

APRIL COVE RESTRICTIVE COVENANTS

Binding for Sections I, II, III, IV, and V

Deed Restrictions

Additional Rules and Regulations

Table of Contents

	Page
Animals / Livestock	4
Architectural Control Committee	10
Building Code / Septic System	3
Business Activity	8
Careless Driving	13
Common Areas	8
Composting Devices, Rain Barrell or Rainwater Harvesting Systems	12
Culverts / Water Drainage	6
Display of Certain Religious Items	13
Dues / Expenditures / Board of Directors	7
Dumpsters	12
Fences	3
Flag Display	13
Lot Division / Adjoining Lots	6
Lot Line Setbacks	2
Materials/Vehicles Kept on Property	4
Non-Residential Acreage (1)	9
Non-Residential Acreage (2)	11
Obstruction of View	13
Offensive Trades	5
Property Maintenance	4
Rental Properties	12
Roads	5
Signs	9
Solar Systems, Propane Tanks, Satellite Dish, Roof Pitch	5
Storage Lot	12
Structures / Construction	1
Swimming Pools	9
Tennis Courts	10
Trailers, Mobile Homes, Etc.	5
Utility Easements	3

FOR REFERENCE PURPOSES ONLY

This document is not all inclusive.

Some subjects such as administrative matters may have been purposely omitted, and there may be other restrictions inadvertently omitted.

(For official purposes see Restrictions dated September 29, 1988 recorded in Vol. 785, Page 141 Deed Restrictions of Freestone County and all subsequent Amendments. Additionally, see recorded By-Laws of April Cove Maintenance Fund and all subsequent Amendments as well as Property Owners Additional Rules & Regulations and all subsequent amendments, and the Roadway Rules.)

APRIL COVE RESTRICTIVE COVENANTS

Binding for Sections I, II, III, IV, and V

Deed Restrictions

Additional Rules and Regulations

Structures / Construction

Before any structure is erected, altered, placed or permitted to remain on any tract(s), written approval must be obtained from the Architectural Control Committee. No building shall be erected, altered, placed or permitted to remain on any residential lot other than one new, detached single family dwelling not to exceed two (2) stories in height, built on site, together with a private garage or carport for not more than three (3) cars, and a tool shed, workshop, or servants quarters, attached or unattached, to the residence building, and/or a boathouse, pier, or boat launching ramp, approved and constructed according to the rules and regulations for such structures as prescribed and set out by the Tarrant County Water Control and Improvement District No. 1. Any residence constructed on any lot shall contain a minimum floor space of 1,600 square feet, exclusive of porches, garages, servants' quarters, and workshops. Any two (2) story residence shall contain a minimum floor space on the ground floor of 1,000 square feet, exclusive of porches, garages, servants' quarters, and workshops. The exterior walls of all residences, garages and outbuildings shall be at least fifty-one percent (51%) brick, brick veneer, stone, stone veneer, cedar, redwood, wooden log, stucco, or lapped cement fiber board, (Hardiplank). All roofs shall be of the wood shingle, composition shingle, slate tile, clay tile, or metal conforming to the following specifications:

1. It must be "standing rib or lapped seam" design.
2. It must be 26-gauge steel or thicker (no aluminum or galvanized metal).
3. It must have a minimum 20-year "no fade manufacturers warranty".
4. A sample of the material must be presented to the board for approval, prior to installation.
5. Specific "written approval" must be given by the board prior to installation.
6. All of the above applies to re-roofing any existing structures as well.

There are to be no restrictions for roofing materials that are (A) designed primarily to be wind and hail resistant, (B) provide heating and cooling efficiencies greater than those provided by customary composite shingles or (C) provide solar generation capabilities and when installed (a) resemble the shingles used or otherwise authorized for use on property in the subdivision, (b) are more durable than and are of equal or superior quality to the shingles described in (a), and (c) match the aesthetics of the property surrounding the owner's property. Any residence, garage, servants' quarters, workshop or other outbuilding constructed on any lot or tract must be constructed on a concrete slab foundation, unless an exception in writing has been granted by the Architectural Control Committee. Any such foundation slab must be designed and built with sufficient beam size, reinforcing material, and thickness to support the proposed structure. There is no requirement to build on the property at any specific time, but once the construction of any structure has begun, it must be completed within 180 days from the date that the foundation slab was poured.

