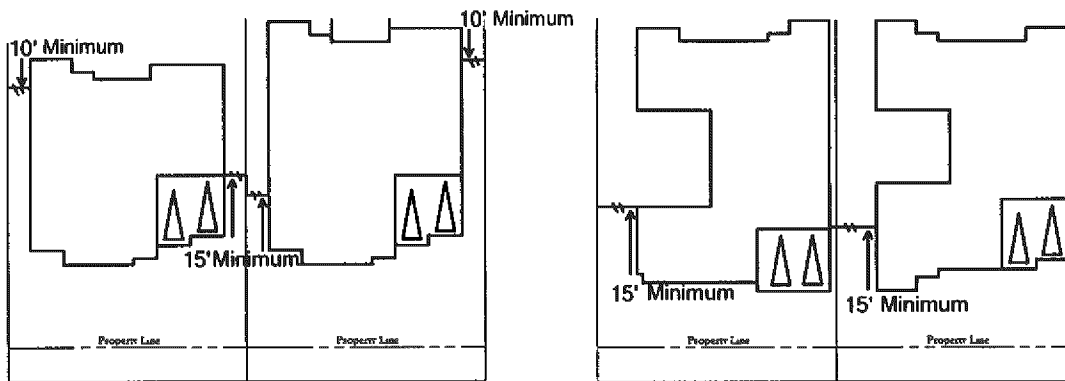




- Prohibited Fencing
  - i. Wood Shadow-Box
  - ii. Wood "Pallet" Fencing
  - iii. Front Yard Fencing
  - iv. Solid walls enclosing entire lot
- Breezeways
  - i. Fencing between dwelling and detached garage
    - Must be wood or steel
    - Gates are required
    - Must match the other fencing material
- Pedestrian Gates
  - i. Wood Gates
    - Wood gates on wood front fences must be the same height as the fence
    - Wood gates on wood breezeway fences must be the same height as the fence
    - Allowed on front fences and greenbelts, subject to Reviewer approval
    - Must be stained to match fencing

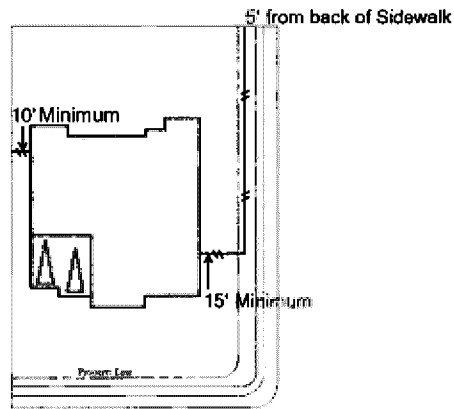


- ii. **Steel Gates**
  - Steel gates must match Ace Fence ornamental wrought iron or powder coated metal fencing and be painted black to match the fencing
  - No gates are permitted along the rear or corner side property line fencing
- iii. **Prohibited Gates**
  - On corner lot side yard fences, adjacent to open space or ROW
  - Wood gates on steel fences
- **Fence Placement**
  - i. **Interior Lots**
    - **Front Fence:** Fencing between adjacent lots facing the front property line
      - a. Wood
      - b. Setback a minimum of fifteen feet (15') from the closest front corner of the elevation
      - c. Setback a minimum of ten feet (10') from the rear corner
    - **Visible Side Fence:** Fencing along the side property line between adjacent lots and is visible within public view
      - a. Wood
    - **Interior Yard Side and Rear Fence:** Fencing along the interior side and rear property lines
      - a. Wood
      - b. Must not exceed the height of the front fence



## ii. Corner Lots

- **Corner Side Front Fence:** Fencing on the corner side of the lot facing the front property line
  - a. Wood
  - b. Setback a minimum of fifteen feet (15') from the closest front corner of the elevation; Setback a minimum of ten feet (10') from the rear corner
- **Front Fence**
  - a. Wood
  - b. Setback a minimum of fifteen feet (15') from the closest front corner of the elevation; Setback a minimum of ten feet (10') from the rear corner
- **Visible Side Fence**
  - a. Wood
- **Corner Side Fence:** Fencing along the corner street side
  - a. Wood
  - b. Setback five feet (5') from the back of the sidewalk
- **Visible Interior Yard Fence:** Wood fencing visible within public view through the steel fence
  - a. Wood
  - b. Must not exceed the height of the Corner Side Fence
- **Rear Fence:** Fencing between two corner lots
  - a. Wood
  - b. Must not exceed the height of the Corner Side Fence



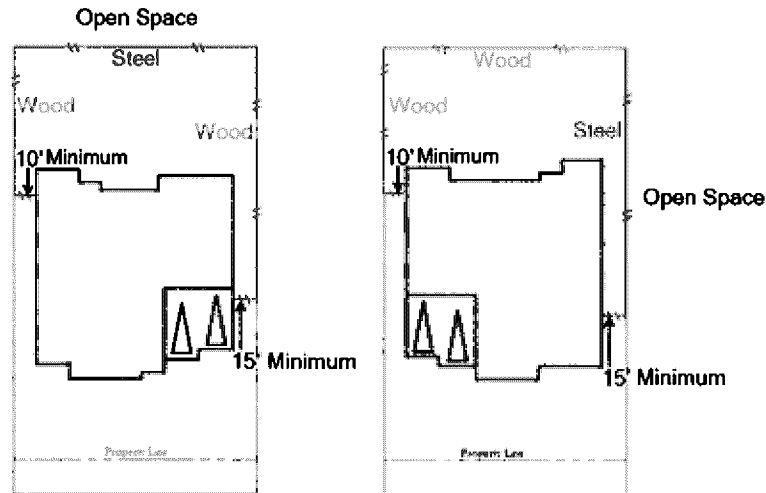
### iii. Key Lots

- **Corner Side Front Fence**
  - a. Wood
  - b. Setback a minimum of fifteen feet (15') from the closest front corner of the elevation; Setback a minimum of ten feet (10') from the rear corner
- **Front Fence**
  - a. Wood
  - b. Setback a minimum of fifteen feet (15') from the closest front corner of the elevation; Setback a minimum of ten feet (10') from the rear corner
- **Visible Side Fence**
  - a. Wood
- **Corner Side Fence**
  - a. Wood
  - b. Setback on the Build Line
  - c. If fencing is set at the typical five-foot (5') setback, fence is to be constructed from steel fencing or a 50% view fence
    - ◊ Subject to Reviewer approval
- **Visible Interior Yard Fence**
  - a. Must not exceed the height of the Corner Side Fence
- **Rear Fence**
  - a. Wood
  - b. Must not exceed the height of the Corner Side Fence

### iv. Open Space Lots

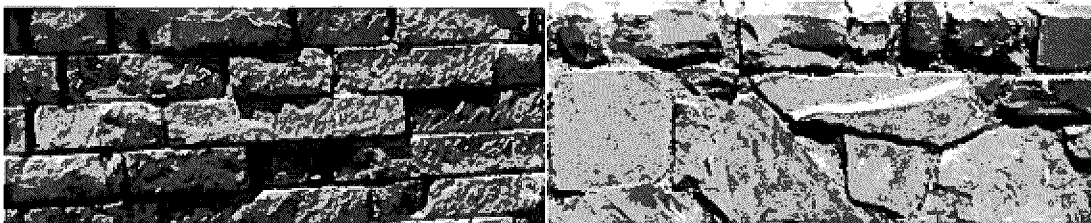
- **Front Fence**
  - a. Wood
  - b. Setback a minimum of fifteen feet (15') from the closest front corner of the elevation; Setback a minimum of ten feet (10') from the rear corner
- **Visible Side Fence**
  - a. Wood
- **Interior Yard Side Fence**

- a. Wood along the side property line to meet six foot (6') rear steel fence
  - b. Must not exceed the height of rear fence
- Open Space Fence: Fencing between the lot greenbelt
  - a. Steel fencing along the open space property line
  - b. Transition from wood to steel must be gradual and consistent



#### 15. Retaining Walls

- Placement – Determined by the topography of each lot, subject to Reviewer approval
- Walls over four feet (4') in height or within the ROW, subject to Reviewer approval
- Complete set of plans by a structural engineer, signed and sealed must be submitted for review
- Materials allowed: Stone
- Color: Must match or complement the Developer stone – “Brown Ozark” and “Brown Hackett”



#### 16. Grading & Drainage

- There shall be no drainage interference with established drainage patterns, except by Declarant, unless adequate provision is made for proper drainage and provision has been certified by a professional engineer and approved in advance by the Reviewer
- Site Drainage
  - i. Proper site drainage is the responsibility of the Builder
  - ii. Builders must adhere to the Town approved Grading Plan

- iii. Positive drainage away from the housing structure shall be provided for rainfall, gutter downspouts, irrigation, air conditioner condensation and all other types of water runoff
  - iv. The Owner shall ensure that the placement of any improvement or landscaping does not halt or materially impede drainage flowing off of a neighboring tract, and does not redirect the flow or significantly increase the amount of water flowing onto a neighboring tract
  - v. Graded slopes shall not exceed 3:1
  - vi. All slopes shall be properly stabilized to prevent erosion
  - vii. Lawn areas should have slopes of at least 2% to prevent standing water. Generally, driveway slopes should not exceed 7%
  - viii. Grading beyond lot boundaries is not allowed
  - ix. Drainage onto adjacent lot shall be protected from flooding or surface drainage
  - x. Parcel drainage discharge points for each community have been predetermined
  - xi. Grading at lot edges should provide for positive drainage away from perimeter property lines and back towards internal street or drainage facilities
- Area Drainage
  - i. No area drains allowed to extend through the curb
  - ii. Area drain openings must be behind the curb, within the lot
  - iii. Must not extend to the street or ROW
- Drainage Improvements
  - i. Drainage improvements within the ROW must be submitted to both the Town and Reviewer for approval, if different from Town approved Grading Plan
  - ii. Must be constructed in accordance with stamped engineer plans by a licensed engineer
  - iii. Improvements must be maintained by the Builder or the homeowner unless maintenance has been accepted by the Association in a recorded written instrument

## **Architectural Guidelines**

### **1. General**

- Architectural Guidelines are to establish the basic and minimum standards for design construction. Attention to design details on visible elevations that lack articulation should be made to avoid a “flat front” appearance.
- Plans lacking design and character are strongly discouraged and may not be approved for construction
- Plans lacking architectural differences from other plans in similar style may not be approved for construction

### **2. Masonry Requirements**

- Roofs, eaves, soffits, windows, gables, doors, garage doors and trim work are not required to be constructed of masonry
- Windows, shutters and doors are counted toward the calculation of the certain minimum percentage of masonry requirements
- Visible elevations within view of common areas, roads, greenbelts or hike/bike trails will be determined by the Reviewer

	Type A/B	Type C/D/F	Type E
First Floor	100% Brick, Stone, Stucco	100% Brick, Stone, Stucco, Cementitious Fiber Board or Siding*	100% Brick, Stone, Stucco
Second Floor	50% Brick, Stone, Stucco 50% Cementitious Fiber Board		100% Brick, Stone, Stucco
Visible*	100%	100%	100%
<i>* As determined by the Reviewer</i>			
<i>* Refer to PD-40 for full details of how Cementitious Fiber Board and Siding to be used on home and limitations on usage</i>			

### **3. Exterior Materials**

- All exterior material selections must be submitted to the Reviewer for approval prior to use within Windsong Ranch
- Masonry
  - i. Brick
    - Must meet the standard specification established by the Brick Institute of America
    - Colors Encouraged: Earth tones, White, Gray
    - Homes may be painted, subject to Reviewer approval which may be withheld for any reason
    - Brick on home may not be stained
  - ii. Stucco
    - Three (3) coat process cement plaster
    - Cementitious-based or acrylic-based stucco required
    - Must meet the Plaster Institute minimum standards
    - Prohibited: EFIS or Dryvet
    - Colors Required: Earth tones
    - Colors Prohibited: Pastels, jewel tones or primary

- iii. Stone
      - Natural quarried or cultured stone
      - Colors: Earth tones, subject to Reviewer approval
    - iv. Cementitious Fiber Board or Siding
      - Hardi-Plank or other cementitious material, subject to Reviewer approval, is considered masonry
  - Siding
    - i. May not be used as a façade cladding material for portions of upper stories that are in the same vertical plane as the first floor
    - ii. Hardi-Plank or equivalent cementitious material, subject to Reviewer approval
    - iii. Siding Prohibited: Board and batten, aluminum or vinyl
    - iv. Colors Encouraged: Earth tones, color must compliment the exterior of the home
    - v. Colors Prohibited: Pastels, dark gray, green, white, bold or primary
  - Accent Materials
    - i. Wood
      - Must be painted and stained or treated and sealed; stained wood must be sealed
      - Natural weathered wood is prohibited
      - Hardi-Plank is not considered wood
    - ii. Wood Trim
      - All wood trim must be high quality milled finish-grade stock, stained or painted
      - The use of MDO (Medium Density Overlay) will be allowed
    - iii. Metal
      - Exposed metals should be seam, anodized aluminum, bronze, copper, or wrought iron ornamentation
  - Paint/Trim
    - i. Must compliment the brick, stone, stucco of the home
      - Maximum of four (4) paint colors per dwelling, including Wood Stain
      - Colors Encouraged: Earth tones, dark gray, black
      - Colors Prohibited: Green, white, bold, primary, pastels
- 4. Shirt Fronting**
- Masonry material must not stop on the front corners of the front elevation
  - Masonry must wrap around side elevations a minimum of ten feet (10')





