

AFTER RECORDING, PLEASE RETURN TO:

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**ELECTRONICALLY RECORDED 201600304795
10/28/2016 04:55:13 PM DEDICATION 1/17**

**SECOND SUPPLEMENTAL CERTIFICATE AND MEMORANDUM
OF RECORDING OF DEDICATORY INSTRUMENTS FOR
SILVER CREEK CROSSING
PROPERTY OWNERS ASSOCIATION**

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

The undersigned, as attorney for the Silver Creek Crossing Property Owners Association, for the purpose of complying with Section 202.006 of the Texas Property Code and to provide public notice of the following dedicatory instruments affecting the owners of property described on Exhibit "B" attached hereto (the "*Property*"), hereby states that the dedicatory instruments attached hereto are true and correct copies of the following:

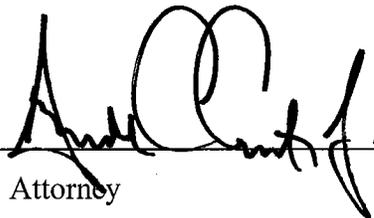
- ***Silver Creek Crossing Property Owners Association, Inc. - Architectural Review Committee Guidelines*** (Exhibit "A").

All persons or entities holding an interest in and to any portion of Property are subject to the foregoing dedicatory instrument.

IN WITNESS WHEREOF, the Silver Creek Crossing Property Owners Association has caused this Second Supplemental Certificate and Memorandum of Recording of Dedicatory

Instruments to be recorded in the Official Public Records of Dallas County, Texas, and serves to supplement that Certificate and Memorandum of Recording of Dedicatory Instruments filed on May 13, 2015, as Instrument No. 201500121936 in the Official Public Records of Dallas County, Texas; and that certain First Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments filed on July 22, 2016, as Instrument No. 201600201060 in the Official Public Records of Dallas County, Texas.

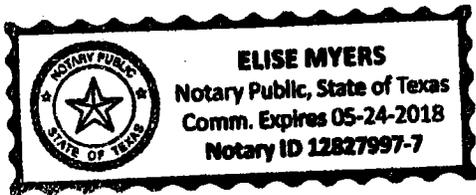
**SILVER CREEK CROSSING
PROPERTY OWNERS ASSOCIATION**

By: 
Its: Attorney

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

BEFORE ME, the undersigned Notary Public, on this day personally appeared Judd A. Austin, Jr., attorney for the Silver Creek Crossing Property Owners Association, 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 the 28th day of October, 2016.



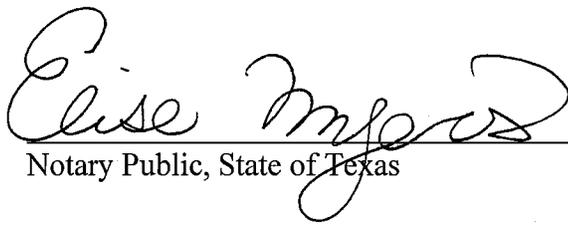

Notary Public, State of Texas

EXHIBIT A

SILVER CREEK CROSSING HOMEOWNERS' ASSOCIATION, INC. ARCHITECTURAL REVIEW COMMITTEE GUIDELINES

MISSION STATEMENT

The purpose of the Architectural Review Committee (the "ARC") is to ensure a high level of taste, design, quality and conformity within Silver Creek Crossing in order to maintain a first-class community development. This committee should be staffed by no less than 3 nor more than 5 resident members and serve the Association under the supervision of the elected Board of Directors.

DUTY OF MAINTENANCE

Duty of Maintenance

The owners and occupants (including lessees) of each lot shall, at his sole cost and expense, keep his Lot, Dwelling Unit, and all modifications in a well-maintained, safe, clean and attractive condition at all times. Such maintenance includes, but is not limited to, the following:

1. Prompt removal of all litter, trash, refuse and waste;
2. Mowing of grass on a regular basis;
3. Tree and shrub pruning;
4. Adequate watering of landscaped areas;
5. Keeping exterior lighting and maintenance facilities in working order;
6. Keeping lawn, garden and landscaped areas alive, free of weeds, and attractive;
7. Keeping parking areas, walkways and driveways in good repair;
8. Complying with all government health and police requirements;
9. Repair of exterior damages to improvements;
10. Repainting of improvements.