Paragraph (a) Deed Restrictions recorded in Vol. 785, page 141, Sep. 29, 1988

Amended by:

Instrument recorded in Vol. 1214, Page 256, Oct. 08, 2002

Instrument recorded in Vol. 1437, Page 274, Feb. 14, 2008

Instrument recorded in Vol. 1475, Page 507, Feb. 02, 2009

Instrument recorded in Vol. 1562, Page 543, Feb. 01, 2011

Instrument recorded in Vol. 1542, Page 208, Feb. 23, 2011

Members must complete a construction application and receive written approval from the ACC before any structure is erected or altered. All three members of the ACC must be given the opportunity to review each application. Approval will be granted upon the vote of two-thirds (2/3) of the members voting in favor of the application. Written approval/disapproval must be given for each application within thirty (30) days of receipt. No verbal communications may serve as approval or disapproval for any type of construction or indication that the work does not come under the purview of the ACC. The ACC is to confer with the Board of Directors if any exceptions of the declarations are to be considered or at the request of any ACC member. A member of the Board may serve as a temporary ACC member on any single application in the event at least two ACC members are not available to review the application.

Paragraph K., Additional Rules & Regulations recorded in Vol. 1562, Page 522, Nov. 1, 2011

The builder or general contractor must provide and have on the worksite a Port-O-Let (or equivalent) toilet that must be present during the entire period of construction from dirt work through completion of the home. The construction site and surrounding area must be kept clean. A dumpster for containing trash and construction materials must be in place at the construction site during the entire period of construction.

Paragraph L., Additional Rules & Regulations recorded in Vol. 1562, Page 522, Nov. 1, 2011

There is no requirement to build on the property at any specific time, but once written approval has been given, construction must begin within ninety (90) days. If construction has not commenced within ninety (90) days a new application must be submitted. Once the construction of any structure has begun, the exterior design must be completed and the interior in livable condition within 180 days from the date the foundation was begun. At the written request of the owner, an automatic thirty (30) day extension will be granted. Additional 30-day extensions will be granted at the discretion of the ACC. When all extensions have expired, the owner will be subject to a fine or penalty for each 30-day period the structure is unfinished.

Paragraph X., Additional Rules & Regulations recorded in Vol. 1562, Page 522, Nov. 1, 2011

Structure shall mean and refer to anything constructed as a permanent architectural change or addition to Property including, but not limited to: dwelling, residence, garage, car port, outbuilding, servant's quarters, tool shed, workshop, gazebo, greenhouse, deck, fence, retaining wall, dam, bridge, swimming pool, tennis court, exterior hot tub, driveway or culvert. Any pier or dock on the retention ponds is to be considered a Structure.

Paragraph AA., Additional Rules & Regulations recorded in Vol. 1569, Page 040, Jan. 23, 2012

Lot Line Setbacks

No building or structure shall be located nearer to the front lot or tract line or nearer to any public street or road than 50 feet. The Architectural Control Committee may grant exceptions to this rule in cases of unusual terrain, but such exceptions must be in writing, and in no case may any building or structure be located nearer to any front line or to any public street than 25 feet. No slab or foundation of any building or structure shall be located nearer than 10 feet to any side lot or tract line. In the case of water front lots, no slab or foundation of any building or structure, other than a pier, boathouse or other such structure for which written approval has been obtained from Tarrant County Water Control and Improvement District No. 1, may be constructed on the flood plain easement reserved by said District between the 315 foot elevation (MSL) and the 320 foot elevation (MSL). On non-water front lots, no slab or foundation of any building or structure may be located nearer than 10 feet from any rear lot line.

Paragraph (b) Deed Restrictions recorded in Vol. 785, page 141, Sep. 29, 1988

Building Code / Septic System

There shall not be erected on any lot a residence or other structure whose quality of construction and finish does not meet the minimum standards established by any building code of Freestone County, nor shall any alteration or addition to any residence be made which does not meet the same minimum property standards. The septic system for any residence must be installed to meet state, county and/or Tarrant County Water Control and Improvement District No. 1 standards, whichever may be the more stringent.