Prohibited "Shirt Fronting"



Required Masonry Wrap

#### 5. Material & Color Repetition

- The similar brick, stone or stucco color can be repeated every third (3<sup>rd</sup>) lot (see A and B)
- Same brick or masonry cannot be repeated across the street or diagonal from the same brick or masonry (see C and D)

A	C	D	A	
D	B		C	B

#### 6. Windows

- Must complement the architectural style of the dwelling
- Materials
  - i. Double paned or higher quality, wood, anodized aluminum, vinyl
  - ii. Opaque or glass block windows are required for Courtyard Home windows located on the two-foot (2') side of the lot
  - iii. Divided or non-divided light windows are allowed
- Colors
  - i. Bronze, cream, sand, white
  - ii. Type C/D/F lots: Colors to be submitted at Site Plan approval, subject to Reviewer approval, and may be withheld for any reason whatsoever
- Tinting
  - i. Windows with factory tinting are allowed, subject to Reviewer approval
  - ii. After market tinting is prohibited
- Prohibited Items
  - i. Clear anodized aluminum, reflective/mirrored glass, mirrored tinting or glazing
  - ii. Burglar or security bars
  - iii. Awnings

#### 7. Solar Screens

- Solar screens may be installed on all windows on the front, side or back of the house
- No solar screens may be installed unless 20x30 mesh or a maximum 80% UV rated screens are used

- An acceptable material for solar screening is a heavy gauge vinyl mesh that is available in brown, dark gray or black
- The mesh must be enclosed and framed in aluminum that is compatible with the overall color scheme of the contiguous surface of the window on which it is installed
- The mounting of the solar screen should not detract from the overall appearance of the house

**8. Shutters**

- Materials: Stained wood and Fiberglass
- Colors Prohibited: Pastel and Primary

**9. Plate Height**

	Type A	Type B	Type C	Type D	Type E	Type F
Minimum Plate Height	9'	9'	10'	10'	9'	10'

**10. Foundation**

- Exposed foundation twenty-four inches (24") or more above finished grade:
  - Must be concealed by extending the exterior brick or stone
  - Stucco elevations must use stone to conceal the exposed foundation
- Exposed foundation less than twenty-four inches (24") above finished grade:
  - Must be underpinned (parged) and sand finished
  - Front and corner sides must be textured and painted

**11. Roofs**

	Type A	Type B	Type E	Type C	Type D	Type F
Main Roof	- Composite shingles = minimum 8:12 - Tile/cement/concrete shingles = minimum 3:12			- Composite shingles = minimum 8:12 - Tile/cement/concrete shingles = minimum 3:12		
Accessory Roof	Minimum 4:12			Minimum 4:12		
Material	Composite, slate, clay tile, cement/concrete tile			Composite, slate, synthetic, slate, clay tile, cement/concrete tile, standing seam metal		
Color	Weathered wood, black, slate			Weathered wood, black, slate, or subject to Reviewer approval		
Roof Pitch Restriction*	N/A		Minimum 8:12 for at least 25% for all Type E lots	Minimum 8:12 for at least 75% for all Type C lots	Minimum 8:12 for at least 50% for all Type D lots	Minimum 8:12 for at least 25% for all Type F lots
* Refer to PD-40 for further clarification on roof restrictions						

- Roof Pitches
  - Pitched roof ends must be 100% guttered
  - Pitch greater than 16:12 is prohibited
- Prohibited Roof Types
  - Excessively pitched roofs
  - Corrugated, mansard, gambrel or chalet roofs

- iii. Roofs that are too steep or too shallow for the style of the dwelling
  - iv. Shed roof, except as incidental to the main roof
- **Materials**
  - i. Subject to Reviewer approval for color
  - ii. Tile/Slate
    - Thirty (30) year or more that conform to or exceed applicable local, FHA and VA requirements
    - Colors Permitted: Earth tones
    - Colors Prohibited: Bright, blue, red
  - iii. Composite
    - Laminated with a rating of thirty (30) years or more
    - Non-dimensional or three-tab composition shingles are prohibited
    - Colors Permitted: Weathered wood, black, slate
    - Colors Prohibited: Glossy metal and/or reflective materials, bright colors
  - iv. Metal
    - Subject to Reviewer approval
    - Exposed metals should be standing seam, made of anodized aluminum, bronze, or copper
- **Breezeway Roof**
  - i. Must use the same material as roof of main structure
- **Storm and Energy Efficient Shingles**
  - i. All shingles subject to Reviewer approval
  - ii. Design
    - Must be wind and hail resistant
    - Must provide heating and cooling efficiencies greater than those provided by customary composition shingles
    - Must provide solar generation capabilities
  - iii. Installation
    - Are to resemble the shingles used or otherwise authorized for use on property in the community
    - Must be more durable than and are of equal or superior quality to the shingles described below
    - Must match the aesthetics of the property surrounding the Owner's property

## **12. Porches / Railings / Exterior Stairways**

- **Porches**
  - i. Type E Lots
    - Minimum porch depth: seven feet (7')
    - Minimum porch width: seven feet (7') for a house with 2 single-loaded garage doors, or ten feet (10') for a house with a 1 double-loaded garage door
    - A minimum of 15% of the home along a block face shall have a porch within phases that have Type E lots
    - Maintenance

- a. All decks shall be maintained in such a fashion as to not detract from the community
  - b. Porches are to be constructed out of 100% masonry and materials should be of a color that are the same as the main façade of the home
- Refer to PD-40 for clarification on any of these items and other restrictions
- Location
  - i. Ground level decks may not exceed twelve inches (12") in height above natural grade and may not encroach on any easement on or extend beyond the building line
- Materials
  - i. All above ground structures shall be made of either weather resistant wood or masonry
  - ii. Metal or vinyl are not permissible for upper level decks
  - iii. If wood is used, it must be weather-resistant such as cedar or pressure-treated pine (ex. Wolmanized®)
    - Painted to match the house colors, stained a natural wood color, treated with substantially clear wood preservative or left raw to weather naturally
  - iv. If masonry is used, either bricks or stucco that matches the house or concrete may be used
  - v. In all cases, the design and materials must complement the house community
  - vi. On upper level decks, both the stairway and deck require railings for safety
- Balcony Railing
  - i. Railing may be approved stylized wrought iron, steel or stained/painted decorative wood
  - ii. Must complement the architectural style of the home
  - iii. Pressure treated railing is prohibited
  - iv. Railing color subject to Reviewer approval

### **13. Rooftop Accessories**

- Antennas / Towers / Satellite Dishes / Similar Devices
  - i. Subject to Reviewer approval
  - ii. Must not be on the front plane of the dwelling on corner side of a Corner Lot
  - iii. Must be placed in the least obtrusive location and no higher than the highest point of the roof line
  - iv. Satellite Dishes
    - Must be eighteen inches (18") in diameter or smaller
    - Must be mounted below the ridgeline on the roof
    - Must not be in public view from the front of the home
- Skylights
  - i. Subject to Reviewer approval
  - ii. Must not be on the front plane of the dwelling or corner side of a Corner Lot
  - iii. Must be integrated with the roof design, parallel to the roof pitch
  - iv. Must match the color of the surface they extend from

- v. White or bubble skylights prohibited
- Solar Collectors
  - i. Subject to Reviewer approval
  - ii. Requirements as set forth in the Development Area Declaration
  - iii. Must be placed in the least obtrusive location
- Plumbing / Heating Vents / Stacks / Other Projections
  - i. Must be placed out of public view if at all possible
  - ii. Prohibited on the front plane of the dwelling or corner side of a Corner Lot
  - iii. Must match the color of the surface they extend from
- Gutters / Downspouts
  - i. Must match the color of the surface they extend from

#### **14. Structures**

- a. Unattached Shade Structure
  - i. An unattached or freestanding, open framed structure
  - ii. Must follow Unattached Structure Setback requirements
  - iii. Must be located in the rear yard
  - iv. One approved temporary structure per lot
  - v. Must not interfere with drainage or cause water to flow onto any adjacent lot
  - vi. Must be maintained at all times
  - vii. May not be used for open storage
  - viii. Additional landscape screening may be required if within public view
  - ix. Arbor/Pergola – Shade structure with flat roof
  - x. Material
    - a. Must be resistant to decay, such as redwood, cedar and/or treated wood
  - xi. Roof
    - a. Lattice or wood slats
  - xii. Dimensions
    - a. Maximum height: Ten feet (10') measured from grade
    - b. Maximum side: One hundred twenty square feet (120 sf)
- b. Unattached Covered Patio
  - i. Covered, open-framed structure with a solid roof
  - ii. Material
    - a. Must be same materials as the main residence
    - b. Must match the exterior colors of the residence
    - c. Corner columns must be entirely wrapped in brick or stone
    - d. All unattached covered patios must be adequately supported and constructed of wood and masonry so that the patio cover has no visible sagging or warping
    - e. No pipe is allowed
  - iii. Roof
    - a. Minimum 3:12 roof pitch. Flat roofs are prohibited
    - b. Must not exceed the pitch of the roof of the main residence
    - c. Must be the same material as the existing roof
    - d. Corrugated, mansard, gambrel or chalet roofs are prohibited

- iv. Dimensions
  - a. The top of the patio cover at its lowest point shall not be higher than ten feet (10') from ground level (typical first floor plate height)
  - b. The maximum height of the walking area shall be no greater than twelve inches (12") measured from the natural ground
  - c. The total size of the unattached covered patio structure shall not exceed four hundred square feet (400 sf)
- c. Gazebos
  - i. Covered, open-framed structure with a solid roof
  - ii. Material
    - a. Supporting structural members must be constructed of materials resistant to decay, such as pressured-treated yellow pine, redwood, cedar or treated wood painted a color and shade similar to and harmonious with the exterior of the residence
  - iii. Roof
    - a. Minimum 3:12 roof pitch. Flat roofs are prohibited
    - b. Must not exceed the pitch of the roof of the main residence
    - c. Must be the same material as the existing roof
    - d. Corrugated, mansard, gambrel or chalet roofs are prohibited
  - iv. Dimensions
    - a. The top of the gazebo at its lowest point shall not be higher than ten feet (10') from the natural ground to the highest point
    - b. The maximum height of the walking area shall be no greater than twelve inches (12") measured from the natural ground
    - c. Not to exceed one hundred twenty square feet (120 sf)
- d. Unattached Enclosed Structure
  - i. An enclosed structure, has enclosure walls, with a solid roof
  - ii. Must follow Unattached Structure Setback requirements
  - iii. Must be located in the rear yard
  - iv. One approved structure per lot
  - v. Must not interfere with drainage or cause water to flow onto any adjacent lot
  - vi. Must be maintained at all times
  - vii. May not be used for open storage
  - viii. Must not be used as a livable space
  - ix. Additional landscape screening may be required if within public view
  - x. Material
    - xi. Must be same materials as the main residence
    - xii. Must match the exterior colors of the residence
  - xiii. One hundred percent (100%) masonry must be used on all sides
  - xiv. All enclosed detached structures must be adequately supported and constructed so that the enclosed detached structure has no visible sagging or warping
  - xv. No garage roll up doors allowed
  - xvi. No window A/C units allowed

