

Overview of Design Guidelines (02/18/2010)

An Addendum to The Ranch Design Guidelines

The following information is a basic summary of the requirements listed in The Ranch Manual. This list does not take the place of the Manual, but is meant to provide a quick checklist for preliminary planning of a project. All requirements listed in the Manual must still be met.

Please note: Changes that have been made from the original Design Guidelines document are italicized and underlined. The changes listed in this document take precedent over the information listed in The Ranch Manual under the "Design G." tab.

1. Projects that must be reviewed by the DRB:

(CC&Rs Article VII, Section 7.1 & Design Guidelines Section 1.)

- All new building construction and landscaping
- Additions, renovations, and maintenance modifying the exterior of the existing building in any way.
- Site work including new or changes to existing landscape including walls, driveways, fences, pools, or any other type of hardscape.
- Construction or modifications to existing outbuildings such as carports, gazebos, guest houses, storage buildings, etc.
- Any changes to exterior lighting

2. Project Usage Restrictions:

(CC&Rs Article VII, Sections 7.2 & 7.3)

- Single family residences only allowed at The Ranch.
- Subdivision of residences and lots prohibited.

3. Design Review Procedures for The Ranch: Basic Summary

(Design Guidelines, Sections 2.1 – 2.12.)

The procedures for Design Approval by the Ranch Design Review Board (DRB) are fully outlined in The Ranch Manual under the tab Design G. Please review this section of the Manual, along with section CC&Rs and any other DRB issued information during all phases of your project. The following is a summary only and is not meant to replace a thorough review of the guidelines and procedures.

I. Schedule and attend mandatory Pre-Design Meeting with DRB

II. Preliminary Design Review

A. Submit Schematic Design Phase Drawings

1. See Sec. 2.4 and all addenda for requirements
2. Contact DRB Architect for Design Review Application Form
3. Submit one set of drawings to each of the three DRB members, in addition to the DRB Architect. Contact The Ranch Manager (Patty Reding) for names and addresses of DRB members and architect.

- B. Review Fee to be submitted at same time as drawings
 - 1. Please make check out to Ranch Owners Association
Label check with Ranch lot number and name of Ranch lot owner
 - 2. The Design Review Fee is calculated as indicated on the Design Review Application Form
- C. Preliminary Design Review will commence once fee has been received by the ROA, at the regularly scheduled meeting time of the DRB.

III. Final Design Review

- A. Submit Construction Document/Builder's Set Drawings
 - 1. See Sec. 2.5
 - 2. Please submit one set of drawings to each person as in IIA3 above.
 - 3. Note: If Final Design submittal is made in excess of 6 months after date of approval of Preliminary Design, the DRB reserves the right to request that the review process start over at the Preliminary Design Review stage, including required review fees.
- B. Compliance Deposit (possibly refundable) and Road Maintenance Fee (non-refundable) to be submitted at same time as drawings. Please provide two separate checks and make each check out to Ranch Owners Association. Label each check with Ranch lot number and name of Ranch lot owner.
- C. Determination of Compliance Deposit Refund: The Compliance Deposit may be refunded in full, partially refunded or retained in its entirety. The refund decision will be based on the degree of compliance with all regulations of the CCRs, Design Guidelines, and any other regulations specified. Please see Section 5 of the Overview of Design documents and the CCRs and Design Guidelines for additional details. *If any portion of the Compliance Deposit is refunded, the amount of the refund will be returned to the owner of The Ranch lot of the project at the time the Compliance Deposit was made. In addition to authorities listed in the CCRs and Design Guidelines, The Ranch Manager, Patty Reding, has the authority to notify the owner/contractor of any non-compliance, whereby she will inform the DRB of the notification in writing.*

IV. DRB issues Authorization for the Commencement of Construction Design Guidelines Section 2.6 (Commencement of Construction notification issued by DRB in lieu of an ROA building permit)

- A. Commencement of Construction issued only after approval of all submittals, receipt of all fees, and all other requirements are met.
- B. *Construction may not begin prior to issuance.*
- C. A Building Permit must still be obtained through other governing bodies with jurisdiction over The Ranch.

4. Design Review Fees:

(Design Guidelines Section 2.4 & 5.1)

- **Please note:** Only "Alterations or remodeling which are completely within a building or the structure may be undertaken without Design Review Board approval, provided such alterations or remodeling do not change the use of the building or structure." (CCRs Article X Section 10.4a page 40.) All other projects must be submitted for review. The category for fees and deposits will be defined based on the information submitted at the pre-design conference.

Project	Design Review Fee Payable to ROA Non-refundable	Compliance Deposit Payable to ROA Possibly refundable	Road Maintenance Fee Payable to ROA Non-refundable
• Driveways, fences, privacy or retaining walls, or any other "non-building" additions to property including variances and other communications related items	\$400.00	\$500.00	\$500.00 maximum
• Additions/renovations or new free standing building structure additions (carports, garages, storage houses, gazebos etc.) up to 1750 SF	\$600.00	\$1000.00	\$1500.00
• Additions/renovations or new free standing building structure additions over 1750 SF	\$1200.00+\$0.20 SF over 4000 SF	\$7500.00	\$3000.00
• New, first time construction on site	\$1200.00+\$0.20 SF over 4000 SF	\$7500.00	\$3000.00

5. Construction Activities and Regulations:

(CC&Rs Article VII Sections 7.1, 7.23 & Design Guidelines Section 5)

- Rules and regulations for the Approval of Construction Activities are stated in Section 7.1 – 7.23 of Article VII of the CC&Rs in The Ranch Manual, pages 27- 31.
- Deposits and Fees
 - A. Compliance Deposit - The return of the Compliance Deposit to the Owner will be determined by the DRB in accordance with Owner/Contractor's compliance with the CCRs, the Design Guidelines, and other regulatory documents. The Deposit may be partially returned, not returned, or returned in full according to the ruling of the DRB.
 - B. Additional penalties for non-compliance:
 - See CCRs Article XI "Enforcements and Remedies" in its entirety. Please note Section 11.2 (c):

"Except as otherwise provided in any Association document, and in addition to the fines provided therein, the Association may fine the Owner an amount not to exceed \$1,000 for each violation... Each day any violation continues or is permitted to continue shall constitute a separate offense for purposes of levying such fine..."

- See Design Guidelines Section 5.15 Non-Compliance. This section states that in the event of non-compliance, the ROA Board has the right to hire a contractor to bring the project into compliance at the expense of the Owner plus 10% of the administration, with additional stipulations.
- Construction Practices - Construction must conform to usual practices in the area and those in Section 5 of the Design Guidelines. If judged not in conformance by the DRB, the Association reserves the right to halt construction.
- Property Line demarcation - A physical boundary must be maintained at all times by the contractor demarcating the physical boundaries of the property under construction.
- **Adjacent properties: Use of adjacent properties by the contractor, his subcontractors, or any other workers or agencies is prohibited at all times unless written permission is obtained from the owner of adjacent properties. A copy of such letter must be made available to the DRB and the Ranch Manager.**
Design Guidelines read: Use of adjoining lots is prohibited. Sec 5.5 p. 29.
- Construction Debris: Excessive construction debris of any kind shall not be allowed to accumulate. DRB may contract for or cause debris to be removed at Property Owner's expense. No material debris may be stored in the dedicated right-of-way.

6. Site Regulations:

(CC&Rs Article VII, Sections 7.4 – 7.23 & Design Guidelines Section 3)

- **Setbacks:**
 - Front and back; varies according to lot
 - The side of the house facing the lake shall be deemed back property yard.
 - No construction of any kind shall be located nor extend in to the area between the setback line indicated on survey and Possum Kingdom Lake.
 - No clearing cutting, trimming or destruction of trees in such area without written approval from the BRA.
 - Side yard 15' except F lots which are 10'
 - Construction in side yard setbacks is limited to ~~nonhabitable space~~ pavements at natural grade.
- **Driveways:**
 - Min. 12' and max. 16' wide at property line.
 - One entrance permitted per lot.

- Acceptable paving materials within the Right-of-ways are stone, exposed aggregate, stained concrete, or asphalt.
- **Guest Parking (Minimum of 2 spaces required)**
 - No closer than 25' to front property line and no closer than 10' to side property line.
 - Must be screened from road by landscaping.
- **Sidewalks/walkways** - Must be approved by DRB.
- **Garages/carports:**
 - Provide minimum of 2 parking spaces.
 - Doors may not face the street or lake or dedicated open space.
- **Walls/Fences:**
 - Must be indicated for location and height on site plan.
 - Not allowed between lots to demarcate property line.
 - Solid walls enclosing site prohibited.
 - Height cannot exceed 56".
 - Material shall be same as or complimentary to building.
 - Chain link not allowed, except in certain areas.
 - Barbed wire and wood not allowed.
 - Landscaping on the exterior side of screen walls required for screening.
- **A/C and Pool equip** - Enclosed by structural screening element and landscaped.
- **Utilities** - Must be underground.
- **Drainage** - All lots shall be finish graded to prevent ponding of water. Surface drainage affecting adjacent properties in a detrimental way is prohibited.
- **Grading:** Existing topography is to be disturbed as little as possible. Excessive cuts and fills are prohibited.
- **Fuel and water tanks** - Must be shielded from view by walls or structures or located underground.
- **Swimming Pools** - Must be below grade.
- **Tennis Courts** - Not allowed.
- **Mailboxes** - Not allowed.
- **Satellite Dishes:** Greater than 18" in diameter not permitted.
- **Sports courts** - Sports courts of nominal size allowed with restrictions. Lighting restricted
- **Building Area to Lot Area Ratio: 25% Maximum**

7. Height, Massing and Scale Regulations:

(CCRs Article VII, and Design Guidelines Section 4)

- **Elevations: Maximum building height 36'-0":**
 - Height shall be measured from lowest finished floor elevation of entire building to highest roof ridge line of entire building.
 - One story buildings encouraged.
 - Two story buildings: Second story must not exceed 60% of first story.
 - Full two story building mass occupying the building "footprint" facing the street is prohibited.

