

AFTER RECORDING, PLEASE RETURN TO:

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

**SECOND SUPPLEMENTAL CERTIFICATE AND
MEMORANDUM OF RECORDING OF DEDICATORY
INSTRUMENTS FOR
OAKTREE RESIDENTIAL ASSOCIATION, INC.**

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

The undersigned, as attorney for Oaktree Residential 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:

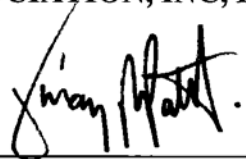
- ***Oaktree Homeowners Association, Inc. - Architectural Guidelines and Rules*** (Exhibit A).

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 instrument.

IN WITNESS WHEREOF, Oaktree Residential Association, Inc. has caused this Second Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments to be recorded in the Official Public Records of Collin County, Texas, and supplements that Certificate and

Memorandum of Recording of Dedicatory Instruments for Oaktree Residential Association, Inc. filed on June 19, 2012, as Instrument No. 20120619000727670 in the Official Public Records of Collin County, Texas; and that certain First Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments for Oaktree Residential Association, Inc. filed on June 27, 2012, as Instrument No. 20120619000768300 in the Official Public Records of Collin County, Texas.

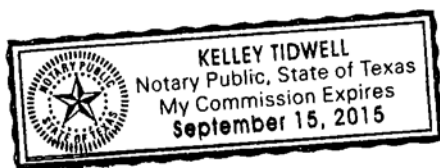
**OAKTREE RESIDENTIAL
ASSOCIATION, INC., INC.**

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 Oaktree Residential 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 28th day of July, 2014.



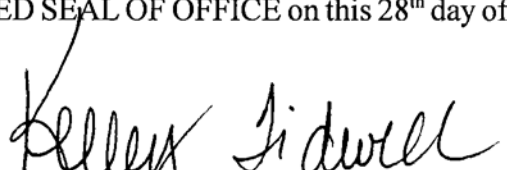

Notary Public, State of Texas

EXHIBIT A

OAKTREE RESIDENTIAL ASSOCIATION: ARCHITECTURAL GUIDELINES AND RULES

(Requires a Permit by the City)

To request approval for a modified improvement, a homeowner should submit to the ARC at 8360 LBJ Freeway, Dallas, Texas 75243, using the form provided in this booklet. The submittal will be reviewed, and the owner will be notified in writing of the results within thirty (30) days.

Roofs (New)

The ARC must approve all new Roofs. However, the ARC may approve other roof colors or materials based on coordinating schemes of the houses.

- Weatherwood Blend is the desired choice of roof colors.
- All roofing must be High Definition Shingle 20 year or greater warranty (no-3 tab shingles).
- Roof vents must match shingle.
- No wood shingles are permitted, which is a City Ordinance.

Facade

The ARC must approve all new facades.

- Brick, stone, stucco and/or wood including trim, samples of which must be submitted. If material is not noted on elevation, brick will be mandatory.
- Where brick, stone or masonry construction is visible.
- Oaktree North requirements for the first and second floors are 100% and permit stucco material.

Fireplaces

The ARC must approve all new fireplaces.

- All interior/exterior fireplaces must be installed to appropriate and industryCity codes.

Walkways, patios, sidewalks and decks

The ARC must approve all new walkways, sidewalks, decks and patios.

- Decks shall be of redwood, cedar or other material approved by the Committee.
- Patios may be concrete, concrete stepping blocks, brick, concrete pavers, stone, or other materials approved by the Committee.
- Patios and decks may not be located closer than 5 feet to any property line.

- The new deck/patio shall not alter the drainage patterns established by the Association Drainage Plan.
- Walkways must be concrete or stone materials approved by the Committee.
- Sidewalks are to be maintained and the responsibility of the homeowners

Driveway

The ARC must approve all new driveways.

- Driveways must be accessible to an adjoining street
- Only 2 curb cuts shall be allowed for any one lot.
- Driveways on corner lots shall be accessible from one street unless otherwise approved by the Committee.