- xvii. No pipe is allowed
- xviii. Roof
  - a. Minimum 3:12 roof pitch. Flat roofs are prohibited
  - b. Must not exceed the pitch of the roof of the main residence
  - c. Must be the same material as the existing roof
  - d. Corrugated, mansard, gambrel or chalet roofs are prohibited
- ii. Dimensions
  - a. The top of the structure at its lowest point shall not be higher than ten feet (10') from ground level (typical first floor plate height)
  - b. The maximum height of the walking area shall be no greater than twelve inches (12") measured from the natural ground
- e. Attached Shade Structure
  - i. An attached, open-framed structure with a flat roof
  - ii. Must following Building Setback requirements
  - iii. Must be located in the rear yard
  - iv. Must not interfere with drainage or cause water to flow onto any adjacent lot
  - v. Must be maintained at all times
  - vi. May not be used for open storage
  - vii. Additional landscape screening may be required if within public view
  - viii. Must appear to be an integral part of the residence's original construction
  - ix. Arbor/Pergola – shade structure with flat roof
  - x. Material
    - a. Materials must be resistant to decay, such as redwood, cedar, and/or treated wood
    - b. Wood embossed architectural aluminum must match the exterior colors of the residence
    - c. Post must sit on masonry columns that match the main residence
  - xi. Roof
    - a. Lattice or wood slats
  - xii. Dimensions
    - a. Maximum height: Ten feet (10') measured from grade
    - b. Maximum size: No wider than the slab of the main residence
    - c. Maximum depth: No more than twenty feet (20') from slab
- f. Attached Covered Patio Structures
  - i. An attached, covered structure, open-framed, with a solid roof
  - ii. All patio covers must be adequately supported and constructed of sturdy materials so that the patio cover has no visible sagging or warping
  - iii. Supports must be painted wood, treated wood or masonry
  - iv. Must be maintained at all times
  - v. No pipe is allowed
  - vi. Material
    - a. Must be same materials as the main residence

- b. Must match the exterior colors of the residence
    - c. Concrete may be finished in tile, brick or stone, subject to Reviewer approval
  - vii. Roof
    - a. Minimum 3:12 roof pitch. Flat roofs are prohibited
    - b. Must not exceed the pitch of the roof of the main residence
    - c. Must be the same material as the existing roof
    - d. Corrugated, mansard, gambrel or chalet roofs are prohibited
  - viii. Dimensions
    - a. The maximum height of the walking area shall be no greater than twelve inches (12") measured from the natural ground
    - b. The total size shall not exceed four hundred square feet (400 sf)
- g. Patio Enclosures
  - i. Any patio cover that has exterior walls (other than "sunrooms"), with a solid roof
  - ii. Material
    - a. Must match the architectural style and character of the main residence
    - b. Must be same materials as the main residence
    - c. Must match the exterior colors of the residence
    - d. Must be maintained at all times
  - iii. Roof
    - a. Minimum 3:12 roof pitch. Flat roofs are prohibited
    - b. Must not exceed the pitch of the roof of the main residence
    - c. Must be the same material as the existing roof
    - d. Corrugated, mansard, gambrel or chalet roofs are prohibited
  - iv. Dimensions
    - a. The highest point shall not exceed nine feet (9') from ground level (typical first floor plate height)
- h. Sunrooms
  - i. A patio enclosure to be constructed with glass walls and/or glass roofing
  - ii. Material
    - a. Must be same materials as the main residence
    - b. Must match the exterior colors of the residence
    - c. Glass must be tinted in a shade compatible with the exterior of the residence. Metallic or direct reflecting style shading/tinting of the glass is prohibited
    - d. Applicants may be required to submit actual samples of the glass with the proposed shading/tinting material applied for approval
    - e. Must be maintained at all times
  - iii. Roof
    - a. Minimum 3:12 roof pitch. Flat roofs are prohibited
    - b. Must not exceed the pitch of the roof of the main residence
    - c. Must be the same material as the existing roof
    - d. Corrugated, mansard, gambrel or chalet roofs are prohibited
  - iv. Prohibited Accessories



- a. Exposed air conditioning or heating duct work, no duct work shall be visible at any time
  - v. Window Coverings
    - a. Are not required; however, only interior coverings will be permitted; there shall be no exterior coverings allowed

**15. Additional Structures**

- a. Chimneys
  - i. Exterior Wall Chimneys
    - a. Materials
      - 1. Must be the same as house
      - 2. 100% brick, stone, or stucco
      - 3. Stucco board is not considered masonry
      - 4. Cantilevered chimneys are prohibited
  - ii. Interior Chimneys
    - a. Materials
      - 1. Brick, stone, stucco or lap siding matching the house color
  - iii. Cap
    - a. Required for all fireplaces using metal spark arrestor or metal venting at the top of the chimney
    - b. Must be painted to match the chimney material
  - iv. Direct Vent
    - a. Allowed, but must not be visible from the ROW
- b. Outdoor Kitchen
  - i. Outdoor kitchen fixtures must be permanent/fixed and must be harmonious with the main residence
  - ii. Height shall not exceed standard bar height requirements
- c. Outbuildings
  - i. Tool/storage shed, garden shed, or other exterior buildings not considered patio or shade structures, are to have an exterior that architecturally compliments the exterior of the main residence.
  - ii. Must follow Building Setback requirements
  - iii. Must be located in the rear yard
  - iv. One approved structure per lot
  - v. Must not interfere with drainage or cause water to flow onto any adjacent lot
  - vi. Must be maintained at all times
  - vii. Material
    - a. Metal, plastic, vinyl, and wood are allowed with colors that are complimentary to the home
  - viii. Roof
    - a. Shall conform to the provisions relating to roofing materials
    - b. Minimum 3:12 roof pitch. Flat roofs are prohibited
    - c. Must not exceed the pitch of the roof of the main residence
    - d. Corrugated, mansard, gambrel or chalet roofs are prohibited
  - ix. Dimensions

- a. Not to exceed eight feet (8') in height when measured from the natural ground to roof peak (this includes any blocks or decking)
    - b. Must not exceed one hundred square feet (100 sf) of floor space
  - x. Screening
    - a. Must be screened from public and private view to the maximum extent possible by land or permanent structures (such as the house, garage or wood fences)
    - b. Outbuildings on lots with open wrought iron fencing may be subject to additional landscape screening to block from public view
- d. Patio Decks
  - i. Location
    - a. Ground level decks may not exceed twelve inches (12") in height above natural grade and may not encroach on any easement nor extend beyond the building line
    - b. On upper level decks, both the stairway and deck require railings for safety
      - 1. Upper level decks overlooking another neighbor's backyard are prohibited
  - ii. Materials
    - a. All above ground structures shall be made of either weather resistant wood or masonry; metal or vinyl are not permissible for upper level decks
    - b. If wood is used on the improvement, it must be weather-resistant such as cedar or pressure-treated pine (ex. Wolmanized®). It may be painted to match the house colors, stained a natural wood color, treated with a substantially clear wood preservative or left raw to weather naturally
    - c. If masonry is used, either bricks or stucco that matches the house or concrete may be used
    - d. In all cases, the design and materials must complement the house community
  - iii. Maintenance
    - a. All decks shall be maintained in such a fashion as to not detract from the community
- e. Prohibited Structures
  - i. Carports, Open Automobile Storage, Netting Enclosures (except safety netting around a trampoline)

#### **16. Outdoor Lighting**

- Direct source must not be visible from a street or neighboring Lot
- Sources cannot be directed at neighboring Lot
- Exterior lights located on the second story of a home are prohibited
- Exterior mounted lap housing must shield lap from view and direct light
  - i. Maximum 75 watts
  - ii. Housing must be a minimum of eight inches (8") long

- iii. Extend at least three inches (3") beyond lamp
    - iv. Maximum angle from the wall of thirty (30) degrees
  - Decorative or Lantern Fixtures
    - i. Maximum of 45 watts per fixture
  - Prohibited
    - i. Sodium or Mercury Vapor
    - ii. Colored lighting
    - iii. High intensity lamps and exterior lights
    - iv. Excessive lighting – number of exterior light fixtures for dwelling and landscape may be limited
- 17. Security Devices**
- Cameras, sirens, and speaker boxes shall be the minimum size needed to be effective and not visible to public view and preferably contained within the home
  - Cameras are not to be directed towards adjacent Lots
  - Security and/or burglar bars are not permitted
- 18. Air Conditioners**
- No window or wall air conditioning units will be permitted on structures.
  - Outside condensing units (compressors) that are not located within a fenced area shall be screened by shrubbery to make them not visible to the street
- 19. Generators**
- A standby electric generator shall have the same meaning as outlines in Section 202.019 of the Texas Property Code. The installation, operation and maintenance of all standby electric generators must comply with the following:
    - i. Installation and maintenance of the standby electric generator must be in compliance with manufacturer's specifications and all applicable governmental health, electrical and building codes
    - ii. Installation of all electrical, plumbing and fuel line connections must be performed by a licensed contractor
    - iii. Installation of all electrical connections must be performed in accordance with applicable governmental health, safety, electrical and building codes
    - iv. Installation of all natural gas, diesel fuel, biodiesel fuel, or hydrogen fuel line connections must be performed in accordance with applicable governmental health, safety, electrical and building codes
    - v. Installation of all liquefied petroleum gas fuel line connections must be performed in accordance with the rules and standards promulgated and adopted by the Railroad Commission of Texas and other applicable governmental health, safety, electrical and building codes
    - vi. Installation and maintenance of non-integral standby electric generator fuel tanks must comply with applicable municipal zoning ordinances and governmental health, safety, electrical and building codes
    - vii. All standby electric generators and its electrical lines and fuel lines must be maintained in good condition. In addition, the repairing, replacing and removal

of any deteriorated or unsafe component of the standby electric generator, which includes electrical or fuel lines, is required

- viii. Owners must screen the standby electric generator when:
  - a. Visible from the street faced by a dwelling
  - b. Located in a fenced or unfenced side or rear yard of a residence and is visible either from an adjoining Lot or from adjoining Common Area
- ix. Any periodic testing of the standby electric generator consistent with the manufacturer's recommendation must only be performed during the hours of 9 AM to 5 PM – Monday through Saturday
- x. It is strictly prohibited to use a standby electric generator to generate all or substantially all of the electrical power to a lot, except when utility-generated electrical power is not available or is intermittent due to causes other than nonpayment for utility service
- xi. No standby electrical generator shall be located on Common Areas
- xii. No standby electrical generator may be installed prior to obtaining written approval from Reviewer

**20. Swimming Pools / Hot Tubs / Spas**

- Swimming pools, hot tubs, and other ancillary structures are restricted to the rear yard and must adhere to the following guidelines
- Must receive Reviewer approval and proper Town and County permitting prior to installation
- Swimming pools and accompanying spas shall be in-ground, or a balanced cut and fill, and shall be designed to be compatible with the site and the residence
- All exposed concrete on an "Infinity Edge" pool must be properly screened through the use of landscaping and no more than three feet (3') of exposed concrete may be visible
- Self-contained above-ground hot tubs require Reviewer approval
- Location
  - i. No portion of the pool structure may encroach onto the utility easement without written consent from the utility companies involved
  - ii. Subject to the above-mentioned approval, decking may encroach onto the easement with owner awareness that utility company policy may require access to that area; the owner could be responsible for removal and/or will be responsible for replacement of the deck located in the easement
  - iii. Pool decks must not extend beyond the established side setback lines and must be a minimum of five feet (5') from the side or rear property line
- Dimensions
  - i. No portion of swimming pool accessories (slides, diving boards, waterfalls, raised beams, etc.) may exceed six feet (6') in height from natural ground or be visible above the top of the fence and must be screened with landscaping if visible from public view
  - ii. Waterfalls or similar amenities shall not extend more than six feet (6') above grade on dwelling lot
  - iii. Pool decking may not exceed twelve inches (12") in height above natural grade

- iv. Above ground spas must not exceed four feet (4') in height and any decking surrounding the structure must not exceed that height. Additional landscaping may be required
- Fencing / Screening
  - i. All private swimming pools and spas shall be completely enclosed by a minimum four foot (4') high yard fence and a self-closing, self-latching gate or Town of Prosper ordinance, whichever is more restrictive
  - ii. The gate must be constructed of the same material as the fence, per the Guidelines
  - iii. Pool equipment must be immediately screened from the street in the front by the rear yard fence (wood) or solid landscaping and from visible common areas by landscaping
  - iv. Maintain a twenty-four-inch (24") greenbelt between pool equipment and/or pool deck and/or property line
- Construction Access
  - i. Pool construction access routes are on either side of the time (within the lot fence lines) via the owner's property only
  - ii. Access routes must be clearly defined from the street to the pool excavation sight. Access through any Association property is prohibited
  - iii. The Reviewer will not approve access through non-associated right of ways such as drainage easements and gas pipeline areas. Access must be granted by the appropriate entity and a written authorization and policies must be supplied to the Reviewer prior to pool installation
- Maintenance
  - i. All swimming pools and spas must be properly maintained year-round to comply with all County and State regulations
  - ii. Pool backwash lines are to be tied into the sanitary sewer per the district requirements
  - iii. Proper area drainage must be maintained and pool run off/drainage must not affect neighboring properties
  - iv. The sidewalk and/or curb may not be saw cut or broke out
  - v. All yard drainage must be terminated at the front yard using a pop up bubbler or a grated cover not visible above the grass
  - vi. If tunneling under common sidewalks, properly compacted backfill must be installed to avoid future settlement of sidewalks crossed
  - vii. Pools must be inspected by the appropriate operator for the community
- Prohibited Structures
  - i. Portable or permanent above ground swimming pools
  - ii. Pool enclosures are not allowed
  - iii. Front yard fountains
- Required Submittal Information
  - i. Completed modification application,
  - ii. A copy of the lot survey by a professional land surveyor (the survey received at closing)
  - iii. Measurements in all three dimensions
  - iv. A second survey (same as above) with pool imaged onto the survey
  - v. Pool plan/sketch/detail showing the following:

