

SUBDIVISION DESIGN GUIDELINES

FOR

FOREST HILLS

at

**TOWN OF CROSS ROADS,
DENTON COUNTY, TEXAS**

FOREST HILLS

ARCHITECTURAL GUIDELINES

These Subdivision Design Guidelines (“Guidelines”) are designed specifically for the Forest Hills Subdivision and are promulgated in accordance with Section 8.2 of Article VIII of the “Declaration of Covenants, Conditions and Restrictions for Forest Hills” (the “Declaration”) which instrument was recorded on _____, 2007, as Instrument No. _____ in the Public Real Estate Records of Denton County, Texas, and which is incorporated herein by reference for all purposes.

Adherence to these Guidelines is intended to better assure owners of properties within the Forest Hills Subdivision that all individual improvements will conform to the same high standards of design excellence. The guidelines seek to establish a design framework which the individual homebuilder or homeowner will use as a guide for site improvements, with latitude and flexibility (on the one hand) balanced against preserving the integrity of the Forest Hills Subdivision (on the other hand). These Subdivision Design Guidelines will, hopefully, serve to guide, inform, aid and inspire to the same extent as they serve to prohibit, restrict and require. While some features are mandated, it should be understood that the Architectural Review Committee (“ARC”) may make discretionary judgments to reduce or waive any requirement when it can be demonstrated (to the reasonable satisfaction of the ARC) that appropriate mitigating measures have been taken. However, such discretionary approval(s) shall not represent or constitute a binding precedent since no two or more tracts or circumstances are likely to be alike.

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- Exhibit A - Plat of Properties
- Exhibit B - House Number Design / Location
- Exhibit C - Mailbox Design
- Exhibit D - Fence Design
- Exhibit E - Approved Plant List

1. **DEFINITIONS:**

References herein to a “builder” or “developer” shall also include the Owner and the Owner’s Architect or designer, as applicable, general contractor, and all subcontractors. References herein to “construction” shall also include any attempt to remodel, enlarge, add-on, alter, repair, convert, or otherwise improve (including demolition) any building(s) or other improvement(s) (including fences, ornamental screening walls, etc.).

Article I of the Declaration contain various specific and detailed concepts and definitions. For the reader’s convenience, some of the concepts and definitions which fully appear within the Declaration will also be used within these Guidelines and have been further defined as follows:

“Air Conditioned Square Footage (“ACSF”)” shall mean the total gross area of the proposed structure, measured from the outside of the exterior wall surface, exclusive of air conditioning duct space, garages, exterior storage, and unfinished attic storage areas not designed to be converted into usable floor area.

“Applicant” shall mean the Owner or owner’s designated representative of a Lot.

“Architectural Review Committee” or “ARC” shall mean and refer to that particular committee which is described and explained within Article VIII of the Declaration, as same may be amended and supplemented from time to time.

“Association” shall mean the Forest Hills Homeowners Association, Inc., a Texas non-profit corporation, its successors or assigns, which shall have the power, duty and responsibility for administering and enforcing its Declaration.

“Common Properties” shall mean all real and personal property which the Association owns, leases or otherwise maintains or holds possessory or use rights in for the common use, maintenance and enjoyment of the Owners and Residents, including easements and licenses, together with any and all improvements that are now or that may hereafter be constructed thereon. The Declarant, reserves the right to use, during the Class “B” Control Period, portions of the Common Properties for business matters directly and indirectly related to development of Forest Hills. The concept of Common Properties will also include: (i) any and all public right-of-way lands for which the Town of Cross Roads (“Town”) has required that the Declarant and/or the Association expend private, non-reimbursable time and monies to care for and maintain, such as but not limited to: street medians, street underpasses, streetscape, hike and bike trails, park areas and quasi-governmental service facilities; and (ii) any and all facilities provided by the Declarant and/or the Association to or for the benefit of the local police, fire and similar governmental departments for which no reimbursement via public funds is requested or anticipated. One or more portions of the Common Properties may from time to time be reasonably limited to private functions, and conversely, one or more portions of otherwise private property may be utilized for Association functions and activities. Declarant shall convey record title to some or all of the Common Properties to the Association if, as and when deemed appropriate by Declarant or as may be required by governmental officials, and Declarant shall at all times have and retain the right to effect minor redesigns or minor reconfigurations of the Common Properties and to execute any open space declarations applicable to the Common Properties which may be permitted in order to reduce property taxes, and to take whatever steps