Paragraph (c) Deed Restrictions recorded in Vol. 785, page 141, Sep. 29, 1988

Fences

Any fence constructed on a residential lot or tract shall be built out of masonry (not cement block), cedar board, redwood board, stockade, split rail, running rail, chain link, wrought iron, or vinyl. Any masonry fence must be constructed upon a concrete foundation of sufficient width and depth to properly support such a structure. No fence shall exceed six (6) feet in height, except that a written exception for such a fence shall have been obtained from the Architectural Control Committee, prior to the beginning of any such construction. On tracts of 2.5 acres or larger, where the keeping of horses is permitted, woven metal wire or smooth strands of metal wire may be used for fencing, provided that no such fence may be built nearer than 250 feet to any public street or road. No barbed wire fence will be permitted, except that if there is any existing barbed wire fence on the perimeter of the property, such a fence may be allowed to remain in place, provided that it is properly maintained.

Paragraph (d) Deed Restrictions recorded in Vol. 785, page 141, Sep. 29, 1988

Amended by:

Instrument recorded in Vol. 1475, Page 508, Feb. 2, 2009

Utility Easements

Utility easements are reserved along and within 25 feet of the front line of every lot or tract, and along and within 10 feet of the side lot lines of all lots or tracts in this addition for the construction and perpetual maintenance of wires, braces, poles, conduits and other necessary fixtures for electric lines, telephone lines, cable television lines, water lines, sanitary and storm sewers, road drains and other public and quasi-public utilities. The right is included in these easements to trim any trees which may interfere with or threaten to interfere with the operation or maintenance of any such lines, drains, sewers or other fixtures which are a part of such facilities, and to do any other repair or maintenance necessary for the operation of these facilities, which includes the right of ingress and egress on these easements for the employees and equipment of said utilities and service entities.

Paragraph (e) Deed Restrictions recorded in Vol. 785, page 141, Sep. 29, 1988

Animals / Livestock

No animals, livestock, or poultry shall be bred or kept on any lot or tract containing less than 2.5 acres, except that cats, dogs, and other household pets may be kept, provided that they are not kept, bred or maintained for any commercial purpose, and further provided that the number of such animals kept as family pets shall not be so many as to become or be considered, a public nuisance. On tracts containing from 2.5 acres up to 5.0 acres, up to 2 horses may be kept for riding purposes. On tracts of 5.0 to 10.0 acres, up to 4 horses may be kept for riding purposes. No other animals, livestock or poultry may be kept or bred on these larger tracts, except the aforementioned household pets, and the horses which are permitted may not be bred or maintained for commercial purposes. All facilities for the keeping of horses must be at least 250 feet from any public road or street, and they must meet the other standards required in these restrictions for fences and

buildings. Dogs, cats, or other household pets not confined within the owner's premises shall be considered a public nuisance, and owners shall be required to keep such animals penned, tied or otherwise restrained.

Paragraph (f) Deed Restrictions recorded in Vol. 785, page 141, Sep. 29, 1988

Materials/Vehicles Kept on Property

No lot, tract, or other part of this addition shall be used for the storage of building material except during a period of construction. No lot, tract or other part of this additional shall be used for the storage of metal, junk, chemicals, commercial equipment, hazardous material or equipment. Any inoperable vehicle which remains on any lot or tract for more than ten (10) days, and which in the opinion of the Architectural Control Committee constitutes an annoyance, hazard, or detriment to the appearance of the addition, may be removed at full cost of the owner of the lot upon which the vehicle is situated. No vehicle larger than a 1-ton pickup truck, motor home, travel trailer or utility trailer may be parked or kept on the street in front of, or on the side of, or in the driveway of any lot or tract, except that such vehicle shall be there incident to approved construction upon said lot or tract, or present on a temporary basis involving the pickup or delivery of good or material to a property owner.

Paragraph (g) Deed Restrictions recorded in Vol. 785, page 141, Sep. 29, 1988

Property Maintenance

All lots and tracts shall be maintained at all times in a sanitary, healthful and attractive condition, and the owner or occupant of any lot or tract shall keep all weeds and grass thereon cut, and in no event shall any owner permit the accumulation of garbage, trash, or rubbish of any kind on his property.

Paragraph (h) Deed Restrictions filed for record in Vol. 785, page 141, Sep. 29, 1988

All structures on improved properties are to be maintained in good condition and repair. The exterior of all buildings, fences, walls and other improvements are not to be allowed to deteriorate.