ARC GUIDELINES

Preamble

Unless expressly stated otherwise herein, all exterior construction, improvements, repairs, building material changes, or color changes shall be submitted to the ARC for approval prior to work commencing. Nothing contained herein shall be deemed a waiver of covenants, conditions and restrictions set forth in the By-Laws, Deed Restrictions or Articles of Incorporation. In addition, this document updates, consolidates, amends and/or restates any previous documentation regarding all exterior construction, improvements, and repairs, building material changes or color changes allowable by the Association. Any violation which pre-dates this document may be waived at the discretion of the ARC and the Board of Directors on a case-by-case review. Any violation which is to be substantially repaired or replaced must then be brought into compliance with the regulations of this present ARC guidelines.

ARTICLES:

I Storage shed, outdoor kitchens and other outbuilding and structures

All storage sheds, outbuildings, gazebos, greenhouses, or other detached accessory buildings (exclusive of detached garages):

- 1.1. Shall contain no more than 120 square feet of floor space.
- 1.2. Shall be placed within the fenced-in portion of a Lot behind the dwelling unit.
- 1.3. No portion of the structure may be more than 24" above the sidewall fence height, shall not be visible from the street or adjacent lots unless it is built with materials that match the dwelling unit and screened from adjacent lots, streets and common areas, as the case may be.
- 1.4. Shall not have a cinder block exterior surface.
- 1.5. If stained, stained to match or compliment the structure of the dwelling unit and if not stained, painted to match or compliment the structure of the dwelling unit.
- 1.6. Detached accessory buildings may not be used as living quarters or leased to third parties.
- 1.7. No accessory building may encroach into any utility easements of the homeowner's lot unless all utility companies involved have granted written consent to such encroachment. It shall be the sole responsibility of the homeowner to secure said consent from the respective utility companies.
- 1.8. Must comply with such additional requirements as the ARC may reasonably determine after review of the accessory building plans and specifications.
- 1.9. All chimneys, smokestacks, or combination structures shall be installed in the manner set forth in the DeSoto City Code.
- 1.10. The finished height of the smokestack on any chimney or fireplace not attached to the dwelling unit shall not exceed a height of ten feet (10') from the ground.

II Sports Goals and Related Objects

- 2.1. Permanent basketball goals are allowed only after submitting a request for approval before installation, subject to ARC approval of the location. A sketch showing the location of goal post and type of goal must be included in the application.
- 2.2. The basketball goal backboard, net, mounting bracket and/or post must be kept in usable condition and acceptable appearance.
- 2.3. Basketball goals not properly maintained on a goal pole will be required to be removed at the homeowner's expense.
- 2.4. Portable goals (including, but not limited to, basketball, soccer and lacrosse goals and other sports nets shall not be used so that play occurs in the street or alley.
- 2.5. All goals, whether permanent or portable, must be located so that stray balls do not become a nuisance in adjacent neighbors' yards, cause a safety hazard to vehicle traffic, or result in damage to adjacent neighbors dwelling or surrounding fence structure.
- 2.6. Basketball goals, soccer goals, lacrosse goals, sports nets or similar recreational items may not be permanently placed in the front yard of a dwelling unit. Such

items may be placed in the front yard during use, so long as play does not occur in the street or alley. Such items may NOT be stored in the front yard when not in use, any and all accessories used must be put away and not be left in the front yard.

- 2.7. Batting cages are not permitted.

III Awnings, Overhangs and Patio Covers

- 3.1. Awnings, overhangs and patio covers must be approved by the ARC prior to installation and generally expressive of the community's character.
- 3.2. Awnings, overhangs and patio covers shall only be permitted in the backyard.
- 3.3. Covers of aluminum, sheet metal or tin are not permitted without prior approval of the ARC.
- 3.4. If attached to the house, patio covers must be integrated into the existing roof line (flush with eaves) and, if it is to be shingled, shingles must match the house roof.
- 3.5. Patio covers shall be constructed of quality materials that are architecturally compatible with the finish of the dwelling unit.
- 3.6. Types of materials recommended for patio covers are cedar, pressure treated pine, and/or oak for open lattice structures or lanais.