- Three story elevations are not allowed. (Three full height walls stacked vertically not allowed. However, 2 full height walls stacked with dormered roof above are allowed.)

Towers: Maximum height 42'.

- Height shall be measured from lowest finished floor elevation of entire building to highest roof ridge line of tower.
- Maximum floor area allowed at observation level: 100 SF or less, not including exterior walls. This 100SF of area must include any vertical chase openings and means of access
- **Plans:**
 - Minimum Area Required: 1,750 SF of finished living area, exclusive of porches, decks, garages and carports.
 - Two story residence: Must contain min. 1500 SF on first floor.
- **Massing:** Massive, unarticulated building volumes prohibited.

8. Materials and Color Regulations:

Sample Board must be submitted for approval of all colors, finishes, and materials. Electronic submissions will not be accepted.

- **Walls:**
 - Use of regional native Texas stone encouraged.
 - Allowable materials: Approved native stone, stucco or wood.
 - Cement plank siding materials are allowed, but not considered as masonry.
 - 75% of all building elevation materials, including gable ends, shall be masonry. 20% of the total masonry requirement shall be native stone. In addition, a minimum of 30% of all building elevations facing roads must be native stone, over and above landscape, retainer and/or courtyard walls.)
 - Finish materials must continue down to finish grade, no exposed foundation walls
 - Prohibited materials: Non-native stone, sheet siding such as texture one eleven., plywood siding, metal siding, opaque glass, mirrored glass, vinyl and plastics, bright red brick, Masonite, synthetic materials, reflective materials, large areas of white surfaces.
- **Roofs:**
 - All roofing materials must be approved in advance.
 - Allowable materials: standing seam metal, corrugated and "V" crimp metal, terra cotta tiles, or slate in muted colors and values.
 - Prohibited materials: Synthetic roofing materials and bright colored roofing

- materials
- Roof mounted equipment prohibited.
- Restrictions placed on pitch and design of roof structures.
- **Windows, doors, trims:**
 - Allowable materials: structural wood units with or without factory applied finished or cladding.
 - Prohibited materials: Aluminum window and door units, snap-in removable window grids, vinyl window and door units, vinyl gutters, soffits, etc.
 - Approval required for: ornamental iron grillwork, gates and doors and glass block.
- **Colors:**
 - Colors must be neutral or earth tone colors, or darker colors.
 - Loud, obtrusive, bold colors are prohibited.

9. Landscaping Regulations:

(A Landscape/Irrigation Plan must be reviewed by the DRB. Plan may be submitted after authorized construction begins but before installation of any landscaping takes place)

- **Planting:**
 - Landscaping should be kept to a minimum as to maintain the nature of the Ranch.
 - Native vegetation and water conserving plant materials highly encouraged.
 - Turf areas should be minimized.
- **Irrigation:**
 - All new landscaping material shall be irrigated.
 - Irrigation shall be automatic, underground and on timers.
 - Irrigation may not extend beyond rear and side property lines.
- **Lighting:**
 - Must be kept to a minimum. No direct sources visible from street or adjacent property.
 - Lights other than white or color corrected high intensity lamps are prohibited
 - Sodium, mercury vapor, or bare HID yard lights.
- **Removal or Trimming of Existing Trees** - No tree or bush may be cut trimmed or removed without written permission of the DRB. (p. 35 CCRs)

End of Addendum

THE RANCH ON POSSUM KINGDOM

DESIGN GUIDELINES

Section 1. Introduction

The Ranch on Possum Kingdom ("The Ranch") is thoroughly planned as a residential resort community to realize the full potential of this extraordinary place on Possum Kingdom Lake. Emphasis is given to development that has been planned to harmonize, blend and compliment, rather than dominate the natural environment. It is the desire of The Ranch on Possum Kingdom, L.P. to provide an aesthetic and environmentally sensitive resort community at The Ranch. All improvements are to be in harmony with the landscape, the views and the other structures built at The Ranch.

The Design Guidelines have been developed to communicate the philosophy of developing with sensitivity toward the preservation and maintenance of the environment. The purpose of the Design Guidelines is not to create identical or look-alike residential structures, but to ensure that designs are compatible with one another. No residence should stand so apart in its design or construction as to detract from the overall aesthetic concept of The Ranch.

The intent of these Design Guidelines is to provide a high level of design quality, compatibility and appropriateness for what will be built. There are two objectives: First, create and protect real estate value for each ranch owner; second, create a sensitive place for living on this beautiful land. The Design Guidelines address many of the design issues involved and are intended to be beneficial in assisting architects, builders and ranch owners in the process of designing and building individual houses which will together create a beautiful environment that is unique to The Ranch. Our goal is to assure that every site in The Ranch offers the utmost quality in its view, terrain, orientation and privacy.

The guidelines which follow are being promulgated and will be enforced by The Ranch Owners Association (the "Association"). The Design Guidelines are administered and enforced by The Design Review Board. This Board is empowered to act by virtue of the recorded deed restrictions which are part of the rights and responsibilities of ownership in The Ranch on Possum Kingdom. The Design Review Board shall consist of no less than three (3) members appointed by the Board of Directors of The Ranch Owners Association. Two members constitute a quorum. Matters of judgment on what is appropriate or inappropriate will be decided by the Design Review Board. The Design Guidelines are binding upon all persons who construct, refinish, or alter in any way any part of the exterior of a building or make other improvements upon, under or above any property, make any change in the existing surface contour or drainage, or install any utility line thereon or thereover. The objective of the Design Guidelines and the Design Review Board is to avoid harsh contrasts between the natural

landscape and anything built upon it, to encourage good design that is also related to this culture and climate, and to develop a harmony between buildings and the site and among the buildings themselves.

The deed restrictions applicable to The Ranch on Possum Kingdom include (1) the *Declaration of Covenants, Conditions and Restrictions for The Ranch on Possum Kingdom*, Palo Pinto County, Texas recorded in Volume 944, Page 403 of the Real Property Records of Palo Pinto County, Texas, and (2) restrictions which appear on the plat of the subdivision of record in Volume PR7, Pages 90 - 98 of the Plat Records of Palo Pinto County, Texas. The foregoing are referred to as the "Deed Restrictions."

The Design Guidelines must be followed in addition to the applicable codes and ordinances of the County of Palo Pinto and other applicable laws as well as the Deed Restrictions for The Ranch on Possum Kingdom. Because all of these are amended from time to time to accommodate changing conditions, it is important to obtain the latest edition of all documents before proceeding to design and construct a residence. The following pages present the guidelines in detail and describe the design review process.

Section 2. The Design Review Process

The following series of steps for reviews and approvals must be followed as you plan and build your residence.

2.1 Get to Know Your Site

A residence in The Ranch on Possum Kingdom should be a part of the Texas Hill Country. Because it is inappropriate to build here as if building in Atlanta or Cape Cod or Tudor England, it is a good idea to learn about what is appropriate to the Texas Hill Country. Look at these guidelines and, most importantly, look at your homesite. Walk around the site noting its topography, its natural vegetation, its views and its neighbors or potential neighbors. Acquaint yourself with these guidelines and the other documents mentioned in the introduction which regulate the development to assist in protecting values for every ranch owner.

It is very likely that a home design or specific design solution may be appropriate on one lot, and very inappropriate on another. Many clients begin their home building process with a survey or selection from stock "off the shelf" plan books or plan services. There is an inherent danger in this approach as a stock floor plan by definition is not site specific and will require custom site adaptation by your architect/builder. Likewise, a plan which was designed for a different but specific site in another development or location must be modified to comply with these guidelines. Although features of a certain floor plan may be appealing and functional, the exterior appearance and building footprint maybe inappropriate to The Ranch and the Southwest climate.

Typical deficiencies in stock plans may include excessively wide footprints; very little outdoor living space; insufficient roof overhangs; roofs too steep, too high or both; inappropriate exterior materials; unauthentic windows; lack of concern for orientation and view; and the often false assumption that the plan will be built on a flat site. In response to viewing many of the homesites from various vantage points, residences must be designed not only from the facade point of view but in the round with appropriate concern and sensitivity for each elevation.