Retaining Walls

The ARC must approve all retaining walls.

- All retaining walls must be constructed from masonry, (i.e. stone, rock or brick).
- All walls must be located within the limits of the property lines.
- All retaining walls must meet the following standards:
 - If up to 1 foot high, the wall must be 6 inches thick.
 - If 1 – 2 feet high, the wall must be 8” thick.
 - If 2 – 4 feet high, the wall must be 12” thick.
 - All retaining walls 4 feet or higher must be designed and certified by a professional engineer.
- The process of back filling is an integral part of the structural integrity of a wall, thus it is the responsibility of the builder who constructs the retaining wall to also back fill it.
- No railroad ties are permitted **if more than 25% if needed to be replaced with stone.**

Pools and Spas

The ARC must approve all pools and spas.

- The drawings should show the pool, mechanical equipment, screening and fence locations.
- Fences, decks and gazebos are to meet specific guidelines and require separate ARC approval.
- The plans should show water drainage direction. Drainage should go to the street or a designated location. Water cannot flow onto a neighbor’s property.
- Drawings should show construction access. Any necessary approval from other entities for access must be submitted in writing.
- The OaktreeARC approval is contingent on the Homeowner securing the required City building permit.

Drainage

The ARC must approve all drainage.

- Submissions for all installation or correction of drainage (i.e. swales, French drains, gutter and curb cuts).
- All water must run from one's property to the street, or a designated drainage area. Under no circumstance is water permitted to drain to an adjoining property.
- All downspouts should be run from one's property to the street, or a designated drainage area underground and to the street if necessary to keep runoff from encroaching on the adjacent property.
- **Neither the Association, the Board nor the ARC shall bear any responsibility or liability to any Owner for drainage.**
- Drain outlet to the street: PVC pipe and concrete, which is similar in color and consistent to existing concrete. The pipe should be cut so that it is recessed ½" beneath the face of the concrete curb. The concrete shall be shaped so that it continues the surface of the interior of the pipe and follows the silhouette of the existing curb.
- Location includes any curb on a residential street or collector street as permitted by the City. Approval of the city department of streets may be required prior to the removal of an existing curb.
- Gutters should be installed to avoid drainage to neighboring property.

Fencing

The ARC must approve all fencing, replacement or alteration.

- All fencing adjacent to the creek must be black wrought iron fence and should not exceed four feet in height.
- Wooden fences shall not exceed eight feet in height.
- Wood fencing, regardless of location should be constructed with the finish side out. No stringers or post should be visible from the street, common ground, or neighboring property.
- **Metal or wood fence poles must face into the property and be capped. Poles cannot be visible from the street. The "finished" side of the fence must face the public and neighbor's views.**
- **Wood fences must be constructed of spruce (or better), redwood or cedar materials.**
- **If a fence is constructed on sloping property it must be "stepped" in order for the cap to be level.**
- Wooden fences should have slats between 4" and 8" wide. The flats are to be installed vertically.
- Wooden fences are to have a flat cap top.
- Fences are not to be painted or stained an unnatural color on any surface facing the street, common ground or a neighboring property.
- Fence posts are to be set in concrete.

The Owner of the lot upon which fences are constructed shall be obligated to maintain fences in good condition. Missing or damaged boards on wood fences should be replaced within thirty

days of the date of damage or failure. Propping-up of a leaning fence due to structural or foundation failure will be allowed for property security only for the period of time necessary for proper repair or replacement of all or part of the fence. Fences must be kept in good condition and repairs or replacement when wear and tear.

Gazebos

The ARC must approve all gazebos and other outdoor buildings.

- Gazebos shall be attractive in appearance, without an excess of detail ornamentation. **Only one gazebo is allowed per lot.**
- Gazebos shall be of redwood or cedar or other material specifically approved by the Architectural Review Committee.
- If painted or stained, the gazebo shall coordinate with and complement the colors of the house.
- Overall height of the gazebo shall not exceed 14'-0" in height.
- Roofing shall match or complement that of the house.
- Gazebos shall be located in side or rear yard locations and must comply with setbacks. **They must be 15' foot setback from adjacent water bodies or open space.**

Out Buildings

- All outdoor buildings should have a maximum height of 8' feet. Wood, paint and shingles (when applicable) should match the trim and roof of the house.
- Out (i.e., storage or recreational) buildings larger than 100 square feet must have a City permit.

