

COMMUNITY DESIGN STANDARDS AND GUIDELINES

THE VILLAS AT SIENA CREEK TOWNHOMES

EFFECTIVE JULY 20, 2020

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1.0 Mission Statement

THE VILLAS AT SIENA CREEK is located within the beautiful ranch lands of Llano County, along a spring feed creek and adjacent to the World Class Horseshoe Bay Resort, **THE VILLAS AT SIENA CREEK** offers a beautiful Hill Country environment abundant with native vegetation, wildlife, and sense of community.

The mission of **THE VILLAS AT SIENA CREEK** is influenced by the existing natural environment along with the desire to respect the natural elements while building a sense of community identifiable by its design continuity and cohesiveness where strong contrasts in appearance, differences of form, size, massing, color and materials from one lot to the next are discouraged by **THE VILLAS AT SIENA CREEK ACC.**

Maintaining the natural setting of **THE VILLAS AT SIENA CREEK's** will be the expectation of the Architecture and landscape design to create the strong sense of community. The intent of these Design Standards is to encourage the character of design found in the historical "Texas Hill Country" along with the mixture of design elements as brought to this country by our forefathers. The intent is to develop a style that is timeless and emphasizes the use of materials and textures rooted in the surrounding natural environment.

Each Villa lot will contain individual but complimentary structures that create the cohesive community that ties together the places where people live with the natural surroundings and create a sense and feel of community. No particular residential project should stand apart in its design or construction so as to detract from the overall community appearance.

The creation of outdoor living spaces and bringing elements of the outdoors inside helps to establish the feeling of being a part of the outdoor environment.



2.0 PURPOSE

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This document is intended as a resource guide for Owners of *THE VILLAS AT SIENA CREEK* home sites and their Architects, Contractors, and Landscape Consultants. It is an integral component of the communication process required when planning a home to be built within *THE VILLAS AT SIENA CREEK* residential community. The intent is for it to be used as a guide along with the other related documents and to encourage creativity throughout the approval process.

This book addresses the architecture and landscape elements that contribute to, and support, the overall theme of *THE VILLAS AT SIENA CREEK* community. Furthermore, the *Community Design Standards* are intended to instill in all the Owners in *THE VILLAS AT SIENA CREEK* the dedication and agreement to preserve the unique natural environment of *THE VILLAS AT SIENA CREEK* Community.

This document along with the Covenants, Conditions, Restrictions, and Reservations (CCR&Rs) set out the requirements for the completion of the development of *THE VILLAS AT SIENA CREEK*. Architectural control and its governing elements allow the ACC flexibility to extend beyond the more typical practices of normal deed restrictions. The interactive nature of the approval process with *THE VILLAS AT SIENA CREEK* ACC will allow for a more cohesive community feeling.

Illustrations have been incorporated to help describe the visual and environmental goals of *THE VILLAS AT SIENA CREEK*. The procedures required when planning a home at *THE VILLAS AT SIENA CREEK* are included along with the minimum acceptable levels of site planning, architecture, detailing, landscape design, and construction. The approval to begin construction will not be granted by the ACC if this process is not followed.

The ACC encourages the creative input and diversity of ideas from Owners and their consultants however the ACC still has the responsibility to not approve the design and construction of homes that do not meet the high standards of *THE VILLAS AT SIENA CREEK*.

2.1 GOVERNING AUTHORITY

PLANNING & DESIGN

THE VILLAS AT SIENA CREEK Architectural Control Committee (ACC) is endowed with the authority of enforcing and following the procedures in this document as described in the Covenants, Conditions, Restrictions and Reservations.

The C C R & R's along with this document governs all residential development within *THE VILLAS AT SIENA CREEK*. The C C R & R's create and empower *THE VILLAS AT SIENA CREEK* Architectural Control Committee as well as establishing the Community Design Standards.

The Community Design Standards Outline the communication process and maintains the authority of the *THE VILLAS AT SIENA CREEK* Architectural Control Committee as well as establishing the design standards, and Improvements by which guide the ACC through the process.

The ACC will provide assistance to all homeowners and their design professionals with the intent of making the process a pleasurable experience for all involved.

APPLICABLE ONLY TO LOTS WITHIN THE VILLAS AT SIENA CREEK

These *Community Design Standards*, including its Improvement Requirements, applies only to *THE VILLAS AT SIENA CREEK* Lots. These Improvement Requirements do not apply to other uses proposed

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at **SIENA CREEK**. It is the intent that any additional development within **Siema Creek** will have its own standards of equal or greater requirements and will be governed by the Siena Creek Architectural Control Committee.

IMPLEMENTATION

The Board of Directors of **THE VILLAS AT SIENA CREEK Home Owners Association** manages the relationships between and among the property Owners and the various entities in accordance with **THE VILLAS AT SIENA CREEK CCR&Rs**. It is the responsibility of the property Owners and their consultants to read and be familiar with the entire contents of the **Community Design Standards**. Furthermore, those portions of the CCR&Rs pertaining to construction projects and other applicable related documents should be read prior to beginning any planning or design work and prior to scheduling a Pre-Design Conference with **THE VILLAS AT SIENA CREEK ACC**.

2.2 REVIEW AND APPROVAL PROCESS

The approval process is interactive. The ACC hopes to work with the owner and architect to insure that the final design is appropriate for each Lot. Meetings are typically held weekly.

2.3 ARCHITECTS AND BUILDERS

A premium is placed on design. To best achieve this goal it is highly recommended that the builder or Owner employ the services of a licensed architect and that that architect is familiar with the goals of this community and the values imbedded in its planning. The ultimate value of every home is significantly increased if all homes maintain design excellence and responsiveness to specific local conditions.

It is essential that the architect/designer complete a thorough analysis to gain an understanding of the Lot, the owner's needs and these guidelines. It is also important that the individual architect/designer be able to convey to the ACC the concept and design of a proposed residence, particularly in terms of its site specificity.

2.4 ALL APPROVALS IN WRITING

All approvals by the ACC shall be in writing. No verbal approvals or representations by the ACC shall be valid or enforceable.

The ACC is made up of a combination of professionals and others who are very knowledgeable of the goals and values of this project. The committee reserves the right to discuss and act on an application without the applicant or a representative of the applicant being present. It is recommended that the architect be the agent for the client or owners when interacting with the ACC.

2.5 VARIANCES AND APPROVALS

Because each Lot is different, a variance that is granted or a house plan that is approved shall not set a precedent. All house plans are approved or rejected on a case-by-case basis.

Any variances to the design guidelines must be submitted in writing and should be addressed in the pre-design or preliminary design meetings. All variance approvals must also be in writing. No verbal approval or representation concerning a variance by the ACC or anyone else associated with **THE VILLAS AT SIENA CREEK** shall be valid or enforceable.

A fee of \$500.00 per variance will be required by the ACC to cover administrative and recording costs. A variance application and fee must be submitted for each type of variance request.

2.6 PRE-DESIGN MEETING

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To initiate the review and approval process, it is highly recommended that the owner(s) and their architect meet with the ACC. This informal meeting is not required and is intended to offer guidance and education prior to the often-expensive design process. The owner and architect should discuss any questions about these guidelines or present ideas about the proposed residence.

A site analysis plan will be required at this meeting and must include the following:

- Orientation of the proposed residence
- Desirable view corridors
- Significant vegetation
- Rock outcroppings
- Utilities and drainage
- Setbacks
- Location of adjacent residences (if applicable)

2.7 PRELIMINARY DESIGN REVIEW

After the pre-design meeting, preliminary plans must be submitted to the ACC. The purpose of the preliminary review is to ensure that the proposed design conforms to these guidelines before expensive construction drawings are produced. Submittal of the preliminary design shall be delivered to the ARC seven (7) prior to the meeting. The submittal of the preliminary design drawings must be accompanied by a completed "Preliminary Plan Review Application"

The preliminary design review submittal shall include 3 copies of the following:

- Site plan on a 24" x 36" sized sheet(s) at a minimum scale of 1" = 10' or 1/8" = 1', showing all building and improvement locations, Proposed landscape areas, including driveway, utilities, utility trenching, all HVAC units, existing and proposed site grades, and the location of the existing adjacent sites, buildings, natural and man-made features. On larger sites that do not fit on a 24" x 36" sheet, the scale may be reduced to 1" = 20' or 1/16" = 1'.
- Floor Plans at a scale of no less than 1/8" = 1'-0"
- Preliminary elevations of all sides of the building are required showing roof heights from existing grade. Indicate finished floor grade showing existing trees within twenty-five (25') of the building foundation.
- A tree survey conducted by a registered land surveyor must include dimensions and species of trees located within (25') feet of areas anticipated to be disturbed by construction. The tree survey should include all hardwood trees over six inches (6") base in diameter. The survey should also show the tree canopies as well.
- A general description of materials.

Upon completion of the ACC's review of the preliminary design a written notice to the architect /designer will be issued.

2.8 FINAL PLAN REVIEW

Submittal of the final design shall be delivered to the ACC seven (7) days prior to the review meeting. The final design shall be substantially the same as the preliminary design approved in writing by the ACC. If changes are made between the preliminary and final review, it is recommended that the preliminary design be resubmitted. The final review submittal shall include three (3) copies of the follow:

- Site plan at 1" = 10' or 1" = 20' to include: easements and setbacks, utility trenching, connections and meters, existing trees to remain or to be removed, man-made features, grading and drainage, site restoration, revegetation, and any special features. The plan will also include the location of both perimeter and sill fencing, construction entrance, materials storage, dumpster, and port-a-let.
- Landscape plan at the same scale as the site plan.