- a. Location of the pool equipment
- b. Pool filter type
- c. Drainage plan
- d. Access route information
- e. Detailed scope of work to be performed
- f. Contractor's name and phone number
- g. A one thousand-dollar (\$1,000) deposit; will be refunded after inspection

**21. Rear Yard Recreational Equipment**

- For the purpose hereof, rear yard recreational equipment shall include, but is not limited to any type of children's play houses, play sets, climbing structures, slides, raised play forts, swing sets, trampolines, etc. Such structures are not totally enclosed
- Two approved play structures per lot
  - i. Location
    - a. Recreational equipment shall be located in the rear yard so it is screened from public and private view to the maximum extent possible by permanent structures (such as the house, garage or wood fences) or landscaping
    - b. Must be a minimum of five feet (5') from the side fence lines and five feet (5') from the rear fence line
    - c. Additional landscape screening may be required
    - d. Plastic or metal play structures, brightly colored play structures or homemade play structures are subject to Reviewer approval
    - e. Portable skateboard ramps must be stored from public view when not in use
    - f. Location must be drawn to scale on title survey/plot plan during modification application process
  - ii. Size – most standard play sets are twelve and a half feet (12.5')
    - a. Play structures and swing sets must not exceed one hundred twenty square feet (120 sf) in size, not including the slide and stairs
    - b. The maximum allowable height for interior lot playground equipment is twelve feet (12') from the ground to the highest point of the structure
    - c. No portion of any piece of rear yard equipment shall exceed this height limit
    - d. Standing platforms shall not exceed five feet (5') above natural ground
    - e. Enclosed playhouses must not exceed seven and a half feet (7.5') in height when measures from the natural ground and one hundred twenty square feet (120 sf) in size
  - iii. Materials
    - a. Playhouses and play structures must be constructed of materials resistant to decay, such as pressure-treated yellow pine, redwood, cedar or painted treated wood, to be in harmony with the existing residence
    - b. Play structure on lake or recreational lake lots must be constructed of wood and either manufactured or professionally constructed
      - 1. Must be earth tone colored

- c. Swing sets, trampolines, etc. may be constructed of metal
- d. Tarp roofs, awnings or covers must be solid earth tone colors
- e. Safety netting on trampolines must be black, white or neutral in color
- iv. Maintenance
  - a. All playhouses, play structures, swing sets and trampolines, etc. shall be maintained in such a fashion as to not detract from the community
- v. Prohibited Equipment
  - a. Permanent skateboard ramp type structures
  - b. Baseball cages or nets

## **22. Basketball Goals**

- In-Ground Basketball Goals
  - i. One (1) front yard pole-mounted basketball goal per residence is permitted, with Reviewer approval
  - ii. Driveway Location
    - a. Goals must be no more than twelve feet (12') from front elevation closest to the front property line
    - b. Goals may be no closer to the side property line than two and a half feet (2.5')
  - iii. Goal Construction
    - a. Pole
      - 1. Black metal
      - 2. Minimum three and a half inch (3.5") in diameter
      - 3. Must not exceed twelve feet (12') in height
    - b. Backboard
      - 1. Standard size backboard
      - 2. Plexiglas, graphite or fiberglass
      - 3. White, clear or gray with the exception of the manufactures outline markings
    - c. Nets
      - 1. Required on all rims
      - 2. Chain nets are prohibited
  - iv. Maintenance
    - a. All goal supports, backboards, rims and nets must be well maintained at all times
- Portable Basketball Goals
  - i. May be permitted in the rear yard with Reviewer approval
  - ii. Location
    - a. Must be maintained in an upright position at all times or stored out of site
    - b. Must not encroach on side building setbacks
  - iii. Backboards attached to the main residence or the garage are prohibited

## **23. Sport Courts – Basketball, Multi-Sport, Racquet Sports, Soccer, etc.**

- One approved court per lot, subject to Reviewer approval
- Tennis courts and batting cages are prohibited

- Location
  - i. Must be located in the rear yard
  - ii. Must not encroach on utility easement
  - iii. Must not interfere with drainage or cause water to flow onto any adjacent lot
- Dimensions
  - i. Maximum coverage is fifty percent (50%)
  - ii. All established easements and setbacks must be observed
  - iii. Size subject to Reviewer approval
- Color
  - i. Reviewer approval required
- Maintenance
  - i. Must be maintained at all times
  - ii. May not be used for open storage
- Screening
  - i. Additional landscape screening may be required if within public view
- Lighting
  - i. Must comply with Exterior Lighting guidelines, subject to Reviewer approval

**24. Front Yard Accessories**

- Front yard accessories shall be permitted under the following conditions:
  - i. Location
    - a. Accessories must be an integral part of the landscaping and blend in with the existing shrubbery or trees. This includes the yard in front of the fence line and any side yards on corner lots
  - ii. Type/Size
    - a. Front yard accessories are limited to landscape planters
    - b. Landscape planters placed on the front entry walls are not to exceed twenty-four inches (24") in height
    - c. Landscape planters in beds adjacent to the home or front entries/porches are not to exceed thirty-six inches (36") in height
    - d. Landscape planters are to be of a standard shape (square, rectangular, or oval) and will be left at the reviewer's discretion
    - e. Planters in the driveway will not be permitted lined in a row
    - f. Planters are limited in number to a total of four (4)
    - g. No other front yard accessories will be allowed
  - iii. Materials
    - a. Landscape planters must be constructed of precast concrete, marble, painted cast aluminum terra cotta, or other durable material
    - b. Landscape planters are to be made up of colors and materials that complement the exterior of the home
    - c. Wooden barrels, aluminum, tin, metal, plastic, fiberglass, and other non-durable materials, are not acceptable materials for landscape planters or decorative accessories
    - d. Birdbaths may not be used as planters
  - iv. Maintenance



- a. Landscape planters shall be maintained in such a fashion as to not detract from the community and must be maintained with living landscape materials at all times
- Prohibited Accessories
  - i. Some examples that will not be allowed are decorative landscaping flags, birdbaths, statues, or decorative fountains
  - ii. Additional decorative elements are not permitted to be attached to the home or fences (ie. Star décor, hanging baskets, iron décor, etc.)
  - iii. Other items not meeting the established guidelines are not permitted within the visible front or side yards of residential lots
- Holiday Decorations
  - i. Traditional holiday decoration(s) may be displayed for one (1) month prior to and one (1) month after any commonly recognized holiday for which such lights/decorations are traditionally displayed
- Religious Items
  - i. Subject to Reviewer approval
    - a. An alteration to the entry door or door frame must first be approved by the Reviewer
  - ii. Location
    - a. Except as otherwise provided in this section, a religious item is not permitted anywhere on a lot except on the entry door or door frame of the residence
    - b. A religious item shall not extend past the outer edge of the door frame
  - iii. Size
    - a. The religious item(s), individually or in combination with other religious items displayed or affixed on the entry door or door frame, shall not have a total size of greater than twenty-five square inches (25")
  - iv. Content
    - a. A religious item shall not contain language, graphics, or any display that is patently offensive to persons of ordinary sensibilities
  - v. Limitation
    - a. A religious item shall not be displayed or affixed on an entry door or door frame if it threatens the public health or safety or violates a law
  - vi. Color of Entry Door or Door Frame
    - a. An owner is not permitted to use a color for an entry door or door frame of the owner's residence or change the color of an entry door or door frame that is not authorized by the Reviewer
  - vii. Other
    - a. Notwithstanding the above provisions:
      - 1. The Reviewer shall have the authority to allow a religious statue, such as by way of example and not in limitation, a statue of St. Francis of Assisi or other religious item in a landscape bed or other portion of a lot
      - 2. These guidelines shall not prohibit or apply to temporary seasonal decorations related to religious holidays as otherwise permitted in Windsong Ranch
- Banners

- i. Maximum of one (1) banner or flag that is six feet (6') by three feet (3') in size mounted on a flagpole attached to the front of the home is permitted
- Birdhouse / Feeder
  - i. A maximum of one (1) pole mounted birdhouse or feeder per lot
  - ii. Will be permitted in the rear yard only
  - iii. May not exceed twelve feet (12') in height and must be placed towards the middle of rear yard and not visible from the fronting street and at least five feet (5') from the side and rear property lines
  - iv. A birdhouse or feeder that is pole mounted must be mounted on a two-inch (2") diameter metal pipe painted black
  - v. In addition to one pole mounted birdhouse or feeder, a maximum of two (2) hanging birdhouses or feeders will be permitted to hang per shade tree in the rear yard, with a maximum total of four (4) per lot
  - vi. Maximum allowable size of the birdhouse or feeder itself cannot exceed two feet (2') height by two feet (2') wide by two feet (2') deep
  - vii. No birdhouses or feeders to include hanging (tree mounted) or pole mounted will be allowed in the front yard

**25. Front Courtyard and Alcove Accessories**

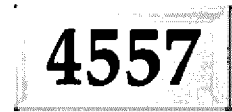
- Front courtyard and alcove accessories shall be permitted under the following conditions:
  - i. Fountains or birdbaths will only be allowed if they are located within the footprint of the residence as an alcove or courtyard and may require additional landscape screening
  - ii. Statues and planters will be reviewed on a case by case basis and will only be allowed if they are located on within the footprint of the residence and do not exceed sixty inches (60") in height
  - iii. Additional landscape screening may be required

**26. Outdoor Furniture**

- Front Porch/Entry Furniture
  - i. Must be well maintained
  - ii. Must be in harmony with the exterior design and color of the house
  - iii. Must be located on front porch/entry, not in the landscaping or front or side yards
  - iv. Must be metal, wood or concrete
  - v. Folding chairs are not acceptable
  - vi. May not be plastic
  - vii. Porch swings are allowed but must adhere to the above guidelines
- Rear Yard Outdoor Furniture
  - i. Must be in rear yard
  - ii. Must be well maintained
  - iii. Must be in harmony within the exterior design and color of the house
  - iv. Pastel, primary and jewel tones are prohibited
  - v. Approved rear yard furniture is not allowed to be located in the front yard

**27. Address Marker**

- Address Marker is required for every address
  - i. Precast stone address markers
    - a. Stone address markers with addresses written on them are allowed
  - ii. Pin-mounted address markers
    - a. Must be sized appropriately and meet Town fire code
- Must be visible from the front ROW
- Prohibited: Painted address on the curb

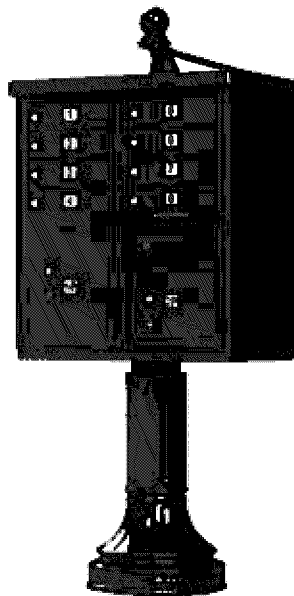


**28. Flag Poles**

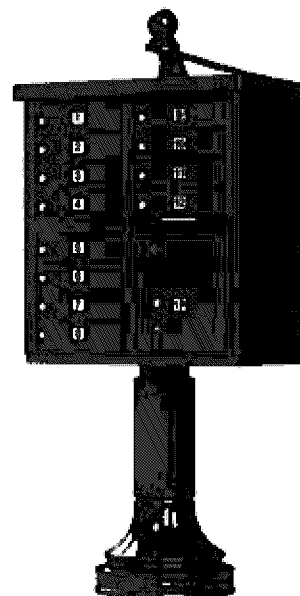
- Model Homes
  - i. Two (2) poles, Thirty feet (30') high
  - ii. Placement and color, subject to Reviewer approval
  - iii. Must be removed prior to the sale of the Model Home
  - iv. One flag per pole
    - a. US, Texas or Builder flags only
- Homeowners
  - i. Approval Requirements / Installation / Display
    - a. Permitted flags, permitted flagpoles and freestanding flagpoles shall be submitted for approval and installed in accordance with the Development Area Declaration, as amended from time to time