Therefore, before investing in stock "off the shelf" plans, read these Design Guidelines and be advised by your architect/builder as to the feasibility of modifying them to meet the following architectural guidelines. A stock plan modified to meet the requirements of these guidelines must include site plans which indicate the relationship between the proposed building and the actual site and its outstanding natural features and must demonstrate its suitability to the particular site.

The unique character of The Ranch lots suggests that in order for homes to take advantage of most of the lots they should be designed in "T", "L", "H", or "C"-shaped footprints, or other combinations and configurations which break up building masses into a main mass, with smaller scale appendages, ells or outbuildings resulting in a ranch-like compound, all of which may extend deep into the lots where ample space is available for large floor plans.

Since most homesites contain greater depth than width, it is important to design residences which take advantage of this depth. Building deep allows the property side, front and rear setbacks, easements, driveway and landscape buffer zones to enhance the natural ambiance, protects view corridors, preserves landscape area between residences, and enhances a sense of privacy for each site. Note the characteristics of your site by visiting at several different times of day or night with your professional design and building team before commencing design of your residence.

Building plans for this region should express concern for orientation and natural site features, utilize materials and building techniques native to this region, and follow the intentions and technical requirements of the Design Guidelines.

2.2 Choose an Architect or an Architect-Builder

A licensed architect or an architect-builder should design your home. The quality of design in the community will be increased by the specialized design skills and attention to detail which the architect or architect/builder will bring to your project. Be sure that your architect is familiar with the Design Guidelines, the Deed Restrictions and the design review process described herein.

The design process at The Ranch is seen as a partnership between the Owner and his professional design team; including the surveyor, landscape architect, and architect or architect engaged by your builder. The unique expertise and skills required to design to the maximum benefit of the site and to follow the guidelines on a professional level is found in these design professionals.

2.3 Pre-Design Meeting with Design Review Board

Prior to beginning work on the design of your house, you and your architect/builder team are required to meet with the Design Review Board. It is at this time that the Design Review Board will discuss your particular site, what type of house you are considering, and ensure your familiarity with and understanding of the architectural guidelines. This meeting will provide you with guidance prior to the initiation of design work and will acquaint you with the expectations of the Design Review Board with respect to design quality. The Pre-Design Meeting is an essential and critical step in the design process.

An appointment for the Pre-Design Meeting should be made at least one week in advance.

2.4 Preliminary Design Review

After the Pre-Design Meeting described above, owners will develop the design and submit preliminary plans to the Design Review Board for review. The purpose of the Preliminary Design Review is to ensure that your design conforms to the Design Guidelines. An early response by the Design Review Board will help avoid wasted time and professional fees that result from pursuing a design in conflict with the Design Guidelines.

The Preliminary Design Review submittal shall include two copies of the following:

1. Proposed site plan presented at minimum of 1" = 10'0" indicating property lines, existing and proposed contour lines at 1'0" intervals, locations of all trees of 8" caliper, building location, driveway and parking areas, easements, utilities, utility meter locations, air conditioning compressor locations and any accessory site development of any kind such as walls, swimming pools, or accessory buildings. Required setbacks must be indicated.
2. Proposed floor plans and roof plans at a minimum scale of 1/4" = 1'0". Proposed roof plans shall show areas of sloped and flat roofs (if any), porch roofs, roof mounted equipment, all skylights, and solar collectors.
3. All proposed exterior elevations with both existing and proposed grade lines shown and all exterior materials and general colors indicated. Elevations (heights) of all roof ridge lines, cupolas, or parapets shall be shown.
4. An actual site stake out of the building corners with connecting colored tape to show building outline, driveways and other improvements. In determining the proper location for each improvement, the Design Review Board shall consider the location of existing and future improvements on adjacent sites and such other aesthetic considerations as may be deemed necessary.
5. A statement of the square footage of the proposed building, of the building lot coverage and of the total of all impervious cover.
6. The site plan must include a drainage plan indicating how storm water and irrigation run-off will be retained on-site for irrigation and excess runoff will move from the site into the various drainage easements. Plans will not be approved that may adversely affect adjoining sites.

A Design Review Fee of \$500.00 shall be included with the Preliminary Design Review submittal which will be used to cover the administrative and professional fee expenses incurred by the Design Review Board. Checks should be made payable to The Ranch Owners Association. Preliminary Design Review submissions will not be considered without the receipt of the Design Review Fee and a complete set of submission documentation as described above.

An appointment for the Preliminary Design Review should be made at least one week in advance. The Preliminary Design Review submissions and the Design Review Fee should be received by the Secretary of the Design Review Board at least one week prior to the meeting of the Design Review Board. The Owner or the Owner's representative including the architect and/or builder are invited to present the Preliminary Design Review submittal to the Design Review Board.

The Design Review Board will review the Preliminary Design Review submittal in detail for compliance with the technical requirements and the intent of the Design Guidelines and provide a response within one week. The response shall be in writing as follows: (a) Approval; (b) Approval with stipulations; or (c) Disapproval.

Requests for variances from these guidelines will be considered on a case by case basis and shall remain the exception. Alternative design approaches would negate the need for variances except in extraordinary circumstances. A variance to allow cutting a major specimen tree shall demonstrate that other design approaches cannot make appropriate accommodation. Since setback, easements and other restrictions are clearly stated at the beginning of the design process, variances in these situations will be rare. Variances, if used, must show clear benefit to the community as a whole. Precedent will not be established by the granting of a variance.

The Owner submitting plans for approval to the Design Review Board is responsible for the verification and accuracy of all material submitted to the Design Review Board including all dimensions, elevations and the key features of the natural terrain.

2.5 Final Design Review

The final step in the review process is the Final Design Review. All of the drawings and stakeout requirements of the Preliminary Design Review are required to be updated and presented in appropriate detail for the Final Design Review. Additionally, all dimensions of rooms, exterior doors and windows, heights of all roof, chimneys, exterior walls and fences shall be shown. All exterior elevations shall include a description of materials and scale indications along with sufficient detail to represent the visual expression of the building and its architectural detail, including longitudinal and transverse sections. The construction schedule shall also be included.

1. Sample Board

A sample board shall be provided which will be reviewed and retained by the Design Review Board. Samples shall be identified with manufacturer's name, color and or identification number. This board shall include:

1. Roof material, color, manufacturer and model/style number;
2. Wall material(s), color(s), manufacturer and model/style number;
3. Exterior trim material(s), color(s), manufacturer and model/style number;
4. Chimney material, color, manufacturer and model/style number;
5. Window trim color, manufacturer and model/style number;
6. Exterior door color(s), manufacturer and model/style number; and
7. Stone or rock to be used, mortar color specification, manufacturer and model/style number.

2. Landscape Plan

The Final Design Review shall also require the proposed landscape plan to be submitted. The plan shall be drawn at a minimum scale of 1" = 10'0" and shall include proposed plant material (name and size), existing plant material (name and size), decks, fencing, pavements, service yards, driveways, any freestanding structures, outdoor lighting and irrigation system layout. All relevant statistics including irrigation zoning and area covered should be included in the landscape plan. The landscape plan must maximize retention for irrigation and must address and resolve storm water flows from the site into surrounding drainage easements and open spaces.

3. Compliance Deposit

At the Final Design Review submission, a Compliance Deposit of \$2,500 shall be included. (See Section 5.1 for details regarding this fee.) Submissions shall not be considered without the receipt of the Compliance Deposit and a complete set of submission documentation as described above.

In any event, incomplete submissions will be returned. Repeated incomplete submissions shall be cause for further design review fees.

An appointment for the Final Design Review should be made at least one week in advance. The Preliminary Design Review submissions and the Design Review Fee should be received by the Secretary of the Design Review Board at least one week prior to the meeting of the Design Review Board. The Design Review Board will visit the proposed building location and review the plans, and will provide a response within one week. The response shall be in writing as follows: (a) Approval; (b) Approval with stipulations; or (c) Disapproval.

2.6 Building Permit

If, after the Final Design Review, the Design Review Board issues a written approval, The Ranch Owners Association shall issue a building permit. In addition, all required building permits must be obtained by the Owner from the appropriate governmental agencies. Building permits must be prominently displayed at the job site at the front and center of the lot. Building permits should be covered with clear plastic to prevent weathering. No clearing, site preparation or construction of any type may commence prior to the Owner obtaining and posting the proper building permit(s).

2.7 Foundation Forms Inspection

When the foundation forms have been set, an inspection by an agent of the Design Review Board is required to verify the foundation location and elevation relative to the property survey to ensure the proper location and height of the building on the site and the proposed finished floor elevation. No pouring of the foundation may occur without verification of the proper location of the proposed foundation and finished floor elevation and approval in writing from the Design Review Board.

2.8 Inspections

During construction, the Design Review Board or a representative or agent of the Design Review Board may make inspections. It is the responsibility of the Owner to ensure that construction conforms to plans. If the Design Review Board, or its representative or agent, determines that the construction does not conform to the plans and specifications approved pursuant to the Final Design Review, the Design Review Board shall give written notice of such noncompliance to the Owner. The written notice shall specify in reasonable detail the particulars of the non-compliance, and shall require the Owner to remedy the same.

