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CERTIFICATION

I, the undersigned, pursuant to Texas Property Code §202.006 do hereby certify:

That I am the duly elected and acting Secretary of the Townhomes of Tuscany Square Owners' Association, Inc. (hereinafter the "Association") a Texas corporation;

That the attached document is a document that applies to the operation and utilization of property within the Townhomes of Tuscany Square, a subdivision in Collin County, Texas.

That the property affected by this document is set out on the attached Exhibit "A".

That the document which affects the use and operation of the Townhomes of Tuscany Square is set out on the attached Exhibit "B".

That the attached document is a true and correct copy of the original.

IN WITNESS WHEREOF, I have hereunto subscribed my name this the 1st day of October, 2007.

Townhomes of Tuscany Square Owners'
Association, Inc.

Carol Cannon
Print Name: Carol Cannon
Title: Secretary

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

BEFORE ME the undersigned authority, on this day personally appeared Carol Cannon, the Secretary of the Townhomes of Tuscany Square Owners' Association, Inc., known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that s/he is the person who signed the foregoing document in her/his representative capacity, and that the statements therein contained are true and correct.

Given under my hand and seal of office this the 1st day of October, 2007.

Susan E McFarland
NOTARY PUBLIC – STATE OF TEXAS

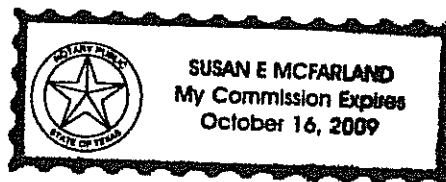


EXHIBIT "A"

PROPERTY DESCRIPTION

The Townhomes of Tuscany Square, a subdivision located in Collin County, Texas, and any other subdivisions which are subsequently annexed thereto and made subject to the authority of the Association, which subdivision was originally encumbered by restrictive covenants filed in the Real Property Records of Collin County, Texas, on October 21, 2004 and recorded under Clerk's File No: 20040153743.

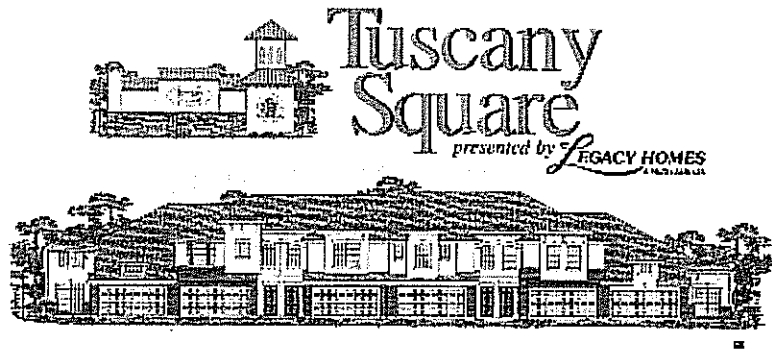
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EXHIBIT "B"

1. Design Guidelines, adopted August 28, 2007

After recording return to:

Stephanie Quade
Roberts Markel P.C.
2800 Post Oak Blvd., 57th Floor
Houston, Texas 77056



Design Guidelines

Adopted: August 28, 2007

By the Tuscany Square Board of Directors and the Architectural Control Committee

Section I: Introduction

A: Mission Statement

The goal of the Architectural Control Committee ("ACC") is to maintain an attractive neighborhood that is well maintained and as aesthetically pleasing as possible. Our charter in section 3.3.C of the Declaration of Covenants, Conditions and Restrictions for Tuscany Square, recorded under Clerk's File No. 2004-0153743 (the "Declaration") document is to "promote and ensure a high level of taste, design quality, aesthetic harmony, and conformity throughout the Property, consistent with the standards established by this Declaration and the Design Guidelines."

B: Community Image & Design Philosophy

The Tuscany Square's design philosophy is intended to create a sense of community through the incorporation of common themes in the site planning and the design of streets, neighborhood patterns, open space, landscape architecture, architecture and building materials.

This design philosophy is realized through the site planning, the streetscape design, the treatment on open spaces and the expression of architecture.

Along with the design of the streetscape and community amenities; compatible and complementary architecture and appropriate materials further reinforce the sense of a unified and cohesive community.

The best opportunity for homeowners to personalize their property is in the back yard. Exterior changes in the back yard still require approval by the ACC.