IMPROVEMENTS

(Not Requiring a Building Permit)

RECOMMENDATIONS / STANDARDS OF APPROVAL

Mailboxes

Mailboxes, new and replacement, are to be constructed of masonry, stucco, stone or brick materials. Any style of mailbox other than masonry or brick must be approved by the Architectural Committee.

Play Equipment

The ARC must approve all play equipment.

- Wood or play equipment to be no taller than 14'0". Pressure treated or redwood timbers assembled in a workmanlike manner. Color of awning must be approved by Committee.
- Play equipment may be installed in the rear yard or the side yard in a location where it is screened from public view by landscaping or other improvements.
- Play equipment such as swing sets, slides, tetherball poles and volleyball courts must be screened from view. Platforms elevated more than twenty-four inches above the ground are not permitted in locations where the view from the platform infringes on the privacy of neighboring property.
- Swings or play equipment may not be hung in trees.

Arbor/Trellis

The ARC must approve all arbors and trellis styles requested.

- Arbor/Trellis shall be cedar, redwood or other material approved by the ARC.
- If painted or stained, the arbor/trellis shall coordinate and compliment the colors of the house.
- Overall height of the arbor/trellis shall not exceed 12'0".
- Arbor/Trellis may be attached to the house or detached (free standing)
- Arbor/Trellis shall be located in side or rear yard locations only.

Awnings

The ARC must approve all awnings.

- Awnings should be in rear of house.
- Awnings and the material should compliment the color of the house and will be subject to approval.

Storms Doors

The ARC must approve all storm doors.

- Full view storm door installed must be aesthetically pleasing and reviewed by the Committee for approval.
- Screen doors are not permitted.

No security bars will be allowed on doors or windows.

Window Treatments

- All blinds must be white or neutral. Colors must compliment the exterior when facing the public or neighbors.

Basketball Goal

The ARC must approve all basketball goals.

- Permanent basketball goals are permitted at a location approved by the ARC.
- Pole, roof or wall mounted basketball backboard and goals.
- Portable basketball goals may be used, but they must be stored when not in use. No portable basketball goals may be left on the sidewalks or in the streets as storage.

Flag Pole/Flags

- The only flags which may be displayed are: (i) the flag of the United States of America; (ii) the flag of the State of Texas; and (iii) an official or replica flag of any branch of the United States armed forces.
- All flags visible from any street must be mounted and displayed in accordance with the following provisions.
- The flag of the United States must be displayed in accordance with 4 U.S.C Sections 5-10.
- The flag of the State of Texas must be displayed in accordance with Chapter 3100 of the Texas Government Code.