may be appropriate to lawfully avoid or minimize the imposition of federal and state ad valorem and/or income taxes. The lakes that are within the Properties, which lakes are owned by Lot Owners per the Plat of the Properties shall not be deemed to be "Common Properties". It is understood that the Association does not own the lakes and has no obligation to maintain same. This obligation is the obligation of the Lake Committees as set forth in the Declaration.

"Declaration" The Declaration of Covenants, Conditions and Restrictions for Forest Hills, dated _____, as Instrument Number _____ in the Public Real Estate Records of Denton County, Texas, as it may be amended and supplemented from time to time.

"Dwelling Unit" shall mean and refer to any building or portion of a building situated upon the Properties which is designed and intended for use and occupancy as a residence by a single person, a couple, a family or a permitted family size group of persons.

"Improvement" shall mean any physical change to raw land or to an existing structure which alters the physical appearance, characteristics or properties of the land or structure, including but not limited to adding or removing square footage area space to or from a structure, painting or repainting a structure, or in any way altering the size, shape or physical appearance of any land or structure.

"Lot" Each numbered, platted lot, whether improved or unimproved, shown on any subdivision plat of the Properties, which Lot is intended for development, use, and occupancy as a residence for a single family. The term shall refer to the land which is part of the Lot as well as any improvements thereon. The term shall not include Common Properties of the Association (which may be platted as Lots), or any portion of the Properties which may be dedicated to the public.

"Owner" shall mean and refer to the holder(s) of record title to the fee simple interest of any Lot whether or not such holder(s) actually reside(s) on any part of the Lot.

"Plat" The Final Plat (or Plats) of Forest Hills, a subdivision of the Town of Cross Roads, Denton County, Texas, according to the Plat thereof referenced at the cover page to this Declaration.

"Properties" The real property described as such in the Declaration.

"Structure" shall mean and refer to: (1) any thing or device, other than trees, shrubbery (less than two feet high if in the form of a hedge) and landscaping (the placement of which upon any Lot shall not adversely affect the appearance of such Lot) including but not limited to any building, garage, porch, deck, shed, greenhouse or bathhouse, cabana, covered or uncovered patio, swimming pool, play apparatus, fence, curbing, paving, wall or hedge more than two feet in height, signboard or other temporary or permanent living quarters or any temporary or permanent improvement to any Lot; (2) any excavation, fill, ditch, diversion dam or other thing or device which affects or alters the flow of any waters in any natural or artificial stream, wash or drainage channel from, upon or across any Lot; and (3) any change in the grade of any Lot of more than three (3) inches from that of the existing Lot grade, as such existing Lot grade is

described or determined in accordance with the topographical survey of the Properties (on two foot gradients).

2. **PRELIMINARY AND FINAL PLAN SUBMISSIONS:**

Submit the following to:

Forest Hills Architectural Control Committee
14860 Montfort, Suite 205
Dallas, Texas 75205

A. **First Submission.** Each and all sets of preliminary and final plans must show, or contain thereon, the respective names, addresses and telephone numbers of the Owner, builder, and Architect or designer, as applicable. Each of the ARC is authorized and empowered to and shall consider, review and comment on preliminary plans submitted in triplicate on an informal basis to assist the applicant in complying with the Declaration and these Guidelines and to assist in the completion of feasibility studies undertaken by such persons or entities. At a minimum, the preliminary plans shall include:

- (1) Site Plan (drawn to a scale of not less than 1" = 20'-0" with north arrow);
- (2) Floor Plan (drawn to a scale of not less than 1/8" = 1'-0")
- (3) Front Elevation, indicating finish materials and roof pitch (drawn to a scale of not less than 1/8" = 1'-0");

The ARC shall have the right to prescribe reasonable limitations concerning the time, effort, and expense likely to be involved in handling such matters on an informal basis. If the preliminary plans and specifications are approved by ARC, the applicant will be so advised in writing. If found not to be in compliance with the Declaration or these Guidelines, the applicant will be so advised in writing with a reasonable statement and explanation of items found in noncompliance. If the ARC does not approve, disapprove, or otherwise comment on such plans and specifications within thirty (30) days after the actual date of the received submission, approval of the matters submitted shall be presumed.