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- Foundation Plan signed by a Structural engineer.
- Floor Plans at a Scale of no less than 1/8"=1'-0"
- Final elevations at 1/8" or 1/4".
- A sample board with exterior materials to be used, finishes and colors including a wall section and roof detail, roof materials, manufacturer and color, types of windows, manufacturer and color, exterior wall and trim materials and colors and a picture or cut sheet of the proposed garage door.
- Completed Final Plan Review Application.
- Owner and builder must both sign the "Compliance Agreement" and deposit with the Association a \$1,250 Compliance Deposit.
- Proposed parking plan for subcontractors.
- Proof of insurance provided by builder and sub-contractors.

2.9 CHANGES

During construction no changes in the exterior plans, materials or colors previously approved by the ACC may be undertaken without prior written approval from the ACC.

Once the residence is completed no exterior alterations including, but not limited to, colors, materials, additions or deletions shall be undertaken which will result in changes, visible or apparent, to the exterior appearance without prior written approval from the ACC.

2.10 MODIFICATION AND ENFORCEMENT

The ACC may at any time, in its sole discretion, amend these guidelines. As the ACC reviews plans, it is inevitable that unforeseen situations will require amendments to these guidelines. Every effort will be made to notify owners of these changes, however, it is ultimately the owners responsibility to obtain the latest guidelines.

The ACC shall have the right to enforce all terms and provisions of these guidelines. The rights of enforcement are more specifically spelled out in THE VILLAS AT SIENA CREEK Declaration of Covenant, Conditions, Restrictions and Reservations.

2.11 ADDITIONS, EXTERIOR REMODELS, AND REFINISHING

If a structural addition is to be added or the exterior of the home is to be remodeled any time after Final Release, the following Design Review procedures must be followed.

The charge for the review services for major work is outlined in "Appendix B". A major addition or remodel is one that involves the addition of heated livable space requires drawings submitted and approved prior to construction.

Minor additions of such items as a dog run, patio, landscaping, light fixture or awning also require the submittal of drawings. The review fee is also scheduled in "Appendix B".

The Owner must contact the office of the Architectural Review Administrator for more specific instructions prior to adding, remodeling or refinishing any item on the home. For more information on fees associated with Post Final Release additions or remodels, please refer to Appendix B.

2.12 NON-WAIVER

The approval by THE VILLAS AT SIENA CREEK ACC of any plans drawings, specifications for any work done or proposed shall not be deemed to constitute a waiver of any right to withhold approval of any similar plan, drawing or specification subsequently or additionally submitted for approval. Failure to enforce any

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provision of these improvement requirements shall not constitute a waiver of the same.

Moreover, approval granted to a project does not constitute approval of each element within that project. If an element that does not comply with guidelines is discovered in a future submittal, or during construction of the same project, modification of the non-complaint element may be required. *THE VILLAS AT SIENA CREEK ACC*, the Design Control Administrator, the Homeowners Association, Developer, or any employee or member thereof may not be held liable for any costs or inconveniences incurred to remedy such a situation.

3.0 SITE PLANNING

3.1 GENERAL CONSIDERATIONS

A successful home design originates with the proper Site planning and careful evaluation of existing site features, neighboring land uses, and views, which then compliments the natural beauty of *THE VILLAS AT SIENA CREEK*. Many other considerations such as automobile access, landscape theme, grading, and drainage significantly shape the design and placement of the home. Consideration of these items at the beginning of the design process is vital while considering the Owner's programmatic needs and how they are all combined as an integral part of *THE VILLAS AT SIENA CREEK* community.

3.2 SITE ANALYSIS

The location and design of proposed structures must relate to existing terrain and preserve the natural features of the site. The design process must take into account grade changes, locations of trees, boulders, and orientation of the proposed improvements. Privacy impact on adjacent neighbors as well as rights-of-way and common areas should be considered both in site planning and in designing the structure.

The analysis is a method to evaluate the existing conditions on or near the Lot through the use of a topographic survey prepared by a registered Civil Engineer or a license Land Surveyor.

Site Analysis is the first step and will be used at the Pre-Design Conference to aid in the establishment of the home location on the site. At a minimum, the location and type of the following items must be identified and sketched onto a copy of the survey.

- Topography and boundaries
- Aspect and orientation
- Property boundaries Best access
- Required setbacks from all boundaries
- Adjacent land uses with activity zones
- Slope and drainage of the land
- Wind patterns
- Places attractive to people (unique places) and natural features
- Approximate locations of major existing rock outcroppings, trees, and other vegetation (Consulting a Landscape Professional is suggested).
- Graphic and quantitative drip lines of all trees near anticipated improvements (distance from trunk edge to outermost canopy)
- Contextual setting (neighboring land uses, building footprint locations, style, height, mass and

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(form)**

The opportunities and constraints identified in the Site Analysis should be used as design determinants in the development of the preliminary structure design.

3.3 LANDSCAPE PLANNING

As homes are added, care must be taken to preserve the natural beauty of the community.

Home placement on the site as well as any outdoor programmatic needs must be sensitive to the preservation of the existing natural beauty. Mature native trees and all other irreplaceable site features should be incorporated and utilized to enhance the overall appearance of the home. Landscaping desires should be taken into account at the Programming and Site Planning phases.

It is strongly suggested that a Landscape Professional be retained at the Site Planning stage to aid in a range of areas including programming, delineating and designing Landscape features, and placement of garden amenities, i.e.: swimming pools, and garden structures.

See Section 4.0 for additional landscape requirements.

3.4 MINIMUM SETBACKS AND BUILDING ENVELOPE

The Building Envelope and Setbacks is the portion of each lot within which the architectural structure and architectural outbuildings must be built. The Building Envelope provided on many Lots may be more restrictive than the minimum building setbacks based on the natural features, views, relationship to other lots or the golf course, and drainage and topography identified on each site. Minor modifications to the Building Envelope may be approved, when justified in the ACC's opinion, giving consideration to relevant issues such as privacy, views and the overall character of the development. Increases in the size of Building Envelopes are strongly discouraged and will only be allowed upon exceptional circumstances. Please refer to the Plat of The Villas at Siena Creek and/or the CCR's to determine the minimum setback distances for each Lot.

The setbacks indicated on the Plat are applicable to all of the Villa Lots. All improvement foundations shall be set at the minimum elevation as shown on the recorded Plat. If a Residences proposed for corner parcels must address both frontages with the overall architectural composition.

3.5 EASEMENTS

Lots at THE VILLAS AT SIENA CREEK may contain easements. Lot owners may not place, erect, or construct any structure or pavement in these easements, except for a driveway. The ACC may approve fences and other structures, as they deem appropriate within the easements however the Owner must understand the risk associated with building within the easements. Owners should refer to the parcel-recorded plat, the CCR's as well as these Design Standards for the location and extent of these easements as they affect the Owner's Lot.

3.6 RECONFIGURATION OF LOTS

No Lot in THE VILLAS AT SIENA CREEK may be further subdivided. Two or more Lots may be combined

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into one by re-subdividing in accordance with the City of Horseshoe Bay rules and regulations and with the approval of the Declarant. When two or more Lots are combined, Association assessments will be charged based on the number of Lots existing before the adjustment

3.7 DRIVEWAYS

THE VILLAS AT SIENA CREEK ACC prefers each Lot be accessed by only one driveway. Access drives must be located to preserve and protect important natural features, such as large or significant plant materials, trees, drainage ways, and rock outcroppings. The driveway must be designed to allow for two Uncovered parking spaces. The spaces will preferably be a minimum of fifteen (15) feet from the front property line.

The paved surface of a driveway shall be a maximum of fourteen (14) feet wide except for the turn around near the garage. The Driveway shall intersect the street at a right angle. Driveway paving should have flared aprons where it intersects the roadway pavement. Flared sections at the road may not exceed an 8-foot wide radius. Where possible, a driveway should be flush with the finished grade.

Proposed driveway surfaces are subject to approval by **THE VILLAS AT SIENA CREEK ACC** and are expected to be a minimum of 4" thick concrete.

Also, refer to Chapter 5.12 **ARCHITECTURAL DESIGN, Garages and Driveways**, for more information.

3.8 GARAGE LOCATION

Driveway access and garage location lend significant shape to the design and placement of the home. One of the greatest contributors to negative feelings about residential subdivisions is the often-present row of garages oriented to the street with oversized driveways leading to them. Every effort must be made to keep this view from being prevalent at **THE VILLAS AT SIENA CREEK**. Because of the geological compositions that exist within much of **THE VILLAS AT SIENA CREEK**, driveways should be located where the least amount of cut or fill is required.

Also, the use of architectural extensions, or wing walls, when architecturally appropriate, may be incorporated to help mitigate the visual impact of the garage doors and meet **THE VILLAS AT SIENA CREEK** objective. Overhangs above the doors and significant architectural detailing should be included, as well, to reduce the visual impact of the garage doors

3.9 UTILITIES

Utility services are stubbed to the property lines of each Lot. Power, telephone, and cable television service locations are generally clustered in the utility easement located on one of the front corners of each Lot. The location of the water and sanitary sewer point-of-connections vary from Lot to Lot.