This is to include structures approved by Tarrant Regional Water District located below the 320- foot elevation (MSL) such as a pier, dock, boathouse or boat launching ramp.

Paragraph U., Additional Rules & Regulations recorded in Vol. 1562, Page 522, Nov. 1, 2011

Amended by:

Instrument recorded in Vol. 1569, Page 040, Jan. 23, 2012

Offensive Trades

No noxious or offensive trade or activity shall be carried out on any lot or tract, nor shall anything be done thereon which may be, or which may become, an annoyance or nuisance to the neighborhood, or to any of the property owners herein, or those claiming under them, whether heirs or vendees. No spirituous, vinous, or malt liquors or medicated bitter capable of producing intoxication, shall ever be sold or offered for sale on any residential lot or tract in this addition.

Paragraph (i) Deed Restrictions recorded in Vol. 785, page 141, Sep. 29, 1988

Trailers, Mobile Homes, Etc.

No trailer, mobile home, motor home, travel vehicle, basement, tent, garage, or other outbuilding shall at any time be used as a residence, either temporarily or permanently, and no house shall be moved into the subdivision.

Paragraph (j) Deed Restrictions recorded in Vol. 785, page 141, Sep. 29, 1988

Roads

This is a private subdivision, and if at some time in the future, the owners of property herein should desire to request Freestone County to take over the maintenance of the streets in the addition, a petition for such action must be signed by sixty-seven percent (67%) of the property owners of record in this addition.

Paragraph (k) Deed Restrictions recorded in Vol. 785, page 141, Sep. 29, 1988

Amended by Texas Property Code Section 209.0041:

Instrument recorded in Vol. 1562, Page 543, Nov.1, 2011

The Board of Directors will adopt Roadway Rules and a Roadway Load Permit Application. The rules are to stipulate specific roadway use restrictions, roadway load restrictions, guidelines for road use permits, fees associated with permits, a declaration of identified and allocated road damage, and established guidelines for fines. The permit application is to be completed, signed and notarized by the Owner(s) and the contractor(s), if applicable, as part of the construction application for new home construction as well as for any project requiring trucks, equipment, or materials to be brought into or taken out of the subdivision requiring a gross vehicle weight exceeding 12.5 tons (25,000 lbs). Maximum road load limits are established to be 40,000 pounds. No concrete trucks may exceed eight (8) yards. No loads may exceed 10,000 pounds after 11:00am during the period of May 1 through September 30. The completed permit application must be presented to the Board of Directors at least three (3) full business days in advance of the time the permit is to be used. Applicable payment must be received before work may begin.

Paragraph CC., Additional Rules & Regulations recorded in Vol. 1574, Page 896, Apr. 30, 2012

Solar Systems, Propane Tanks, Satellite Dish, Roof Pitch

No unsightly solar energy systems will be permitted on any tract or lot. Underground propane storage tanks must meet or exceed all state or county standards which ever may be the more stringent and no above-ground gas tank will be permitted in the front yard of any lot or tract. No television satellite dish will be permitted in the front yard of any lot or tract. Except with the written permission and approval of the Architectural Control Committee, no roof on any structure will be permitted which does not have a minimum pitch of four (4) feet in height for each twelve (12) feet of horizontal distance (i.e., 4 x 12 pitch).

Paragraph (l) Deed Restrictions recorded in Vol. 785, page 141, Sep. 29, 1988

Amended by:

Instrument recorded in Vol. 1542, Page 207, Feb. 23, 2011

Pursuant to Texas Property Code, Section 202.010, the Association will follow the established regulations set forth in the Texas Property Code in their review for approval of solar energy devices.

Paragraph T., Additional Rules & Regulations recorded in Vol. 1562, Page 522, Nov. 1, 2011

Culverts / Water Drainage

The size of, and the necessity for, any culvert that may be needed for any driveway into any lot or tract will be determined by the Architectural Control Committee, according to the requirements for such structures as set out by Freestone County. The proposed location, size, material, and length of such culverts must be noted on the plot plan submitted to the Architectural Control Committee along with the residence plans and specifications. If any lot or tract owner shall alter the drainage along any street by filling same, or by the use of an improper size culvert, or by the use of some unapproved material for such a culvert, the Architectural Control Committee shall have the right to require the owner to remove any such culvert or material and to restore the proper drainage. No other alteration of water drainage on any lot or tract will be permitted without the written consent of the Architectural Control Committee. Any engineering expense involved or incurred in determining the feasibility of altering any water drainage on any lot or tract will be at the expense of the property owner desiring to make such an alteration.