B. **Second Submission.** Final plans, specifications and surveys shall be submitted in triplicate (and in PDF file format) to the ARC for review within ninety (90) days after approval of the preliminary plans. At a minimum, this submittal must include:

- (1) Site Plan (drawn to a scale of not less than 1" = 20'-0") showing:
 - (a) dimensioned footprint of all proposed structures on the Lot;
 - (b) any site improvements such as screening walls, swimming pools and equipment, retaining walls, fencing, driveways, sidewalks, utility connections, mailbox location, A/C unit locations, etc.;

- (c) north arrow; and
- (d) Lot and Block.

- (2) Roof Plan (drawn to a scale of not less than 1/8" = 1'-0") with north arrow;
- (3) Floor Plans (drawn to a scale of not less than 1/8" = 1'-0") with north arrow and plan number;
- (4) Elevations (drawn to a scale of not less than 1/8" = 1'-0") with roof pitch and material, and window details with manufacturer specifications;
- (5) Exterior finish material samples and color selections; and
- (6) 8 1/2" x 11" copy of front elevation and site plan.

C. Third Submission. The following plans, specifications, surveys and other information, as applicable, shall be submitted in quadruplicate (and PDF file format) to the ARC for review within ninety (90) days after approval of the final plans submitted in connection with the Second Submission above. At a minimum, this submission must include:

- (1) Grading Plan indicating the (1) direction and manner in which water will be drained from the Lot (i.e., retaining walls, area drains, piping systems, site grading, etc.), (2) finished pad elevations, and (3) finished grades at all structures and property lines (drawn at a scale of not less than 1" = 20'-0");
- (2) Location, height (top and bottom of wall elevations), and materials of existing and proposed retaining walls; and
- (3) Location, height and material of proposed fencing;
- (4) Landscape Plan indicating size, type, location and quantity of plants (drawn to a scale of not less than 1" = 20'-0");
- (5) Irrigation Plan; and
- (6) Plans to include exterior lighting design.

The ARC is authorized to request a mockup of proposed construction materials. At such time as the plans, specifications and surveys meet the approval of the ARC, one complete set of plans, specifications and surveys will be retained by the ARC, and the other complete set will be marked "Approved" and made available for pick up by the Applicant at a designated location. If found not to be in compliance with the applicable requirements, one set of such plans, specifications and surveys shall be marked "Disapproved", accompanied by a reasonable statement of items found not to comply with the applicable requirements. Any modification or change to the approved set of plans, specifications and surveys must again be submitted to the ARC for its review and

approval prior to construction. The ARC's approval or disapproval, as required herein, shall be in writing.

The ARC may from time to time publish and promulgate architectural standards which shall be fair and reasonable and shall carry forward the spirit and intention of these Guidelines. Such publications shall be incorporated as part of the Guidelines as if written herein.

3. **BUILDING LINES / SETBACKS & LOT COVERAGE:**

A. Setbacks (*Note: In no instance will any design setback be less than that which is indicated on the Plat. Refer to the Plat for special lot-by-lot conditions.*):