- Any freestanding flagpole, or flagpole attached to a dwelling, shall be constructed of permanent, long-lasting materials. The materials used for the flagpole shall be harmonious with the dwelling and have a finish appropriate to the materials used in the construction of the flagpole.
- The display of a flag, or the location and construction of the supporting flagpole, shall comply with applicable zoning ordinances, easements, and setbacks of record.
- A displayed flag, and the flagpole on which it is flown, shall be maintained in good condition at all times. Any flag that is deteriorated must be replaced or removed. Any flagpole that is structurally unsafe or deteriorated shall be repaired, replaced, or removed.
- Only one flagpole will be allowed per Lot. A flagpole can either be securely attached to the face (the side facing the street address) of the dwelling (no other structure, including trees and fences) or be a freestanding flagpole. A flagpole attached to the dwelling may not exceed 6 feet in length; a freestanding flagpole may not exceed 20 feet in height. Any freestanding flagpole must be located in either the front yard or backyard of a Lot, and there must be distance of at least 5 feet between the flagpole and the property line.
- No flag may be mounted or displayed in such a manner that it hangs over any common area, sidewalk, street, or alleyway.
- Any flag flown or displayed on a freestanding flagpole may be no smaller than a 1' x 1' and no larger than 6' x 8'.
- Any flag flown or displayed on a flagpole attached to the dwelling may be no larger than 3' x 5'.
- Any freestanding flagpole must be equipped to minimize halyard noise. The preferred method is through the use of an internal halyard system. Alternatively, swivel snap hooks must be covered or "Quiet Halyard" Flag snaps installed. Neighbor complaints of noisy halyards are a basis to have flag removed until Owner resolves the noise complaint.
- The illumination of a flag is allowed so long as it does not create a disturbance to other residents in the community. Solar powered, pole mounted light fixtures are preferred as opposed to ground mounted light fixtures. Compliance with all municipal requirements for electrical ground mounted installations must be certified by Owner. Flag illumination may not shine into another dwelling. Neighbor complaints regarding flag illumination are a basis to prohibit further illumination until Owner resolves complaint.
- Flagpoles shall not be installed in Common Area or property maintained by the Association.
- All flagpole installations must receive prior written approval from Architectural Review Committee or the Modifications Committee.

These Design Guidelines are promulgated pursuant to and in accordance with Section 202.0011 of the Texas Property Code.

Signs

- Only one sign (i.e., realtor, contractor, etc.) per residential property.
- No personal business, solicitor or advertising signs are allowed (other than contractors currently doing work).
- Political signs are allowed temporarily, and may not be placed in the common areas. All signs should be removed immediately following elections.
- Signs are not permitted in the common areas (unless signs posted by the Association for events).

- **Security or school achievement signs are permissible with dimensions not to exceed 18” x 24”. Sign must be in front of the home.**

Garage Sales

- Garage or Estates sales are not permitted.

Siding

The ARC must approve all siding.

- **Siding replacement should be made with similar or new material/product.**
- Color scheme should match existing color of home and compliment and coordinate with the surrounding homes.

Painting

The ARC must approve all painting or staining.

- Homeowners should include color samples with ARC Form to obtain approval. All paint colors must be approved prior to painting or repainting.
- Trim and siding colors must complement the masonry color on the house and or typically should fall in the off-white, brown, beige or gray color palette and earth tones derivatives thereof. Bright primary and secondary colors and pastels are not permitted unless approved by the Committee.
- Shutters, trim and front doors may be painted or stained in colors that complement the siding and masonry color on the house and are intended to accent or highlight architectural features. Bright primary and secondary colors and pastels are not allowed.
- All paint colors should be approved, including the repainting of the same color.

Site Lighting

- The ARC reserves the right to limit the use or the amount of site lighting. Lights should not infringe on other neighbors.

Rain Barrels

The ARC must review rain barrels.

- The preferred location is in the rear or side yard; rain barrels/collection devices shall be prohibited in front yards.
- The rain barrel/collection device must be installed at the base of an existing downspout. Only one rain barrel/collection device may be installed per downspout.
- The overflow from the rain barrel/collection device shall discharge to the same location as the current downspout.
- The size of a rain barrel/collection device bin is generally limited to 36" in height and 24" in diameter.
- The container must be designed for the purpose of collecting rainwater; a converted trash can is not an acceptable alternative.
- The bin must be sturdily constructed of durable plastic in black, brown, green, simulated wood with a screened cover and a splash block provided for the overflow.
- Other colors which are consistent with the trim, siding or overall color scheme of the home will be reviewed on a case by case basis.
- The rain barrel/collection device should be set into a landscaped area, so that its appearance will be softened by plant material. Additional landscaping or screening may be required to diminish the visual impact on other properties or from the street.
- The rain barrel/collection device should be an enclosed device to avoid becoming a breeding ground for mosquitoes and maintained so that it does not create a visual nuisance.
- A copy of the existing site plan showing the location of the house, any accessory structures, significant vegetation, property lines, and the proposed location of the rain barrel/collection device.
- A catalog photograph or manufacturer's "cut sheet" of the rain barrel/collection device, including dimensions, material, and color.
- A planting plan indicating the type and location of vegetation or other screening, existing or proposed.