Section II: Objectives

A: Introduction

This document provides design guidelines for homeowners of Tuscany Square to follow when considering any changes to the exterior of their homes and property. With the approval of the Board of Directors, the ACC has promulgated these architectural standards of design guidelines in order to assist homeowners in preparing acceptable applications to gain ACC approval, increase owners' awareness and understanding of the Declaration and to help maintain a reasonably uniform and architecturally sound appearance for the Tuscany Square Community, so that the aesthetics of the subdivision may be maintained. The Board of Directors has reviewed and adopted these guidelines under Article 10, Section 2 of the Declaration.

These Design Guidelines govern all property subject to the Declaration. Unless otherwise specifically stated in these Design Guidelines or the Declaration, all plans and materials for construction projects or design issues on a Residential Lot must be approved before construction activity begins. Unless otherwise specifically stated in the Design Guidelines, no structure may be erected upon any Residential Lot and no improvements (including staking, clearing, excavation, grading or other site work, exterior alteration of existing improvements, and planting or removal of landscaping materials) shall take place without receiving the prior written approval of the ACC as described below.

While an Owner may remodel, paint or redecorate the interior of his or her dwelling without approval, any exterior alteration, decoration, or construction visible from adjoining properties, the public right of way, or community open space

requires prior written ACC approval, including the back yard. When these Design Guidelines specifically allow an Owner to proceed without advance approval, such allowance shall only be effective so long as the Owner complies with the requirements of the stated guideline.

Because of the wide variety of construction techniques, materials and colors available, it is not possible to address every potential issue that may arise in these Design Guidelines. Therefore, any details provided in an Application for Review or which arise during construction or modification of an improvement during construction or modifications may be approved or disapproved by the ACC, at its sole discretion.

Objectives of these Design Guidelines:

- To explain role of the ACC.
- To address the items that require prior written approval of the ACC before changes are made.
- To address suggestions for items not requiring ACC approval, but that may affect the aesthetics of the community.
- To address the items that are not acceptable due to specific aesthetic concerns.
- To provide the ACC with uniform architectural standards and guidelines for the review of applications.

Section III: Covenants

A: Protective Covenants, Conditions, & Restrictions

The Declaration and any amendments thereto, are a part of Tuscany Square's governing documents.

The Declaration is binding on all property owners, including guests, occupants and tenants of property within Tuscany Square. The Declaration should be reviewed periodically and fully understood by each homeowner and occupant.

In the event of an irreconcilable conflict between the Declaration and these design guidelines, the Declaration shall prevail.

Section IV: Architectural Control Committee

A: Members

The ACC handles all architectural control and design reviews for Tuscany Square. The ACC and Board of Directors who worked to create this document are all volunteers. They will continue to work together to review any requests submitted and inspect changes made to Tuscany Square as a result of these requests and continually review this document and make changes to architectural standards or guidelines as times and trends change.

B: Committee Structure

The ACC is made up of homeowners from the Tuscany Square community. Members may resign at any time.

The ACC will meet as needed to review applications submitted, otherwise all correspondence will be reviewed via email. The decision for approval or denial will be made by the ACC based on a majority vote.

C: Authority

Authority is granted under Article III, Section 3.2 of the Declaration.

It is important to understand that ACC approval is not limited to major alterations such as adding an addition or deck to a house, but any exterior changes made to a lot or structure, including changes in color, materials, etc. Approval is also required when an existing item is to be removed. This includes landscaping.

It is also important to remember that once a request is approved, it must be implemented only as approved.

ACC review begins with the submission of an ACC form by the property owner proposing the alteration to The management company. The management company then provides a copy of the request to the chairman of the ACC, who in turn provides it to members of the ACC. Each application for a change or modification is reviewed on an individual basis. There are no "automatic" approvals, unless provided for specifically in these architectural standards and guidelines (e.g., a homeowner who wishes to construct a deck identical to one already approved by the ACC is still required to submit an application).

D: Interpretation

The provisions of these Design Guidelines shall be held to be the minimum requirements for the promotion of the aesthetic harmony of the present and future inhabitants of Tuscany Square. Where the conditions imposed by any provision of the Design Guidelines are less restrictive than comparable conditions imposed by a City of Frisco permit requirement or building code or regulation, the more restrictive provision shall govern.