IV Outdoor Fireplaces

- 4.1. Installation of permanent outdoor fireplaces, barbeque pits, fire-pits, etc., requires advance written approval by the ARC. Outdoor fireplaces, barbeque pits, fire-pits, etc., shall be consistent with all applicable governmental codes, including, without limitation, the regulations of the City of DeSoto. It shall be the sole responsibility of the homeowner to obtain a permit from the City of DeSoto at the time of application.
- 4.2. Outdoor fireplaces shall be located within the fenced-in portion of the affected lot behind the dwelling unit, and shall be constructed of quality materials that are architecturally compatible with the finish of the dwelling unit. Outdoor fireplaces with highly independent designs, overly ornate designs, or commercial-looking designs are not allowed. Unfinished or painted precision concrete block is not allowed.
- 4.3. Outdoor fireplace shall not exceed 24" in height above the top of the perimeter wall or fence. Outdoor fireplaces ten feet (10') or greater from the main dwelling also requires a fifteen foot (15') setback from the rear property line. If the outdoor fireplace is attached to the main structure, it must provide a minimum three-foot (3') clearance above the roofline and two-foot (2') clearance above all structures within ten feet (10') of the fireplace chimney.

V Room Additions

- 5.1. Room additions will only be considered if they are constructed of an exterior facade that matches the existing facade of the dwelling unit and complies with the seventy-five percent (75%) overall exterior masonry requirement for the first floor of the

- dwelling unit, excluding windows, doors and gables, and roofed with materials matching and comparable to the rest of the dwelling unit. Any such addition structure must be in compliance with all building codes of the City of DeSoto.
- 5.2. Project must have a permit from the City of DeSoto at the time of application.
 - 5.3. Project must have a complete duplicate set of certified architectural plans and specifications and survey and such other drawings as the ARC may reasonably require.

VI Exterior Paint

- 6.1. When an Owner intends to repaint or repair an original or previously approved and applied color scheme or repair a damaged or deteriorated portion of the existing structure, the work may proceed without an application to the ARC for approval provided such repainting is of same color and with respect to repairs, the repairs when completed will be of the same quality and appearance as it was before the damage, destruction or deterioration. All other painting, repairs or refurbishing work must be submitted to the ARC for approval, including but not limited to, front doors, rear doors, and garage doors, siding, trim, caves, downspouts, shutters and fencing.
- 6.2. Color changes must be approved by the ARC. The ARC shall approve any color scheme generally expressive of the community's character and in harmony with the houses within the subdivision. Color of brick used on the dwelling unit and color of neighboring dwelling units are taken into consideration. The use of earth tones and natural colors are encouraged. Bold colors and primary colors are not permitted. A color sample must accompany the ARC Application.
- 6.3. Existing color of the front door painted by the builder or an Owner from an approved color can be repainted the same color without ARC approval. Any change from the builders painted color or any change from the existing approved color on the front door must have ARC approval.
- 6.4. Homeowners are responsible for maintaining all painted surfaces. Painted surfaces should be maintained in an appropriate condition.

VII Front Doors, Storm Windows and Storm Doors

- 7.1. Front doors must be maintained. They may be stained natural wood color, or painted the same color as the house trim without application to the ARC for approval. If not stained a natural wood color or painted the same color as the house trim, the color must follow the guidelines of Article VI above and application to the ARC for approval made, if applicable.
- 7.2. All front-facing storm doors must be a full glass door. The frames of the storm windows and storm doors must be of a color compatible with the exterior house colors and/or general use and appearance of the dwelling unit. Paint colors must follow guidelines of Article VI.
- 7.3. All screens on the front door are to be part of a metal-framed storm door.

VIII Decks

- 8.1. All decks shall be constructed behind the fence line in the back yard of the Affected Lot.
- 8.2. Decks may not encroach into any utility easements unless the utility companies involved have granted written consent to such encroachment. It shall be the sole responsibility of the homeowner to secure said consent from the respective utility companies.
- 8.3. Decks shall be situated on a lot such that they do not pose a problem with drainage of the lot or from any adjacent lot.
- 8.4. Any and all decks are to be constructed below the fence height.
- 8.5. No ARC approval is required unless any portion of the deck structure exceeds the height of the fence.