- (1) **Front Yard Setback:** All front yard setbacks to be in accordance with the Plat. The front yard and therefore the front elevation of each Residence shall face on the street which defines the address of the Residence.
- (2) **Rear Yard Setback:** All rear yard setbacks to be governed by City ordinances and requirements with the exception that the setback for any Lot within which is located one of the lakes shall be fifty (50) feet from the high bank of any Lot located on such lake; provided, however, the rear yard setbacks for Lots 1 in Block B and 7 in Block A which are each located on one of the lakes shall be thirty (30) feet from the high bank of said Lot located on such lake.
- (3) **Side Yard Setback:**
 - a. 20 feet or as indicated on the Plat with Plat to control.
- (4) **Garage Door Setback:**
 - a. Garage that faces a street - No less than 75' from the garage door to the front property line of the Lot.
- (5) **Driveway:**
 - a. Driveway pavement shall be set back a minimum of 8 feet from side property line.
 - b. Headwalls of drainage features under drives at bar ditch will be of masonry, such masonry being subject to approval of ARC. Culverts under drives may be of steel or concrete so long as headwall is masonry.

B. Lot Coverage:

- (1) The maximum of percentage of coverage of an individual Lot by structure under roof shall be governed and limited by applicable ordinances of the Town of Cross Roads.

C. Minimum Square Footage:

- a. Primary dwelling on the Lot – Minimum of 2,500 square feet of contiguous, air-conditioned living space exclusive of bonus room.

- b. Secondary quarters on a Lot – Minimum square feet of 20% of the primary residence on such Lot as contiguous, air-conditioned living space and maximum square footage of contiguous, air-conditioned living space plus other space contiguous thereto under one roof of no more than 40% of the primary residence on such Lot.
- c. No accessory buildings, Morgan buildings, greenhouses, barns, storage buildings shall be permitted on the any Lot unless expressly approved by the ARC, in writing. It is advised that such accessory buildings are not generally permitted some may be considered based upon the quality, use, limited visibility thereof from streets and other Lots of such Structures.

D. Height Limitation: The height of Structures shall be limited as determined by applicable ordinances of the Town of Cross Roads.

4. **ARCHITECTURE:**

All residences must conform to the French Country, European, Italian Country Villa, English Country, Mediterranean, Texas Hill Country or Ranch style architecture with traditional detailing. All street front exteriors are subject to aesthetic determination by the ARC. The ARC encourages architectural continuity through traditional architectural style and the use of complimentary materials. The ARC also encourages architectural diversity through variations of hips and gable roofs, roof pitch, building offsets, garage entrances, garage sizes, and other architectural features approved by the ARC. While each home should compliment adjacent structures, every home should have a unique identity through the use of detailing like: cast stone, wrought iron, window treatments, dormers, turrets, flat work, tree placement, brick details, natural stone, combining brick and natural stone, gas lights, landscape illumination and other architectural details. No repetition of front elevations will be allowed. The ARC encourages the use of wood timbers, architectural structures, finials, decorative cornices, copper vents, factory finished metal, copper guttering and European, French Country, Italian Country Villa, English Country, Mediterranean, Texas Hill Country or Ranch architectural details that individualize each residence.

5. **EXTERIOR MATERIALS & DETAILING:**

A. Exterior materials shall be 100% masonry (brick, cast stone, stucco and stone) on all walls visible from any street or Common Properties and 80% masonry on each (not cumulative) remaining side and rear elevations. All exposed portions of the fireplace and chimney shall be clad in brick, stone or brick and stone, matching materials on the residence. Except as set forth below, all window headers, sides and sills, which are exposes to the street or Common Properties, shall be constructed of stucco, cast stone, natural stone, decorative shaped brick or a combination thereof. Any secondary quarters, pool houses, secondary residences, or other similar structures on a Lot shall conform in style and materials to the primary residence on the Lot. In addition, the exterior construction of any residential structure shall be at least seventy-five percent (75%) glass, natural and/or cultured stones, stucco, brick, cut or split-face CMU or similar materials or EIFS or similar materials, as approved by the

Town of Cross Roads, Texas, or any combination thereof. The use of Hardi-plank and/or other cementitious-type siding or wood as an exterior building material shall be limited to a maximum of twenty-five percent (25%) of the total exterior wall surfaces, so that no more than 25% of exterior building materials, combined, may consist of Hardi-plank and/or other cementitious-type siding or wood. No extruded foam insulation, ephos, exterior siding system or similar exterior system shall be allowed within the Subdivision. Siding and construction above the first floor top plate may be concrete impregnated fiber board or similar product. There shall be no wood siding material above the first floor, unless approved, in writing, by the Architectural Control Committee. A wood cornice material at eaves is acceptable at first and second floor roof areas. All chimney flutes shall be clad in 100% masonry in the form of stone, stucco or brick.

