



THE STATE OF TEXAS

COUNTY OF McLENNAN

AUSTIN COLONY

ARCHITECTURAL GUIDELINES

AMENDMENT #1

WHEREAS, architectural guidelines were adopted by the Architectural Review Committee ("ARC") of AUSTIN COLONY PROPERTY OWNERS ASSOCIATION, INC on February 9, 2005

NOW THEREFORE, the ARC is replacing those guidelines with this Amendment #1 and these amended guidelines shall remain in effect unless said Amendment #1 guidelines are altered, changed or modified by the ARC according to the Declarations of Covenants, Conditions and Restrictions for Austin Colony.

ARCHITECTURAL GUIDELINES

The home and any improvements to any lot must be constructed and conform to certain home guidelines and enhance the cosmetic atmosphere of the subdivision. The ARC utilizes the aforementioned as a guide; however, they may make decisions or present plans as they deem necessary to benefit the entire community.

HOMES (A second single family residence is discussed in the Additional Improvements section below)

- (1) All structural improvements must be located within the set back lines shown on Exhibit A attached hereto and may not encroach on utility easements, drainage easements or building lines. Depending on its location in the subdivision and with those exceptions shown on Exhibit A, a residence will have a minimum set back line of twenty five feet (25') to sixty feet (60') across the front boundary of the lot. Each residence in Block 1 and on Lots 1, 14, 15 and 29 in Block 2 of the subdivision will have a minimum set back line of twenty five feet (25') across the rear boundary of the lot. Each residence in Block 2 of the subdivision, except for Lots 1, 14, 15 and 29, will have a minimum set back line of sixty feet (60') across the rear boundary of the lot. In addition, each residence will have a minimum set back line of twenty feet (20') along each side boundary of the lot. The ARC can grant exceptions for minor variances in the placement of any building on a Lot.
- (2) The living area on Lots 1 through 10 and 53 through 61 in Block 1 of the subdivision shall not be less than 2500 square feet.
- (3) The living area on all other lots in the subdivision shall not be less than 2800 square feet.

- (4) Each residence must be a minimum of sixty feet (60') in width across the front. This width requirement may be satisfied in part by an attached garage.
- (5) The exterior design of the residence, including any improvements, must be within the character and plan designated by the ARC, eliminating extreme or radical design. The ARC reserves the right to disapprove any plans that are not in harmony with the scheme of the subdivision.
- (6) Exterior walls must be not less than ninety percent (90%) brick, stucco, stone or hardi-board type concrete siding and in no event of plastic, metal or vinyl siding. The specific brick and/or stone to be used must be submitted to and approved by the ARC prior to install.
- (7) Log homes will not be permitted.
- (8) Building materials must be new, with the exception of certain approved materials normally used to decorate or accent the improvements.
- (9) Roofs must be covered with 240 pound minimum weight composition shingles in a weathered wood, heather wood or black color. Other colors or other materials, such as clay, slate, tile or metal, require prior approval by the ARC.
- (10) Exterior paint color must be submitted to and approved by the ARC prior to application of paint. Neutral earth tones are preferred.
- (11) No reflective or colored window glass or frames other than the standard tints are allowed. Decorative or antique stained glass windows may be approved in certain circumstances.
- (12) Rain gutters are encouraged on all roof sections where runoff occurs and affects a pedestrian entrance or a walkway.
- (13) Owners are required to use underground service for all utility lines.

DRIVEWAYS/SIDEWALKS

- (1) A driveway from the garage to the private street must be installed prior to occupancy. The driveway may be no closer than ten feet (10') from a side boundary line of the lot unless the distance of the driveway out from the garage doors is at least thirty feet (30'). All driveways must be made of concrete, brick or other approved surface material, making a smooth transition from the private street to the entry.

- (2) A walkway constructed of cement, brick, cut stone or pavers, but not of gravel or any type of loose stone, must also be installed from the front entry of the home to the driveway or private street prior to occupancy.
- (3) Brick pavers and patterned concrete are encouraged materials.
- (4) Where applicable, each entrance from the street to the lot must be over a culvert as strictly specified by the governing authorities to ensure adequate drainage in the subdivision.
- (5) A circular driveway is permitted if its location is approved by the ARC. Otherwise, there shall be only one driveway access to the lot. No driveway is permitted on a lot without an approved residence thereon.