IX Swimming Pools and Spas

- 9.1. Pools or spas may not encroach into any utility easement of a homeowner's Lot unless the utility companies involved have granted written consent to such encroachment. It shall be the sole responsibility of the homeowner to secure said consent from the respective utility companies.
- 9.2. Pools or spas must meet all building set-back line and easement restrictions on the recorded plat. Grade changes permanently affecting lot drainage is prohibited during construction of pool.
- 9.3. Pools or spas may only be placed within the fenced-in portion of the property behind the residence and must comply with applicable city statutes and codes.
- 9.4. All pool or spa equipment and tools must be screened from view from other lots, streets and common areas.
- 9.5. Above ground spas may be permitted if the spa is self-contained within a frame designed to be mounted on an appropriate slab or support system and is not visible from other lots, streets and common areas.
- 9.6. Above ground spas as described in 9.5 do not require ARC approval.
- 9.7. Above ground pools are not permitted.

X Solar Panels/Screens

- 10.1 Solar panels may be placed on rear or side facing roofs and walls, flush with the surface on which they are mounted so long as the installation complies with all DeSoto city codes.
- 10.2. Notwithstanding the foregoing, the ARC will review any and all regulations, ordinances, laws and statutes which regulate the ability of the HOA to restrict the location of the energy efficient devices that are called to the attention of the ARC and will promptly modify Section 10.1 in the event the ARC is in violation of any current or future regulations related to Section 10.1 above.
- 10.3. Solar screens require ARC approval of an ARC Application requesting installation of same. The ARC Application should include, in part, the size and

type of solar screen requested, along with the design and color of the solar screen.

XI Antennas and Satellite Dishes

- 11.1. The ARC's ability to regulate the use of television, radio or other electronic towers, aerials, antennae, satellite dishes or devices of any type for the reception or transmission of radio or television broadcasts or other means of communications is regulated by the Telecommunications Act of 1996, as amended.
- 11.2. Only (a) "dish" antennas that are one meter (39.37") or less in diameter designed to receive direct broadcast satellite service or to receive or transmit fixed wireless signals via satellite, (b) antennas that are one meter (39.37") or less in diameter designed to receive video programming service via broadband radio service or to receive or transmit fixed wireless signals and (c) antennas that are designed to receive local television signals (collectively, the "Permissible Antennas") are permitted to be installed on a dwelling unit.
- 11.3. To the extent that receipt of an acceptable signal would not be impaired, permissible antennas shall be installed behind the dwelling unit or on the side of the dwelling unit towards the rear, screened from the streets as may be required in DeSoto city codes and to the extent reasonably practicable integrated with the dwelling unit and surrounding landscape.
- 11.4. No antennas shall be permitted to be installed for AM/FM radio, amateur (ham) radio, citizen band (CB) radio or digital audio radio services (DARS) unless the regulations related to the Telecommunications Act of 1999 are subsequently amended.

XII Fences, Fence Extensions, Fence Modifications, and Walls

- 12.1. No fence or wall shall be erected or maintained on any Affected Lot nearer to the street than the building setback lines for the front and side yards.
- 12.2. No fence or wall shall be erected or maintained on any Affected Lot taller than eight feet (8') from the ground.
- 12.3. When a homeowner intends to rebuild, replace or repair an original or previously approved and erected fence or wall to the same color scheme, with similar materials and construction details as used in the original fence or wall, the work may proceed without an application to the ARC.
- 12.4. Wood fences may either be natural wood without stain or natural wood with clear stain.
- 12.5. Any staining or varnishing of a wooden fence other than to a previously approved and applied color must be approved by the ARC. No color painting is allowed on a wooden fence, wrought iron or wrought iron like fences (tubular steel).
- 12.6. No chain link or plastic fence shall be permitted on any lot that is visible from any adjoining lot, street, or common area.
- 12.7. Wooden fences must be treated with transparent or semi-transparent, brown or wood colored stain. No fence, other than masonry, wood, wrought iron or wrought-iron-like (steel or aluminum), or vinyl fences shall be permitted.