- B.** The ARC shall approve the blend of brick and stone or stucco colors, shapes and textures to be used on the residences. It is the intent of the ARC to approve limited brick and stucco selections for the Properties. Same material selections/blends shall not be repeated without two intervening houses in either direction (both sides) of the fronting street.
- C.** All windows visible from streets shall be vinyl divided light windows or of higher quality all subject to express approval of the ARC. Except as hereafter provided, metal frame windows or windows without brick mould or stucco divided lights surrounds are permitted only where not visible from any street. Other window specifications may be used only with permission of the ARC.
- D.** It is the desire of the ARC that second story windows shall be located so as to restrict views into adjacent windows, patios, and/or courtyards or adjacent Lots, as reasonably possible. The preference of the ARC is that second floor windows face the front and rear. The ARC will review and approve the location of all second floor windows and make a reasonable effort to maintain the privacy of the surrounding property owners. Again, the ARC is not responsible for review of second story window location or any determination as to the restriction of views or maintenance of privacy of neighbors in connection therewith.
- E.** Each structure shall have a principal minimum plate height of 10 feet on the first floor and a minimum plate height of 9 feet on garages.
- F.** House numbers and house number locations will be subject to ARC approval and numbers and house number locations will be uniform. See Exhibit "B" for detail of approved design.
- G.** Mailbox and mailbox location will be subject to ARC approval and all mailboxes and mailbox locations will be uniform. See Exhibit "C" for detail of approved design.
- H.** Approved Stone:

Granberry stone; or
Millsap stone chopped and random; or
Leuters Ruff Back Stone, chopped and random; or
Limestone chopped and random and manufactured,
Cultured stone; or
as otherwise approved by the ARC.

- I. Approved Cast Stone: Light brown, white or cream color with or without pitting or as otherwise approved by the ARC.
- J. Electrical meters, gas meters and telephone boxes visible from streets or Common Properties: The supply conduit for electrical meters and telephone boxes visible from streets or Common Properties shall be screened by landscaping as approved by the ARC.
- K. Sitework: Finished grades shall not direct concentrated water flow (from downspouts, pool overflows, sub grade drainage systems, etc.) onto adjacent properties and shall follow the Town of Cross Roads approved grading plans. Anytime a site is altered, it is the builder's responsibility to provide the retainage. If side yard retaining walls are not desired, a slope of 3:1 (max.) must be achieved between the foundation slab and the side yard property line. Stem walls are encouraged where possible in lieu of lot line retaining walls. The ARC reserves the right upon reasonable advance notice, to require a topographical survey done by a registered surveyor before, during, or after construction.

6. **ROOF:**

- A. All roofs shall have a minimum slope 8:12 Roof Pitch on any front and side visible from a street or a common area and a minimum slope of 6:12 Roof Pitch for rear and sides not visible from a street or a common area. Architectural styles that warrant flatter roof pitches will be given consideration by the ARC. On Residences which may be certifiable as "green homes" as determined by the ARC in its sole discretion from time to time a minimum slope 6:12 Roof Pitch on any front and side visible from a street or a common area may be permitted.
 - Vent stacks and other roof penetrations shall be placed on roof planes other than those visible from streets unless specifically approved by the ARC. Cornice, eave and architectural details may project up to two feet six inches.
- B. Roof material shall be of slate, rubber slate, rustic slate, tile, concrete tile, barrel tile, standing seam copper or other approved pre-finished standing seam metal (all in shades and finishes which do not cause reflection onto or into neighboring Lots) or composition roofing materials having a thirty (30) year guaranteed life of either a Slateblend or Oxford Grey color or other approved roof materials if consistent with architectural styles which are permitted within the Properties, such as those consistent with French Country, Italian Country Villa, English Country, European, Mediterranean, Texas Hill Country or Ranch

architectural styles. Wood-roofing materials are not permitted. No roofing material shall cause glare or reflection on any adjacent property. Upon express written approval of the Architectural Control Committee, metal roofing systems and accents such as copper cupolas shall be allowed. All colors and mix of colors of roof surfaces shall be subject to ARC approval.