GARAGE

- (1) Each residence shall have one (1) garage for not less than two (2) cars for the storage of automobiles and other transportation vehicles.
- (2) The garage may be attached to or separate from the residence. If attached to the residence, the garage shall open to the rear or side of the lot only. If separate from the residence, the garage shall be located behind the residence and may open to the front, side or rear of the lot. A separate garage located behind the residence may be connected to the residence by a walkway or breezeway.
- (3) If the garage opens to the side or front of any Lot in the subdivision, that opening shall not be visible when entering the subdivision from FM 1637 or while driving south on either Lone Star Drive or Independence Trail. Exceptions to the foregoing are the garages, if opening to the side or front, on Lot 34 or 35 in Block 1 must be located on the right side of residence and on Lot 15 in Block 2 must be located on the left side of the residence. In the preceding sentence, the references to left or right assumes facing the house from the private street.
- (4) Garages must be designed to be architecturally similar to the residence. The roofline of the garage may not exceed the height of the residence's roofline.
- (5) Owners are encouraged to construct the size of the garage to adequately handle their individual family's needs concerning the number of vehicles, amount of lawn equipment and normal household needs. No vehicles shall be permanently or semi permanently stored on a Lot.

FENCING

- (1) All fencing must be approved by the ARC. Fences may not exceed seven feet (7') in height. No fence may be constructed on or inside the front setback line of a lot.

(2) Fences must be constructed of cedar, vinyl or wrought iron only. No treated pine lumber is permitted in the subdivision. Subject to prior approval by the ARC, chain link fencing that will not be visible from other lots in the subdivision or from a private street may be allowed; otherwise, no chain link fencing is permitted, including fencing for dog kennels.

(3) If a cedar fence is constructed, no poles, posts, diagonal pickets, horizontal pickets or other structural components may be exposed on any portion of the fence that will be permanently seen from a private street.

(4) If an owner desires to paint or stain fencing, owner must submit color and brand of paint or stain to ARC for approval before application.

(5) Subject to prior approval of the ARC, owners may retain any existing barbed wire fencing on lots that abut the perimeter of the subdivision and new fencing will not be required relative thereto.

DRAINAGE

(1) Each owner is responsible for the upkeep of their drainage and utility easements, including the ditches abutting their lot, regardless of whether the ditch abuts a private street or is located within a set back line.

(2) Ditches must be kept free of trash and debris by the owner of the lot abutting ditch, especially during construction.

LIGHTING

(1) Exterior lighting is required on the front of the residence. The lighting should be sufficient enough to illuminate the front of the home from the street. Specific ARC approval will be required on the design of this lighting.

MAILBOXES

(1) All mailboxes must be lighted with a streetlight controlled by a night sensor, be made of materials that match the residence, include a concrete address block on the street side of the mailbox, have a base of at least 2' x 2' and abide by all postal regulations. Mailbox plans must be submitted to and approved by the ARC prior to construction.

LANDSCAPING

(1) Landscaping of the front yard, which includes the area between the front property line and a private street, must be installed prior to occupancy of the residence. This includes an underground irrigation system and substantial coverage with grass.

(2) Shrubs, plants, etc. must be planted in beds with a minimum width of five feet (5') from the foundation of the residence in the front yard. Curvilinear planting beds and layering of plants are encouraged.

(3) After occupancy, an owner may add landscaping in the front yard, which includes the area between the front property line and a private street or any area visible from a private street. The foregoing includes changes to existing beds other than routine maintenance, replacement of plantings with like kind plants or planting of annual plants.

(4) All of the above, items (1) to (3), require plans be submitted to and approved by the ARC prior to installation. Trees are not required; however, if an owner desires to plant trees, plans must be submitted to and approved by the ARC prior to installation.

EQUIPMENT

(1) All HVAC compressors, pool equipment, propane tanks, etc. must be on the side or rear of the residence in a manner that is screened from public view.

(2) No wall or window HVAC units shall be installed in any residence. However, such equipment can be installed in an outbuilding provided such equipment is screened from public view.

(3) Antennas and dishes of any kind may not be installed in a place where they are in view from a private street in front of the lot.

ADDITIONAL IMPROVEMENTS

(1) Plans for a second single family residence, outbuildings, storage buildings, children's play equipment, swimming pools, decks, patios, remodeling and other additional improvements must be submitted to and approved by the ARC prior to installation or construction. The ARC has the same authority to approve, disapprove or conditionally approve their installation or construction as if it were initial construction on the Lot.

(2) A second single family residence may be constructed on a Lot provided it is used solely for short-term guests, long term household employees or relatives of the family occupying the principal residence. In no circumstances, shall the second single family residence be rented or leased to others. The living area shall not be more than 1500 square feet, its roofline shall not be higher than that of the principal residence and its construction and exterior design shall be harmonious with that of the principal residence.

(3) Plans for outbuildings and storage buildings, if not screened from public view, must be submitted to and approved by the ARC. Such outbuildings and storage buildings must incorporate colors, construction materials and design features and be appropriately located on the Lot so as to not distract from the principal residence.

(3) Portable or permanent above ground swimming pools are prohibited. Above ground spas or hot tubs are permitted, but must be screened so as to not be seen from a private street.