- 12.8. All wooden fences shall have the post and stringers on the interior yard side of the fence. Pickets must face the exterior.
- 12.9. Fences and walls must be maintained in good condition with no loose or broken boards, rusty or squeaky hardware, or other unsightly or noisy conditions.
- 12.10. Fences and walls must comply with the requirements of the City of DeSoto and meet the sight distance requirements set forth in Section 8 of this document.

XIII Holiday Decorations, Flag Poles and Bird Houses

- 13.1. Any planned decorative appurtenances such as sculptures, elaborate birdbaths, permanently affixed to vertical freestanding flag poles, fountains or other decorative embellishments must be submitted to the ARC and approved before placement on front lawns, porches, sidewalks, or elsewhere where visible from the street in front of the house or from adjoining lots.
- 13.2. Permanent flag poles are to be used for flying only the United States or State of Texas flags. No permanent flag poles in front or rear of the home unless resident will follow the U.S Flag code (36USC10). Flag poles may not be illuminated and flags may not be flown after dark unless U.S. Flag code (36USC10) is followed.. Any planned permanent flagpoles must be submitted to the ARC and approved before placement.
- 13.3. Pole mounted birdhouses shall not exceed 10 feet in height and are strictly prohibited in the front portion of the house. Birdhouses must be in the back fenced portion of the dwelling unit and maintained in good condition and repair.
- 13.4. Any planned birdhouse on a freestanding pole must be erected at the rear of the property and must be submitted to the ARC and approved before placement.
- 13.5. Christmas, holiday or other festive decorations of a temporary nature for generally recognized holidays may be implemented without ARC approval. Decorations should not be installed more than four (4) weeks prior to the respective holiday and must be removed within two (2) weeks after the respective holiday.

XIV Exterior Lighting

- 14.1. Exterior lighting shall be of a wattage or lumen count that will not disturb neighboring homeowners. Refer to DeSoto City Code..
- 14.2. Exterior decorative lights, security lights, or floodlights must be aimed to provide light only to the homeowner's property and not shine on any neighboring property.
- 14.3. Mercury vapor, fluorescent, or sodium halide lights are not permitted.
- 14.4. Gas or electrical post lights may be erected. Such lights must be no taller than eight (8) feet in height and the illumination must be a low wattage only. Installation of this enhancement requires city permit and ARC approval before construction begins.

XV Wind Turbines and Ventilators

- 15.1. No wind turbines or wind powered electrical generators or pumps shall be allowed anywhere.
- 15.2. Attic ventilators must be finished to complement the roof or trim color and must be kept in good condition, lubricated, near silent and must not rust or be in a, corroded, or otherwise deteriorated condition.
- 15.3. All wind turbines, attic fans and ventilators must be reviewed by the ARC, unless existing devices are being replaced with like-kind devices.
- 15.4. Solar powered attic fans may be allowed but must be reviewed by the ARC.

XVI Swing Sets, Playhouses, Trampolines and Forts

- 16.1. A swing set or swing set section of a swing-fort combination unit shall not be taller than eight (8) feet.
- 16.2. A child's playhouse/fort may have a roof peak no higher than twelve (12) feet nor a platform no higher than six (6) feet from the ground.
- 16.3. All swing sets, playhouses, trampolines or forts must be kept in usable condition and acceptable appearance.
- 16.4. A swing set, playhouse, trampoline or fort shall be located in the rear or side of the house behind a fence and not compromise the aesthetics of Silver Creek Estates as determined by the ARC.