- C. Recommended roof forms shall be hip, Dutch hip, Dutch gable or gable or as approved by the ARC to be consistent with the architectural theme. Roof forms should be randomly distributed throughout each street scene. The ARC recommends variation of roof pitch, dormer details, etc. for adjacent structures.

7. WALLS / FENCING / SCREENING:

- A. Walls and screens shall be constructed of masonry or stucco (as applicable, to match the residence) masonry and wrought iron, or wrought iron. Wing walls or front facing walls shall be depicted in the house elevation as an integral part of the architecture.

- (i) All fence tops shall be parallel to grade as the grade changes. The height of all fences and the detailing and location of all fences shall be subject to ARC approval. No barb wire or wood fencing, other than 3 rail wood rural open fence (as approved by the ARC), will be allowed. Solid masonry fencing will be allowed between structures for privacy but all other fencing shall be 48" in height, open metal, primed and painted flat black color, constructed as indicated in Exhibit "D", unless otherwise approved, in writing, by the ARC. It is intended hereby is that all side yard fencing must conform to the requirements of Exhibit "D".

- (ii) No, fence, privacy wall, or hedge shall be erected, placed or altered on any Lot within the front yard setback prescribed herein. No fence, wall or hedge shall exceed eight feet (8') in height, as measured from the final grade of the Lot the fences sits on, however, it is anticipated that, in order to maintain the rural open effect; (i) eight foot fencing will be masonry only, and will be used only for specific privacy applications, and (ii) fencing at or near the perimeter will be open fencing and will not exceed 4 feet in height. No chain link fences or other wire type fences shall be erected on any Lot except upon explicit, itemized approval of the Architectural Control Committee and same shall not be visible from the immediate residential street or Common Area. All services and sanitation facilities, wood piles and air conditioning equipment must be enclosed within fences, walls and/or landscaping so as not to be visible and if visible from the immediate residential street or Common Area then the screening fence or wall must be constructed of Granbury stone.

- (iii) On lake Lots, all fencing which approximately parallels the lake line shall be of the design set forth on Exhibit D and no fencing of any type shall be closer than 30' to the high bank of the lake and all such fencing shall provide a gate to the lake side. It is the desire of the ARC that the designer take into consideration the retaining wall and fencing layout existing on adjacent Lots. Continuous

ribbon patterns of retaining walls and fences from Lot to Lot will create a more architecturally themed appearance for everyone to enjoy. This is an important concern to be coordinated at the preliminary plan stage. No fill, retaining walls or other hard surfaces will be allowed at the lake edge, unless approved by the ARC.

- B. Equipment, air conditioning compressors, service yards, storage piles, woodpiles, and similar items must be visually screened from streets, Common Properties and neighboring Lots by solid screening walls which match the residence material or mature landscaping, and are to be approved by the ARC.
- C. Retaining walls on a side lot line facing a common area or street right of way, or rear yard lot lines adjacent to a greenbelt common area shall be constructed of mortar jointed Granberry field stone. The ARC has selected Granberry field stone for all landscape and retaining walls which are exposed to view as provided in the preceding sentence and the Granberry field stone in exposed landscape and retaining walls visible from Common Properties or streets shall be laid in accordance with the stone pattern which has been adopted by the ARC for Forest Hills. An example is demonstrated on Forest Hills Drive at the entrance gate. For retaining walls in other locations, concrete walls faced with natural stone and natural stone gravity retaining walls are also permitted as well as natural landscape boulder systems. All retaining wall materials, location and detailing shall be subject to ARC approval. All retaining walls over 3' in height must be designed by a professional engineer.