The extension of services from these stub locations to the residence is the responsibility of each Owner, and must be routed to minimize disruption to any existing natural landscape. These routes must be considered in the site planning phase, and where possible, combined with other disturbance through the front setback, such as alongside the driveway.

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All utilities extending from the point of connection to a home must be placed underground. All areas of the site disturbed from utility trenching operations must be restored to their natural condition as nearly as possible immediately following backfilling activity.

Information regarding current tap and service fees, as well as connection procedures, may be obtained by contacting the serving utility companies. Liquefied petroleum gas (propane) is allowed on all Lots. Installation of propane tanks must be underground and installation procedures must be in compliance with all local and county applicable codes.

Utility connections, meter boxes, etc. must be screened from view or located on a side of the building that cannot be viewed from offsite of the Lot. Meters and connections must be integrated into the architectural design of the dwelling by using similar materials and colors. Careless placement and design of utility connection details can significantly detract from an otherwise satisfactory design by creating unnecessary soil disturbance and needlessly exposing equipment. Connections and boxes must be indicated on the plans.

3.10 CONSTRUCTION ACTIVITY ZONE

When planning and designing for a Lot at **THE VILLAS AT SIENA CREEK**, it is important to keep the building process in mind. Generally, the construction activity zone is held within the building setbacks.

The storage of construction equipment and materials, and vehicle access during construction may only occur within this zone. A 4-foot high vegetation protection fence throughout the time of the construction phase must surround the area. At the pre-design meeting the construction activity zone will be mutually determined by the ACC and Owner or the owner's representative.

Temporary construction activity may occur outside the Construction Activity Zone to accommodate bringing underground utility lines to the home. The boundaries of such disturbance must be minimized so as not to impact important vegetation or site features and must be clearly marked on the plans.

Construction Activity Zone

Planning for construction activities, including pools and spas, garden and cabana structures, during the site planning and design phases is critical to the successful implementation of a project. Areas within the Construction Activity Zone must be allocated for staging, refuse disposal and collection, a sanitary closet, material deliveries and storage and circulation between these areas. All deliveries must access the Lot and be contained within the Construction Activity Zone. If a home is to be built near the edge of the Construction Activity Zone or in an area that requires extensive protection of existing landscape, access to that area may be restricted. In order to work within the restricted area, the order of tasks and techniques used to build the home must be carefully considered as part of the project design. For example, stone may need to be delivered by heavy machinery to the rear of the site prior to foundation excavation activities.

3.11 PRESERVATION OF TREES AND OTHER SITE FEATURES

If the Construction Activity Zone infringes upon site features that are to be preserved, they must be appropriately protected.

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During construction, soil around tree root systems must be protected from compaction and erosion at the drip line of each tree. The protection must keep construction traffic off the soil while still allowing for water and air to reach the roots. Where tree trunks are exposed to construction activity lumber must be strapped to the trunks to protect them from damage.

3.12 SITEWORK

The sloping topography of *THE VILLAS AT SIENA CREEK* may require cutting and filling of the site. Generally, houses that step down a slope should follow a rule of balancing the cut and fill. The ACC may grant exceptions to the general cut and fill rule. No exposed fills are allowed; fills shall be contained by retaining walls.

Revegetated slopes are required when any land is impacted by cut and fill. Exposed cuts are permitted if the result is an aesthetic limestone ledge or other design asset agreed upon and approved by the ACC.

Drawings (plans and elevations) of cut and fill areas, retaining walls and proposed re-vegetation, if applicable, shall be submitted with the final design package at the same scales as noted above.

In order to protect the natural landscape the location and design of proposed structures and landscape must relate to existing terrain. Where established native plant material exists the disturbance of soil and vegetation on each Lot must be limited to that required for necessary access construction and landscaping purposes.

Any tree removal is highly discouraged except when removal is deemed reasonably necessary for the construction of a home. Consultation with *THE VILLAS AT SIENA CREEK ACC* is required when removal is proposed for any tree with a 6" caliper or larger. No clear cutting of trees within any building envelope will be permitted, however, it is understood that some selective pruning or removal of trees and shrubs will be necessary for the development of any Lot. The ACC may require that if cutting down a tree is approved that the replacement of 125% of the total caliper be replaced in on the same lot.

Any cutting of trees must first be reviewed and approved by *THE VILLAS AT SIENA CREEK ACC*. A few exceptions exist that do not require pre-approval of *THE VILLAS AT SIENA CREEK ACC*. These are the pruning of dead limbs, removal of dead trees, and the cutting and removal of trees with a trunk diameter of 5 inches or less (measured at 2 feet above ground level) that are bowed, leaning, severely misshaped, or diseased.

3.13 GRADING AND DRAINAGE

Site drainage should be carefully considered. Plans for site grading and drainage must be consistent with minimum disruption to the Lot. Without altering natural drainage patterns as runoff leaves the Lot, and without causing conditions that could lead to soil erosion,

THE VILLAS AT SIENA CREEK ACC will work closely with Owners of Lots that contain designated drainage easements to ensure that a reasonable building envelope is achievable.

3.14 GRADING, FOUNDATIONS, & RETAINING WALLS AT SLOPING SITES

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Beyond the purely functional and environmental aspects of grading and drainage, the aesthetic goal is to preserve the existing natural land run off.

Where necessary to produce the desired results THE VILLAS AT SIENA CREEK ACC may approve grading as well as the use of multiple small retaining walls. However, awkward or steep slopes that are neither architectural nor natural in their final appearance will not be approved. Cut and fill slopes may have a maximum ratio of 2: 1 horizontal to vertical unless supported by an approved retaining wall.

In addition to basic grading, sloping sites should employ designs that take up the grade changes within the dwelling's footprint; the location and design of the proposed structures must relate to the existing terrain. Topographic transition from building locations to setbacks must appear natural. All Lot grading must be limited to construction of driveways and that reasonable necessary for authorized construction.

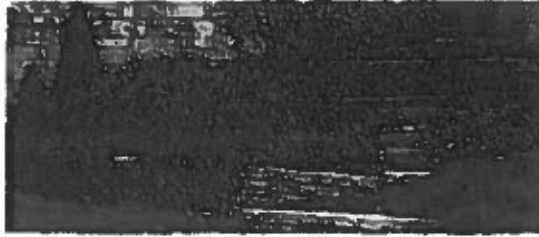
Except for driveway access, pedestrian circulation, erosion control, or utilities, no significant grading is allowed within the setback areas of any Lot.

Every attempt must be made to minimize cut and fill necessary for the construction of a home. Excess fill may not be placed on a Lot; it must be legally disposed of outside of THE VILLAS AT SIENA CREEK. Retaining walls and level building pads may be utilized only where necessary. All Lots located in THE VILLAS AT SIENA CREEK have been assigned minimum floor elevations the finished house foundation elevation must be at or above those elevations assigned to each lot on the recorded Plat.

Excavation for foundations may not exceed 5 feet in vertical depth. Grading must be limited to that reasonably necessary for the construction of a home. Pad grading for the intention of providing concrete slab foundation is prohibited except for garages, terraces, outbuildings and basements.

Excavation or fill must be limited to 4 feet vertically outside of structure where exposed to view. However, THE VILLAS AT SIENA CREEK ACC reserves the authority to disapprove of any exposed excavation or fill transition that is abrupt, awkward or unnatural in appearance.

All cut and filled areas must be re-vegetated with approved plant material. Retaining systems are required at vertical cuts. No excavation, fill, or removal of trees and other vegetation will be permitted until the applicant's final Construction Documents have been approved in writing by THE VILLAS AT SIENA CREEK ACC and the Pre-Construction requirements have been fulfilled. Actual wall heights and ground slopes will vary by location. Retaining surfaces greater than 4 feet high, where allowed, must occur by way of multiple retaining walls, separated by a minimum planting width of 2 feet. When constructing vertical retaining walls, consider sloping the base about 15 degrees from vertical to soften the impact of an otherwise vertical wall.



Grading Transition with Retaining Walls

Grading near the setbacks may not result in abrupt transitions to adjacent Lots or streets.

The intent of these Design Guidelines is to promote and protect the aesthetic and natural quality of this community. Ultimately, the individual Homeowner and their consultants must be aware of and responsible for the impact their building and grading improvements have on their Lot and the adjacent land around it. Neither *THE VILLAS AT SIENA CREEK* Home Owners Association nor *THE VILLAS AT SIENA CREEK ACC* can be held responsible for the impact that individual Lot improvements have on adjacent properties.

4.0 LANDSCAPING

4.1 GENERAL OVERVIEW

The goal of the landscape guidelines is to ensure that the developed area of *THE VILLAS AT SIENA CREEK* harmonizes and blends with the natural environment. The goal of these guidelines is first to limit the amount of natural vegetation that is destroyed and second, to restore the undisturbed areas in a manner that is compatible with the natural vegetation. Landscape restoration is the reintroduction of native grasses, shrubs, vines, perennials and trees. It also includes the reintroduction of native soils and mulches. *THE VILLAS AT SIENA CREEK* seeks landscape designs that restore the land as they improve the underlying beauty of the Hill Country. Every effort must be made to minimize the negative effects of construction on the environment.