Yard Art

- **All yard art, such as fountains, sculptures, must be approved by the Architectural Committee.**

Solar Panels

- For purposes of the Association, the term “Solar Energy Panel” means a panel device or system designed primarily to collect solar energy, and collect and subsequently use solar energy as thermal, mechanical, or electrical energy. Solar energy panels may not be installed without prior written approval of the Architectural Control Committee (ACC).

The installation of Solar Energy Panels will not be allowed if:

- In violation of any law
- On property owned or maintained by the Association
- In the common areas
- Located anywhere but on the owner’s roof or in his/her fenced-yard or patio and not taller than the fence
- The device extends beyond the roofline or does not conform to certain allowed design guidelines
- It is installed in a manner that voids material warranties
- It is installed without prior approval by the Association or its designated Architectural Control Committee and/or
- The device would “substantially interfere with the use and enjoyment of land by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities.” However, this finding will be reconsidered by the Association or its designated Architectural Control Committee if the owner obtains written approval of the installation from all neighboring owners.

The intent of this restriction is to allow the installation of Solar Energy Panels but to maintain, to the greatest extent possible, the aesthetics of the community and the harmony established by the plan of development for the Association.

- **Certain Roofing Materials:** Shingles that are designed primarily to (i) resist wind and hail, (ii) provide heating/cooling efficiency greater than ordinary composite shingles, or (iii) generate solar energy may be installed with prior written approval of the ACC so long as the shingles aesthetically resemble approved shingles within the Association, are more durable or of better quality than “normal” shingles allowed within the subdivision, and aesthetically match the owner’s and surrounding properties.

ADDITIONAL RESTRICTIONS WHICH ARE ALLOWED BY STATUTE AND CAN BE INCLUDED IN GUIDELINES FOR SOLAR ENERGY PANELS:

- In all circumstances where roof installation is contemplated, Solar Energy Panels shall conform to the slope of the roof and the top edge of the Solar Energy Panel shall be parallel to the roof ridge.
- Solar Energy Panel frames, support brackets, or any visible piping or wiring must blend most effectively with the roof.
- Color or finish of the panel must blend to the greatest extent possible with existing roof color.
- Panels, mounting devices, etc. must be repaired or replaced within 120 days of date of damage.

- Ground mounted system(s) shall be as small as possible, located in rear or side yards and screened from neighboring properties by fencing or landscaping.
- No Solar Energy Panels may be placed on the front elevation of the home.

OPTIONAL SOLAR ENERGY PANEL SUBMISSION REQUIREMENTS FOR CONSIDERATION:

- A copy of the existing site plan showing the house and any accessory structures, significant vegetation, property lines and the proposed location of the Solar Energy Panels.
- A drawing or photographs showing the proposed location of the Solar Energy Panels and description of any visible auxiliary equipment.
- Catalog photographs or manufacturer's "cut sheets" of all components including dimensions, colors, materials, etc.
- Plans of proposed landscaping or screening for ground mounted Solar Energy Panels.
- Solar Panels must be properly maintained at all times or removed from the owner. In the event the roof must be repaired or replaced or if the owner elects to remove the Solar Panels, the owner acknowledges and agrees that they will be wholly responsible for removing and reinstalling the Solar Panels and returning the roof to a first class condition at no cost to the Association.

MAJOR IMPROVEMENTS
(Requiring a Building Permit)

This category would include exterior remodels and room additions. Due to the nature of Major Improvements, the ARC requires more information and more advanced notice to review that information. Most likely the Homeowner and/or the Contractor should attend the Review Meeting.

Major Improvements should be compatible with the existing home design, be proportional to the structure and property and fit in with the surrounding homes.

Following is a list of items the ARC would expect. Each Major Improvement is unique so required information may vary.