XVII Driveways, Vehicles, Mobile Homes and Trailers

- 17.1. The driveway portion of a lot may not be used for any purpose that interferes with its ongoing use as a route of vehicular access to the garage. A driveway may not be used for storage purposes, including the storage of boats or any type of trailer unless they are behind a line parallel to the front building line of the dwelling. Code regulations of the City of DeSoto may also apply to the repair or restoration of vehicles or placement of a storage shed.
- 17.2. Driveway expansions must be reviewed and approved by the ARC prior to any work commencing.
- 17.3. All vehicles on the Affected Lot, whether owned or operated by the residents or their families and guests are subject to the rules adopted by the Board. The Board may adopt, amend and repeal rules regulating the types, sizes, numbers, condition, uses, appearances and location of vehicles on the Property.
- 17.4. The following types of vehicles and vehicular equipment, mobile or otherwise, may not be kept, parked, or stored anywhere on the Affected Lot – including overnight parking on the streets and driveways, if the vehicle is visible from a street or from another lot (without the prior written permission of the Board): mobile homes, motor homes, buses, trailers, boats, aircraft, inoperable vehicles, commercial trucks, cabs or any other commercial vehicle, trucks with tonnage over one ton and other types of non-passenger vehicles, equipment, implements or accessories.
- 17.5. No homeowner shall park a motor vehicle, boat, trailer, recreational vehicle or

camper in any common area or on any public thoroughfare having displayed thereon any writing indicating such vehicle is for sale, which is visible from any thoroughfare.

- 17.6. DeSoto City code prohibits parking on grass or other unimproved surfaces.

XVIII Garage Conversions and Carports

- 18.1. No garage or any portion thereof shall be converted to a living space unless a new garage is constructed simultaneously with the conversion.
- 18.2. All dwelling units will have a minimum two-car garage door.
- 18.3. Carports for rear entry driveways only will be considered if they are constructed of brick exterior that matches the existing brick and roofed with materials matching the rest of the dwelling unit. (roof pitch, brick columns, shingles and paint.)
- 18.4. Carports made of aluminum, plastic or other metals are not permitted.

XIX Window Air Conditioners

- 19.1. No window units or wall-type air conditioners are permitted.

XX Signage, Advertisements, and Billboards

- 20.1. No billboards, posters, or advertising devices of any kind shall be displayed for public view on any lot.
- 20.2. Signs that give notice of work being conducted on a dwelling unit is permitted to be placed in the front yard of the dwelling unit during the period of time the contractor is performing services for the homeowner. Upon completion of the project the homeowner must remove any advertisement placed in the front yard by the contractor.
- 20.3. Signs that give notice of a home security system are permitted if not larger than one foot square. Window stickers that give notice of a home security system are also permitted.
- 20.4. Signs larger than one square foot and of the size typically used by real estate industry for residential homes are permissible for the purposes of advertising the residence for sale or lease. The sign must be fastened to a stake no higher than three (3') feet above the surface of the ground.
- 20.5. Temporary political and religious signs not exceeding 18" x 24" in size may be erected. They must be fastened to a supporting structure no more than (3') feet above the ground and must be removed no later than 7 days after the event.
- 20.6. School spirit signs are permissible if they are maintained in good condition and fastened to a stake no higher than (3') feet above the ground.

XXI Security Doors & Windows and Window Tint

- 21.1. Security treatments of doors and windows must be approved by the ARC prior to installation.
- 21.2. The use of "burglar bars", steel, wrought iron bars, or similar fixtures on the exterior of the window or door are prohibited.
- 21.3. Windows shall be of clear glass or a tinted glass of bronze, gray or smoke color. The use of reflective glass, aluminum foil or reflective tinting is prohibited. The use of after-market non-reflective window tint will be allowed so long as the homeowner uses bronze, gray or smoke color and receives ARC approval prior to installation.
- 21.4. Damaged windows are to be replaced and do not require ARC approval if replaced by like-kind window design compatible with the existing neighborhood.