Landscape construction plans should show how the design has considered existing vegetation and site features, and what steps will be taken during construction to protect them. Preserving and incorporating prominent natural features of a site into a design helps reduce the impact of new construction and increases the compatibility and harmony of the new landscape with the existing. The following are examples of incorporating natural features into the site design:

- Step a building around mature trees and large boulders rather than remove them.
- Build a terrace around rock outcroppings and incorporate them into the space.
- Bend a driveway around trees and large boulders rather than removing them or other features in order to create a straight driveway.

As preservation, conservation and restoration of the property are paramount, a landscape plan must be submitted and approved by the ACC. The requirements are as stated in section 2.6, 2.7, and 2.8.

The landscape plan must be drawn on a previously approved site plan. Both an irrigation plan (prepared by a licensed irrigator) and illumination plan will also be required.

A plant legend indicating all plant species, quantities and sizes, as well as turf type, decks, fencing, pavements, driveways and any freestanding structures must also be included.

4.2 SITE GRADING

Site grading is the reshaping of the ground forms for the purpose of accommodating structures and for maintaining drainage patterns. Site grading is often overlooked or overdone. When complete, the site should reflect pleasing, natural forms that take shape gradually. Abrupt mounds or sharp forms do not appear natural.

A conceptual grading drainage plan must be prepared and included in the Site and Landscape plans for all Lots to ensure every consideration is given to producing a design that is well integrated into the adjacent landscape as a single composition. All grading must take place within the setbacks for the purpose of creating a natural-appearing transition between Lots and other adjoining parcels. Where retaining systems are required, they should follow the height requirements and special considerations addressed in Chapter 3.14, *SITE PLANNING, Grading, Foundations, and Retaining Walls on Sloping Sites*.

Should the proposed grade level change near existing trees, the level of the ground inside the tree's drip line should not be disturbed. If necessary, grading may encroach within the outermost 20 percent of the radius drip line as measured from the edge of the tree trunk.

All site grading must be kept to the absolute minimum necessary to accommodate the construction of the residence. Additional grading of Lots is not permitted other than is necessary structurally for buildings and other site elements. Abrupt transitions between the undisturbed natural ground and the graded area should be avoided. Contoured areas must incorporate a variety of slope gradients to provide a natural appearance to the landscape. All graded slopes must be re-vegetated. Temporarily stored topsoil and other fill materials must be covered until placed and vegetated.

Ultimately, all site grading must provide for transitions into grades on all sides of the Lots to create a flowing, continuous landscape.

4.3 RETAINING WALLS



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There may be instances where retaining walls are required in the Landscape. These walls should be used only where necessary and must not protrude above grade. Refer to Chapter 3.14 **SITE PLANNING,**

Grading, Foundations, and Retaining Walls on Sloping Sites.

The preferred stone material for use in retaining walls is the limestone native to the region and readily available. The stonework should appear organic in nature, using a variety of stone sizes while keeping the mortar joints to a minimum. The stone color should be the same or complimentary to the exterior of the house. Small walls may be dry stacked, constructed with stones sufficiently large enough to insure their stability over time. Railroad ties, and landscape timbers are not allowed as retaining walls.

4.4 PLANTING COMPOSITION

Care must be taken to select planting methods that best assure the growth and fulfillment of the concept portrayed by the approved Landscape Plans. A local nursery may provide advice on the various species and whether these species are best propagated by the use of seed, seedlings, potted specimens, or transplantation. If potted specimens are to be used, special attention should be given to the size of the specimen. The largest specimen that has a decent survival rate should be used. With the climatic and soil conditions at *THE VILLAS AT SIENA CREEK*, large potted and transplanted specimen do not always have survival rates that are as high as smaller specimens.

Large-scale masses of plant materials are encouraged as opposed to single unrelated plants. Hedges, or long, continuous rows of plantings are also discouraged.



Plant composition should include sizes and quantities of material that are appropriate to the scale of the home and the specific Lot. The goal is to enhance or recreate a landscape that appears Harmonious with the existing setting and flows seamlessly from one Lot to the next.

4.5 LANDSCAPE ILLUMINATION

Exterior lighting should be kept to a minimum, but consistent with good security practices. Plans submitted to the ACC for approval must include light locations and specs. Care should be taken to prevent glare onto surrounding properties or the street. Sodium, mercury vapor, or bare HID yard lights are prohibited.

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Landscape lighting is only allowed when approved in advance by the **THE VILLAS AT SIENA CREEK ACC** and when the submittal indicates the lighting scheme is limited in area and in intensity. The purpose of landscape lighting is to provide for safety and diffused mood lighting only, not for decoration. Lighting may not pollute the night sky (no up lighting of any kind is permitted) nor trespass onto neighboring properties or rights of way. Down-lighting is the most desired illumination effect. This concept places fixtures high in the branch structure of trees with the light source directed downwards through the foliage and branch structure creating the dramatic shadow patterns of moonlighting.

Additional lighting requirements are as follows:

- Step lights, pole and pilaster mounted fixtures are allowed when placed appropriately.
- Lighting must be limited to circulation, to those areas that are occupied by people.
- Filters and shields are required to hide light source. Nuisance light from unshielded spot or bullet fixtures will not be allowed.
- Fluorescent, metal halide, or low-pressure sodium lamps are not allowed.
- Low voltage lighting is allowed when use adheres to the same application as noted above.
- No fixtures are allowed in set backs. Other than the address identification light.

Light fixtures, finishes, and lamp size/intention must be submitted along with proposed fixture locations as part of the Final Design Submittal. The use of a professional lighting consultant is recommended.

Refer to Chapter 5.14, Architectural Design, *Exterior Lighting* and Chapter 5.19, *Address Identification*, for additional lighting requirements.

4.6 IRRIGATION REQUIREMENTS

The undisturbed areas outside of the Building Construction Envelope (BCE) along the rear of the Villa Lots do not require permanent irrigation however the ACC highly recommends irrigation of the entire lot. It is important that the irrigation design is compatible with the selected plant material. In order to prevent waste of water resources, all irrigation heads near streets must be designed to prevent water from being sprayed onto the pavement.

All irrigation systems must be automatic and have rain sensors. Drip irrigation or irrigation systems that minimize evaporation are highly encouraged. Irrigation systems should be timed for early morning use, generally 12:00 a.m. to 7:00 a.m.

4.7 LANDSCAPE INSTALLATION

All landscaping and planting should be installed prior to occupancy of the house. The ACC may approve, at its sole discretion, other time limits requested by the owner to extend the planting installation. All requests to extend landscape/plant installation must be submitted in writing to the ACC and must be accompanied by a proposed date of installation and completion.

Landscape areas not covered with plant materials shall be covered with mulch composed of organic materials. A landscaping plan that utilizes mulch, as a predominant element will not be accepted. The use of rock or crushed rock as a ground cover will not be permitted.

4.8 RECOMMENDED PLANT MATERIALS

Plants plays major role in the restoration fundamentals central to the design guidelines for THE VILLAS AT SIENA CREEK. Plants that are indigenous to the Texas Hill Country and shall be used where landscaping is required.

Approval of native plants and other suitable plants other than those normally found in the Texas Hill Country shall require written approval by the ACC.

Low water grasses such as prairie, TIF 419 bermuda, 609 buffalo grass, zoysia or other water conserving turf grasses are encouraged.

Not all plants are appropriate for the lots. For example, a lot near a perennial or semi-perennial stream may use the canopy tree, Sycamore. The trees are common to the moist valleys of the Hill Country; however, these trees would not be found in the upland sites. Therefore care should be taken to use plants suitable to their natural environment.

5.0 ARCHITECTURAL DESIGN

5.1 INTRODUCTION

It is the intent of THE VILLAS AT SIENA CREEK to encourage architecture rooted in Texas but with "old Texas" elegance through the use of good design and natural materials. There is not a THE VILLAS AT SIENA CREEK style, but it is the intent to create a unifying philosophy of design. Homes should reflect regional traditions and respond to the unique character of the Texas Hill Country. These guidelines reflect the desire to foster a thoughtful and comprehensive approach to creating a community that shares among its many goals consistent quality design and construction.

It is important to realize that not all designs may be appropriate on every lot and the ACC will have authority to reject, adjust or modify any design.

These Guidelines do not intend to dictate an architectural style within THE VILLAS AT SIENA CREEK although all designs must be of a character appropriate to the "Old Texas", vernacular. Architectural styles such as French Country, Spanish Mediterranean, Tuscan, Southwest, or Texas Hill Country are strongly encouraged as is the use of natural materials.

The design character should create a residence that blends with its environment instead of standing out against it. The design of residences should be considered from all four sides, including roofs, not just from the front or rear. All four elevations should maintain the design integrity, material usage and visual interest as the front.

Creative use of shade and shadow and the avoidance of long uninterrupted wall or roof surfaces are required. Monochromatic color schemes are not encouraged unless they are the result of the use of natural material such as stone. The requirement for at least two (2) different complimentary exterior materials will naturally create complimenting color variations.

Structures that consist of only a bold mass or block forms are discouraged, as are those that are ultra contemporary or otherwise intentionally conspicuous.