If, upon the expiration of thirty (30) days from the date of such notification by the Design Review Board, the Owner shall have failed to remedy such non-compliance, the Design Review Board shall notify The Ranch Owners Association. The Ranch Owners Association may take such action to remedy this non-compliance as is provided for in the Declaration, including without limitation, injunctive relief or the imposition of a fine.

2.9 Changes

No significant changes in the exterior plans or materials approved by the Design Review Board may be undertaken without prior written approval by the Design Review Board.

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

2.10 Completion of Project Review

To ensure that the residence or other improvement is constructed in accordance with the approved Final Design, a Completion of Project Review is required. Upon completion of the residence or other improvement, the Owner of the property shall give written notice of such compliance to the Design Review Board. The Design Review Board shall inspect the property and shall issue a written notice determining that the design requirements have been met and shall return the Compliance Deposit less any charges incurred for failure to comply with the Final Design Approval and/or the Construction Regulations.

2.11 The Design Review Board

1. Liability

Neither the Design Review Board, the Association and/or the Declarant, nor their respective successors or assigns, shall be liable in damages to anyone submitting plans or other materials to them for approval or to any Owner by reason of mistake in judgment, negligence or nonfeasance arising out of, or in connection with, the approval or disapproval or failure to approve any plans or other materials. Every Owner or other person who submits plans to the Design Review Board for approval agrees, by submission of such plans or other materials, that he will not, and waives any right to bring any action or suit against the Design Review Board, the Association or Declarant for any purpose.

2. Enforcement, Modification

These Design Guidelines may be enforced by the Design Review Board, the Association or the Declarant as provided herein and in the Declaration. The Design Review Board shall have the right to amend and modify these Design Guidelines at any time in its sole discretion and its amendments and modifications will be binding on and enforceable against all Owners.

Every effort shall be made by the Design Review Board to inform Owners of changes and modifications to the guidelines; however, it is the Owner's responsibility to inquire of the Design Review Board of any changes which might affect their design.

2.12 The Brazos River Authority

In addition to all other Design Guidelines set forth in this document, the use of any portion of a Lot which is leased from the Brazos River Authority (the "BRA") is subject to the additional restrictions and requirements.

Buildings, structures and facilities installed or constructed on the leased premises and/or adjacent Lot shall be of sound and substantial construction. Plans for buildings, structures and facilities, including fences, and their location on the leased premises and/or adjacent lot shall be approved by the BRA as well as the Design Review Board. Such approval is required to enable the BRA to control the general character of development on lands leased by it in the vicinity of the Possum Kingdom Lake in the general public interest and shall not constitute approval by the BRA of the adequacy of engineering or structural design. You accept all responsibility for safety and structural soundness of all buildings, structures and facilities installed or constructed and the stability of the land on which the structures are located. All buildings, structures and facilities shall be constructed substantially in accordance with the plans and specifications previously approved by the BRA in a good and workmanlike manner and shall be properly maintained in good repair and appearance by you. You, as Owner, agree to correct any substandard or otherwise undesirable conditions (to be determined in the sole discretion of the BRA, but such discretion shall not be exercised in an unreasonable manner) resulting from failure to properly maintain structures, grounds or facilities. The BRA shall never have any responsibility to you for sloughing or erosion of the leased premises.

No building, porch, patio, garage, outbuilding, gazebo, fence, railing or construction or improvement of any kind shall be located upon and no part of any building, porch, garage, outbuilding, gazebo, fence, railing or construction or improvement shall extend into the area between the setback line indicated upon the survey of your Lot and Possum Kingdom Lake. There shall be no clearing, and no cutting, trimming or destruction of trees in such area without the written approval of the BRA.

You, as Owner, have been furnished with a booklet of photographs which contains photographs of the shoreline of Possum Kingdom Lake in the vicinity of The Ranch. The purpose of the booklet is to depict the general appearance which the restrictions, setback lines and requirements are designed to avoid and the general appearance which they are designed to achieve and maintain. The photographs do not purport to depict your Lot or any particular Lot, but are designed to be generally representative of appearance to be avoided and appearances to be achieved or maintained.

You, as Owner of any Lot other than a Lot located in Block F, will not place any structure or improvement of any kind within 50 feet horizontally of the edge of Possum Kingdom Lake at normal maximum surface elevation (i.e., the 1,000 foot above mean sea level contour) without written approval of the BRA, which approval may be given only for (1) landscape plantings; (2)

walkways and (3) embankments, bulkheads, retaining walls, or similar structures or erosion control to protect the existing shoreline.

You, as Owner of any Lot located in Block F, will not place any structure or improvement of any kind within 25 feet horizontally of the edge of Possum Kingdom Lake at normal maximum surface elevation (i.e., the 1,000 foot above mean sea level contour) without written approval of the BRA, which approval may be given only for (1) landscape plantings; (2) walkways and (3) embankments, bulkheads, retaining walls, or similar structures or erosion control to protect the existing shoreline.

Section 3. Site and Landscape Design Guidelines

To help Owners, architects and builders design and build residences that are compatible with the intentions of The Ranch on Possum Kingdom, a number of guidelines have been prepared for site design, architecture and landscape design. These guidelines range from suggestions and recommendations to requirements which must be addressed in the design review process. Certain provisions may be modified by the Design Review Board when an Owner, architect or builder can show that the basic intent of the Guidelines will not be adversely affected by the modification requested.

3.1 General Design Considerations

Because each lot in The Ranch is unique, start with a boundary, tree and topographic survey. It is the intent of these guidelines to preserve the special attributes of each site and to extend the design of the house into the design of the landscape for the enhancement of both. Buildings are inherently an intrusion on the landscape and it is only through enormous effort of design that they become a visual asset to the landscape they replace by their presence. The buildings in The Ranch have the opportunity to be nestled into the topography to work with the land and into the new and existing landscape in such a way that the pleasure and the value of the residence will be greatly enhanced.

The beauty of The Ranch comes from its unique and sensitive lake and hill country environment. This ecosystem is populated by rich and diverse native wildlife and plant communities indigenous to this place. The land is articulated by natural rock ledges and outcroppings giving precise shape to the terrain. The many wonderful distant vistas punctuated with lake, sunset and sunrise views are augmented by the near views of interesting vegetation and an occasional view of bright green grass. The challenge of landscape design here is to integrate the built environment with this wonderful natural setting. It is the intent of these Landscape Guidelines to ensure a fairly uniform planting treatment from lot to lot, one that extends from the lot lines through the right of way to the edge of the road pavement and on into the common areas.

Within the building envelope, the homeowner is encouraged to use plant material to enhance the architecture, define outdoor spaces in a manner that preserves both on- and off-site views, provide shade to the house and outdoor living areas and knit the structures to the site. The composition of the plant materials should consider present and mature size, enframement of certain views, background and foreground balance, relationship to the architecture and other site textures, and judicious use of color and texture.

3.2 Building Envelope, Orientation and Setbacks

Siting the building is of critical importance to the design success of the individual house and of the entire ranch. Topography affects the view from your house and from your neighbors to the side of you. Side yard setbacks and staggering of homes on adjacent lots will provide extra privacy and sense of separateness.

Because no two lots are exactly alike and many orientations are involved, the Design Review Board will review each plan for a dwelling and other improvements in relation to the specific characteristics of the particular lot and surrounding lots. Characteristics such as topography, adjoining homes and homesites and natural features, open spaces or lake views may require special consideration. The Design Review Board will review each plan for appropriateness and consider exceptions that would benefit the neighborhood and the dwelling. Specifically, The Ranch has front and lakeside setbacks that are variable, and side yard setbacks of 15' on all lots except the lots in Block F which are 10'. You should refer to the recorded plat for setbacks as they apply to each lot.

The location and height of any privacy or enclosing walls must be shown on the drawings for design review and will be considered individually by the Design Review Board. Associated outdoor structures, including greenhouse, arbors, trellises, barbecue pits and pools, shall be unobtrusive and of compatible materials.

Construction in side yard setbacks is limited to nonhabitable space. Ancillary structures that may be approved and extend into setbacks may include:

- Air conditioning unit structural screening walls and landscaping;
- Courtyard and privacy walls and fencing;
- Walkways, decks and terraces;
- Swimming pools, spas and water features;
- Pergolas, arbors, trellises and belvederes; and
- Sports courts and playscapes.

3.3 Driveways, Parking and Sidewalks

In siting a residence, generally 40' is required from the face of garage doors to the side property line in order to provide the required 15' landscape buffer zone and an adequate turning radius. Approximately 25' is needed for this turnaround, but more space may be desirable. The setbacks are designed to avoid the appearance of overcrowding between residences and to avoid vast expanses of adjacent driveway surface.

From 120 to a maximum of 150 square feet of driveway material may extend a maximum of 5' into the side yard setback area behind the front setback. This area should be heavily landscaped with mature material at installation to form a solid landscape screen between properties.

Driveways shall be a minimum of 12' and a maximum of 16' wide at the property line. Only one driveway entrance will be permitted for each Lot. A secondary entrance may be considered by the Design Review Board at its sole discretion.