Paragraph (m) Deed Restrictions recorded in Vol. 785, page 141, Sep. 29, 1988

Lot Division / Adjoining Lots

No lot or tract in this addition may be divided or subdivided into two or more tracts without the written approval of the Architectural Control Committee. No part of a lot or tract may be sold or conveyed to an adjoining property owner which would have the effect of leaving the total remaining area of the lot or tract less than one-half (1/2) acre. No lot or tract may be divided or subdivided into two or more tracts unless said subdivision meets all the requirements of Freestone County for such subdivision.

Paragraph (o) Deed Restrictions recorded in Vol. 785, page 141, Sep. 29, 1988

Should the owner of adjoining lots or tracts choose to build or make improvements whereby the location of any structure impedes the ten (10) foot easement to the side or rear of the adjoining properties, the properties are to be considered as a single plat in regard to improvements providing the owner states in writing that the lots are considered to be a single property for the purpose of homestead and should the properties ever be sold or ownership transferred, the lots cannot be separated, but must be owned together as one property. Each lot remains separate in regard to Association assessments and voting privileges. Pursuant to Texas Property Code Section 209.015, the owner of a lot on which a residence is located may use for residential purposes an adjacent lot owned by the property owner. Residential purpose includes the location on the lot of a garage, sidewalk, driveway, parking area, children's swing or playscape, fence, septic system, swimming pool, utility line, or water well. An owner must obtain the approval of the ACC before the owner begins the construction, placement, or erection of a building, structure, or other improvement on the adjacent lot. An owner who elects to use an adjacent lot for residential purposes shall, on the sale or transfer of the lot containing the residence include the adjacent lot in the sales agreement and transfer the lot to the new owner under the same dedicatory conditions or restore the adjacent lot to the original condition before the addition of the improvements to the extent that the lot would again be suitable for the construction of a separate residence as originally platted. Each lot remains separate in regard to Association assessments and voting privileges.

Paragraph V., Additional Rules & Regulations recorded in Vol. 1562, Page 522, Nov. 1, 2011

Amended by:

Instrument recorded in Vol. 1623, Page 731

Dues / Expenditures / Board of Directors

Each property owner in the addition shall be subject to an Annual Maintenance Charge at an initial rate of \$235.00 per year for each lot or tract owned in the addition, regardless of size, for the purpose of creating a fund to be know as "April Cove Maintenance fund" and this charge shall be paid into the Maintenance Fund by each owner of property in the addition. The annual Maintenance fund charge shall be payable to April Cove Maintenance Fund, Inc., a Texas non-profit corporation, annually in advance of January 1 of each year and shall commence from the date of the sale of a lot or tract by C.E. Neal, Jr., Trustee, or his successors or assigns. To secure the payment of this Maintenance Chare, a vendor's lien shall be retained in each Deed from C.E. Neal, Jr., Trustee, his successors or assigns, against the lot or tract conveyed by such deed, which lien shall be reserved in favor of April Cove Maintenance Fund, Inc. its successors and assigns. The initial amount of the Annual Maintenance Fund Charge shall be \$60.00 per year. The first payment shall be made in advance on the date of closing and shall be prorated for the remainder of the calendar year in which the sale is closed. The amount of the Maintenance Charge may be increased by the Board of Directors up to a maximum of \$72.00 per year by a majority vote of the Directors. Increases in the annual rate beyond \$72.00 per year will require a majority vote of the Board of Directors and a majority vote of the property owners of record in the addition, with one vote being allowed for each lot or tract owned in the addition, regardless of size. Any increase beyond \$60.00 per year shall be evidenced by an instrument duly executed and placed of record in the Office of the County Clerk of Freestone County, Texas.