All structures will conform to the requirements of all applicable building codes, laws, ordinances, rules, and regulations of the City of Horseshoe Bay, Texas, governmental authorities having or asserting jurisdiction, including, and without limitation, appropriate departments of the county in which the property is located and the State of Texas, whichever are the more restrictive.



5.2 DIVERSITY / CONTINUITY / HOUSE SIZE

The principal objective of *THE VILLAS AT SIENA CREEK's* Design Guidelines is to encourage the addition of elements with an architectural richness and variety without creating flashy, ostentatious or intentionally attention-grabbing designs.

Homes that use neutral colors for most all materials and have well developed outdoor spaces, shade, shadow and detail will be considered as the basis from which to provide continuity. Design continuity may be achieved through the appropriate use of massing, height, materials, colors and other design elements. Therefore, a more organic composition is preferred, one that can coexist within the context and view of other homes in the neighborhood.

HOUSE SIZE

The ACC favors designs that seek to establish a positive connection between indoor spaces, designed outdoor spaces, and the landscape beyond. Such designs should allow for the reduction of the gross massing of houses in general by the expedient use of exterior spaces. The use of covered and uncovered structured outdoor spaces such as patios, terraces and porte-cocheres are highly recommended. The minimum square footage permissible for any residence in THE VILLAS AT SIENA CREEK VILLAS shall be 1500 (Per Zoning and Declaration) square feet of heated / air-conditioned space for a single story residence and 2000 square feet for a two story residence. Notwithstanding uses otherwise permitted herein, no more than fifty percent (50%) of the total Lot area will be used for the dwelling and other structures, unless the ACC, in its sole discretion, approves a different percentage.

5.3 BUILDING MASS AND FORM

The massing of buildings refers to the size, bulk, scale and shape of the structures. To help blend the residence with its environment building massing will be an important part of the design review process and will be considered important as viewed from any elevation. For example, a separate garage structure might incorporate some living area above.

The ACC encourages massing that is simple and logical. Massing that separates the building functions into different parts for courtyards, kitchens, living areas, bedrooms, garages or porte-cocheres are favored.

Generally the second floor area of the residence shall not exceed 50% of the enclosed first floor area of the residence (heated or air-conditioned), including garages, but not including covered outdoor spaces. Two-story interior spaces are included as second floor area in calculating the percentage of second floor area to be built.

Large unbroken expanses of masonry in excess of 24'-0" will not be allowed without an opening or other

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appropriate treatments to break down the mass. Any single mass over two thousand five hundred (2,500) square feet shall be composed of at least two (2) masses. All side and rear elevations are expected to be articulated to break up the facade into smaller elements, as well as adding the richness of shade and shadow.



5.4 BUILDING HEIGHT

Generally, the maximum height limit established is thirty-six (36) feet to the ridge point of the roof, sufficient for a two-story building with a pitched roof. An architectural feature such as a tower can exceed the height restrictions with written approval of the ACC. Roof vents and other penetrations shall be as unobtrusive as possible.

Maximum building heights shall be measured vertically above the average existing natural terrain, as solely determined by the ACC, prior to grading. If any doubt exists as to the base starting elevation, the ACC should be consulted prior to the start of any elevation studies.

5.5 BUILDING ELEVATIONS

Homes must be considered and designed with all four elevations in mind. The design of homes within THE VILLAS AT SIENA CREEK are expected to capture those qualities of richness and detail that are often associated with an earlier, more handcrafted time. The emphasis placed on the front elevation by many homeowners and builders will be considered important on all elevations by the ACC.

Structures that complement the natural environment, as well as those having interesting and varied mass are required. Whether or not a home is intended as modest or large, the use of proportion, light, shade and shadow must be clearly evident in the design.

In addition to the scale and proportion of the overall home design, details must also display the same sense of proportion relative to the rest of the building. For example, rafter tails are typically 2" X 4" lumber, often even simply just extensions of the pre-manufactured truss system supporting the roof. However, were these elements given the attention to detail that this section seeks to encourage, they would more often be of 3" X 6" or 4" X 8" rough sawn material.

5.6 ROOF DESIGN

Since roofs will form an important part of the visual environment, they must be carefully designed. The ACC will not approve large, unbroken, single-pitched roof planes. Pitched roofs may be gable, shed, hipped or tie in to building masses and may be a maximum of 8 in 12 and a minimum of 4 in 12. Flat roofs may be permitted if the overall design of the home is consistent within THE VILLAS AT SIENA CREEK VILLA lots. Mansard roofs are not permitted. Exposed roof mounted mechanical equipment is not permitted and all penetrations, antennas, satellite dishes and flashing shall be painted to match the roof color.

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Allowable roof materials include clay tile, slate, and concrete tile. Metal roofing may be permitted by the AGC where specifically approved based upon the design of the residence.

Covered terraces, porches and verandas are strongly encouraged but must be fully integrated into the design. Changing both the slope and material on these areas is one way to create diversity and asymmetry.

The roof area of all two-story homes must include single-story elements. On both one and two-story residences, the roof profile should be nicely varied with individual masses and asymmetrical design. The use of deep, heavy fascias help to create necessary shade and shadow.



Acceptable roofline



Unacceptable roofline

5.7 EXTERIOR WALLS AND FINISHES

The exterior walls of any building are not to be surfaced with more than three (3) materials. One (1) material should be dominant over the other(s) and they should express logical structural relationships.

All building facades must include a significant degree of texture/depth such as that provided by stone and rock, integrally colored stucco, rough saw wood and brick. All exterior finish materials including stucco on all building walls, foundations, site walls and screen walls must be continued down to below finish grade, thereby eliminating unfinished foundation walls. Precautions shall be taken to make sure that moisture that might collect behind the finished veneer has a way to escape above the finish grade. Where code restricts the continuance of any major wall material below grade then the wall(s) must be detailed to include the introduction of stone, rock or brick down below finished grade.

The choice of materials, and method of construction employed should act as a major factor in determining the form of the building. The goal for THE VILLAS AT SIENA CREEK is to have houses constructed with materials that are compatible with the general color and texture of the surrounding landscape. The use of White limestone or very, light colored stone, as the predominant stone for exterior walls is highly discouraged.

Houses shall be constructed of stone, stucco or concrete. Brick, wood, and metal can be used as secondary materials. Vertical changes of materials shall be at interior corners.

Decks, exterior stairs and related construction must be of compatible materials and finish as that of the exterior elevation.

The use of natural and high quality "faux" stone is acceptable as well as integral color stucco. Use of exterior insulation and finish systems (E.I.F.S.) is highly discouraged and will have very limited approval. Although brick is an allowable material it must either have mortar stony or a weathered painted finish similar to a traditional French Country look. Where brick is used as an accent material it may be unfinished.

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Traditional wood siding is not expressly prohibited, however it must be in keeping with the "old Texas" architectural intent of *THE VILLAS AT SIENA CREEK* as discussed in earlier sections. In no cases will simulated wood siding or vinyl siding be permitted.

5.8 COLORS

Because of the emphasis on natural materials in *THE VILLAS AT SIENA CREEK* finishes that compliment and enhance the material's intrinsic qualities is encouraged. Colors should complement and blend with, rather than contrast, with the surrounding natural palette. A minor amount of contrasting trim work may be considered appropriate at the discretion of the ACC. Building colors should arise from the inherent colors of the materials used. For painted surfaces visible from neighboring houses, roadways, or public spaces, colors should be drawn from features in the landscape, such as the colors of the earth, and stone. Some colors will not be approved such as pink, bright blue, and other colors that do not blend with the immediate natural environment.

5.9 DOORS AND WINDOWS

Doors and windows should not appear as openings cut into the side of a box, but rather as architectural features with their glass face recessed, projected or surrounded by projections that provide relief and shadow. While elevations will differ on the individual elevations, all sides must be treated the same as the front elevation. All facades shall include an appropriate degree of doors, windows or openings in the wall.

The central architectural role of windows at *THE VILLAS AT SIENA CREEK* is to generously link inside and outside spaces and to introduce natural light. The use of large areas of glass, floor to ceiling windows, operable sections, the shading of windows for view, glazed lineage spaces, and other means of extending space from indoor to outdoors will be encouraged by the ACC. Windows that offer large, uninterrupted viewing area are encouraged.

All windows and exterior doors shall be of wood or steel construction. The ACC may approve Aluminum or other materials on a case-by-case basis based on design merit and not cost.

Attention to door and window placement and their relationship to one another and the overall context of the elevation is critical. Although attention to interior location and view is important, location on the exterior is as important. Windows in combination are generally more appealing than a number of individual units repeated across a wall and repetition of consistent sizes and shapes are better than an unrelated assortment of windows.

Glass may be coated or tinted to control solar heat gain, but a reflective mirrored appearance will not be approved. Skylights may be approved in inconspicuous locations only. Skylights, where approved, must have a low profile above the roof plane and glazing must be flat rather than bowed. The frames of skylights must be the same color as the windows.

5.10 FRONT ENTRIES, PORCHES AND DECKS

The front entry should be expressed as an obvious element. Front porches that are overly vertical in relation to the area of the porch will not be permitted. Generally, the height of porches should be no more than one and one-half the width. Entries that are too small, monumental or imposing will not be approved. Trellised entries can be used as a soft transition between indoor and outdoor space.