In the front setback area of each Lot, the drive must be constructed of two course penetration asphalt surface to match the finish of the standard Ranch road surfaces. Behind the front setback area, the surface materials which will be approved for drives and parking areas are stone, flagstone, exposed aggregate concrete or asphalt.

A minimum of two (2) parking spaces should be provided on the Lot to accommodate guest

parking. Guest parking spaces may be located within the front yard setback. Such parking spaces shall include substantial landscaping and/or screening walls to screen the guest parking area from the street and adjacent lots. However, in no event, shall guest parking spaces be closer than 25' off the front property line or 10' from the side property line. Except for special events, no on-street parking will be permitted for residents or their guests' vehicles.

Boats, trailers and campers (truck mounted or not) must be contained in a garage compatible with the dwelling. Motor homes may not be stored on site, unless in an enclosed garage.

Sidewalks and other walkways must be approved by the Design Review Board.

3.4 Garages

Each residence shall contain parking spaces within the Lot for at least two automobiles in a garage or carport either attached to or detached from the main structure of the residence. Garages and/or carports must be integrated into the design of the dwelling with garage doors on other than the front elevation and placed as inconspicuously as possible. Detached garages and/or carports must be architecturally composed to complement the main house. Servants quarters or guests quarters may be included in the garage or carport building. At least two cars must be accommodated in the garage or the carport. Garage doors may not face the street or lake or open space unless expressly approved by the Design Review Board.

3.5 Fences and Walls

There are many places where fences and walls can be used to provide a sense of enclosure, security and privacy as well as gracing the landscape, the individual house, the street view and the lake view. The enclosure of swimming pools, pet yards and deer resistant gardens are major design features. Walls and fences must be architecturally compatible with the residential structure, that is integrated into the design of the dwelling rather than simply used to demark a property line. Materials of the walls shall be the same as, or compliment the dwelling. Chain link fencing is not allowed in a location visible from the street, lake or a neighbor's house. Any chain link fence used elsewhere must be vinyl coated black or dark green fencing. All walls and fences shall have landscaping to the exterior to screen or soften the visual effect of the fence or wall. No fences will be permitted between lots unless the specific condition of a homesite requires a fence for privacy.

Solid walls enclosing an entire site are prohibited. Fencing consisting of wrought iron style pickets and posts or a combination of wrought iron with stone posts are allowed. Fences consisting of cedar posts and smooth wire may also be allowed. No barbed wire will be allowed. The overall height of the fence shall not exceed 56". This prevents walled compounds from cutting off natural views of the existing terrain and lake and instead calls for smaller walled areas and more highly defined landscape concepts to ease the transition from homesite to lake. Stone wall designs must avoid long unbroken expanses of masonry and be modular or rhythmically punctuated with openings or pilasters. Detailed attention to cap material and stone pattern is required.

Since The Ranch is generally an open deer preserve, care should be exercised at all times regarding these animals and their free roaming throughout the habitat. Thus, deer-resistant garden enclosures are required to protect many varieties of plants which otherwise may be consumed by the deer. As walls progress from the residence into the site, they shall become more transparent as they extend toward the lake.

Smaller walled areas within the whole site, courtyards, deer resistant zones, and gardens will maintain as much natural vegetation as possible. The contributions of a sensitive landscape and irrigation plan can help rebuild and reforest a homesite and is encouraged.

Exterior mechanical equipment and all utility connections, entry panels, pumps, compressors, and meters shall be shown on the plans and shall be located so as to be as unobtrusive as reasonably possible from the street and the neighbors. Air conditioning compressors and pool equipment shall be enclosed by a structural screening element and landscaped.

3.6 Swimming Pools, Tennis Courts and Sports Courts

1. Swimming Pools

Swimming pools shall be below grade, or a balance cut and fill, and shall be designed to be compatible with the site and dwelling. Adequate screening, security and maintenance shall be provided. Fencing or walls around the pool shall be permitted as described in Section 3.5 above and integrated into the design of the dwelling and site. Fences must meet all governmental regulations for safety.

2. Tennis Courts

Tennis courts are not allowed.

3. Sports Courts and Lighting

Sports courts of nominal size, not intending to be regulation-size basketball or tennis courts may be permitted if their design integrates features which will prevent obtrusive noise and views from adjacent lots or the street by using means such as depressing, berming, and/or heavy landscape screening in their design. Night lighting of sports courts and playgrounds is restricted to lighting which does not spill to adjacent lots and neighboring residences, and which does not intrude on the quality of night time.

3.7 Address Signs and Mail Boxes

Address signs are provided by the Design Review Board. A central mail box shall be provided adjacent to The Ranch headquarters for mail pickup and delivery. Contact the Design Review Board regarding box assignment and key pickup.

3.8 Exterior Lighting

Exterior lighting is to be kept to a minimum, but consistent with good security practices. No exterior light whose direct source is visible from a street or neighboring property or which produces excessive glare to pedestrian or vehicular traffic will be allowed. Indirect sources and horizontal cut-off fixtures are recommended to reduce glare and provide general ambient light. Soffit or tree lights shall be shielded or directed toward vegetation to eliminate off-site glare and source visibility. Use of other than white or color corrected high intensity lamps as exterior lights will not be allowed. Holiday lighting is an exception. Sodium, mercury vapor, or bare HID yard lights are not allowed. Approval of the proposed illumination plan is required by the Design Review Board at the Final Design Review submittal and is to be part of the landscape plan required in Section 2.4 and 2.5.

3.9 Landscape Design

A landscape plan must be reviewed by the Design Review Board before Final Design Approval will be granted.

Texas Hill Country plant material is the primary vegetation at The Ranch on Possum Kingdom. It is important that as much of it remains in as natural a state as possible to perpetuate the character of the community. Although design and selection of plant material will vary with each residence there are several principles that should be used as opposed to single unrelated plants.

- Large scale masses of plant material should be used as opposed to single unrelated plants.
- The use of hardscape paving should be minimized.
- Plant material that contrasts with existing vegetation should be avoided. Utilize indigenous materials.
- Indoor/outdoor relationships are important.
- Water conserving plant materials and native vegetation are appropriate for ornamental and general landscaping.
- Minimize turf areas.
- Site grading should divert runoff to benefit existing and proposed plant material.
- Begin with proper and ample soil preparation for turf areas.

The landscape concept of each residence should be carefully integrated with the architectural theme and site planning. The integration of general landscape design devices such as arbors, walls, fences, trellises and decks are part of the architecture that extends into the landscape. These devices combine with landscape elements typically characteristic of the environment of The Ranch on Possum Kingdom:

- Use of appropriate hardwood trees for summer shade and winter sun exposure;
- Informal character of native vegetation (deer resistant);
- Rock formation integrated into wall systems and patios;
- Large-scale bold statements of plant material and rock formations;
- Natural rock lintels, balustrades and pavers;
- Natural water features; and
- Oak, elm and cedar forest cover.

1. Irrigation

Native plant zones are not required to have permanent irrigation; care should be taken to avoid over irrigation of native plants. Irrigate in an efficient, environmentally sensitive manner. Therefore, an irrigation system must be designed by an irrigation contractor or landscape architect to match water requirements to selected plant materials.

All new landscape material shall be irrigated. Irrigation shall be by an automatic system with rain sensors and be timed for early morning (2:00 am to 6:00 am) applications. Systems are to be permanent underground systems with separate bed, lawn and native area sections and stations. Irrigation duration shall be determined by seasonal needs. Under no circumstances shall the irrigation extend beyond the rear and side property lines. Head locations near the public right of way shall not spray water onto paved surfaces, nor shall irrigation be allowed to run off the site.

2. Site Grading

All improvements and landscaping shall be placed on the lot so that the existing topography is disturbed as little as possible. Stepped patios and yard areas will avoid excessive cuts and fills and an unnatural appearance. All lots shall be finish graded to prevent ponding of water and surface drainage detrimental to adjacent properties. Newly graded areas shall be protected against erosion by appropriate retention fences or permanent erosion controls. Lot owners and builders are required to minimize disruption from grading and, when possible, to use existing natural drainage paths. Location of topsoil stockpiles and excess material disposal areas are subject to Design Review Board approval. Utilize splash blocks, gravel foundation drainage beds, or french drains and underground, perforated drain pipes to dissipate runoff.

All driveways and sidewalks will be flush with finish grade of interfacing landscape material. Finish site grading shall not produce runoff detrimental to adjacent properties and native landscape areas. Finish site grading shall be done to retain rainfall for maximum percolation in turf areas.

Finish grades shall allow for topsoil and should manipulate rainfall run-off for irrigation. No excavations except as necessary for the construction of dwellings or improvements shall be permitted on any lot. Culverts, if required, shall be faced with stone and must be expressly approved in writing by the Design Review Board and installed by Owner.

All blasting is prohibited.

3. Easements

Easements are located at various points for installation and maintenance of utilities, drainage facilities and lake access. These, in addition to others, are reserved as shown on the recorded plat. Within these easements no grading, structure, planting, or other material shall be permitted which may damage or interfere with the installation and maintenance of utilities or drainage, or which may change direction of flow or obstruct the flow of water in and through drainage channels in the easements. The easements within an Owner's property shall be maintained by the Owner. Owners are required to obtain a copy of the recorded plat from the Secretary of the

Design Review Board or The Ranch Owners Association. Note: Recorded plats may contain information which may not be included on your survey.