Final Drawings

1. Four copies prepared by the architect/builder.
2. Floor plan(s)
3. Front, rear and side elevations with roof pitch indicated.
4. Site plan with structure indicated thereon.
5. Submit to:

The Architectural Review Committee
c/o SBB Management Communities
8360 LBJ Freeway, Suite #300
Dallas, Texas 75243
6. Site plan with all improvements indicated thereon to include:
 - a. Existing and new contours at one-foot intervals. Indicate drainage by use of arrows. Drainage plan must be designed and certified by a registered engineer.
 - b. Each room's dimensions and use.
 - c. Structure with finish floor elevation for each level.
 - d. Easements and building lines.
 - e. Trees with 5" trunk diameter and larger.
 - f. Sidewalks, patios, driveways, retaining walls, pools, fencing and other improvements.
 - g. Dimensions from property lines to structure.
7. Floor plan(s) with dimensions at a scale of $\frac{1}{4}" = 1'0"$.
8. Elevations at a scale of $\frac{1}{4}" = 1'0"$.
9. Landscape plan and lawn sprinkler plan for front side and rear of home.
10. Construction schedule with estimated dates, as well as construction access.
11. Allow 30 days for approval.

RULES AND REGULATIONS:

Seasonal Decorations

- Dignified seasonal decorations are permitted within the time frames established by the Associations Guidelines.
- Christmas decorations should be removed no later than February 1.
- Halloween, Easter, etc. and/or other such holiday decorations should be removed within fourteen (14) days of each holiday.

Trash Containers

- All garbage and trash shall be kept in a sanitary containers fully enclosed within the garage or a walled structure enclosed on 3-sides approved by the ARC. Trash receptacles may be placed in front of a residence for the day of trash pickup between 6:00 pm the night immediately prior to pickup and removed immediately the day of pickup.
- No storage of trashcans and/or recycle bins are to be left in front of the garage or side of home, where they are visible to others.
- **Trash containers cannot be in view from the street or neighbor's houses. A fence-like enclosure may be constructed in an ARC approved location on the side or rear of a house.**
- **No Bulk trash must be placed out ONLY on designated days. (FYI - this date can change periodically).**

Yard Maintenance

- All Yards will be weed treated and mowed on a regular basis. Weeding of yards, beds and sidewalks, as well as around mailboxes and driveways will be kept weed free.
- Dead vegetation such as shrubs, grass, or trees will be removed immediately and replaced when appropriate time allows. This includes removal of leaves on the sidewalks, street/curb or lawn.
- Grass must be watered within reasonable watering dates permitted by the City.
- Grass should not be allowed over six inches in height.
- Homes located off the creek or greenbelt must not add any new plants beyond the fence line. Anything planted not approved will be removed at owner's expense.
- Homes (including rentals) not maintained after sufficient notice will be maintained by the Association at owner's expense.
- Homeowners may not alter or trim landscape belonging to the Association.
- No artificial grass is permitted.
- All Xeriscape (or hardscape) installations **MUST** be approved by the Architectural Committee.

EXHIBIT B

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

- (i) All tracts and parcels of real property located in Oaktree, Phase One, and Oaktree North, additions to the City of Dallas, Texas, according to the Map/Plat thereof recorded in Volume H, Page 42, Map/Plat Records, Collin County, Texas; and
- (ii) All tracts and parcels of real property located in Oaktree, Phase 4, an addition to the City of Dallas, Texas, according to the Map/Plat thereof recorded in Volume J, Page 66, Map/Plat Records, Collin County, Texas; and
- (iii) All tracts and parcels of real property located in Haverwood Meadows, an addition to the City of Dallas, Collin County, Texas, according to the Map/Plat thereof recorded in Volume I, Page 444, Map/Plat Records, Collin County, Texas; and
- (iv) All property subject to the Restated Declaration of Covenants, Conditions and Restrictions for Oaktree Phase One, Dallas, Texas and Oaktree North, Collin County, Texas, recorded under Document Number 2002-0134599 in the Official Public Records of Collin County, Texas (the "*Declaration*") and any other applicable refilings or replattings thereof or amendments and supplements thereto.