Any maintenance charge not paid when due shall bear interest from the date it became due until paid, at the rate of 10% per annum. The total fund accumulated from this charge, insofar as the same shall be

sufficient, shall be applied toward the payment of the maintenance expenses incurred for any or all of the following purposes in regard to all easements and right-of-way dedicated to the public use and to the use of all lot owners, and all property owners in fee simple by April Cove Maintenance Fund, Inc.:

Lighting, improving and maintaining the streets, communal boat dock, boat launching ramp, subdivision entrance gate, and the boat channel serving the communal boat dock; collecting and disposing of garbage, trash, and other waste material; caring for vacant lots; payment of legal and all other expenses incurred in connection with the collection, enforcement and administration of the "Maintenance Fund" and the enforcement of all covenants and restrictions for the addition; and doing any other thing necessary or desirable in the opinion of the Directors of April Cove Maintenance Fund, Inc., to keep the property in the subdivision and the property owned by April Cove Maintenance Fund, Inc., neat, clean and in good order, or which they consider of general benefit to the owners and occupants of the addition. It is understood that the judgment of the Directors of April Cove Maintenance Fund, Inc., in the expenditure of such funds shall be final and conclusive so long as such judgment is executed in good faith.

The Directors of April Cove Maintenance Fund, Inc. are authorized to borrow money, without personal liability on the part of the directors, for the purposes of the "Maintenance Fund", giving as security, funds then in the "Maintenance Fund" or funds that may in the future be paid into the "Maintenance Fund."

The Maintenance Charge shall remain effective until January 1, 1998, and shall automatically be extended thereafter for successive periods of ten (10) years, provided, however, that owners of a majority of all residential lots or tracts (one vote for each lot or tract) in the addition may revoke the Maintenance charge on January 1, 1998, or at the end of any successive ten year period thereafter, by executing and acknowledging an appropriate agreement or agreements in writing, for such purpose, and filing same for record in the office of the County Clerk of Freestone County, Texas, at least one (1) year prior to January 1, 1998, or at any time prior to one year preceding the expiration of an successive ten year period thereafter.

The agreement or agreements so executed for this purpose shall be acknowledged by the persons executing the same in the manner as is required for the execution deeds entitled to be recorded in the County Clerk's office.

The initial Board of Directors of April Cove Maintenance Fund, Inc., shall be composed on C.E. Neal, Jr., A.A. Jones, and John A. Alford, who shall serve until January 1, 1989, unless one or more of the three initial directors should resign prior to that time. In the case of the resignation, death, or incapacity of one or more of the original directors, the remaining director or directors may appoint a substitute director or director to serve the remaining of the said term. The members of the April Cove Maintenance Fund, Inc. shall be owners of lots or tracts in the April Cove addition. Each member is entitled to one vote for each lot or tract owned in the addition regardless of size, at any meeting of the members. After January 1, 1989, or sooner if all three initial directors resign, the members shall elect three (3) directors annually at a meeting of the members, and such directors shall serve for a period of one year.

Paragraph (p) Deed Restrictions recorded in Vol. 785, page 141, Sep. 29, 1988

Amended by:

Instrument recorded in Vol. 1214. Page 256, Oct. 08, 2002

Amendments to the annual maintenance charge have been made in the By-Laws being the ruling dedicatory document.

Common Areas

All lands owned by April Cove Maintenance Fund, Inc. and all other lands hereinafter acquired for the general use and benefit of the members by the Corporation are deemed as non-residential Common Maintenance Areas, and therefore, are not subject to the residential covenants and restrictions. The Corporation shall grant any and all easements that may be necessary or convenient for the building and maintenance of utility lines, service lines, drainage areas, and other similar facilities on or across such Maintenance Fund property for the benefit of the owners of property in the addition.

Paragraph (q) Deed Restrictions recorded in Vol. 785, page 141, Sep. 29, 1988

Amended by:

Instrument recorded in Vol. 1542, Page 207, Feb. 23, 2011

Business Activity

Any commercial or business activity or operation in any residence or outbuilding or on any lot or tract in this addition is strictly prohibited, with the exception of the water supply operation which is permitted by these restrictions. This restriction applies particularly to those businesses or commercial activities which might be operated out of a residence or outbuilding constructed on a residential lot, such as sales operations, accounting practices, law offices, beauty shops, equipment repair, nurseries or day care centers, weight control programs, or teaching or trainings programs of one kind or another.

Paragraph (r) Deed Restrictions recorded in Vol. 785, page 141, Sep. 29, 1988

Signs

No sign will be permitted on any lot or tract in the addition except for one sign not larger than two feet by two feet setting out the name and address of the owner, or one sign not larger than three feet by three feet offering the property for sale. All such signs must be submitted to and approved by the Architectural Control Committee.