4. Utilities

Electric, cable, gas, transformers, pedestals/meters, etc. shall be screened by evergreen vegetation and/or walls while leaving access for service.

5. Revegetation and Landscape Restoration

All areas disturbed during construction must be revegetated to blend with the non-disturbed grasses. No rocks, plants or trees shall be removed from any portion of The Ranch without written permission from the Design Review Board. See Section 4.7 for replacement of trees removed.

3.10 Natural Landscape and Xeriscape

A basic design concept of The Ranch on Possum Kingdom is to tread lightly on the land and is natural vegetation. Site improvements must be designed in such a way that the natural vegetation is maintained and enhanced with new compatible materials.

The native cedar, although problematic is considered to be a natural asset. Integration of these species into maintenance and landscape plans is encouraged. No hardwoods or cedars may be cut, shaped or trimmed outside the buildable area or within the required setbacks without written approval from the Association and the Brazos River Authority, if applicable. No oaks shall be cut outside the immediate building footprint. On the remaining site, small cedar trees (less than 8" caliper) may be cleared or trimmed. Outside the building footprint, large cedars (8" caliper or greater) may be trimmed. No oaks or other hardwood may be removed without being replaced. Variance from this restriction requires approval by the Design Review Board.

The preservation of this screening and masking cover is important to the natural ambiance of The Ranch and to insure privacy. Clumps, groves or islands of native original material can be used to frame a view of your homesite.

Xeriscape is a landscape concept used to save water and resist chemical use through the use of native plants. Xeriscape is based on seven principles that will help save water, reduce non-point source pollution, and produce a sustainable environment.

The use of landscape materials immediately adjacent to a residence is relatively unrestricted. In other areas removed from the residence, the introduction of materials is limited to species currently found in the local plant community. The deer enforce this limitation. Also, one must realize that this region experiences extreme differences in climate from hot and dry to occasional freezes. The xeriscape concept is appropriate here because of the reduced water use, hardiness to freeze and drought, and native Hill County aesthetic in the character of the plants.

1. Have a Plan

Good design can help reduce water use. Slopes, orientation, soil, microclimate, and plants must all be considered. Inventory all existing plant material: trees, significant shrubs, grasses and wildflowers.

2. Improve the Soil

Soil improvements are essential particularly when using plants that require less water. Organic compost should be mixed into the lawn topsoil and plant beds to improve soil moisture and fertility holding capacities. Maintenance can be greatly reduced with the proper addition of composted organic matter.

3. Limit Lawn Areas

High-water demand grasses, such as St. Augustine, should be limited to small, visible, high shade areas. Low-water use grasses, such as prairie, 609 buffalo grass, common Bermuda or zoysia, should be used where practical.

4. Use Mulch

Use mulches to conserve ground moisture, discourage weed growth, provide organic nutrients, reduce erosion, protect plants from freezing and as a ground cover.

5. Choose Low-Water Use Plants

Native and low-water use plants can survive on a minimal amount of water after they are established and generally require little pruning, or fertilizing, are naturally resistant to disease and deer, and provide habitat for beneficial insects. Select plant material to match light, soil and moisture conditions of the site.

6. Water Efficiency

Putting the correct amount of water in the right place at the right time is essential for healthy plants. Place plants with similar watering needs together. Then, separate irrigation zones can be used to water each area: spray irrigation for lawns, drip irrigation for shrubs and ground covers.

7. Practice Good Maintenance

Ongoing attentive maintenance will help preserve the beauty of any landscape and reduce water loss. Attention to irrigation systems, weeding, pruning and mowing all help reduce water use. Minimizing chemical pest controls and fertilizer requirements are goals of these guidelines. Use plant materials that provide disease, pest and deer resistance.

Section 4. Architectural Guidelines

The objective of creating an identifying character as well as a harmonious community is to find design idioms appropriate to the land, the people and today's lifestyles. Appropriate design, rather than stylistic extremes is the objective in The Ranch on Possum Kingdom. A range of appropriate architectural variety is encouraged within these guidelines.

4.1 Architectural Design Concepts

To imagine the architecture of the Texas Hill Country, one would envision masonry buildings with tile or metal roofs, broad overhanging eaves and covered porches. Each of these elements would exhibit a range of volumes, spaces, textures and materials which characterized a unique response to locale and construction techniques fusing old world traditions with local necessity. This ongoing process continues today.

Following these principles the design for dwellings at The Ranch on Possum Kingdom will emphasize development that is planned to harmonize, blend and compliment, rather than dominate the natural environment. The intention is to create a wonderful collection of individual residences with designs that are compatible with each other and the site.

4.2 Height, Massing, Scale

No residence shall stand apart in its design or construction as to detract from the community's environment. Any residence which appears excessive in height will not be approved. Residences shall alter, as little as possible, the site from its original condition.

Buildings should be nestled into the land, remaining low, so as to be part of the site rather than perched on it, avoiding unnecessary height. The building and other improvements should step down slopes, using split and multilevel floor plans and masses whenever possible, to follow existing contours, and achieve a balance of cut and fill so that when construction is finished, the earth around the residence should be as near as possible to the natural contours. One story buildings are encouraged.

The terrain of The Ranch is varied, with hilltops, valleys and other changes in elevation, making absolute and uniform applicability of height restrictions for residences both inadvisable and impractical. These Design Guidelines are intended to discourage and/or prevent any residence or other structure which would appear excessive in height when viewed from a street, common area, lake or another lot, or which would appear out of character with The Ranch aesthetic. Consequently, despite the maximum heights generally permitted as herein specified, the Design Review Board may disapprove a proposed residence or other structure which may be within the maximum height guidelines.

In general, The Ranch encourages the siting of residences and improvements to occur just below the prominent ridge locations. The Ranch prefers that vistas of the native landscape remain as unimpeded as practical and that building improvements not dominate the environment.

A full, two-story building mass occupying the building "footprint" facing the street is prohibited. Large homes often exaggerate the difficulties of making the structures look as if they are part of the land. Owners are encouraged to break down the mass of their homes by putting the independent function that serve the Owner's needs in separate attached or detached structures. May uses can be placed in accessory structures: garages, workshops, offices, cabanas and recreational uses.

There are many architectural approaches used to minimize the mass of a building. Stepping building heights, breaking the ridge line, adding dormers and varying the roof pitches create a more intimate scale.

- The maximum building height shall be 36'. Building heights will be measured according to the following definition: the vertical distance above a reference datum point measured to the highest ridge, peak or gable of a pitched roof, excluding chimneys. That reference datum point shall be along the natural grade at any point on the exterior wall of a structure.
- Generally, the second story floor area of the residence shall not exceed 60% of the enclosed first floor area of the residence, 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.
- Hip roof are strongly encouraged and likewise multiple gables facing the street are strongly discouraged.
- Observation towers or cupolas which provide a lake view may be submitted for consideration by the Design Review Board. Such towers or cupolas must be integral and proportional to the main residence structure; must not exceed 42' and must be 100 square feet or less at the observation level. The Design Review Board has total discretion on the approval of all towers based on existing site topography, tower design or materials and the impact on views from neighboring lots.
- All residences shall contain at least 1,750 square feet of finished living area, exclusive of porches (open or covered), decks, garages and carports. A two story residence shall contain at least 1,500 square feet of finished living area, exclusive of porches (open or covered), decks, garages and carports on the first level. Smaller residences may be approved by the Design Review Board if, in its sole opinion, the proposed design is consistent in character and value with the other residences in the area.

4.3 Walls and Massing

The use of regional native Texas stone is encouraged. Masonry, including stone and stucco, varying in scale, technique, detail and texture shall comprise the dominant building material. Stone laying techniques include informal rubble, uncoarsed, roughly squared or randomly coarsed ashlar, running bond, and combinations and variations. Preferred masonry details include segmental arched lintels, one piece stone lintels, sloped stone sills and highly finished decorative surrounds for windows and other openings. Combinations of brick and stone include

formal quoins with rubble or ashlar infill, massive stone chimneys, random laid flagstone floors, carving and other hand finished detail.

Stucco exterior walls may be used in lieu of stone for the body of the primary residence, although a minimum of 20% of the exterior should incorporate allowable stone. Stucco colors should be limited to earthtones that would harmonize with the natural landscape. Stone should be used for chimneys, lintels or to a more decorative extent around doors and windows, or as a base detail. Alternatively, the main body of the house could incorporate stone while an ell or wings be constructed with stucco.

The use of wood is allowed but requires careful consideration and detailing particularly as a wall surface material. Wood shake shingles, as well as logs and board and batten have historical precedence. Other exterior surfaces must generally be of materials that will withstand the climate extremes and, like stone and stucco, be natural and unobtrusive to the surrounding landscape.

Finish materials on all building walls must be continued down to finish grade to the extent possible to eliminate unfinished foundation walls.