E: Design Review Procedures

1. Review of Improvements

The ACC, in reviewing and approving plans for alteration, repair or improvement of a Residence, or the installation, placement or construction of a Structure, shall use commercially reasonable efforts to promote and ensure a high level of taste, design, aesthetic harmony, and conformity throughout the Property, consistent with the standards established by the Declaration and the Design Guidelines.

All exterior alterations, decorations, or construction on any Residential Lot must be reviewed and approved by the ACC prior to the commencement of work. As specified below, each Owner shall submit for review an application, plans and exhibits no later than ninety (90) days prior to the commencement of construction.

2. Limitation of Liability for Approval of Plans

The review and approval of any submission or application is made solely on the basis of aesthetic considerations and compliance with the Declaration and the Design Guidelines only, and not for engineering, structural design or quality of workmanship or materials. Neither the Board of Directors, the Association, the ACC or any Member of the foregoing, shall be liable to any Person for any official act of the ACC in connection with submitted plans and specifications.

Notwithstanding any approval by the ACC, neither the Association nor the ACC shall be responsible or liable to any Person with respect to any loss, liability, claim or expense which may arise by reason of such approval or the construction of a Residence or Structure related thereto. Neither the Board of Directors, the Association, nor the ACC or Member of any of the foregoing shall be held liable for any injury, damages, any defects in any plans or specifications submitted, reviewed or approved in accordance with the provisions of the Declaration, nor for any structural or other defects of any work done according to such plans or specifications. No approval of any plans by either the ACC or the Board of Directors shall be construed to mean that the plans comply with applicable law, building code, or governmental regulation, it being

the responsibility of the Person submitting any plans to assure compliance with all applicable laws. Conversely, the issuance of a building permit or any approval from any governmental authority shall not, under any conditions, take the place of the required ACC's approval. The Board of Directors and members of the ACC shall have no liability for decisions made by them regarding the approval or disapproval of plans, so long as the decisions are made in good faith and are not discriminatory, arbitrary, or capricious. As laid out in Article 3, Section 3.2.h of the Declaration.

3. Review Criteria

Any exceptions to the rules provided in these architectural standards or guidelines will be reviewed on a case-by-case basis. All variances must be approved by the ACC in writing.

The ACC reviews all submissions for exterior changes on the individual merits of the application. What may be acceptable design for one exterior may not be for another. For example, changes to homes on the interior of the subdivision, due to the relative closeness to each other, usually are more noticeable and have more of an impact on adjoining properties than changes to homes on the perimeter of the subdivision or on the common area, greenbelts or lakes. In short, evaluation of the design proposal may include the close review and consideration of the housing type and individual site.

Design decisions made by the ACC in reviewing applications are not based on any individual's personal opinion or taste. Judgments of acceptable design are based on the following criteria that represent, in more specific terms, the general standards of the Declaration.

Validity of Concept: The basic idea should be sound and appropriate to its surroundings.

Design Guidelines: The proposed improvement should be compatible with the architectural characteristics of the applicant's home, adjoining homes and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, color and construction details.

Location and Impact on Neighbors: The proposed alteration/addition should relate favorably to the landscape, the existing structure and the neighborhood.

Scale: The size of the proposed alteration should relate well to adjacent structures and its surroundings.

Color: No changes in color of paint, masonry, garage doors, or fences may be made. The association is responsible for the repair, replacement and maintenance of most items involving color. Any items the association is not responsible for, i.e. garage doors, will still be subject to the color requirements of the community and ACC.

Materials: Continuity is established by use of the same or compatible materials as were used in the original construction.

Workmanship: Workmanship is another standard that is applied to all exterior alterations. The quality of the work should be equal to or better than that of the surrounding area. Poor workmanship can create safety hazards and can be visually objectionable to others. (The ACC assumes no responsibility for the safety of any construction by virtue of design or workmanship).

Timing: The majority of alterations may be constructed or installed by owners themselves rather than professional contractors. However, projects that remain uncompleted for long periods of time are visually objectionable and can be a safety hazard for neighbors and the community. Construction and/or installation of the project must be completed within sixty (60) days of the receipt by Owner of written approval of the proposed construction or installation. Failure to complete

the project within the time period set forth herein shall be cause for the ACC to void and nullify any prior approval and require the Owner or Person undertaking the project to cease construction or installation until additional written approval for the continuation of the project has been received from the ACC. The ACC is authorized, but shall have no obligation, to grant variances and extensions of the time period necessary to complete the project.