Paragraph (s) Deed Restrictions recorded in Vol. 785, page 141, Sep. 29, 1988

Non-Residential Acreage (1)

1. The original 12.705 acre tract included in Section 4, shown on the FINAL PLAT Deed Restrictions filed for record on July 13, 1992, in Envelope 90, cabinet B, Freestone County Courthouse, is designated as "NON-RESIDENTIAL ACREAGE". As such it is understood that this acreage, currently held in four (4) tracts, will be used solely for non-commercial activities including the housing and keeping of horses. The number of horses to be kept on these tracts shall not exceed those stated in paragraph (f) of the aforementioned restrictions.
2. Further the four tracts are exempted from the requirements of paragraph (a) as amended on February 18, 2001, and Deed Restrictions filed for record on October 8, 2003 (Volume 1214, Page 256), which reads:
The exterior walls of all residences, garages and outbuildings shall be at least fifty-one percent (51%) brick, brick veneer, stone, stone veneer, cedar, redwood, wooden log or stucco. All roofs shall be of the wood shingle, composition type or metal conforming to the following specifications:
 - a. It must be "standing rib or lapped seam" design.
 - b. It must be 26-gauge steel or thicker (no aluminum or galvanized metal).
 - c. It must have a minimum 20-year "no fade manufacturers warranty".
 - d. A sample of the material must be presented to the board for approval, prior to installation.
 - e. Specific "written approval" must be given by the board prior to installation.
 - f. All of the above applies to re-roofing any existing structures as well.
3. The Architectural Control Committee is granted authority to approve appropriate structures to support the intended use of this tract.

4. In the event that any of the acreage is sold and the new owner desires to build a residence on that tract, a vote of the majority of the property owners will be required to re-designate the tract as a "RESIDENTIAL TRACT". Additionally, the exemption granted by this amendment will no longer apply and any building that does not meet ALL other restrictions must be removed. Re-designation of any part of the four (4) tracts will not affect the remaining tracts and all provisions and exemptions granted by this amendment will remain in effect.

Paragraph (t) Deed Restriction recorded in Vol 1292, Page 00006, Sep. 20, 2004

Swimming Pools

Swimming pools will be allowed on lots that will accommodate such pools and are to be located at the rear of the dwelling, must have a perimeter enclosure and be subject to architectural control. Swimming pools must meet or exceed any and all county or state standards whichever is more stringent. Minimum height of a perimeter fence is to be four (4) feet and materials of the fencing are subject to architectural control as set forth in the dedicatory documents. Drawings and specifications for swimming pools must be submitted to the ACC for approval and must include specifications for the pool, screening materials, retaining walls and a plat showing the location of the pool, pumps, and filtering equipment. Pools shall not drain onto common areas or neighboring lots. Pool pumps and filtering equipment must be screened from view with landscaping or other approved materials. Swimming pools may not be located closer than ten (10) feet to any property line of the property on which it is located or nearer to any public street or road than fifty (50) feet. Seasonal temporary pools are not to be stationary for a period greater than seventy-two (72) hours. Above ground pools must be screened from public view.

Paragraph (u) Deed Restriction recorded in Vol. 1576, Page 893, Apr 30, 2012

Tennis Courts

Tennis courts will be allowed on lots that will accommodate such courts and are to be located at the rear of the dwelling and be subject to architectural control. Drawings and specifications for tennis courts must be submitted to the ACC for approval and must include specifications for the court and a plat showing the location of the court. Tennis courts may not be located closer than ten (10) feet to any property line of the property on which it is located or nearer to any public street or road than fifty (50) feet. Tennis courts are to be for private recreational use only.

Paragraph (v) Deed Restriction recorded in Vol. 1576, Page 893, Apr 30, 2012

Architectural Control Committee

(a) Architectural Control. No building or structure shall be erected, placed or altered on any lot or tract until the construction plans, specifications, and a plat showing the location of the structure or structures to be erected on the lot or tract shall have been approved by the Architectural Control Committee as to quality of workmanship and material, conformity with all restrictions, harmony of exterior design with the existing structures, and as to the location of the structure or structures with respect to topography, finished grade elevation, drainage, and other requirements of these restrictions.