Entrances should be part of a covered front terrace or porch. Although the entry must be scaled in relation to the overall mass from the street, it should appear more dominant than the garage doors.

Decks that extend off of upper levels above grade should be designed as an integral element of the building and not an appendage. Columns supporting such elements must be over-scaled and include the use of stone or brick. Wood columns may be used as an integral element but must be a minimum of an 8" X 8" member or a combination of four (4) 4" X 4"s.

5.11 FIREPLACES AND CHIMNEYS

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Well proportioned fireplace masses and their chimneys can be used as both a sculptural and overall massing element. Fireplace masses should be integrated with and blend well with the materials and character of the home and must always be faced with stone, brick or stucco. In no case will exposed metal flues be allowed.



5.12 GARAGES AND DRIVEWAYS

Entrance driveways should be located so as to minimize the impact on natural features. Driveways should be a maximum of fourteen (14) feet wide at the street right-of-way and shall intersect the street at a right angle. Where feasible, driveways should undulate from the road to the residence.

Where culverts are required at the street connection, they shall be decorative in nature and faced with stone or similar material matching the residence.

Driveway material may be of natural grey concrete, integrally colored concrete, exposed aggregate concrete, pattern stamped concrete or natural materials such as such stone or brick.

Every effort should be made to minimize the impact of the "garage." Thoughtful consideration of location and driveway orientation can ensure that the visibility of the garage is minimized from the street and adjacent lots. Appropriate measures that will minimize the impact of garage doors include side entries out of direct view of the street, and overhangs or columns that add depth, creating desired shade and shadow.

Garages must blend with the residence and should incorporate windows to avoid large expanses of unarticulated surfaces. Wood garage doors with interesting architectural features are highly recommended. Large or unarticulated areas above garage doors will not be approved. Windows and a change in horizontal planes or materials are recommended. In all cases garages should be attached to the main residence at a minimum with an arbor or breezeway element.

Garage doors must relate to the remainder of the home's design elements and materials. The use of wood garage doors and glazing is highly encouraged, especially where visible from the street. Doors should be either the same color as the home's body or wood accents. Only single width garage doors will be permitted at THE VILLAS AT SIENA CREEK VILLA lots. The third door must occur in a secondary building plane, offset by a minimum of 4 feet from the primary wall. No more than 3 doors will be permitted in an elevation. A maximum of four (4) stalls will be allowed.

Garages may not be converted into indoor uses such as dens, recreation rooms, family rooms, workshops, etc., without specific written approval from the ACC.

Carports may be considered in place of enclosed garage spaces but must be designed as an integral feature of the architecture. It must be constructed to the same level of detail, material and scale as the other portions of the home. Thin posts, bland detail and a change or reduction in materials will not be approved. Where approved, carports may only be used for the short-term storage of vehicles and neatly stacked firewood. The

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design and orientation of carports must screen the space from the street, common areas, and neighboring home sites.

Please reference Chapter 3.7, *SITE PLANNING, Driveways* and 3.8, *Garage Location*, for additional specifications and requirements regarding Driveways and Garages.

5.13 WALLS, SCREENS, AND FENCES

Fences and walls may be approved within *THE VILLAS AT SIENA CREEK* when needed for security, screening, and containment or sound attenuation. Generally, the design and materials used for fencing shall be architecturally compatible with the building exteriors and consistent with the architectural style of the home. The exception is where the fences are exposed to open space, or common area and along the real lines of lots 1 thru 6. In those conditions the exterior side of the fence becomes an extension of the community's architectural character. More restrictive guidelines will be applied in these locations in order to maintain a unified architectural theme throughout highly visible areas of the community. The design will of the fence on these lots will match and will be provided by the ACC.

Maximum height of all fence and walls shall be limited to 8'-0" above adjacent grade. In all cases, solid vertical wood fence or chain link fence will not be permitted. When fences are located along property lines, homeowners should work with the adjacent residences to ensure a cohesive design.

Any fencing along the front of the house shall not align in the same plane with the front elevation of the house. It must be offset to the front or rear a minimum of 4'-0".

All fence, wall locations and designs are subject to approval by *THE VILLAS AT SIENA CREEK ACC*.

All HVAC units and pool equipment shall be screened from the view of the street and neighboring residences with structural screening to match the exterior of the house. Landscaping will also be required to help soften the structure.

Vegetation screening will be required for all utility boxes and connections and should be included on the landscape plan.

5.14 EXTERIOR LIGHTING

The principal objective of these standards is to recreate the traditional low-level ambiance of a rural community. Secondly, the objective is to limit ambient light and reduce light trespass across property lines. If a shadow of light is cast onto a neighboring property from a Lot the light is originating from, then light trespassing is occurring.

Lighting's primary consideration should be for safety. Simple traditional fixtures that throw a soft glow are recommended. One overly bright exposed front porch light can change the feel of an entire neighborhood. No street lighting is allowed except as described in Section 5.19 *Address Identification*.

Lighting a Lot or the exterior of a building as an accent for any other reason is prohibited. Consistent with considerations for safety and security, the desire is to maintain a rural feeling by keeping the night landscape as dark as possible.

Security lighting (area floodlighting) and recessed can lighting is generally prohibited. A maximum of one recessed can fixture may be proposed for each garage bay. Bulb wattage may not exceed 100 watts per fixture.

Exterior wall and building mounted light fixtures must be integrated into the architectural composition of the house. Light fixture enclosures must be constructed to conceal or substantially diffuse the light source. Lighting a Lot or the exterior of a building as an accent or for any other reason is prohibited. Up lighting of any kind is prohibited.

Landscape lighting is allowed in limited quantity and intensity. Refer to Chapter 4.6, *LANDSCAPE, Landscape Illumination* for more information on landscape lighting.

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Catalog sheets or photographs, lamp size intentions, finishes, and fixture locations in plan and elevation must be submitted as part of the Final Design Submittal.

5.15 UTILITY ELEMENTS AND ACCESSORIES

Unless specifically approved to the contrary, whether for functional or aesthetic purposes, materials such as chimney flues, vents through roofs or exterior walls, louvers, flashing, chimney caps, railings, utility boxes, exterior mounted mechanical equipment and metal work of any kind must be finished to match one of the other colors in the building's color palette. The color selected for these elements must result in an inconspicuous blending of the element into the surrounding materials and finishes.

Electrical service meters, gas meters, air conditioners and any other utility or mechanical equipment must be screened from the street, common areas and neighboring Lots. They may be placed behind wing walls or located behind unlocked doors in a manner acceptable to the serving utility company. Please refer to Chapter 3.9, *SITE PLANNING, Utilities* for more utilities requirements.

5.16 ANTENNAE AND SATELLITE DISHES

No exterior antennas, aerials, satellite dishes, or other apparatus for the reception of television, radio, satellite or other signal of any kind shall be placed, allowed, or maintained upon any portion of the Property, including any Homesite, which is visible from any street, common area or other Lot unless it is impossible to receive signals from said location. In that event the receiving device may be placed in a visible location as approved by the ACC. The ACC may require as much screening as possible while not substantially interfering with reception. The Declarant and /or the Association shall have the right, without obligation, to erect or install an aerial, satellite dish, master antenna, cable system, or other apparatus for the transmission of television, radio, satellite or other signals for the benefit of all or a portion of the Property. No satellite dishes shall be permitted which are larger than one meter in diameter. No broadcast antenna mast may exceed the height of the center ridge of the roofline. No Multichannel Multipoint Distribution Service ("MMDS") antenna mast may exceed twelve feet (12') above the center ridge of the roofline. No exterior antennas, aerials, satellite dishes, or other apparatus shall be permitted which transmit television, radio, satellite or other signals of any kind shall be placed, allowed, or maintained upon any portion of the Property. The Declarant by promulgating this Section is not attempting to violate the Telecommunications Act of 1996 ("the Act"), as same may be amended from time to time. This Section shall be interpreted to be as restrictive as possible while not violating the Act.

5.17 RELATED STRUCTURES AND STORAGE BUILDINGS

Properly designed guesthouses, gazebos, playhouses, tree houses, storage buildings, or other accessory structures can add interest, but care is necessary to avoid a miscellaneous or cluttered look. They must be designed as integral elements of and be complementary to the main structure. Materials, colors and finishes must be similar on all such structures, and visually related by way of connecting walls, pergolas, terraces, or other landscape treatments. Accessory buildings must meet all setback and easement requirements.

Small storage buildings that are designed specifically for the Lot and are built on site may be allowed if they are complementary to the main structure and are approved in advance by THE VILLAS AT SIENA CREEK ACC. Prefabricated storage buildings will not be approved.

All approved accessory buildings and structures necessary to such use may occupy not more than fifty (50) percent of a required rear yard and may not be more than fifteen (15) feet in height, unless pre-approved by the ACC. No accessory building will be erected closer than fifteen (15) feet to the line of an abutting Lot and no such building will occupy any portion of a required front or side yard.

5.18 FLAGPOLES

Flags of a modest size may be displayed if specific approval is received from THE VILLAS AT SIENA CREEK ACC. Flagpoles must be in proportion to the modest size of the flag and may not extend above the nearest roof ridge. Flagpoles must be finished in a color that blends with the surroundings when viewed from neighbors' homes, rights-of-way and common areas. Flagpoles must be placed near the house. Flagpole

height may not exceed the height of the horizontal line of the structures roof fascia.