**29. Mailboxes**

- CBU mailboxes



**8 unit CBU**



**12 unit CBU**

## **Landscape Guidelines**

### **1. General**

- a. Landscape plan for each lot must be submitted to Reviewer for approval, 30 days prior to installation
- b. Requirements for specific lots may be more or less restrictive depending on landscape indigenous to the immediate site and the location of the site within the Development
- c. Plants must be from the approved list – See North Texas Plant List Exhibit – attached as **Addendum B**
- d. Must be in scale with the dwelling and associated structures
- e. Existing tree preservation required
- f. Tree removal within the building envelope
  - i. Trees greater than 18” measured 24” off the ground must have approval from the Reviewer
  - ii. Trees less than 18” measured 24” off the ground may be removed by the Builder
- g. Tree removal outside the building envelope
  - i. Trees 12” or larger measured 24” off the ground must have approval from the Reviewer
- h. Care shall be taken when planting large trees and shrubs near the foundation
- i. Large trees and shrubs shall be planted no closer to the foundation than two (2) times the diameter of the root ball of a mature plant
- j. Planting beds must be a minimum depth of five feet (5') measured from the front elevation
- k. Planting beds must be maintained in such a fashion as to not detract from the community which includes pruning and weeding

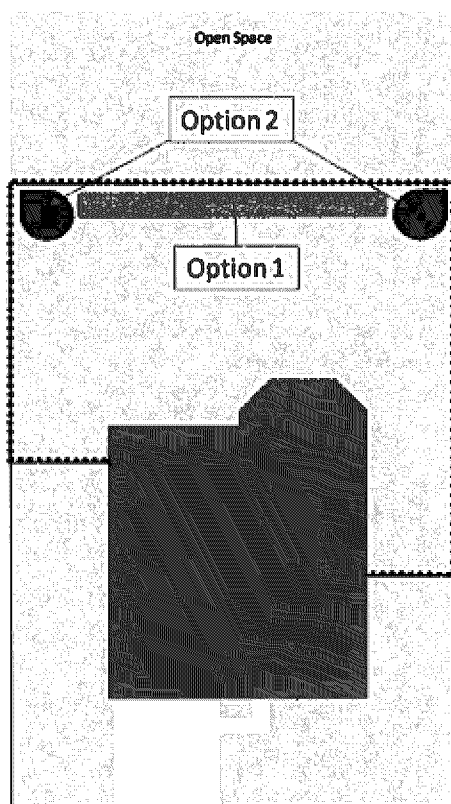
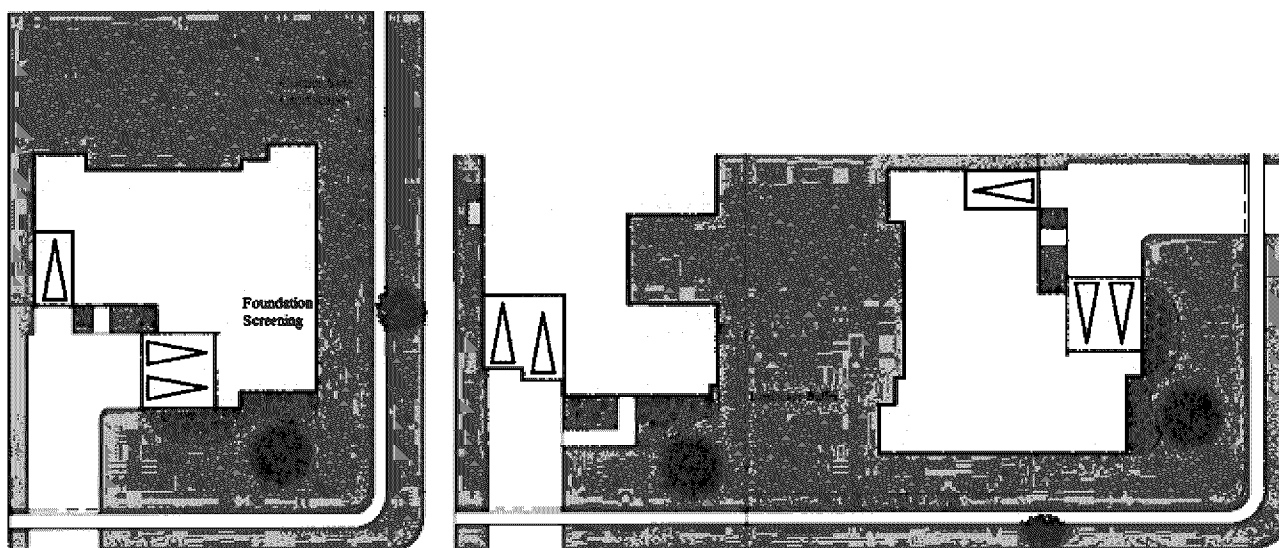
### **2. Yard Types**

- **Front Yard** – Planting beds in the front of the home
  - i. Generally, be curvilinear with the plants in massings
  - ii. Groupings of shrubs of the same species provide a substantial look
- **Visible Rear Yard** – Rear yards backing or siding a greenbelt or public area, or are visible within public view as designated in the Village Design Guidelines and on the plat
- **Rear Yard with View** – Rear yards with steel fencing alongside or rear property lines
  - i. Planting beds must be planted in one of the following manners:
    - Along the back fence line
    - In groupings in the corners of the fence
  - ii. See Rear Yard with View requirements
- **Corner Lot** – Lots whose side yards face a street
  - i. Must have corner lot landscaping
  - ii. Plantings shall be in clusters along fence facing the street, see Corner Lot/Landscape Buffer requirements
- **Landscape Buffer** – Non-corner lots with visible fencing that measures thirty feet (30') or more in length require a landscape buffer
  - i. See Corner Lot/Landscape Buffer requirements

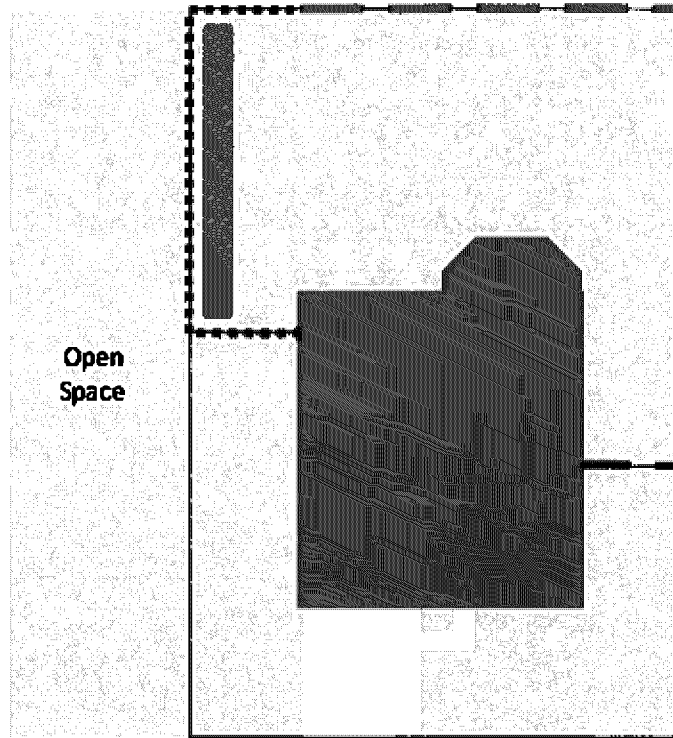
### 3. Minimum Landscape Requirements

- a. See Street Tree Exhibit for tree placement
- b. Prohibited Trees: Palm Trees
- c. Xeriscaping
  - i. May be permitted, subject to written Reviewer approval
  - ii. Rock or crushed rock as ground cover prohibited unless permitted with written Reviewer approval

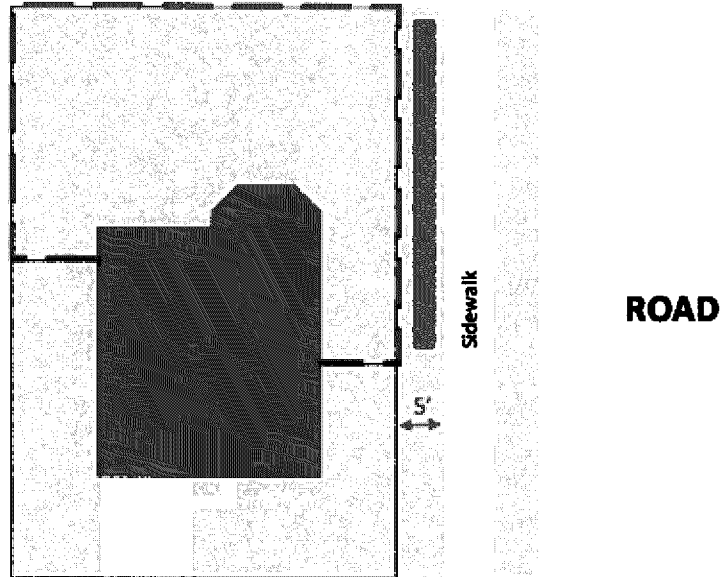
Landscape Type	Type A	Type B	Type C	Type D	Type E	Type F
Tree Requirement #	Tree(s) must total 6" in caliper	Tree(s) must total 9" in caliper			Tree(s) must total 6" in caliper	Tree(s) must total 12" in caliper
Front Yard Tree	A minimum of 1 tree must be located in the front yard*	A minimum of 2 tree must be located in the front yard**			A minimum of 1 tree must be located in the front yard*	A minimum of 1 tree must be located in the front yard*
Front Yard Street Side Tree	See Street Tree Exhibit for tree placement					
Corner Lot Yard Tree	One 3" caliper hardwood tree					
Corner Lot Street Side Tree	See Street Tree Exhibit for tree placement					
Grass & Irrigation	Front, rear, and side yards must be irrigated by a programmable irrigation system and sodded with grass					
Front Yard Planting Bed	One 15-gallon shrub	Two 15-gallon shrubs			One 15-gallon shrub	Two 15-gallon shrubs
	One 7-gallon shrub	One 7-gallon shrub			One 7-gallon shrub	One 7-gallon shrub
	Ten 3- to 5-gallon shrubs over 4' in height	Fifteen 3- to 5-gallon shrubs over 4' in height			Ten 3- to 5-gallon shrubs over 4' in height	Fifteen 3- to 5-gallon shrubs over 4' in height
	Fifteen 3-gallon shrubs under 4' in height	Twenty 3-gallon shrubs under 4' in height			Fifteen 3-gallon shrubs under 4' in height	Twenty 3-gallon shrubs under 4' in height
	Fifteen 1-gallon perennial plants	Twenty 1-gallon perennial plants			Fifteen 1-gallon perennial plants	Twenty 1-gallon perennial plants
Rear Yard with View / Visible Rear Yard	One 3" caliper hardwood tree					
	Two 15-gallon shrubs					
	Fifteen 3-gallon shrubs					
Corner Lot – Side Planting (Along Corner Side Fence)	Three 5-gallon shrubs					
	Fifteen 3-gallon shrubs					
Landscape Buffer (Visible fencing more than 30")	Three 5-gallon shrubs					
	Fifteen 3-gallon shrubs					
Tree caliper measured 12" above grade						
* Minimum of one 3" caliper tree required						
** Minimum of two 3" caliper trees required						
* Caliper count is inclusive of the Street Tree requirement						



**Rear Yard with View Landscaping – Rear Yard**



**Rear Yard with View Landscaping – Side Yard**



**Corner Lot – Side Planting**

4. **HVAC Screening**
  - a. Placed behind the fencing or screened with evergreen shrubs on all visible sides
5. **Grass**
  - a. Location
    - i. Front, Sides, Rear
  - b. Type
    - i. Required: Bermuda
    - ii. Permitted: St. Augustine, in backyard only, with written Reviewer approval
    - iii. Prohibited: Artificial turf or grass
      - Variances may be considered for areas that are not in public view
6. **Mulch**
  - a. Minimum of two inches (2") on all beds
  - b. Materials
    - i. Hardwood
    - ii. Recycled material, subject to Reviewer approval
  - c. Colors allowed: Brown or Black
7. **Edging**
  - a. Ryerson steel edgings (or similar), brick set in mortar or natural stone are permitted
  - b. Plastic, loose brick, concrete scallop, corrugated aluminum or plastic, wire wickets, railroad ties or timbers are prohibited edging
  - c. Wire or small picket fencing, continuous concrete bands are also prohibited
  - d. Shrubs between the sidewalk and street curb are strongly prohibited
  - e. Rocks, rock walls or other similar substances may not be used as yard border on any front or side yard
8. **Landscape Rocks**
  - a. Landscape rocks or similar hardscape may be incorporated into front and rear yard landscape with Reviewer approval
  - b. Solid rock yard or similar type of hardscape is prohibited in the front yard, side yard visible from the street, adjacent lot, reserve or lake lot
9. **Trellises**
  - a. Location
    - i. Trellises will only be allowed in a front yard alcove or in the rear of the home
    - ii. Trellises must be flat and cannot protrude more than six inches (6") from the surface they are attached to
    - iii. Trellises cannot be attached to fences
    - iv. Maximum height: Six feet (6') from grade and no wider than six feet (6') across
    - v. A maximum of two (2) trellises will be allowed in a front yard alcove and/or the rear yard
    - vi. Must be maintained to ensure neat appearance and consistent finish with color complimentary to home colors.