Specific Construction Provisions: As laid out in the Declaration, Article 3, Section 3.4 regarding setbacks, structure size and type, garage requirements, drive/walkway requirements, and ancillary structure provisions.

4. Review Period

The ACC shall undertake to approve or disapprove all plans submitted for construction within thirty (30) days after the date it receives a complete set of Plans and Specifications. Therefore; if the ACC fails to specifically approve or disapprove of any plans within such thirty (30) day period, then the ACC shall be deemed to have disapproved the plans submitted.

5. Implementation of Approval Plans and Penalty for Noncompliance

All projects and construction shall be implemented per approved plans or requests. A member of the Board of Directors, a member of the ACC or a member of the management company may conduct periodic inspections of the project while it is under construction and upon completion to insure compliance with the approved application. If construction is found not to be in accordance with the approved plans, the Board of Directors and/or the ACC may require the Builder or Homeowner to remedy the discrepancies. If the Owner fails to remedy such non-compliance or fails to commence and continue diligently toward achieving compliance within the time period stated in the notice, then such non-compliance shall be deemed to be in violation of the Declaration and these Design Guidelines. In such case, Tuscany Square has the right to initiate legal action by the authority of the Declaration. If a homeowner fails to complete an ACC application and does not receive ACC approval for an architectural change and has proceeded with the architectural change anyway, then Tuscany Square has the right to initiate legal action by the authority of the Declaration.

6. Appeal Procedures

Following a denial of a request by the ACC, the requestor shall have the right to appeal the decision to the Board of Directors. To exercise this right, a written notice of appeal must be received by the managing agent or manager, if any, or President or Secretary of the Board of Directors within thirty (30) days after the request denial date.

F. Design Review Application

1. Application for Review

The Owner shall submit the Application for Review to the management company, for review by the ACC. Such Application for Review shall meet the following requirements:

- a. Owner's name, address, and telephone number, Type of project; and Project Address
- b. Nature of Request

The Owner shall attach a written description of the proposed project to the application for review. If the application for review is being re-submitted pursuant to an appeal of the ACC's decision, the application shall state clearly such fact.

All applications for review shall be addressed to the appropriate committee at the address set forth on the cover of these Design Guidelines.

c. Review Fees

There will be no fee required by the ACC for the initial review and appeal. In the event a professional opinion is needed in the application process, a fee may be charged.

d. Plans

All applications for construction shall include plans for review. These plans shall illustrate the design and visual quality of the project as well as how the project complies with these Design Guidelines.

e. Landscape Plans and Other Site Improvement Review

An Owner/Occupant may plant a reasonable number of natural flowers or approved plants in the flowerbeds in the area along the wall leading to the front door, and any plant/shrub may be replaced with any plant/shrub on the approved list of shrubs and plants without ACC approval. No artificial flowers of any type (plastic, silk, etc.) may be planted in the ground. Ornamental artificial greenery, such as ferns and ivy, may be used in pots or urns. No modifications of any kind may be made to the driveway/landscaping planting strips. Refer to Section IV – Landscape Plants for a list of pre-approved shrubs. Any other landscaping in the front yard must have prior ACC written approval. In the event any trees, shrubs, bushes or other landscaping contained within the front yard of a Lot require replacement, the Association shall cause same to be replaced and charge the costs thereof to the Lot Owner's assessment account as a Special Individual Assessment which is payable on demand and secured by the lien created in Article 6 (of the Declaration) if the homeowner does not proactively replace the dead plant.. Any landscaping in the rear yard which interferes with or obstructs proper drainage may be removed by the Association, or its agents with the costs of removal charged to the Lot Owner's assessment account as a Special Individual Assessment which is payable upon demand and secured by the lien created in Article 6 (of the Declaration).

In most cases, the materials required for a submittal of this type will not have to be professionally prepared, but at a minimum should be drawn to scale and shall have sufficient detail to permit a comprehensive review by the ACC. The following guidelines should be utilized in preparing drawings or plans:

- a. The drawings or plan should be prepared at a scale of 1"=10'0" or 1"=20'0" and should depict the property lines of the lot and the "footprint" of the home as located on the lot. Existing improvements, in addition to the home, should be shown on the drawing and identified. Such existing improvements include driveways, easements, walkways, decks, trees, shrubs, etc.
- b. Plans for any other site improvements, including but not limited to play/sports equipment, dog runs, hot tubs, trellises, retaining walls, fencing, lighting, gazebos, etc. shall be shown on the plan with a description of the proposed improvements, including the materials, and colors to be used. In the case of structural improvements (trellises, gazebos, fencing, etc.) an elevation drawn to scale of the proposed improvement is required.