5.19 ADDRESS IDENTIFICATION

An address / post light structure will be constructed on each lot during the time of the house construction and will be shown on the final plan submittal. The design of the light is included in this document (Appendix A). The base material of the light will match the exterior materials of house on that Lot. The light base will also have an address number displayed toward the street. The ACC will have the information where the light for the base can be purchased. Each address identification light will have a light sensitive switch that will be adjusted so that each yard light will burn all night every night.

5.20 EXTERIOR RECREATIONAL OR PLAY EQUIPMENT

Basketball hoops will be allowed on a case-by-case basis where the hoop, backboard and all related hardware are finished to match the structure and are mounted directly to the home or an accessory structure such as detached garage. In addition to the color-matched backboards, clear backboards are also allowed.

Play structures, trampolines, swing sets, slides or other such devices will not be allowed on Lots visible from common areas and roads without proper screening. Additionally, play equipment in these areas must be limited to 8 feet or less. Colors must be in keeping with the intent of these guidelines. Bright colors will not be allowed.

5.21 SPORT AND TENNIS COURTS

These uses tend to impact neighbors and neighborhoods. Due to the significant site alteration, grading and fencing required for such land uses, sport and tennis courts would usually not be approved for Lots unless special mitigating measures are applied. Approval by THE VILLAS AT SIENA CREEK ACC will be on a case by case basis. No chain link fencing will be allowed.

5.22 OUTSIDE SPEAKERS

All sound amplification in any way on the exterior of any residence must not create any nuisance or offensive noises as to disturb any neighboring resident or common area or rights-of-way. Outdoor speakers must be designed to blend with the exterior of the home.

5.23 SWIMMING POOLS AND SPAS

Swimming pools and spas if any, should be designed as being visually connected to the residence through the use of walls or courtyards and must be positioned with consideration for visual and noise impact with respect to adjacent lots, and public spaces. The same care applies to the location of all pool equipment areas, which must be screened from view from all surrounding properties. The pool equipment screen must be opaque. Screening with plant material must be large enough at time of planting to form a solid hedge, architectural screening must be of a material and color that is complementary to the house. Enclosure fencing for pools and spas must meet all applicable building and safety codes.

Proposed pool plans must be drawn on a copy of the previously approved site plan. The plan shall include all improvements, pool equipment location and screening, decking, retaining walls, etc. If a pool is to be constructed after the completion of the house, the site plan must also indicate how the site will be accessed.

Exposed pool foundations, pool skirting, or patio foundation must be constructed of the same masonry material as the single-family residence constructed on the lot.



Above ground pools are prohibited. Wood decking or recyclable wood/plastic products are prohibited.

5.24 REFUSE CAN ENCLOSURES

Refuse cans must be stored within an enclosure so as to be out of sight of adjacent properties, street right-of-ways and open spaces. Enclosures must conform to the guidelines set forth in Sections 5.15, *Utility Elements and Accessories* and 5.17, *Related Structures and Storage Buildings*.

5.25 PET AND DOG RUNS

Dog runs may be provided on Lots when approved in advance. Dog runs must be integrated to the fullest extent possible with the home and may not be freestanding. Locator flags for buried electrical pet enclosure devices must be removed within 12 months after installation. Chain link fencing is not allowed at THE VILLAS AT SIENA CREEK.

5.26 CLOTHESLINES

No Clotheslines will be installed or permitted on any lot or structure.

5.27 BARBEQUE GRILLS

Freestanding grills are permitted only if they are stored and used in a location that is not visible from the street or adjacent properties. The use of built-in grills is encouraged.

5.28 SIGNS

Personal business/ commercial signs are not allowed in the subdivision. No "For Sale" or "For Lease" signs will be allowed to be displayed on any lot or improvement. Builder's temporary signs not to exceed eight (8) square feet may be permitted with prior approval of the ACC for the purpose of giving the names of the contractor, architect, and engineer during the construction period. The ACC will provide the basic design of the sign. The sign may remain until the house sells or for a period not to exceed six months from substantial completion.

6.0 CONSTRUCTION GUIDELINES

These construction guidelines are intended to ensure that the natural environment is not damaged and that neighboring residents are not unduly disturbed during the construction process. The owner and the builder shall be bound by these guidelines. The ACC recommends that the owner incorporate these into the builder contract.

6.1 COMPLIANCE DEPOSITS

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The ACC will require a \$1,500 deposit (to be held in non-interest bearing account) as security against any damages caused to the Association's common areas, streets or adjacent properties.

Upon completion of the home as per the approved plans and specifications, (including landscape installation), a final inspection will be performed by the ACC. Provided that no damage to the common areas, curbs, streets or adjacent properties remain unremediated, the Compliance Deposit or any balance thereof will be returned.

6.2 CONSTRUCTION FENCING

To protect the natural areas, a chain link fence (minimum height 4 feet) must be placed around the perimeter of the approved Building Construction Envelope before any construction activity begins. Metal fence posts must be no more than ten (10') feet apart. This fence must be kept in a good state of repair during construction. Unless previously approved by the ACC, the fence shall have only one entrance at the approved location.

No construction activity or materials storage may take place outside of the fence.

Note that silt fencing alone cannot be a substitute for the perimeter fencing around the building construction site.

6.3 ENVIRONMENTAL REQUIREMENTS

The greatest amenity at *THE VILLAS AT SIENA CREEK* is the land itself, and to protect this amenity for the enjoyment of everyone, water quality controls are in effect for the project.

Erosion Control Plan

Drainage during construction must be controlled so as to cause no erosion of the Lot, adjacent Lots, or the natural areas. Silt fencing must be installed prior to commencement of any clearing or construction and must be properly maintained during construction. The builder should anticipate that built-up sediment would 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.

Construction Entry

A stabilized construction entrance composed of 3" to 5" stone in an area at least 10'x15' is required for each construction site. The construction entry minimizes the amount of mud, dust, and other debris tracked onto the streets. The entry must be installed prior to any clearing or commencement of construction. Builders may be required to replenish the stone during the course of construction. All construction vehicles will be required to use the west entrance, to enter the subdivision, across from Bay West Blvd. (No exceptions)

Water or other methods, such as mulch, shall be used to minimize dust outside the driveway and Building Construction Envelope.

6.4 WORKING HOURS

Construction will be permitted Monday through Friday from 7:00 a.m. to 6:00 p.m. and from 9:00 a.m. to 5:00 p.m. on Saturday. No construction will be permitted on New Years Day, Easter, Independence Day, Thanksgiving or Christmas.

6.5 SANITARY FACILITIES

Each builder shall be responsible for providing and maintaining adequate sanitary facilities for its construction workers. Portable toilets shall be located only within the approved BCE.

6.6 VEHICLES AND PARKING AREAS

Construction crews shall not park on or otherwise use other building sites or open spaces. No parking is

THE VILLAS AT SIENA CREEK TOWNHOMES

allowed on the street. Parking is not permitted on any grass or natural vegetation. The ACC may require common, off-site parking areas for use by construction crews.

The builder and architect shall plan parking needs in advance of construction and submit a parking plan at the final design review for approval.

Washout of concrete trucks or cleaning of any equipment must be contained within the BCE. Washout or cleaning residue shall not be allowed to flow out of the BCE.

6.7 DEBRIS AND TRASH REMOVAL

Builders shall provide a regulation sized dumpster for debris. Trash and debris shall be removed from the site frequently and will not be allowed to overflow the container.

The street in front of the house must be cleaned on a weekly basis, after rains or when mud, dust or other debris is tracked onto the street, the streets will be cleaned on a daily basis.

6.8 NOISES AND GENERAL NUISANCE

The use of radios, tapes and CD players must be restrained so as not to be heard from adjacent Lots.

Pets are not permitted on the job site.

Blasting is not allowed.

6.9 INSURANCE

Builders shall furnish satisfactory proof of Builder's Risk Insurance.

Acknowledgement:

A large portion of these Design Standards have been arrived at through the study of other successful developments and taking what was considered the best elements of those projects and including them in this document. There is no intent to make THE VILLAS AT SIENA CREEK look like another development but simply to take what has already been proven and tailor those successful standards to THE VILLAS AT SIENA CREEK.

Executed this 13 day of August 2020, to be effective July 20, 2020.

VILLAS AT SIENA CREEK CONDOMINIUM ASSOCIATION, INC.
a Texas corporation

BY: 
ANGELA MEREDITH, its President

ROBERT OCHSNER

LYN OCHSNER

THE VILLAS AT SIENA CREEK TOWNHOMES

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Executed this ___ day of _____, 2020, to be effective July 20, 2020.