**10. Outdoor Carpeting**

- a. Outdoor carpeting is not allowed

**11. Irrigation**

- a. Full yard programmable irrigation systems installed on all lots
- b. Sprinkler heads shall be located to effectively and evenly water intended area with 100% coverage while minimizing overthrow onto pavement, walks, etc.
- c. Care shall be taken to avoid irrigation spray and runoff on adjacent property
- d. All irrigation systems shall be designed and installed by a licensed irrigator in the state of Texas and be equipped with a backflow prevention device as mandated by appropriate local code. All systems must be maintained pursuant to all water requirements of the Town of Prosper, North Texas municipal Water District and TCEQ
- e. Irrigation systems of approved design must have a minimal overthrow onto impervious areas using the current standards at time of installation
- f. All equipment for such systems must be screens from public view with evergreen shrubs
- g. Drip systems are encouraged
- h. All systems shall be zone based on plant watering requirements

**12. Rainwater Harvest Systems**

- a. As set for in the Development Area Declaration
  - i. Two 55-gallon tanks permitted
  - ii. Must be 2' in diameter and 4' high
  - iii. Located within the fenced yard and not visible from the street

## **Construction Guidelines**

- 1. Erosion Control and Construction Regulations**
  - a. The following restrictions shall apply to all construction activities at Windsong Ranch. **It is the responsibility for all owners and/or contractors to adhere to State and Federal storm water runoff protection and prevention requirements that may be applicable to their construction activities and to obtain proper permits as may be required.** Periodic inspections by a representative of Windsong Ranch may take place in order to identify non-complying construction activities. If items identified as not complying with the regulations are not remedied in a timely manner, fines will be levied
- 2. Erosion Control Installation and Maintenance**
  - a. It is the responsibility of the owner to install erosion control measures prior to the start of construction and to maintain the measures throughout construction
    - i. Silt Fencing
      1. Silt Fencing installed to all applicable standards is required to be properly installed and maintained to protect the low sides of all disturbed areas, where storm water will flow during construction. The purpose of the silt fence is to capture the sediment from the runoff and to permit filtered, clean water to exit the site
      2. If for any reason the silt fence is to be temporarily removed, a representative of Windsong Ranch must be contacted prior to the removal
    - ii. Sediment Removal
      1. Built-up sediment will need to be removed from the silt fence after heavy or successive rains, and that any breach in the fencing will need to be repaired or replaced immediately
- 3. Security**
  - a. Neither the Reviewer, the Association, nor the Declarant, shall be responsible for the security of job sites during construction. If theft or vandalism occurs, the owner should first contact the Town of Prosper Police Department and then notify the Reviewer
- 4. Construction Hours**
  - a. Unless a written waiver is obtained from the Reviewer, construction may only take place as follows:

Monday through Friday from 7:00 AM until 7:00 PM  
Saturdays from 8:00 AM until 5:00 PM  
Sundays from 12:00 PM until 7:00 PM
  - b. There shall be no construction on New Year's Day, Easter, Memorial Day, July 4<sup>th</sup>, Labor Day, Thanksgiving Day, or Christmas Day
  - c. Waivers may be given for the pouring of concrete slabs during the summer months
- 5. Noise / Animals / Children**
  - a. The use of radios, tape and CD players must be restrained so as not to be heard on an adjacent lot or street
  - b. Contractors and subcontractors are not allowed to bring pets or animals on any construction site in Windsong Ranch

- c. Contractors and subcontractors are not allowed to bring children under the age of 16 on any construction site in Windsong Ranch
- 6. Materials and Equipment Storage**
  - a. All construction materials and equipment shall be neatly stacked, property covered and secured. Any storage of materials or equipment shall be the owner's responsibility and at their risk. Owners may not disturb, damage or trespass on other lots or adjacent property.
- 7. Insurance**
  - a. The Reviewer may require an owner to procure adequate commercial liability insurance during construction naming the Association, the Declarant and the Reviewer as additional insureds in an amount to be determined, from time to time, by the Reviewer
- 8. Site Cleanliness**
  - a. During the construction period, each construction site shall be kept neat and shall be properly policed to prevent it from becoming an eyesore
    - i. Fencing
      - 1. Brightly colored construction fence must be installed before the start of construction on all side lot lines
    - ii. Trash Containers
      - 1. Owners and homebuilders shall clean up all trash and debris on the construction site. Trash and debris shall be removed from each construction site on a timely basis. The Reviewer will have the authority to require that one dumpster be provided to serve no more than two lots. In addition to any dumpster, a trash receptacle can be located on each lot during construction. Trash receptacles must be emptied periodically and will not be permitted to overflow. Chain link fencing is not an acceptable enclosure material for temporarily containing trash. Lightweight material, packaging and other items shall be covered or weighted down to prevent wind from blowing such materials off the construction site
    - iii. Dumping / Burning
      - 1. The dumping, burying or burning of trash is not permitted anywhere in Windsong Ranch
    - iv. Heavy Equipment and Debris
      - 1. When moving heavy equipment, precautions must be taken to prevent damage to pavement, curbs and vegetation. Track loaders are not to be operated on paved or concrete surfaces. Mud, dirt and other construction debris that is tracked off the construction site shall be cleaned on a daily basis. Skid steer loaders are not to be used to clean the streets by scraping them
- 9. Sanitary Facilities**
  - a. A temporary sanitary facility (chemical toilet) shall be provided and maintained for the use of construction workers on or within two (2) lots of the construction site
  - b. Sanitary Facilities are not to be located on the road or sidewalk of corner lots

**10. Construction Parking**

- a. Construction crews shall not park on, or otherwise use, other lots.
- b. No construction vehicle will be permitted to leak oil or otherwise damage or deface any street located within the community

**11. Schedule of Construction Fines**

- a. Periodic inspections by a representative of the Reviewer may take place in order to identify non-complying construction activities. Fine amounts will be set forth in the Fine and Enforcement Policy in the Community Manual (as defined in the Covenant)

# **ADDENDUM A**

## **STREET TREE LICENSE AGREEMENT EXHIBIT**

ADDENDUM A

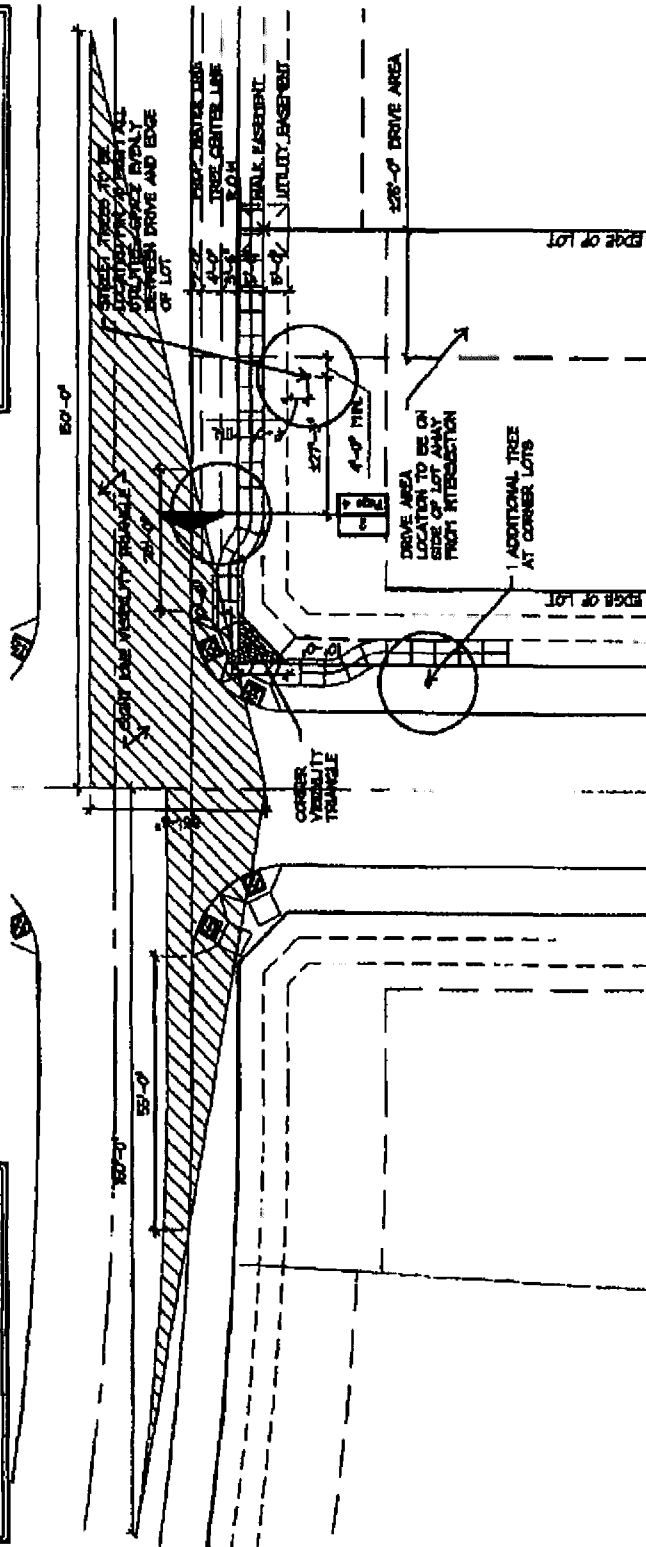
WINDSONG RANCH

SECOND AMENDED AND RESTATED MODIFICATION GUIDELINES

STREET TREES SHALL BE PLANTED ON CORNER LOTS AT REASONABLE LOCATIONS THAT PROVIDE BLOCKAGE OF SIGHTLINES BETWEEN VEHICLES AND THE TRAFFIC SIGNAL. STREET TREES SHALL BE MAINTAINED BY THE HOMEOWNER (IN THE CASE OF INTERSECTING NON-PERMANENT, THE HOA WILL PERFORM) IN A MANNER THAT PROVIDES REASONABLE SIGHT LINES FOR THE PURPOSES OF SAFETY. TOWN OF PROSPER STAFF RETAINS THE FINAL AUTHORITY ON THE ADEQUACY OF SIGHTLINE MAINTENANCE.

THE STREET TREES SHALL BE INSTALLED AND MAINTAINED SUCH THAT TRAFFIC SIGNS WILL REMAIN VISIBLE TO VEHICLES.

NO ITEMS TO BE PLACED IN A POSITION THAT WILL OBSTRUCT OR INTERFERE WITH A DRIVER'S CLEAR LINE OF SIGHT WITHIN BOTH THE CORNER VISION TRIANGLE AND SIGHT LINE TRIANGLE. ALL PROPOSED TREES MUST BE PLANTED A MINIMUM 4' FROM ANY UTILITY OR WALK INCLUDING AREAS WHERE WATER LINES SHIFT TO CLEAR CURB INLETS OR ANY OTHER UTILITY.



1 Typical Street Tree Layout At Intersection  
PLAN

SCALE 1"=30'

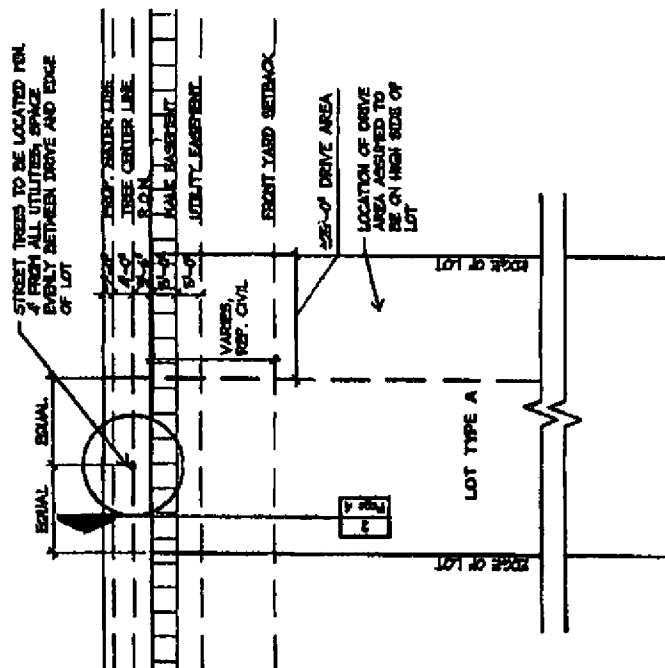
THE STREET TREES SHALL BE INSTALLED AND MAINTAINED SUCH THAT TRAFFIC SIGNS WILL REMAIN VISIBLE TO VEHICLES.

ALL MALLS WILL NOT EXCEED A 2% CROSS SLOPE AND BE RUNNING SLOPE ALONG LOTS AND THROUGH DRIVE AREA. MALL TO BE LOCATED BETWEEN R.O.M. AND MALL EASEMENT. REF. CIVIL PLANS FOR LOT GRADING.