2. Additional Information

The ACC may require the submittal of additional plans, drawings, specifications, samples or other material if deemed necessary to determine whether a project will comply with these Design Guidelines.

3. Variances

The ACC or Board of Directors may grant variances when circumstances require deviation from these Design Guidelines. Such circumstances may include limitations caused by topography, natural obstructions, or other environmental considerations. The ACC shall have the power to grant a variance from strict compliance in such circumstances, so long as the variance does not result in material violation of the Declaration and is compatible with existing and anticipated uses of the adjoining properties. No variance shall be effective unless approved in writing. Note: the Variance must comply with all City Codes.

Section IV: Design Guidelines

A: Changes Requiring Review/Approval

Decks/Patios:

ACC approval is required prior to installation of a deck or patio. Decks and patios must be located in the rear yard. When a deck or patio scheme includes other changes, such as lighting, hot tub, under-deck storage (applicable to elevated decks), etc., these changes should also be included on the ACC form. Any such decks or patios shall be located so as not to obstruct or diminish the view from or create a nuisance for adjacent property owners.

All visible deck material should be lumber, natural stone, or brick. Any metal supports used in the construction must be wood covered to complete the wood appearance (ornamental iron or other material is subject to approval). The type of material used in construction must be included in the ACC application.

Patio covers and posts should be constructed of wood or of a material generally recognized as complementary to the residence and shall be similar to or generally recognized as complementary in color to the exterior color of the residence. Open patios should be integral part of the landscape plan and should be located so activities do not create a nuisance for adjacent property owners. The patio color shall be similar to or generally accepted as a color complementary to the color of the residence. Enclosed patios shall be constructed of materials that are similar to or generally accepted as complementary to those of the residence. Offsite drainage shall not be impacted by deck construction.

Painting/Staining of Decks

Protection of decks is encouraged. If an Owner chooses to stain the deck, they should use a natural wood or clear stain color. Paint is not acceptable.

Accessory Structures

ACC approval is required prior to construction of any accessory structure, including but not limited to sheds and permanently installed playhouses. Applications for accessory structures will be reviewed with regard to Lot size, setbacks, and primary building size. Accessory structures should serve as functional elements and enhance the aesthetic qualities and visual theme of Tuscany Square. Accessory structures such as permanent storage sheds and gazebos shall be located in the rear yard only, shall not be visible from the street, and shall adhere to the standards herein. Storage sheds, and gazebos shall be architecturally compatible with the home. Accessory structures shall meet the following criteria:

- a. Accessory structures shall be of the same color, material, and architectural style as the main residence or of color, material, and style that is generally recognized as complementary to that of the main residence.
- b. An accessory structure's roofing materials shall match those of the main residence.
- c. Accessory structures shall conform to rear yard setbacks.

- d. Accessory structures shall not unreasonably obstruct any adjacent neighbor's view.
 - a. Sheds placed on a homeowner's property, shall be no higher (including the roof) than the height of the owner's property fence.
 - b. Sheds may be either wood or metal construction:
 - i. Wood Constructed Sheds
 - 1. The shed shall be the same color as the residence siding with the roof shingles the same style/color as the shingles on the residence.
 - 2. or, the shed may be stained the same color as the approved residence fence color, with the roof shingles the same style/color as the shingles on the residence
 - ii. Metal Constructed Sheds
 - 1. The shed and roof shall be the same color as the residence siding.
 - c. Sheds may not be visible from the homeowner's property front or side streets.
 - d. All shed requests are reviewed on a case-by-case basis; based on Lot location.

Fences

All fences are to be kept in good repair by the owner. New or replacement fences will require approval of the ACC, even if constructed on the same line as the old fence. A boundary survey should be completed prior to completion of an ACC form for construction of a fence at a new location and such boundary survey must be provided with the ACC request form. It is the responsibility of the homeowner to verify that property lines are maintained. Failure to construct a fence within the property lines could result in the homeowner having to remove the fence.

