

AFTER RECORDING, PLEASE RETURN TO:

**Judd A. Austin, Jr.
Henry Oddo Austin & Fletcher, P.C.
1700 Pacific Avenue
Suite 2700
Dallas, Texas 75201**

**NINTH SUPPLEMENTAL CERTIFICATE AND
MEMORANDUM OF RECORDING OF DEDICATORY
INSTRUMENTS FOR TOWNHOMES OF
TUSCANY SQUARE OWNERS' ASSOCIATION, INC.**

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

The undersigned, as attorney for Townhomes of Tuscany Square Owners' Association, Inc., for the purpose of complying with Section 202.006 of the Texas Property Code and to provide public notice of the following dedicatory instrument affecting the owners of property described on Exhibit B attached hereto, hereby states that the dedicatory instrument attached hereto is a true and correct copy of the following:

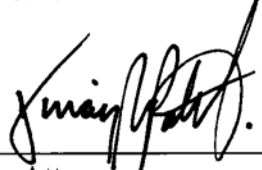
- ***Addendum to the Tuscany Square Design Guidelines Dated August 28, 2007*** (Exhibit A).

All persons or entities holding an interest in and to any portion of property described on Exhibit B attached hereto are subject to the foregoing dedicatory instruments.

IN WITNESS WHEREOF, Townhomes of Tuscany Square Owners' Association, Inc. has caused this Ninth Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments to be filed with the Office of the Collin County Clerk, and supplements that certain Certificate and Memorandum of Recording of Association Documents filed on May 24, 2006, and

recorded as Instrument No. 2006-0524-000707740; that certain First Supplemental Certificate and Memorandum of Recording of Association Documents filed on June 16, 2008, and recorded as Instrument No. 2008-0616-000721930; that certain Second Supplemental Certificate and Memorandum of Recording of Association Documents filed on October 19, 2009, and recorded as Instrument No. 2009-1019-001283190 in the Official Public Records of Collin County, Texas; that certain Third Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments filed on January 23, 2012, and recorded as Instrument No. 2012-0123-000077710 in the Official Public Records of Collin County, Texas; that certain Fourth Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments filed on January 23, 2013, and recorded as Instrument No. 2013-0124000107300 in the Official Public Records of Collin County, Texas; that certain Fifth Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments filed on April 1, 2013, and recorded as Instrument No. 2013-0401000430160 in the Official Public Records of Collin County, Texas; that certain Sixth Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments filed on May 29, 2013, and recorded as Instrument No. 20130529000734480 in the Official Public Records of Collin County, Texas; that certain Seventh Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments filed on April 21, 2014, and recorded as Instrument No. 20140421000380320 in the Official Public Records of Collin County, Texas; and that certain Eighth Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments filed on February 9, 2015, and recorded as Instrument No. 20150209000136730 in the Official Public Records of Collin County, Texas.

**TOWNHOMES OF TUSCANY SQUARE
OWNERS' ASSOCIATION, INC.**

By: 
Its: Attorney

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

BEFORE ME, the undersigned Notary Public, on this day personally appeared Vinay B. Patel, attorney for Townhomes of Tuscany Square Owners' Association, Inc., known to me to be the person whose name is subscribed on the foregoing instrument and acknowledged to me that he executed the same for the purposes therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND AFFIRMED SEAL OF OFFICE on this 9th day of February, 2015.


Notary Public, State of Texas

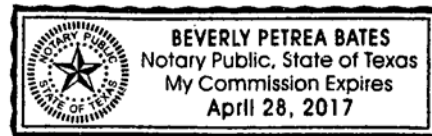


EXHIBIT A

ADDENDUM TO TUSCANY SQUARE DESIGN GUIDELINES DATED AUGUST 28, 2007

The following recommendations from the ACC were submitted and approved by the Tuscan Square Homeowners Board of Directors on January 26, 2015.

Reference Page 10, Fences

The following guidelines are established for fence repairs and/or replacement. In addition to ACC approval prior to construction of a new fence, a permit is required from the City of Frisco and specifications must meet their guidelines listed in Section 18-491 – Wooden Fence Standards.

1. The owner may submit a request to replace their fence after coordination and permission of joint owner properties has been secured in writing.
2. The fence shall be of equal or better quality wood construction to the original fence. An owner may upgrade, i.e. white wood to cedar, upon approval from the ACC. The ACC highly recommends but does not require the use of cedar planks. All vertical posts on new fences shall be galvanized steel with a minimum of 2³/₈ inch diameter, a minimum 15 gauge thickness, and set in a concrete footing.
3. All fences must be made from white wood or cedar planking with the following dimensions and can be single slat or board on board: 6 ft. in height; ½ to 1 inch in thickness; and 4 to 6 inches in width. Kick boards and top caps are allowed. Step downs, if required due to the slope of the yard, should be built so that the sections of the graduated stair steps are as equal in length as possible. The total height of the fence including kick board and top cap cannot exceed 7 ft. in any section of the fence.
4. It is recommended that fences be painted/stained every five years in order to preserve the life of the fence. The following approved paint/stain colors or an equivalent product in the medium to dark brown color range can be used.

Lowe's

New fences only: Olympic transparent toner – Canyon Brown

New and old fences: Olympic solid color stain – Chocolate or Timberline (note: these colors will cover like paint; there will be no wood grain showing)

Home Depot

New fences only: Behr semi-transparent stain – Chocolate #ST 129

Old fences only: Behr solid color stain – Chocolate #SC 129 (note: this product will cover like paint; there will be no wood grain showing)

5. An owner may either repair their fence or construct a new one. If repaired the entire fence must be painted to match with an approved color. Replacement of one or more sides of a fence requires ACC approval.
6. If the HOA Board of Directors determines that an owner's fence is in need of repair or replacement, the Board will give the homeowner a notice in writing of what the Board expects the homeowner to correct. Notices and any subsequent actions will be in accordance with the HOA violation process.

Reference Page 11, Exterior Modifications, Landscape Lighting

Landscape lighting cannot be installed along the driveways, in the beds that divide the driveways, or in any area that would interfere with landscape maintenance.

Reference Page 13, 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. The maximum height of recreation or play equipment cannot exceed 7 ft.

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 recreational equipment must be maintained in good condition and working order.

Reference Page 14, Seasonal Accessories

Fabric Canopies/Gazebos

ACC approval must be obtained prior to installation of fabric canopies/gazebos over the backyard patio. The fabric must be a solid neutral earth tone color (beige/brown). No advertising or logos are allowed on the fabric. The structure must be maintained in good condition.

Umbrellas

Retractable patio table umbrellas are permitted and do not require prior approval by the ACC. Umbrellas must be maintained in good condition.

EXHIBIT B

Those tracts and parcels of real property located in the City of Frisco, Collin County, Texas and more particularly described as follows:

- (a) All lots and tracts of land situated in **TUSCANY SQUARE, PHASE 1, an Addition to the City of Frisco, Collin County, Texas, according to the Plat recorded in Cabinet P, Page 636 of the Map Records of Collin County, Texas;** and
- (b) All lots and tracts of land situated in **TUSCANY SQUARE, PHASE 2, an Addition to the City of Frisco, Collin County, Texas, according to the Plat recorded in Cabinet Q, Page 302 of the Map Records of Collin County, Texas, Texas.**



Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
02/09/2015 10:32:55 AM
\$42.00 DFOSTER
20150209000139530

Stacey Kemp