Materials which are specifically prohibited are: metal siding, opaque glass, mirrored glass, vinyl and plastics, reflective materials, reflective exterior art work or sculpture, and other materials whose appearance in the judgment of the Design Review Committee does not convey strength, permanence or durability.

In massing, a large building mass can be reduced in scale by articulating it into smaller parts. This can give the appearance of having been altered and added to through the years. Separate masonry volumes can be joined by a continuous roof to create a composition of volumes covering connecting outdoor spaces, dog trots or dog runs, verandas, loggias or arcades creating a complex of spaces in one building. The effect is that of a dwelling growing over time and giving a sense of place and time to The Ranch. House designs can give an illusion of growth by accretion, representing expanding functions and natural growth over time.

4.4 Roofs

An important architectural effect is achieved by roof shapes, sizes and materials. Historically, metal roofing, introduced from Galveston and transported by wagon to the frontier before the railroads made more accessible manufactured building components, became the roofing of choice. The use of the interlocking standing seam metal roof reflected the searing heat of the Texas sun, and thus was climatically appropriate. The form of the roof, the slope, pitch and details evolved into a Texas tradition.

Generally, hip roofs at a slope of 6 in 12 and no more than 9 in 12 should be used to provide broad eaves and porches to handle the heat of the Texas summer. Lesser pitches may occur only when attached as extensions to a roof of 6 in 12 or greater slope. The principle roof form can exist in many permutations, ideally a hip whose ridge runs southwest to northeast, thus facing

southeast to catch the prevailing breezes on the many pleasant spring and fall days.

Gable or hip roof forms can intersect to create "L's" with telescoping additions sheltering semi-enclosed courtyard spaces. Typically, the wing on the west creates shaded afternoon spaces, or encompasses a porch or veranda opening to a patio. The hip roof often features an extended ridge beam which allows the placement of ventilating louvers at each end before transitioning to the hip. This roof form provides for additional ventilation, allowing heat to escape and through convection which draws air through the building. Low pitched shed roofs as part of additions or flanking wings can extend a primary roof, and occasionally occur behind a finished parapet wall, thus allowing a facade of a building to appear roofless.

While the metal roof was most common, clay tile roofs were also used following the same volumetric parameters and are accomplished with traditional Hispanic details. A variety of porch, loggia, colonnade, arcade, overhanging eave and balcony details elaborated these simple architectural forms.

Generally, roof materials should be limited to standing seam metal, corrugated and "V" crimp metal, terra cotta tiles, concrete tiles, or slate in muted colors and values. Metal roofs must be galvanized tin, copper or zinc, or painted earthtones or natural metal colors. Composition, shingle and shake roof materials may be approved on a case by case basis.

Roof mounted mechanical equipment is prohibited on any roof, unless in the sole judgment of the Design Review Board, it does not adversely affect views from streets, other lots, the lake or common areas.

4.5 Porches, Verandas and Balconies

The Texas summer climate can be quite comfortable in the shade and with a breeze. By careful orientation, a house can be designed to offer two different lifestyles: one well sealed for heating and air conditioning; the other open, shady and breezy with the sounds of the birds and the outdoors. Porches, verandas, balconies and shaded patios provide a delightful way to live in spring and fall, one which is preferable to air conditioning.

A whole subsystem of architectural elements and details can be added to enrich the basic masonry volumes, and to provide shade in response to climate and function. Informally dressed wood columns with chamfered edges, resting on stone plinth blocks and flagstone paving constitute the typical covered porch or veranda, although stone or brick columns and wood decking is also used.

A special Hill Country element is the cantilevered second story balcony, structurally integrated with second floor and roof joints, appearing suspended under overhanging eaves. This feature offers shade, room to room second story exterior passage, and protection from inclement weather for ground floor access. Railing details, typically simple profiles of standard lumber in horizontal or vertical arrangements, create pleasing patterns and interest. Porches, balconies and other covered outdoor spaces, so much at home in the Texas Hill Country, mediate between an often harsh climate and the needs of inhabitants for extensions of useful space outside the

primary dwelling volume. They also demonstrate how a successful set of design solutions can be adapted to local conditions.

Construction of exterior columns and porch railings in unfinished materials is prohibited. Decks, exterior stairs and related construction adjacent to the residences must be of compatible material and finish.

4.6 Architectural Elements Inappropriate to The Ranch on Possum Kingdom

The following are inappropriate architectural elements and will not be approved:

1. Excessively pitched roofs, gambrel roofs, chalet roof, roofs too steep or too shallow, shed roofs except as incidental to the main roof;
2. Synthetic roof materials which seek to replicate slate, shakes or tiles;
3. Diagonal siding, plywood siding such as "texture one eleven";
4. Bright red brick, masonite or other synthetic wall materials;
5. Large areas of white surfaces such as white stucco;
6. Bright colored roof surfaces;
7. Non-native stone, or stone which appears glued-on;
8. Aluminum windows, excessive overscaled arched openings, mirrored glass;
9. Exposed foundation walls;
10. Tall, massive, unbroken elevations, or three story elevations;
11. Stove pipe chimneys;
12. random roof penetrations, vents or skylights facing the street, white or bubble skylights;
13. Large unscreened visible parking areas;
14. Vivid inappropriate colors, non-earth tone colors;
15. Massive unarticulated building volumes;
16. Imported or exotic styles which have not been adequately modified for The Ranch;
17. Enormous entries and front door assemblies, such as triumphant arches or tall and overscaled doors; and

18. Wood fences.

4.7 Architectural Features Appropriate to The Ranch on Possum Kingdom

The following architectural elements are appropriate for The Ranch and are suggested:

1. Shade on wall surfaces and windows. Care shall be taken to minimize direct solar gain. Utilize thermal massing techniques and masonry construction to provide shade.
2. The arrangement of openings and outdoor spaces shall respond to the intentions of these guidelines to design dwellings which utilize responsible energy considerations in the siting of the residence.
3. Arcades, colonnades, loggias and covered passages between structures.
4. Outdoor spaces which extend living functions seasonally and mediate the microclimate of the site.
5. Outdoor covered passages to connect various volumes and functions, sun screens and operable shuttering devices to provide shading for the house.
6. Semi-enclosed courtyards within a building or as formed by a group of buildings add excellent living space, shade and definition of space and sense of place.
7. Dwellings which are integrated amongst trees and rock outcroppings
8. Designs which save as many large caliper trees as possible. Trees removed shall be replaced by the Owner in the amount of the total diameter of tree caliper removed; i.e. if in order to utilize the lot there were no way to avoid cutting down one 6" tree, two 8" trees and one 10" tree, the Owner must plant trees in equal amount (32" or, for example eight 4" trees of similar species).
9. Although openings spanned with cut stone lintels, jack arches or segmental arches are preferred and more appropriate, semicircular arched openings used discretely are permitted.
10. Roof overhangs 18" or wider.
11. Native rock or limestone with matching mortar.
12. Hip roof of 6 in 12 to 9 in 12
13. Standing seam metal or tile roofs in muted colors compatible with the surrounding landscape.

4.8 Doors and Windows

All windows and doors shall consist of structural wood units with or without factory applied finishes or cladding. No aluminum window or door units shall be allowed. Combinations of double hung, casement or fixed windows, wood entry doors, French doors and patio doors are encouraged.

Ornamental iron grillwork, gates and doors and the use of glass block requires approval.

Windows will be evaluated by the Design Review Board in terms of ventilation, light and view in relation to the architectural concept as well as to their relationship to adjacent properties.

Care is required in the placement of windows offering defined unobstructed view from the dwelling in terms of privacy and in relation to orientation and shading devices.

Snap-in interior mounted removable window grids are prohibited. Materials for windows must consist of a structural core, but may be clad in aluminum or vinyl or be factory or site finished. Single or double glazing must utilize authentic divided lights if used. Raised panel hollow metal doors and garage doors are allowed when finished to match residence trim colors.

4.9 Trim and Accent Material and Colors

Exterior masonry trim may be decorative, dressed, cast or carved stone used to accent the main masonry massing and openings. Molded stucco including formed window or door surrounds, accent banding, or brick used to accent and delineate masonry or stucco masses is also allowed. Wood trim may be used in combination with any or these materials and as incidental to the primary masonry exterior veneer. Exterior wood shall be of a finish grade appropriate to the design and finished with stain or paint.

Colors of paint and stain for stucco and wood trim include, but are not limited to earth tone colors, such as cream, beige, grey, grey green, taupe, ecru and other more neutral background colors. However, darker colors, such as black, burgundy, bottle green, navy, rust, terra cotta, and other deep tones may be appropriate. Muted pastels may also be used for accentuation of detail and to further enhance design motifs. The intention is to avoid loud, obtrusive, excessively contrasting or bold colors and to use color to enhance the design as opposed to overwhelm the architectural effect.

Cornices, porch ceilings, exposed beams and rafters shall be constructed of wood except when masonry and shall be stained or painted in approved colors. Vinyl gutters, trim components, soffits, siding, shutters, vents and other architectural components are not allowed.