Fencing between Lots shall be of wood material, of cedar material or better, have slats four (4") to eight (8") inches wide which are installed vertically only (not horizontally or diagonally), is no higher than six feet (6'), and is not painted any color. The exterior of the fence must be a uniform stained color to match existing fence surface.

Exterior Modifications

ACC approval is required prior to changing or adding exterior lighting. In reviewing lighting requests, the ACC will consider the visibility, style, location and quantity of the light fixtures. Following is a list of pre-selected lighting items, which still require approval paperwork, but are standardized for the community:

Lighting

1.) Rear porch light replacement

Royce Lighting

1 Light Convertible Outdoor Lantern SKU #37487 (@ Lowe's)

<http://www.lowes.com/lowes/lkn?action=productDetail&productId=37487-18918-RL1407BK>

2.) Front porch light replacement

Prime

Rust Wall Mount Lantern SKU #42698 (@ Lowe's)

<http://www.lowes.com/lowes/lkn?action=productDetail&productId=42698-1486-340-07>

Portfolio

1-Light Outdoor Wall Mount Fixture SKU #230098 (@ Lowe's)

<http://www.lowes.com/lowes/lkn?action=productDetail&productId=230098-17771-4181RT>

3.) Light Bulbs

All exterior light bulbs must be white. While we recommend using fluorescent to reduce energy consumption, incandescent is acceptable, as long as it's white in color. IKEA, Wal-Mart and other retailers have fluorescents that appear to be "regular bulbs," if you dislike the look of the compact fluorescent spiral design.

4.) Landscape lighting

Wired (flood light style):

Malibu® 4-pack Light Metal Halogen Flood Light Set SKU # 135213 (@ Lowe's)

Owners in end units may use two sets, for a total of 8 lights.

<http://www.lowes.com/lowes/lkn?action=productDetail&productId=135213-251-LT90704T>

Wired (path light style):

-Black

Malibu Triple-Tier Low Voltage Light SKU # 134502 note price is each piece

<http://www.lowes.com/lowes/lkn?action=productDetail&productId=134502-000000251-LT13>

-Sand

Malibu Triple-Tier Low Voltage Light SKU # 5579 note price is each piece

<http://www.lowes.com/lowes/lkn?action=productDetail&productId=5579-251-CL191SL>

note: use of these lights also requires the purchase of a power pack, which is one that powers up to 4 lights

Solar:

Malibu 4-pack Light Metal 3 Tier Solar Walk Light SKU # 130181

<http://www.lowes.com/lowes/lkn?action=productDetail&productId=130181-000000251-LZ10131-4>

A solar flood light option was not selected because the technology is not yet where it needs to be to provide effective light. While these lights are a little bit more expensive than other options, they are metal and will hold up well over time.

No plastic landscape lighting of any kind may be used.

The following items are also available @ Home Depot:

-Malibu Wired spot lights
SKU 501-504

-Malibu Wired 3-tier lights
black SKU 400-917
sand SKU 432-738

5.) Storm doors

Pella®

36" Ashford Storm Door SKU # 109365 (@ Lowe's)

note: this SKU is the white door. The only approved color is BROWN, which is a special order that takes about two weeks, and costs slightly more than white.

<http://www.lowes.com/lowes/lkn?action=productDetail&productId=109365-76350-109365&pad=true>

6.) Landscape Edging

Green metal edging is the only approved landscape edging. No plastic edging of any kind is allowed. Lowe's and Home Depot both carry an acceptable style of approved metal edging. It must be installed to where no more than 2" is exposed. It must also be maintained on an ongoing basis.

Edging may only be installed at the front door flower bed or in the back yard, it may not be installed in the driveway flowerbed that divides driveways.

7.) Landscaping plants

Approved shrubs:

-Indian Hawthorne
-Dwarf Burford Hollies
-Fringe Flower
-Nandinas
-Japanese Boxwoods
-Japanese Yaupons

See Section F.1.e. for planting flowers or shrubs. If a shrub dies, it should be replaced by the homeowner with the same species and size of shrub, or with one of the approved shrubs listed above. Flowers and other non-shrub plants may not be installed in the driveway flowerbed that divides the driveways.

2. Lifestyle Accessories

Clotheslines

Clotheslines and clothesline supports are not permitted.