- TYPICAL LOT SIZE & TREE REQUIREMENTS:
- A (40'x125') MIN. # TOTAL CAL. INCHES
  - B (70'x125') MIN. # TOTAL CAL. INCHES
  - C (100'x125') MIN. # TOTAL CAL. INCHES
  - D (100'x150') MIN. # TOTAL CAL. INCHES

PHYSICAL DRIVEWAY SHALL BE MIN. 5' FROM EDGE OF LOT FOR DRAINAGE PURPOSES.

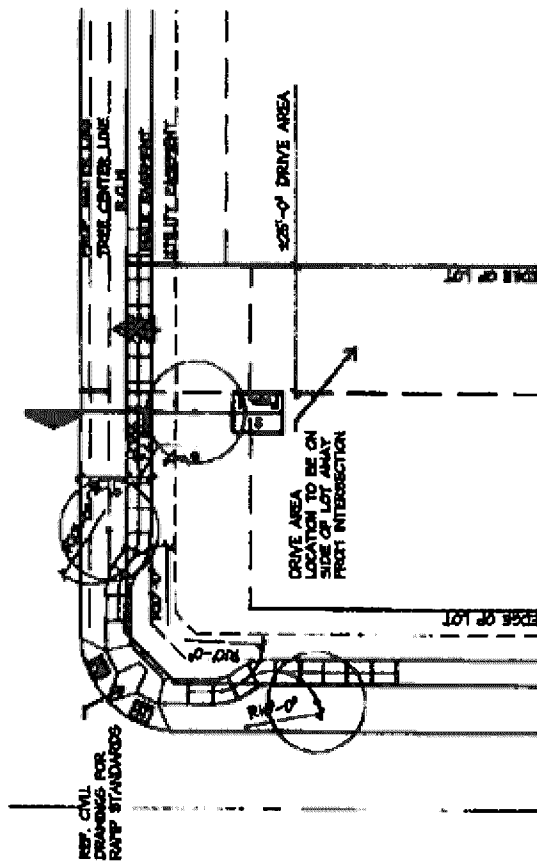
STREET TREES TO BE LOCATED ON CONCRETE SIDE OF LOT AS THE DRIVE AREA. LOCATION OF DRIVE AREA CAN VARY FROM ONE SIDE OF LOT TO ANOTHER AS TO NOT LIMIT OPTIONS OF HOME BUILDERS.



2 Typical Lot Type "A" Street Tree Layout

PLAN

SCALE 1"=30'



1 Typical Walk Layout to BFR

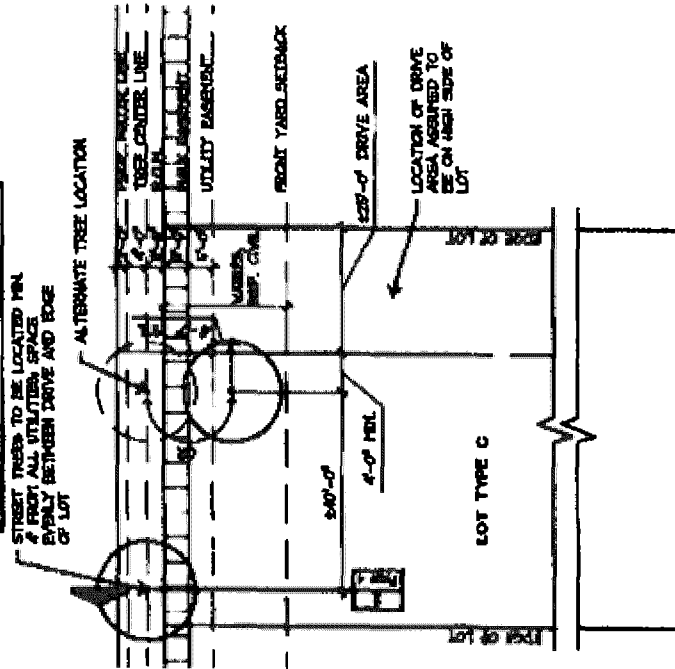
PLAN

SCALE 1"=30'

- TYPICAL LOT SIZE & TREE REQUIREMENTS
- A (60'x80') MIN. 6" TOTAL CAL. INCHES
  - B (70'x80') MIN. 4" TOTAL CAL. INCHES
  - C (80'x80') MIN. 4" TOTAL CAL. INCHES
  - D (90'x80') MIN. 4" TOTAL CAL. INCHES

PHYSICAL DRIVEWAY SHALL BE MIN. 3' FROM EDGE OF LOT FOR DRAINAGE PURPOSES.

STREET TREES TO BE LOCATED ON OPPOSITE SIDE OF LOT AS THE DRIVE AREA. LOCATION OF DRIVE AREA CAN VARY FROM ONE SIDE OF LOT TO ANOTHER AS TO NOT LIMIT OPTIONS OF HOME BUILDERS.

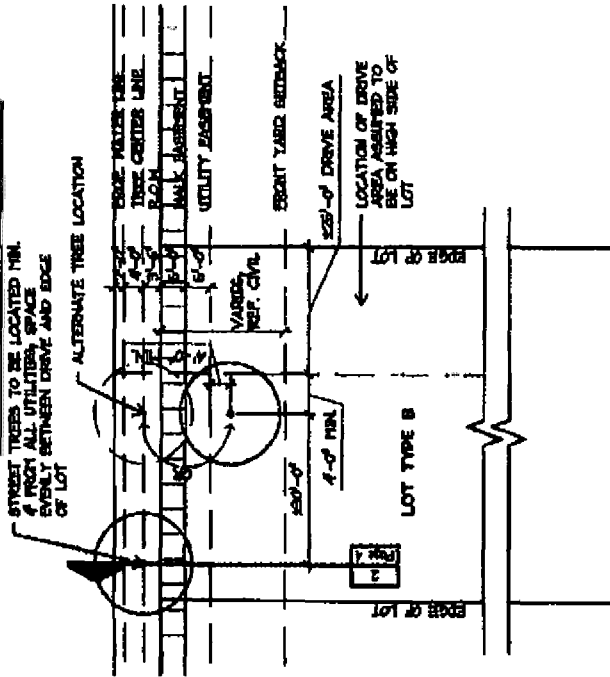


2 Typical Lot Type "C" Street Tree Layout

SCALE: 1"=20'

PHYSICAL DRIVEWAY SHALL BE MIN. 3' FROM EDGE OF LOT FOR DRAINAGE PURPOSES.

STREET TREES TO BE LOCATED ON OPPOSITE SIDE OF LOT AS THE DRIVE AREA. LOCATION OF DRIVE AREA CAN VARY FROM ONE SIDE OF LOT TO ANOTHER AS TO NOT LIMIT OPTIONS OF HOME BUILDERS.



1 Typical Lot Type "B" Street Tree Layout

SCALE: 1"=20'



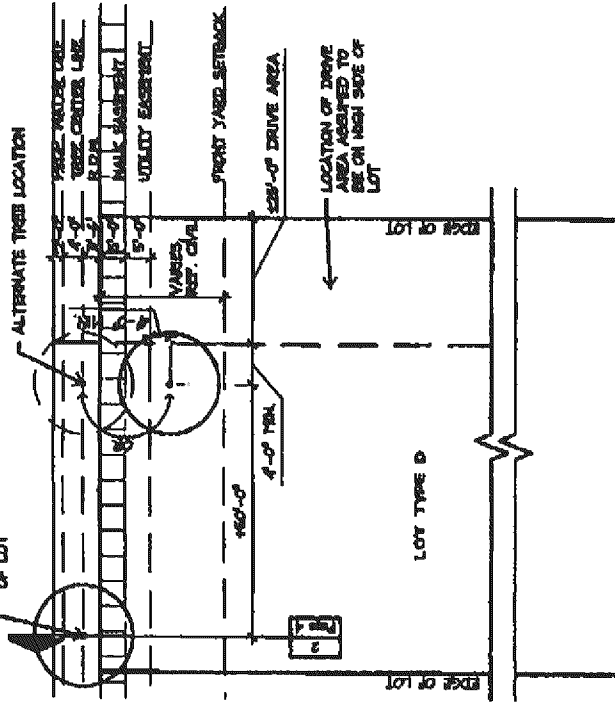
TYPICAL LOT SIZE & TREE REQUIREMENTS:

- A (60'x30') MIN 6' TOTAL CAL. INCHES
- B (70'x20') MIN 4' TOTAL CAL. INCHES
- C (80'x10') MIN 4' TOTAL CAL. INCHES
- D (90'x30') MIN 4' TOTAL CAL. INCHES

PHYSICAL DRIVEWAY SHALL BE MIN 5' FROM EDGE OF LOT FOR DRAINAGE PURPOSES.

STREET TREES TO BE LOCATED ON OPPOSITE SIDE OF LOT AS THE DRIVE AREA. LOCATION OF DRIVE AREA CAN VARY FROM ONE SIDE OF LOT TO ANOTHER AS TO NOT LIMIT OPTIONS OF HOME BUILDERS.

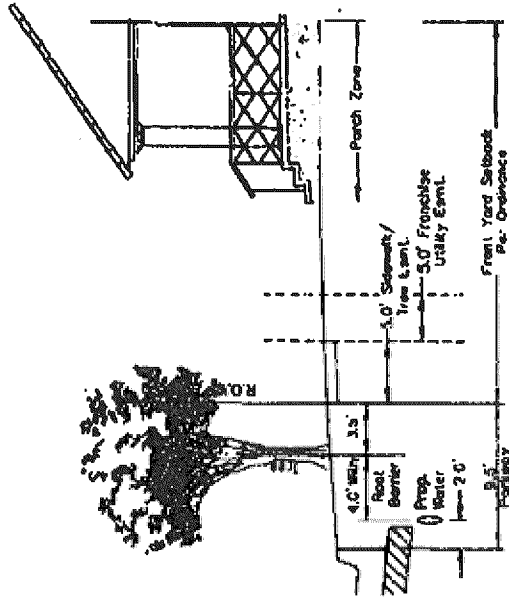
STREET TREES TO BE LOCATED MIN 4' FROM ALL UTILITIES. SPACE EVENLY BETWEEN DRIVE AND EDGE OF LOT



1 Typical Lot Type "D" Street Tree Layout

PLAN

SCALE: 1"=30'



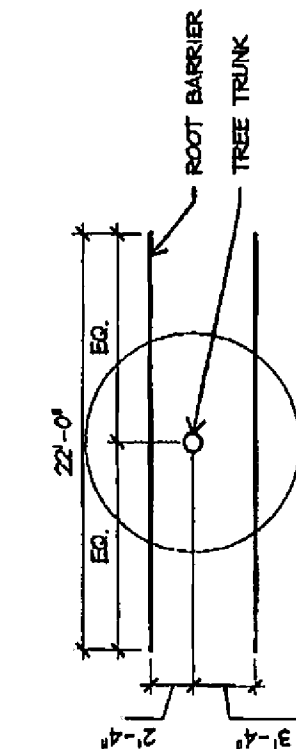
Parkway Option 'A'

Not To Scale

2 Parkway Option 'A'

SECTION

NOT TO SCALE



**PLAN VIEW**

## Surround Style Planting with Deeproot Universal Barbers

When selecting the Standard style pleading application, you will have the greatest success by following these simple steps as indicated by the following:

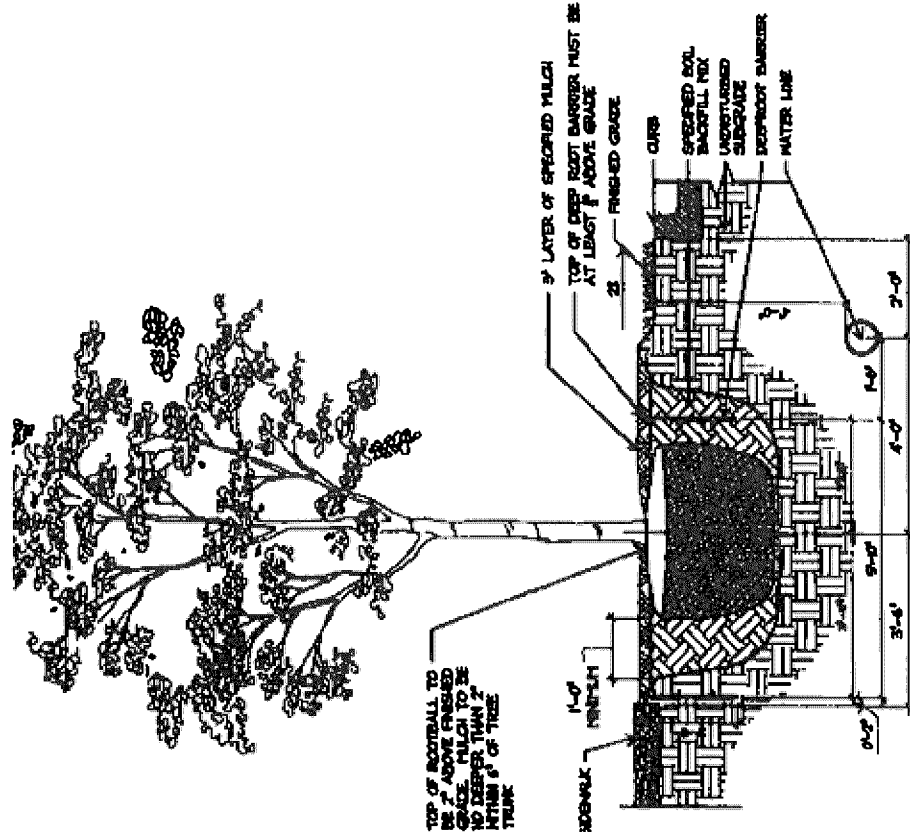
4. Prepare the child playing hole as described below. This is based upon the combination of limited barrier diameter and length. Consider 7 obstacle choices or combinations are needed to correct any adverse soil or planting conditions in the model area.