- The Builder shall be responsible for installation of any retaining walls for grade separations that are created by his cut and/or fill operations for the home to be constructed. If the Lot is benched prior to commencement of the home construction, then the Builder is responsible for the retaining wall on the low side of adjacent sideyards. The high side Builder/Owner shall be responsible for retaining existing grade changes. In other words, the retaining walls required to retain the structural integrity of a given Lot shall be the responsibility of the affected Lot's Builder/Owner, and this retaining wall will be built entirely within its property lines and maintained by its Owner.

The Owner of a vacant lot uphill from an adjacent home under construction shall proceed with the construction of its necessary retaining walls. The walls are required for the completed installation of the lower yard improvements. This shall be coordinated between the two Owners in a timely manner.

8. GARAGES / DRIVEWAYS / WALKWAYS:

Each residential dwelling erected on any Lot shall provide fully enclosed garage space for the parking of a minimum of 2 conventional automobiles and a maximum of 6 conventional automobiles. Each Lot shall also provide for a minimum of 2 off- street

parking spaces. Front entry garages will only be allowed on a case by case basis. All garages shall be situated behind the front building line for the Lot. Garage door orientation shall be as follows: A two-car garage shall not have the garage door (or doors) face the address street of the lot; A three-car (or more) garage may have one single-car garage door face the street as in a J-swing configuration, or as otherwise expressly approved by the Architectural Control Committee. The vast majority of garage entries are to be swing-in entry. Any approved front entry garages shall be recessed at least 18 inches from the front brick or stucco elevation. All garages shall have separate garage doors for each parking space where a door or doors are visible from the street, except any forward facing garage door or doors in a motor court that is or are blocked entirely from view from outside the Lot by a Porte Cochere and/or some portion of the permanent structure (i.e., single car garage, storage, etc.). All front facing garage doors shall be constructed of cedar veneer. All garage doors shall be equipped with automatic remote controlled door openers. All garage placement, door architectural design and door materials shall be subject to ARC approval. No plain metal doors will be permitted. All garage doors shall be oriented in accordance with the requirements of the Town of Cross Roads. Porte cocheres are permitted only with the express approval of the Architectural Control Committee. No carport shall be built, placed, constructed or reconstructed on any Lot. As used herein, the term "carport" shall not be deemed to include a porte cochere. No garage shall ever be changed, altered, reconstructed or otherwise converted for any purposes inconsistent with the garaging of automobiles.

All colors, patterns and materials for drives, walkways and steps shall be subject to ARC approval. All driveways shall be constructed of the following materials: exposed aggregate with brick or stone borders, brick pavers, stone, or interlocking pavers. The ARC may consider driveways of stamped or broom finished concrete with brick or stone borders on a case by case basis. All front entry surfaces must be constructed in brick, stone, slate, or flagstone. All sidewalks and steps from the public sidewalk or front driveway to the front entry must be constructed in brick, stone, slate, or flagstone. The ARC will consider, on a selective basis, the use of brick, stone, slate, or flagstone borders around broom finished concrete for front walks.

9. **EXTERIOR LIGHTING:**

Each tree which is required in the Lot landscape as set forth below at Section 11, shall be lighted with a minimum of 1 ARC approved landscape illumination fixtures connected to an electric eye photocell. All front entrances and each garage door must have no less than one down light. A minimum of one bracket light will be required beside each front entrance. All entrance down lights and all entrance bracket lights shall be controlled by electric eye photocells. The ARC strongly encourages at least one gas entrance bracket light per residence. Variances will only be allowed as approved by the ARC.

10. **SATELLITE DISHES:**

No more than one (1) antennae of each provider of over-the-air video programming signals by TVBS, MDS or DBS may be installed by an Owner at any one time. The

Association shall be empowered to adopt rules governing the type of antennae that are permissible and establish reasonable, non-discriminatory restrictions relating to safety, location and maintenance of antennae. To the extent that reception of an acceptable signal would not be impaired and the cost of installation would not be unreasonably increased, an antennae permissible pursuant to rules of the Association may only be installed in a side or rear yard location, not visible from the street or neighboring property, and integrated with the dwelling and surrounding landscape. Antennae shall be installed in compliance with all state and local laws and regulations, including zoning, land use and building regulations.