Dog Runs

Dog runs require prior written ACC approval and will be reviewed on a case-by-case basis. Dog runs shall be located within side and rear yards in such a way that they are not visible to neighbors or, community open space. The ACC will evaluate the proposed location and size of the dog run with consideration given to its impact on adjacent properties and streets. Generally dog run fence height should not exceed five (5) feet. The dog run fencing should be immediately adjacent to the home and compatible with the home in material and color. Dog runs shall be well screened with landscaping from neighboring properties and streets. "Dog kennels" are not permitted under any circumstance, per the Declaration document.

Gazebos and Greenhouses

ACC written approval is required prior to the construction of any gazebo or greenhouse. Any gazebo or greenhouse should be an integral part of the landscape plan.

Recreation and Play Equipment

No jungle gyms, swing sets, trampolines, similar playground equipment, tennis courts or such other recreational equipment shall be erected or installed on any Lot without prior written approval of the ACC in accordance with Article IX hereof, including the type of construction materials, colors and location. Any approved recreation equipment should be removed when a home is sold and should not be passed on to the new homeowner. The installation of any such recreational equipment without the prior written approval of the ACC, the Association shall, by and through the Board of Directors, have the right, but not the obligation, to demand and cause the removal of any such installation.

No basketball hoops or backboards of any type, whether mounted on a pole, directly onto the home, or freestanding may be used at any time.

The above items are to be used as a guideline only. All recreation equipment must be maintained in good condition and working order.

Spa/Swimming Pools

The ACC will review requests for spas, "hot tubs", Jacuzzi, etc. Any spa shall be located in the rear yard in such a manner that it is not immediately visible from adjacent property. Spas should be designed as an integral part of the deck or patio area where they are located.

Window Screens - Solar

The ACC will review requests for solar window screens on a request-by-request basis. Professionally installed, tan-colored screens will generally be allowed on the rear of the home, with approved submittal. Other window locations will be examined on a case-by-case basis.

**Townhomes of Tuscany Square
Owners' Association, Inc.**

Architectural Control Committee

Townhomes of Tuscany Square Owners' Association, Inc. has an active Architectural Control Committee (ACC). Their mission is to help maintain and protect the overall attractive appearance of the Community for the benefit of all homeowners. Their function is to review submitted ACC applications for compliance with the governing documents.

The Declaration of Covenants, Conditions and Restrictions (DCCR's), Article 3 details the guidelines for Architectural Control. ***A basic rule of thumb is to submit a request for any exterior change you wish to make to your home.*** Examples of this are painting, storage shed, satellite dishes, landscaping projects, swimming pool, fence alterations, patio extension, deck, patio cover, etc.

The homeowner shall:

- Fill out the attached form with a written description of improvements you wish to make.
- Provide a copy of the plot plan (blueprint of your lot and home, which you should have received at closing.)
- Provide detailed specifications of the improvement to include size, height, width, color, material used, and location.
- Provide a manufacturer's picture of the completed project if available.
- Provide the height and material of your fence if applicable.
- Turn in request to the management company
-

The ACC shall:

- Review your request.
- Inspect the location of your requested improvement.
- Contact you with any questions they may have regarding your improvement.
- ***Respond to your request in writing with a determination within 30 days as per the DCCR's.***

If you should have any questions regarding this process or any other concerns, please feel free to contact the management company.

Townhomes of Tuscany Square Owners' Association, Inc.

Please complete this application for an improvement to be submitted to the Townhomes of Tuscany Square Architectural Control Committee (ACC) for review and determination. The ACC will review your information and will approve or deny your request in writing. Unless requested neither the determination nor duplicate copy of submitted plans will be returned via certified mail.

Name

Address

Business Telephone No.:

Home Telephone No.:

Legal (section/lot/block):

Date:

Item(s) (list separately):

Please include detailed specifications (size/height/color/etc.) along with a copy of your plot plan detailing the location of the requested improvement(s) and a photo of the completed project (if available) in order to expedite your request.

ACC USE ONLY:

Approved:

Declined:

Date

Date

Comments:

Filed and Recorded
Official Public Records
Stacey Kemp
Collin County, TEXAS
10/09/2007 10:22:29 AM
\$84.00 TFOSTER
20071009001387910



Please return to: SBB Management Company

Attn: Tuscany Square Administrator, 2611 Internet Blvd., Ste. 124, Frisco, TX 75034

or Fax Number (214) 705-1527