XXII Yard, Flower Beds, Trim and/or Borders, Decorations

- 22.1. Each Owner of an Affected Lot will maintain (including watering, trimming and replacing) the yard, trees and shrubs in a manner comparable with the other Owners of Affected Lots. Each Owner will replace dead or dying trees, shrubs, flowers, lawns and landscape and to the extent an Owner fails to do so, the Association may enter upon the Affected Lot and replace, water and maintain the Owner's landscape and charge the Owner the reasonable cost thereof. Unless otherwise specifically permitted by the Committee, the Owner will not use concrete, pavement, gravel, rock or cacti on more than twenty percent (20%) of any portion of a yard that is visible from adjacent Affected Lots, Common Areas or streets.
- 22.2. Each owner, at the owner's expense, must maintain the yards on his lot, to a standard and with an appearance that is commensurate with the neighborhood. "Yards" means all parts of the lot other than the dwelling, including unfenced portions of the lot. The area between the alley pavement and the back yard fence, if any is a yard area for which the owner is responsible, regardless of whether some or all of that area is in the alley right-of-way. Specifically, each owner must:
 - a. Maintain an attractive ground cover or lawn on all yards visible from a street or alley.
 - b. Edge the street curbs and alley edges at regular intervals.
 - c. Mow the lawns and grounds at regular intervals.
 - d. Prevent lawn weeds or grass from exceeding 8 inches in height.
 - e. Not plant vegetable gardens that are visible from a street.
 - f. Maintain an attractive appearance for shrubs and trees visible from the street.
 - g. Replace plant material, as needed, to maintain the minimum landscaping requirement of one (1) specimen type trees and shrub beds that maintain an appearance that is commensurate with the neighborhood.
 - h. Replace trees in front yards with a minimum of 2" caliper tree.
 - i. Maintain flowerbeds visible from the street to be free of weeds, grass and trash.
 - j. Maintain a visible line of demarcation between flowerbeds and grass. The

- line may be natural. All bed border materials must be reviewed by the ARC. Bed borders made of metal, plastic, wood and single line course of bricks could be subject to disapproval.
- k. Stone or FAUX stone colors used in a landscape must be submitted with the initial design package.
 - l. Size and number of potted plants may be reviewed by the ARC and if determined to be not harmonious with the neighborhood may be subject to limitation.
 - m. Any and all gardening tools and implements, as well as gardening materials (mulch, topsoil, plants, etc.) must be stored out of view while not in use.
- 22.3. If the ARC determines that an owner has failed to properly discharge his obligation to maintain, repair, and replace items for which the owner is responsible, the ARC may give the owner written notice of the Association's intent to provide the necessary maintenance at owner's expense. The notice must state, with reasonable particularity, the maintenance deemed necessary and a reasonable period of time in which to complete the work. If the owner fails or refuses to timely perform the maintenance, the Association may do so at owner's expense, which is an individual assessment against the owner and his lot. In case of an emergency, however, the ARC's responsibility to give the owner written notice may be waived and the ARC may take any action it deems necessary to protect persons or property, the cost of the action being the owner's expense.
- 22.4. Any Xeriscape must be approved by the ARC and shall be defined as landscaping that utilizes water-conserving techniques such as drought-tolerant plants, mulch and efficient irrigation.
- 22.5. The use of artificial materials as an alternative to living turf in the front and side yards of any dwelling unit is prohibited.

XXIII Roofs, Gutters and Downspouts

- 23.1. All roof replacements that materially change the design and look of the existing roof must be approved by the ARC. If the existing roof is being replaced with same materials and colors and the construction details used in the original roof, then no ARC approval is required.
- 23.2. The existing grade of roof must be used for the replacement.
- 23.3. The replacement of gutters and downspouts with like kind material and color shall not require the approval of the ARC.
- 23.4. Any change to the existing material and color of the gutters and downspouts must be approved by the ARC.
- 23.5. ARC approved roofing materials include composition shingles and quality metal roofing. Materials that will not be approved include wood, corrugated steel or aluminum and tile.
- 23.6. The combination of roofing material on any dwelling unit will not be approved. The dwelling unit must be roofed using a single material.

XXIV. Shutter Guidelines

- 24.1. Homeowners must submit an ARC request for all shutter installations.
- 24.2. Shutters must be made of wood or wood composite only.
- 24.3. Shutters may be stained a natural wood color, similar to the fence.
- 24.4. Shutters should complement the color of the dwelling unit.
- 24.5. No bright primary colors will be allowed.
- 24.6. Shutters that discolor, warp or fade must be maintained or removed.
- 24.7. Masonry specific hardware must be used to attach the shutter to the dwelling unit.
- 24.8. The shutter height must be similar to the height of the window.
- 24.9. Only one shutter per each side of a window.
- 24.10. If applicable, shutters must be stained or painted within 60 days of installation.