THE ARCHITECTURAL GUIDELINES ARE UTILIZED TO OUTLINE THE GENERAL SCHEME OF THE NEIGHBORHOOD AND IMPROVEMENTS TO THE INDIVIDUAL LOTS. THE FACT THAT ANY CERTAIN ITEM THAT IS NOT ADDRESSED HEREIN DOES NOT EXEMPT ANY OWNER FROM OBTAINING APPROVAL PRIOR TO MAKING ALTERATIONS AND/OR IMPROVEMENTS TO ANY LOT. THE ARC WILL NOT MATERIALLY DEVIATE FROM THESE GUIDELINES. HOWEVER, THE ARC MAY NOT APPROVE ANY PLANS THAT ARE IN CONFLICT WITH THE AUSTIN COLONY RECORDED DEED RESTRICTIONS.

Dated effective February 26, 2017

ARCHITECTURAL REVIEW COMMITTEE OF AUSTIN COLONY PROPERTY OWNERS ASSOCIATION

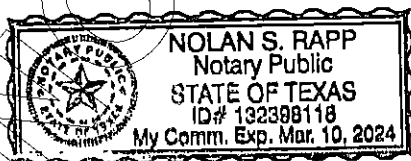
By

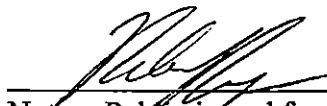

Michael I. Lynn

THE STATE OF TEXAS

COUNTY OF MCLENNAN

THIS INSTRUMENT was acknowledged before me on 25th of August, 2021, by Michael I. Lynn, member of the Architectural Review Committee of AUSTIN COLONY PROPERTY OWNERS ASSOCIATION, INC, a Texas non-profit corporation, for the purposes and in the capacity stated herein.



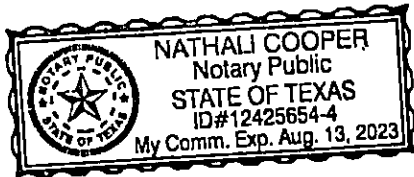

Notary Public in and for
The State of Texas

By *James R. Eskew*
James R. Eskew

THE STATE OF TEXAS

COUNTY OF MCLENNAN

THIS INSTRUMENT was acknowledged before me on August 25, 2021, by James R. Eskew, member of the Architectural Review Committee of AUSTIN COLONY PROPERTY OWNERS ASSOCIATION, INC, a Texas non-profit corporation, for the purposes and in the capacity stated herein.



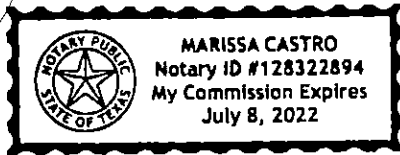
Nathali Cooper
Notary Public in and for
The State of Texas

By *James M. Petrich*
James M. Petrich

THE STATE OF TEXAS

COUNTY OF MCLENNAN

THIS INSTRUMENT was acknowledged before me on August 27, 2021, by James M. Petrich, member of the Architectural Review Committee of AUSTIN COLONY PROPERTY OWNERS ASSOCIATION, INC, a Texas non-profit corporation, for the purposes and in the capacity stated herein.



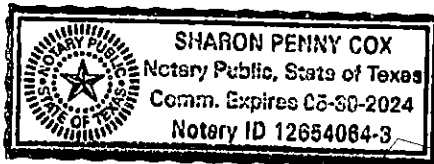
Marissa Castro
Notary Public in and for
The State of Texas

By Kelly E Bogard
Kelly E Bogard

THE STATE OF TEXAS

COUNTY OF MCLENNAN

THIS INSTRUMENT was acknowledged before me on August 26, 2021, by Kelly Bogard, member of the Architectural Review Committee of AUSTIN COLONY PROPERTY OWNERS ASSOCIATION, INC, a Texas non-profit corporation, for the purposes and in the capacity stated herein.



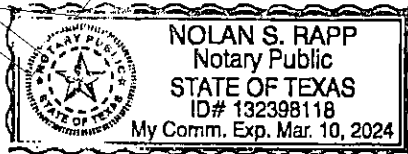
Sharon Penny Cox
Notary Public in and for
The State of Texas

By Cory A. Preusse
Cory A. Preusse

THE STATE OF TEXAS

COUNTY OF MCLENNAN

THIS INSTRUMENT was acknowledged before me on August 30th, 2021, by Cory A. Preusse, member of the Architectural Review Committee of AUSTIN COLONY PROPERTY OWNERS ASSOCIATION, INC, a Texas non-profit corporation, for the purposes and in the capacity stated herein.



Nolan S. Rapp
Notary Public in and for
The State of Texas

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

J. A. Andy Harwell

J. A. "Andy" Harwell, County Clerk
08/31/2021 02:54 PM
Fee: \$44.00
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McLennan County, Texas