VILLAS AT SIENA CREEK CONDOMINIUM ASSOCIATION, INC.
a Texas corporation

BY: _____
ANGELA MEREDITH, its President



ROBERT OCHSNER



LYN OCHSNER

THE VILLAS AT SIENA CREEK TOWNHOMES


ANGELA MEREDITH


TIM GREEN


DENNIS DEE JENKINS


ANABELLA JENKINS


BECKY WIDNER

RAUL RUELAS

KAREN RUELAS


MICHELE KUHLMANN


MICHAEL L. FOUTZ


JANICE L. FOUTZ

RAV INTERESTS, LLC

BY: RUTLEDGE EXTREME DESIGNS, LLC

BY: 
RUSSELL RUTLEDGE, Manager

JAFFE INTERESTS, LTD., a Texas limited partnership

BY JAFFE ENTERPRISES, LLC,
a Texas limited liability company,
its general partner

BY: 
RON LYNN MITCHELL
Chairman/CEO

DHB PARTNERS, LTD., a Texas limited partnership

THE VILLAS AT SIENA CREEK TOWNHOMES

ANGELA MEREDITH

TIM GREEN

DENNIS DEE JENKINS

ANABELLA JENKINS

BECKY WIDNER

Raul Ruelas

RAUL RUELAS

Karen Ruelas

KAREN RUELAS

MICHELE KUHLMANN

MICHAEL L. FOUTZ

JANICE L. FOUTZ

RAV INTERESTS, LLC

BY: RUTLEDGE EXTREME DESIGNS, LLC

BY: _____
RUSSELL RUTLEDGE, Its Manager

JAFFE INTERESTS, LTD., a Texas limited partnership

BY JAFFE ENTERPRISES, LLC,
a Texas limited liability company,
its general partner

BY: _____
RON LYNN MITCHELL
Chairman/CEO

DHB PARTNERS, LTD., a Texas limited partnership

THE VILLAS AT SIENA CREEK TOWNHOMES

BY: _____
NAME: _____
TITLE: _____

PATRICK SWEENEY

SHEILA SWEENEY

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF LLANO

This instrument was acknowledged before me on the 20 day of July, by ANGELA MEREDITH, as President of VILLAS AT SIENA CREEK CONDOMINIUM ASSOCIATION, INC., a Texas corporation, on behalf of said corporation.

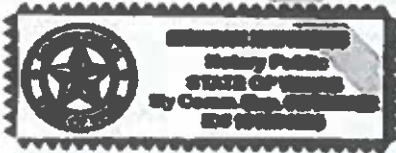


Brad Hatfield
NOTARY PUBLIC, STATE OF TEXAS

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF Midland

This instrument was acknowledged before me on the 22 day of July, by ROBERT OCHSNER and LYN OCHSNER.

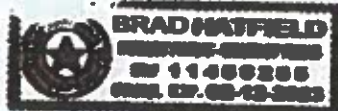


M. Matthews
NOTARY PUBLIC, STATE OF TEXAS

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF LLANO

This instrument was acknowledged before me on the 20 day of July, by ANGELA MEREDITH



Brad Hatfield
NOTARY PUBLIC, STATE OF TEXAS

BY: _____

NAME: _____

TITLE: _____

Patrick Sweeney
PATRICK SWEENEY

Sheila Sweeney
SHEILA SWEENEY

ACKNOWLEDGMENT

**STATE OF TEXAS
COUNTY OF LLANO**

This instrument was acknowledged before me on the ____ day of _____, by ANGELA MEREDITH, as President of VILLAS AT SIENA CREEK CONDOMINIUM ASSOCIATION, INC., a Texas corporation, on behalf of said corporation.

NOTARY PUBLIC, STATE OF TEXAS

ACKNOWLEDGMENT

**STATE OF TEXAS
COUNTY OF _____**

This instrument was acknowledged before me on the ____ day of _____, by ROBERT OCHSNER and LYN OCHSNER.

NOTARY PUBLIC, STATE OF TEXAS

ACKNOWLEDGMENT

**STATE OF TEXAS
COUNTY OF LLANO**

This instrument was acknowledged before me on the ____ day of _____, by ANGELA MEREDITH.

NOTARY PUBLIC, STATE OF TEXAS

THE VILLAS AT SIENA CREEK TOWNHOMES

BY: _____
NAME: Charles W. Barnett
TITLE: Manager/Member

PATRICK SWEENEY

SHEILA SWEENEY

ACKNOWLEDGMENT

**STATE OF TEXAS
COUNTY OF LLANO**

This instrument was acknowledged before me on the ____ day of _____, by ANGELA MEREDITH, as President of VILLAS AT SIENA CREEK CONDOMINIUM ASSOCIATION, INC., a Texas corporation, on behalf of said corporation.

NOTARY PUBLIC, STATE OF TEXAS

ACKNOWLEDGMENT

**STATE OF TEXAS
COUNTY OF _____**

This instrument was acknowledged before me on the ____ day of _____, by ROBERT OCHSNER and LYN OCHSNER.

NOTARY PUBLIC, STATE OF TEXAS

ACKNOWLEDGMENT

**STATE OF TEXAS
COUNTY OF LLANO**

This instrument was acknowledged before me on the ____ day of _____, by ANGELA MEREDITH.

NOTARY PUBLIC, STATE OF TEXAS

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF Harris

This instrument was acknowledged before me on the 20 day of July, by TIM GREEN.

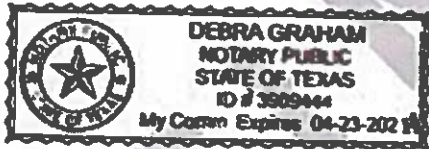


[Signature]
NOTARY PUBLIC, STATE OF TEXAS

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF Harris

This instrument was acknowledged before me on the 6th day of August, by DENNIS DEE JENKINS and ANABELLA JENKINS.

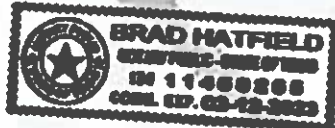


[Signature]
NOTARY PUBLIC, STATE OF TEXAS

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF Harris

This instrument was acknowledged before me on the 20 day of July, by BECKY WIDNER.



[Signature]
NOTARY PUBLIC, STATE OF TEXAS

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF Bexar

This instrument was acknowledged before me on the 22nd day of July, by RAUL RUELAS and KAREN RUELAS.



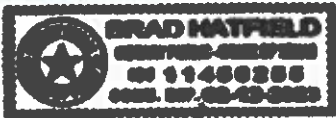
[Signature]
NOTARY PUBLIC, STATE OF TEXAS

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF Dano

This instrument was acknowledged before me on the 20 day of July, by
MICHELE KUHLMANN.

[Signature]
NOTARY PUBLIC, STATE OF TEXAS

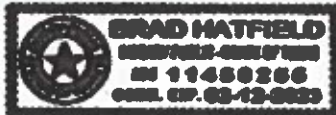


ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF Dano

This instrument was acknowledged before me on the 20 day of July, by
MICHAEL L. FOUTZ and JANICE L. FOUTZ.

[Signature]
NOTARY PUBLIC, STATE OF TEXAS



ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF Dano

This instrument was acknowledged before me on the 20 day of July, by
RUSSELL RUTLEDGE, Manager of RUTLEDGE EXTREME DESIGNS, LLC, MANAGER OF
RAV INTERESTS, LLC., A Texas Limited Liability Company.

[Signature]
NOTARY PUBLIC, STATE OF TEXAS



ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF Dallas

The foregoing instrument was acknowledged before me on the 20 day of July, 2020 by Ron Lynn Mitchell as the Chairman/CEO of Jaffe Enterprises, LLC, a Texas limited liability company, acting as the general partner of Jaffe Interest, LP, a Texas limited partnership, on behalf of said company and partnership.

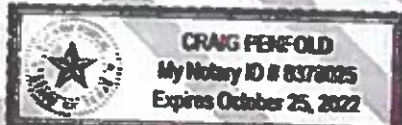


[Signature]
NOTARY PUBLIC, STATE OF TEXAS

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF Dallas

This instrument was acknowledged before me on the 12th day of August 2020 by Charles W. Barnett, Manager/Member, of DHB PARTNERS, LTD., a Texas limited partnership, on behalf of said partnership.



[Signature]
NOTARY PUBLIC, STATE OF TEXAS

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF _____

This instrument was acknowledged before me on the ____ day of _____, by PATRICK SWEENEY and SHEILA SWEENEY.

NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING RETURN TO:

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF _____

The foregoing instrument was acknowledged before me on the _____ day of _____, 2020 by Ron Lynn Mitchell as the Chairman/CEO of Jaffe Enterprises, LLC, a Texas limited liability company, acting as the general partner of Jaffe Interest, LP, a Texas limited partnership, on behalf of said company and partnership.

NOTARY PUBLIC, STATE OF TEXAS

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF _____

This instrument was acknowledged before me on the _____ day of _____, by _____, of DHB PARTNERS, LTD., a Texas limited partnership, on behalf of said partnership.

NOTARY PUBLIC, STATE OF TEXAS

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF Gregg

This instrument was acknowledged before me on the 31 day of July, by PATRICK SWEENEY and SHEILA SWEENEY.

Shannen Wyatt

NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING RETURN TO:



ALT

STATE OF TEXAS
COUNTY OF EL PASO
FILED AND RECORDED AT 9:05 O'CLOCK A.M. ON
THE 19 DAY OF AUGUST A.D. 2020.
I hereby certify that this instrument was FILED on the date and at the time stamped herein
by me and was duly RECORDED in the Official Public Records of El Paso County, Texas
INSTRUMENT NO:



Mari Hudaler

20 05605

COUNTY CLERK, EL PASO CO., TEXAS

BY A. J. [Signature]

DEPUTY

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