11. **REQUIRED LANDSCAPING:**

Landscape plan shall be prepared by a registered landscape architect or by a landscape designer approved by the ARC and shall detail all trees to be removed, existing trees, proposed trees, fence type and location, walls, planting, structures, sidewalks, patios, driveways, pools, drainage and drainage improvements, etc. The ARC strongly encourages nursery grown trees planted in oversized draining tree wells. **Absolutely no existing trees of 5" caliper or larger may be removed without the ARC's written approval.** Per the ARC approved landscape plan, all landscape is to be installed BY THE BUILDER WITHIN SIXTY (60) DAYS OF THE EARLIER OF SUBSTANTIAL COMPLETION OR CHANGE OF OWNERSHIP (closing). The Lot areas listed below shall be landscaped with the following size and/or number of shade trees, which shall be from the category described within the Approved Plant List attached hereto as Exhibit E.

Lot Area

Minimum Requirement

Front Yard

One row of five-gallon non-deciduous (evergreen) shrubbery located along the foundation excluding porches and patios. One 4" (min) caliper large canopy (i.e., red oak, live oak, cedar elm) shade tree will be required with a minimum of (2) two trees per front yard. Also a total of two (2) small canopy trees (i.e. crape myrtle 6' – 8' B&B, Yaupon Holly 6' – 8' B&B, red bud 2 ½ caliper, etc.) Special consideration may be taken by ARC at its sole discretion due to front yard shape, size and, necessary hardscape situations.

Elsewhere on the lot
Corner Yard

One 3" approved tree and one 4" approved tree elsewhere on the Lot
Same requirements as the front yard

A/C Units/Mechanical
Equipment / Meters

One row of non-deciduous five (5) gallon shrubbery is required to screen these elements from public view.

The Declaration under which these Guidelines are promulgated contains certain tree replacement and preservation requirements which are required in accordance with Town of Cross Roads ordinances applicable to the Properties. These requirements must be satisfied with respect to each Lot and are repeated below:

A. Tree and Understory Preservation: Neither trees nor understory shall be removed unless the removal is necessary for the construction of the new improvements allowed by these Guidelines and Declaration and approved in writing by the Architectural Control Committee. The developers and builders within the Properties shall preserve as many trees as possible. Further, the Town of Cross Roads has adopted ordinances and regulations governing the protection, removal and replacement of trees and each builder and Lot Owner is responsible for complying with the requirements of the Town of Cross Roads in this regard.

B. Tree Replacement or Additions: Concurrently with the landscaping of the Lot upon completion of the residence thereon, each builder shall be required to plant on the Lot, at least three (3) trees, each of a species approved, in writing, by the Architectural Control Committee. These trees must be of a size which satisfies the following minimum diameters as customarily measured: (i) one approved tree of at least a 4" minimum diameter in the front yard; and (ii) one 3" approved tree and one 4" approved tree elsewhere on the Lot.

12. **IRRIGATION:**

The ARC requires that each Lot have an automatic irrigation system on all foundational landscape plantings. All automatic irrigation systems shall be designed by a licensed irrigator or by an irrigator, whether licensed or not, that is approved by the ARC and all such systems are required to have overlapping coverage. Controller devices must be located inside the garage.

13. **HOMEBUILDER CONSTRUCTION:**

Please refer to the most recent publication of the Construction Site Policy.

14. **AMENDMENTS AND OR CHANGES:**

The Architectural Review Committee reserves the right to amend these Subdivision Design Guidelines for clarification, amendments or corrections as necessary.

STATE OF TEXAS §
 §
COUNTY OF DENTON §

THIS INSTRUMENT was acknowledged before me on the _____ day of _____ by _____, _____ of the _____ Community Association, Inc., on behalf of said corporation.

My Commission Expires

Notary Public, State of Texas