Gutters and downspouts shall be consistent with roof materials and finishes. Painted half-round galvanized or natural copper gutters and downspouts are preferred over factory finished "ogee" gutters and downspouts. However, with adequate overhangs incorporated in the design, gutters and downspouts are not required.

No bright natural aluminum should be visible on the residence; roof vents should be painted out to match the principal roof material color. Skylights and other miscellaneous metal materials

should be finished to blend in with the primary roof material.

4.10 Location and Treatment of Utility Connections, Controls and Meters

All utility services to the house shall be underground.

Air conditioning compressors and pool equipment shall be enclosed by a structural screening element and landscaped.

Whenever possible, a central service location not on the street facing elevation, not visible from the street and screened from neighbors, shall be designed for each dwelling which shall contain connections for all utilities, including underground electric and metering devices, underground telecommunications, cable TV, security and telephone service, water, natural gas or other fuels and shall be accessible and unobstructed for service by the respective authorities. Common trenches shall be used where possible.

Satellite dishes greater in diameter than 18" are not permitted.

All fuel tanks, water tanks or similar storage facilities shall either be shielded from view by walls or structures or shall be located underground with all visible projections screened from view. Use and/or construction of such facilities shall comply with all applicable codes and ordinances.

Section 5. Construction Regulations

To ensure that sites will not be irreparable damaged while a residence is being built and that disruption of the neighborhood will be minimized, the following construction regulations shall be enforced by The Ranch Owners Association during the construction period. These regulations shall be a part of the construction contract documents for each residence, and all contractors and Owners agree to abide by the regulations.

The Owner or contractor agrees to provide the Design Review Board, prior to construction, with a detailed plan showing how the lot will be protected and the area in which all construction activity will be confined including size and location of construction material storage, limits of excavation, drive areas, parking, portable toilet location, temporary structures, dump sites, storage of debris, fire extinguishers, and utility trenching. This plan shall identify the methods for site protection, such as erosion control, tree protection and precise limits of construction beyond which the natural conditions may not be disturbed.

5.1 Compliance Deposit and Pre-Construction Conference

To ensure that each builder adheres to the Final Design Approval and the construction regulations, a Compliance Deposit of \$2,500 shall be paid to the Design Review Board with the Final Design Review submission, and deposited with The Ranch Owners Association. The Design Review Board shall monitor building sites during construction and, in the event of a violation of these construction regulations, shall give notice in writing of such violation to the lot owner and the builder. The notice to the Owner shall be sent by first class mail, postage prepaid, addressed in the name of the Owner at the mailing address registered with The Ranch Owners Association. The notice to the builder shall be hand delivered to the builders representative at the building job site and/or posted adjacent to the Building Permit issued by The Ranch Owners Association on the building job site.

The Owner and/or builder shall be fined \$100 per day for each day that the violation continues after the date that the notice is delivered to the builders representative and/or posted at the job site. In the event the builder and/or Owner fails to remedy any violation, the Design Review Board may take any action necessary to remedy the violation and the charge of such remedy shall be deducted from the Compliance Deposit.

The Compliance Deposit, less any charges incurred for failure to comply with the Final Design Approval and/or the Construction Regulations shall be returned to the Owner at the completion of the project with the notice that the design requirements have been met.

Prior to commencing construction, the builder must meet with the Design Review Board to review construction procedures and to coordinate construction activities. Builders must submit a list of subcontractors and suppliers in order for them to gain access to The Ranch.

5.2 Construction, Safety and Working Hours

In order to insure a safe, neat and orderly construction site, the Design Review Board and the Association have established certain construction and safety regulations identified in these Design Guidelines for the benefit of all Owners and residents which are in addition to, and shall in no way diminish, the Owner's obligation to comply with all governmental regulations.

It is of the utmost importance that anyone conducting construction activities exert extreme care in preventing conditions that are unsafe or that could constitute fire or other hazards. The Association and the Design Review Board will not tolerate any activity, such as paint, stain or concrete runoff, that, in their opinion, constitutes or could cause such hazards.

Our aim is to be flexible to a certain extent provided the need is urgent and there is a minimum impact on the immediate neighbors. Normal working hours are defined as 7:30 am to 6:00 pm Monday through Friday and 10:00 am to 5:00 pm on Saturdays. Sunday work will not be permitted. From time to time, the Design Review Board will publish specific guidelines governing construction practices.

5.3 Construction Trailers and Portable Field Offices

Any Owner or builder who desires to bring a construction trailer, field office or the like to The Ranch shall first apply for and obtain written approval from the Design Review Board. Such temporary structures shall be located only in locations approved by the Design Review Board and shall be promptly removed upon completion of construction.

The Ranch Owners Association has established standards for signage for each construction site which identifies the location, street address, and general contractor. No signs of any type (other than safety signs) are permitted on any construction site other than those provided by the Association.

5.4 Site Cleanliness, Debris and Trash Removal

Owners and contractors shall provide a container for debris and shall clean up all trash and debris on the construction site on a timely basis. Trash and debris shall be removed from each construction site on a timely basis. Lightweight material, packaging and other items shall be covered or weighted down to prevent wind from blowing such materials off the construction site. Owners and contractors are prohibited from dumping, burying or burning trash anywhere in The Ranch. During the construction period, each construction site shall be kept neat and shall be properly policed to prevent it from becoming an eyesore or affecting other lots or adjacent property.

Construction sites must be maintained in as clean a fashion as possible, especially with respect to materials stored on site, construction refuse and trash.

It is imperative that when moving heavy equipment around The Ranch, that precautions be taken to prevent damage to walking trails, walls, gutters and street surfaces. Any damage to such structures will be assessed against the responsible Owner and builder. Crawler tractors are not to be operated on any paved surface or ranch road.

Please designate one area to provide access to the site, provide ample heavy timber ramp material to protect and use this area only to move equipment and material on or off the site until the final approved driveway cut has been constructed. *Use of adjoining lots is prohibited.*

5.6 Sanitary Facilities

Each builder shall be responsible for providing temporary adequate sanitary facilities for its construction workers.

5.7 Drainage, Retention and Erosion Control during Construction

Drainage during construction must be controlled so as to cause no erosion on the lot and on adjoining lots. Retention fencing or permanent erosion controls must be installed before any site clearing is begun.

5.8 Noise and Dust

The use of radios, tape and CD players must be restrained so as not to be heard on an adjoining lot or street.

5.9 Restoration or Repair of Property Damaged

Damage and scarring to other property, including, but not limited to, other lots, roads, driveways and/or other improvements, will not be permitted. If any such damage occurs, it shall be repaired and/or restored promptly at the expense of the person or entity causing the same, provided, however, that the Owner shall ultimately be liable to the Design Review Board, the Association and the Owner incurring the damage for the actions of its builder and builder's subcontractors and agents. Upon completion of construction, each contractor shall clean its construction site and repair any property damaged, including, but not limited to, restoring grades, repair of streets, driveways, drains, culverts, signs, lighting and fencing. The Design Review Board may withhold repayment of any compliance deposit and use those funds to make necessary repairs.

5.10 Vehicles and Parking

Construction crews shall not park on or otherwise use other lots. Private and construction vehicles and machinery may be parked in areas designated by the Design Review Board.

5.11 Miscellaneous and General Practices

A minimum of one serviceable 1016 ABC-rated dry chemical fire extinguisher shall be located on each construction site in a conspicuous location.

The following practices are prohibited:

1. Changing oil on any vehicle or equipment on a lot;

2. Allowing concrete suppliers and contractors to clean their equipment on any lot or common area;
3. Removing any plant material, topsoil or similar items from any property;
4. Carrying any type of firearms on the property;
5. Using disposal methods other than those approved by the Design Review Board;
6. Careless disposition of cigarettes and other flammable material;
7. Any loud or excessive noise from sound equipment such as radios and loudspeakers; and
8. Bringing dogs or other pets to the construction site by contractors, subcontractors and their employees.

5.12 Responsibility of Association and Declarant

The Ranch Owners Association and the Declarant assume no responsibility for soil conditions including, without limitation, rock formations, high water table, or expansive soils nor any environmental condition, including without limitation, endangered species, or critical environmental matter protected by governmental regulations. Each Owner shall be responsible for obtaining any required soil tests and surveys.

5.13 Responsibility of Owner

All Owners shall be solely responsible for the conduct and behavior of their representatives, builders, contractors, subcontractors, vendors and suppliers.

5.14 Insurance

Builders shall furnish to the Design Review Board satisfactory proof that Builder's Risk insurance and Workmen's Compensation insurance, if applicable, will be in force for the construction period.

5.15 Non-Compliance

The Owner will submit all structures to inspection by the Design Review Board as required to determine compliance with these Guidelines. In the event of noncompliance with the Guidelines, the Board of Directors of The Ranch Owners Association shall have the right, but not the obligation, to hire a contractor or contractors to perform the work and furnish the materials necessary for compliance at the Owner's expense plus 10% for administration. Such charges shall be a special individual assessment levied against the Owner and the Lot and shall be collected in accordance with the terms and conditions set forth in the Declaration. A failure to enforce any restriction shall in no event be deemed a waiver of this right to do so afterward.

18. Wood fences.

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