

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR WINDMILL RANCH SUBDIVISION

Section 10. Fences. No chain-link fences may be built or maintained on any Lot, except in connection with tennis courts, provided such fence is vinyl clad, is properly landscaped, and is reasonably screened from public view, or a rear yard dog run so located or screened as to not be visible from any street. All fences must be approved in writing by the Architectural Control Committee.

New perimeter fencing along Lot lines and fencing along the front setback lines, if constructed, shall consist only of the following kinds of ranch fencing:

(a) **Posts.** Cedar posts shall be placed 10'-12' on center (min. 3"-4" diameter for inline posts and 6"-7" diameter for corners and H-braces) with cedar stakes or metal tee stakes (color to be approved by the Architectural Control Committee) between each post. Cedar posts may be stripped of bark. Painted iron pipe may be used in lieu of wood posts. In-line pipe shall be a minimum of 2 3/8" in diameter, and corners and H-braces shall be a minimum diameter of 2 7/8". Wolmanized pine or other wood posts are permissible. Iron pipe shall be placed at a maximum of 200' (100' is recommended) provided there are no corners, or any changes in direction, and must have metal tee stakes or cedar posts placed 10'-12' on center. In general, H-braces should be placed at all changes in direction and at all ends.

(b) **Wire.** Wire shall be standard 47" Sheep and Goat galvanized wire fencing (12.5 gage or better). The overall height of the fence shall not exceed 56". The wire fencing shall be tied at a height of 48", and may be topped with one strand (2" to 6" above fencing, for a total fencing height not exceeding 56") of smooth wire. Non-climb wire (12.5 ga. wire or better) 48" in height, 2 X 4, 12.5 ga. welded wire 48" in height, or 48" 8 ga. welded wire panels, may be used in lieu of the Sheep and Goat wire fencing. No barbed wire fencing may be used.

Also, five strands of smooth wire may take the place of the fencing. This kind of fencing will also allow for the easier passage of fawns and other small wildlife within the Properties.

No "deer proof" perimeter fencing or any fencing above the height of 56" shall be permitted which would restrict the movement and habitat of wildlife presently existing on the Properties.

Free standing site walls, bollards, planters or gate posts may be allowed at the driveway entrance, as long as the improvements are a minimum of twenty-five (25') feet from the roadway right-of-way. No driveway entrance shall be designed as a "drive under" using beams or arches spanning the driveway, and no driveway entrance feature shall exceed

eight (8') feet in height and fifty (50') feet in width along the street [twenty-five (25') from either side of the centerline of the driveway].

All fences or walls located on Lots are to be maintained at the expense the Owner of the Lot.

Notwithstanding the foregoing, the Architectural Control Committee is empowered to waive the aforesaid composition requirements for fences and the aforesaid height or setback limitation in connection with retaining walls and decorative walls if, in its sole discretion, such waiver is advisable in order to accommodate a unique, attractive or advanced building concept design or material and the resulting fence, decorative wall and/or retaining wall (whichever is applicable) will not detract from the general appearance of the neighborhood.

No fence, wall, hedge or shrub planting which obstructs sight lines shall be placed or permitted to remain on any corner Lot within the triangular area as formed by the extension street right-of-way lines and a line connecting them at points twenty-five feet (25') from the intersection of the street right- of-way lines, or in the case of a rounded property corner, from the intersection of three and one-half feet (3-112') tall shall be allowed in this inscribed triangle. No tree shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.

Each Owner shall maintain all fencing placed on his Lot in a neat appearance and in a usable condition including the reconstruction or replacement of fences which are tilted more than ten (10) degrees from a vertical position.

Owners are allowed to install fences across drainage easements provided such fences are installed and maintained in such a manner as to not interfere with the proper drainage within and across such easements. Openings of sufficient size to permit the free flow of water across such drainage easements must be provided for any such fences.

Privacy Fencing:

Owners bordering other subdivisions may submit a variance request for privacy fencing for security concerns. Any fence above 6' requires a permit from the City of Bulverde.