XXV Applications for ACC Approval

- 25.1. All requests by an Owner (the "Applicant") for approval for the construction, installation and/or erection of buildings, structures, fences, walls or any other improvements on an Affected Lot must be accompanied by an Application for ARC Approval (herein so called) identical to the form attached hereto as Exhibit "A" executed by the Applicant. No more than two (2) items may be requested for approval on one Application for ACC Approval.
- 25.2. No Application for ARC Approval shall be deemed filed with the ARC nor shall it otherwise be processed by the ARC until such time that the Applicant has completely filled out and executed the Application for ARC Approval and provided duplicate copies of the plot plans, plans and specifications, site plans, surveys and drawings of the existing and proposed improvements (as applicable) and/or requested variance (collectively, the "Construction Documents").
- 25.3. In order for the ARC and its construction advisors to properly and fully review an Applicant's Application for ARC Approval and the related Construction Documents, the ARC shall have fifteen (15) full calendar days following submission of a properly completed Application for ARC Approval accompanied by all required Construction Documents to consider same. If the ARC fails to approve or disapprove in writing a properly completed Application for ARC Approval within such fifteen (15) day period, the Applicant may then submit the Application for ARC Approval accompanied with the Construction Documents to the Board of Directors of the Association. If the Board of Directors fails to approve or disapprove in writing the Application for ARC Approval within fifteen (15) days thereafter, the ARC and the Association's approval will be presumed.
- 25.4. No work shall begin or be performed by the Applicant unless and until written approval is received or the fifteen (15) day period for the Board of Directors to take action has expired and the Board of Directors has not disapproved the Application for ARC Approval in writing.
- 25.5. Any changes or modifications to be made to the originally submitted Application for ARC Approval and/or Construction Documents ("Original Documents") shall require a new, revised Application for ARC Approval and/or Construction Documents, as applicable, and the same approval process and time periods set

forth above shall be applicable to such new, revised Application for ARC Approval and/or Construction Documents (the "Revised Documents") and the time period(s) with respect to the Original Documents shall no longer be applicable or relevant.

- 25.6 The ARC may examine the improvements during construction and after completion to insure conformity with any approved or presumed approved Application for ARC Approval and/or Construction Documents, as applicable. Any material deviation from written approved or presumed approved Application for ARC Approval and/or Construction Documents without the ARC's written approval or the written approval or presumed approval of the Board of Directors of the Association shall be considered a violation and is subject to removal by the Association.

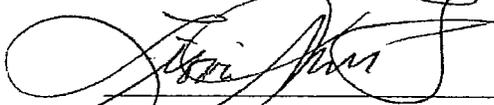
XXVI. Miscellaneous

- 26.1 The ARC may grant variances when circumstances require deviation from these guidelines so long as the variance does not result in a material or substantial violation of the guidelines.
- 26.2 These guidelines shall not be interpreted to constitute the approval of any required building permits, all of which shall be the responsibility of the homeowner to obtain from to the City of DeSoto.
- 26.3 The ARC may at times request copies of all information submitted to the City of DeSoto for permit(s).
- 26.4 ARC approval does not override city codes or statutes or existing deed restrictions, which must be complied with at all times. Applicable building permits must be obtained.
- 26.5 All significant landscaping improvements need ARC approval.
- 26.6 The Board of Directors may amend and modify these guidelines.

The undersigned, being the President of Silver Creek Crossing Homeowners Association, Inc., (the "Association") and on behalf of the Members of the Board of Directors and on behalf of the Members of the Architectural Review Committee (the "ARC") of the Association, hereby adopt this Architectural Review Committee guideline document.

Adopted this 13th day of October, 2016.

SILVER CREEK CROSSING



Libbie Terrell Lee
President

EXHIBIT B

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

SILVER CREEK CROSSING, FIRST INSTALLMENT, an Addition to the City of DeSoto, Dallas County, Texas, according to the Map or Plat thereof recorded IN Volume 84065, Page 3169 of the Map Records of Dallas County, Texas.

Filed and Recorded
Official Public Records
John F. Warren, County Clerk
Dallas County, TEXAS
10/28/2016 04:55:13 PM
\$90.00
201600304795