8. Assemble the opposite member of Drapfoot Unbeared  
barrier mesh. Be careful not to damage pins on the panel  
read face toward the red bag. (This is very  
important, otherwise the roots will become guided by  
beads around the smooth white surface.)

2. Next place the barrier in the center of the standing row, accepting in mind that the double top edge of the barrier should be positioned approximately 1/2" (12mm) above grade. This edge refers primarily to the assignment, falling to position the top edge above grade can clear not assignment which can lead to variable headroom.

- ...beetles and wasps and all kinds the larvae to the  
nest where the bottom of the nest had left to show  
combined cavity with the crown of the nest had  
"unmistakably!" (Horn) these great

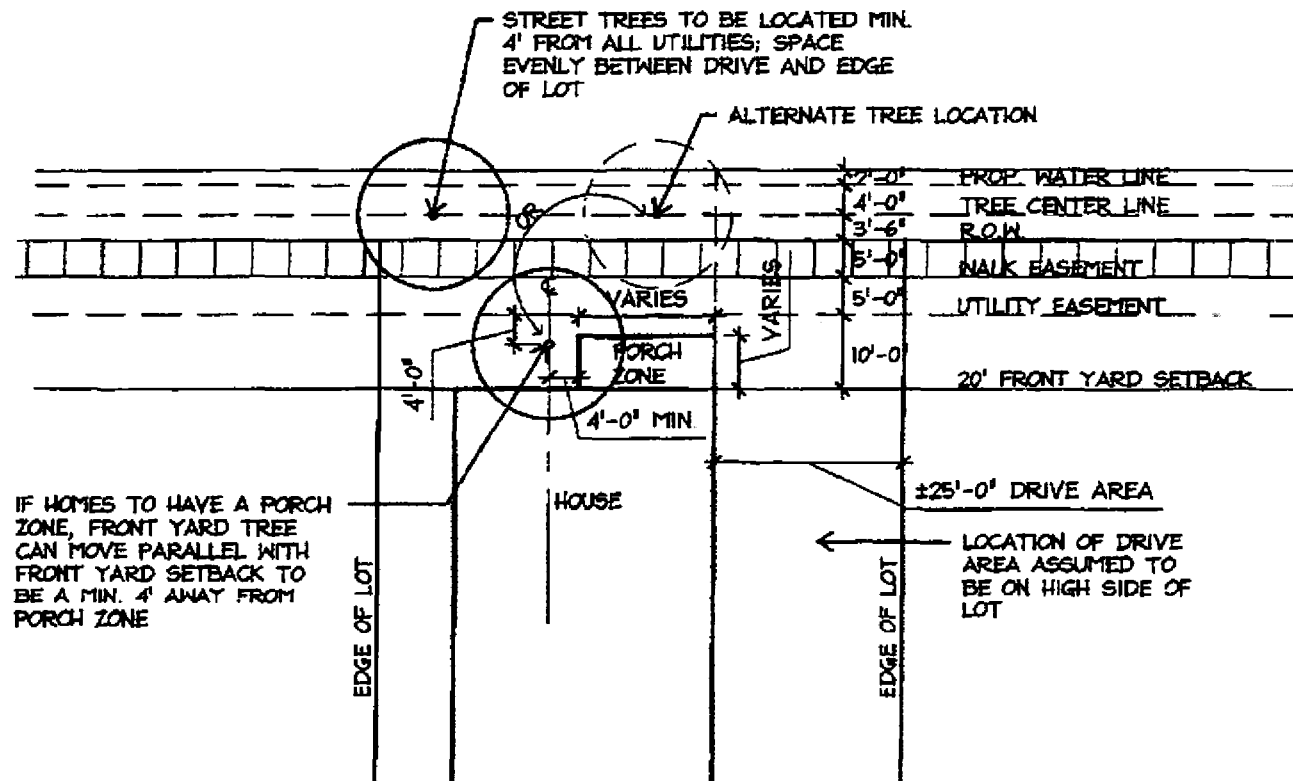
5. Measure the true form its members, to cut away the top portion of hump and section in the center of the bottom. To complete the body of the seal, members evenly to complete the shape of the body and extend the section every 2" (10mm-15cm). Heads will be slightly left covered to the diameter to have enough the room for a ribbing.



### Typical Root Barrier Detail

## TRANSECT

**NOT TO SCALE**



1 Typical 20' Setback Lot Tree Location

Pen

SCALE 1"=20'

## **ADDENDUM B**

### **NORTH TEXAS APPROVED PLANT LIST**

ADDENDUM B

WINDSONG RANCH

SECOND AMENDED AND RESTATED MODIFICATION GUIDELINES

## NORTH TEXAS PLANT LIST

The following list should be used as a starting point for selecting plants in the Windsong Ranch. Requirements for specific Lots may be more or less restrictive depending on landscape indigenous to the immediate site and the location of the site within the Development.

### Canopy Trees at Street / Lot:

Shumard Red Oak (*Quercus shumardii*)  
Live Oak (*Quercus virginiana*)  
Chinquapin Oak (*Quercus muehlenbergii*)  
Lacebark Elm (*Ulmus parvifolia*)  
Cedar Elm (*Ulmus crassifolia*)  
Allee Elm (*Ulmus parvifolia* 'Emer II')  
Texas Ash (*Fraxinus texensis*)  
White Ash (*Fraxinus americana*)

### Canopy Trees at Open Spaces:

Bald Cypress (*Taxodium distichum*)  
Bur Oak (*Quercus macrocarpa*)  
Lacey Oak (*Quercus laceyi*)

### Ornamental Trees:

Desert Willow (*Chilopsis linearis*)  
Thornless Mesquite (*Prosopis juliflora*)  
Mexican Plum (*Prunus mexicana*)  
Redbud (*Redbud* spp.)  
Yaupon Holly (*Ilex vomitoria*)  
Possomhaw Holly (*Ilex decidua*)  
Eastern Red Cedar (*Juniperus virginiana*)  
Vitex (*Vitex agnus*)  
Crape Myrtle (*Lagerstroemia indica*)

### Shrubs:

Abelia spp. (*Abelia*)  
Cast Iron Plant (*Aspidistra elatior*)  
Coral Beauty Cotoneaster (*Cotoneaster dammeri*)  
Agarito (*Mahonia trifoliolata*)  
American Beautyberry (*Callicarpa Americana*)  
Apache Plume (*Fallugia paradoxa*)  
Autumn Sage (*Salvia greggii*)  
Dwarf Wax Myrtle (*Myrica pumila*)  
Flame Acanthus (*Anisacanthus wrightii*)  
Fragrant Sumac (*Rhus aromatic*)  
Pale Leaf Yucca (*Yucca pallida*)

Red Yucca (*Hesperaloe parviflora*)  
Smooth Sumac (*Rhus glabra*)  
Texas Barberry (*Mahonia swaseyi*)  
Texas Sage (*Leucophyllum frutescens*)  
Turk's Cap (*Malvaviscus drummondii*)

### Grasses:

Switchgrass (*Panicum virgatum*)  
Big Bluestem (*Andropogon gerardii*)  
Bushy Bluestem (*Andropogon glomeratus*)  
Eastern Gamagrass (*Tripsacum dactyloides*)  
Gulf Muhly (*Muhlenbergia capillaris*)  
Indiangrass (*Sorghastrum nutans*)  
Inland Sea oats (*Chasmanthium latifolium*)  
Lindheimer Muhly (*Muhlenbergia lindheimeri*)  
Little Bluestem (*Schizachyrium scoparium*)

### Perennials:

Black Eyed Susan (*Rudbeckia hirta*)  
Blackfoot Daisy (*Melampodium leucanthum*)  
Blue Mist Flower (*Eupatorium greggii*)  
Butterfly Weed (*Asclepias tuberosa*)  
Cardinal Flower (*Lobelia cardinalis*)  
Coreopsis (*Coreopsis lanceolata*)  
Fall Obedient Plant (*Physostegia virginiana*)  
Four-nerve Daisy (*Hymenoxys scaposa*)  
Fragrant Phlox (*Phlox pilosa*)  
Cedar Sage (*Salvia roemeriana*)  
Mealy Blue Sage (*Salvia farinacea*)  
Prairie Verbena (*Verbena bipinnatifida*)  
Purple Coneflower (*Echinacea* spp.)  
Rockrose (*Pavonia lasiopetala*)  
Ruellia (*Ruellia* spp.)  
Scarlet Sage (*Salvia coccinea*)  
Texas Lantana (*Lantana horrida*)  
Winecup (*Callirhoe involucrata*)  
Yellow Columbine (*Aquilegia* spp.)

## **ADDENDUM C**

# **ARCHITECTURAL REVIEW PROCESS**

ADDENDUM C

WINDSONG RANCH

SECOND AMENDED AND RESTATED MODIFICATION GUIDELINES

**Windsong Ranch Reviewer  
Residential Modification Application Form**

<b>Name of Owner:</b>		<b>Date:</b>	
<b>Address:</b>		<b>Home Phone:</b>	
		<b>Work Phone:</b>	
		<b>Cell Phone:</b>	
		<b>E-Mail Address:</b>	

**Description of Proposed Modification or Improvement  
(Attach additional pages if necessary):**

<b>Estimated project completion date:</b>	

**Windsong Ranch Reviewer  
Residential Modification Application Form (Cont.)**

**OWNERS' ACKNOWLEDGEMENT:**

1. I/We understand that material herein contained shall represent Improvements/Modifications, which comply with the zoning and building codes of Collin and/or Denton County(s). Further, nothing herein contained shall be construed as a waiver or modification of such ordinances. The owner is responsible for obtaining the necessary building permits prior to commencement of construction and for complying with all zoning and building codes.
2. I/We understand that no work or activity associated with this application shall commence until we have received Written Approval from the Reviewer. Any construction or exterior alteration before approval of this application is not allowed. If alterations are made, we may be required to return the property to its former condition at our own expense and we may be required to pay all legal expenses incurred.
3. I/We understand that approval is contingent upon all work being completed in a workmanlike manner within one (1) year. If the project is not completed within one (1) year, the approval becomes void and a new application is required.
4. I/We acknowledge that the completion deadline for applications being submitted to respond to a violation will be delineated in the approval letter and supersedes the one (1) year completion deadline.
5. I/We understand that the Reviewer may make a routine inspection during construction.
6. I/We acknowledge this request is subject to restrictions delineated in the Documents. Any variation from the original application must be resubmitted for approval.
7. I/We acknowledge and agree that we will be solely liable for any claims, including without limitations, claims for property damage or personal injury that result from the requested Modification. I/We hereby indemnify the Reviewer, the Declarant and the Association from and against any and all such claims. Moreover, I/we accept responsibility for all maintenance, repair and upkeep of said Modification. I/We further agree that the members of the Association and/or the Board of Directors shall not be liable for damages, incidental or consequential, relative to this application or the work/project herein.
8. I/We hereby give consent to the Reviewer or their designee access to my property to inspect the above Modifications and/or Improvements upon completion.

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Date



**Windsong Ranch Reviewer  
Residential Modification Application Form (Cont.)**

Street Address:

Street Address: \_\_\_\_\_ Application For: \_\_\_\_\_

Date Received by the Windsong Ranch Reviewer: \_\_\_\_\_

Application Submitted in Response to a Violation: ☐ Yes ☐ No

**Windsong Ranch Reviewer Action**

- ☐ Incomplete ☐ Disapproved ☐ Approved as Requested  
☐ Approved Subject To The Following Conditions/Modifications:


<b>Project to be completed by this Date:</b>	
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<b>Printed Name of Reviewer</b>	<b>Signature of Reviewer</b>	<b>Date</b>