(b) The Architectural Control Committee shall initially be composed of C. E. Neal, Jr., John A. Alford, and Arlis A. Jones. Neither the members of the Committee, or and designated successors, shall be entitled to any compensation for their services as performed pursuant to this covenant. Committee members shall serve for a period of three (3) years with one (1) member elected each year. An alternate Committee member shall be elected each year in the event of the death, resignation, or inability of any member of the Committee to function. In the event the alternate is unable to serve, the remaining member or members shall have the full authority to designate a qualified successor or successors. Each candidate will be voted on individually, and a

majority of the total votes cast shall constitute election. Each lot or tract in the addition shall be entitled to one vote in such elections irrespective of the number of persons owning an interest in said lot or tract.

(c) The Committee's approval or disapproval as required by this instrument shall be in writing. In the event the Committee or its designated representative fails to approve or disapprove within 30 days after plat, specifications and plot plan have been submitted to it, or in any event if no suit to enjoin the construction has been commenced prior to the completion thereof, approval will not be required, and the restrictive covenants contained herein shall be deemed to have been fully complied with.

(d) Invalidity of any of these covenants, stipulations, conditions, or restrictions herein contained, by agreement of owners or judgment of court, shall in no way affect any of the other provisions, but all of the said provisions shall remain in full force and effect.

(e) The Architectural Control Committee should analyze "new building materials coming onto the market" and submit an updated list of materials to the membership at the annual meeting. These materials will be added to the list of approved materials within the deed restrictions upon approval by the majority of votes present at such meeting.

Right to Endorse Restrictions recorded in Vol. 785, page 141, Sep. 29, 1988

Amended by:

Instrument recorded in Vol. 1475, Page 507, Feb. 02, 2009

Instrument recorded in Vol. 1570, Page 706, Feb. 13, 2012

Non-Residential Acreage (2)

WHEREAS, this amendment passed by a majority vote of the Board of Directors of April Cove Maintenance Fund, Inc. (the "Association") and a majority vote of the property owners of record by written "mail-in ballot" deeming it to be in the best interest of the Association for the Real Estate described as follows:

Lots 10 through 31, inclusive, and the contiguous roadway known as Lazy Oaks, of April Cove Section V addition in Freestone County, Texas (the "Property"), according to the Preliminary Plat recorded in Cabinet B, Envelope 84, Deed Restrictions filed for record on December 7, 1990 and so voted as the FINAL PLAT on June 16, 2008, by the Freestone County Commissioners Court.

WHEREAS, a contractual agreement (attached Exhibit "B") has been signed between R. Michael Shuck (the Owner) and the Association in relation to the Property and its use as pasture for horses with related facilities;

NOW THEREFORE, the Property comprising of any or all individual lots referenced above owned by R. Michael Shuck, his heirs, successors or assigns, is designated as non-residential acreage for non-commercial activities.

As such, the Property will be re-platted to one tract of land, meeting all requirements of Freestone County.

The Owner, his heirs, successors, or assigns and the Property will be subject to all dedicatory declarations of April Cove Addition and the Association except as noted herein:

The special use of the Property is to be for the housing and keeping of horses exclusively. The number of horses to be kept on the Property shall not exceed four (4).

The Owner, his heirs, successors, or assigns will be subject to an Annual Maintenance Charge equal to one-third the total sum due of the said individual lots of the Property, prior to re-platting, as is administered to all property owners by the Association and shall commence with the next billing cycle from the date the new plat is Deed Restrictions filed for record.

Any fence constructed on the Property will be subject to approval of the Architectural Control Committee with the materials and height being in compliance with the dedicatory declarations of April Cove. No set-back from the right-of-way of any public street or road will be required for fencing.

The Architectural Control Committee is granted authority to approve the structures and building materials which support the intended special use of the Property. Special use structures on the Property will

be limited to one horse barn and related facilities such as a loafing shed, round pen and walking pen, with a minimum 250' set-back from any public street or road for such structures.

The Owner, his heirs, successors or assigns shall not grant third-party right-of-entry to or through the Property that would allow access to any April Cove street or road right-of-way.

Any future development of a roadway on or through the Property is to be deemed a private road and will be the sole responsibility of the Owner, his heirs, successors, or assigns.

Until R. Michael Shuck obtains ownership of Lot 31, Section V, the lot, by mutual agreement of the owner and R. Michael Shuck, may be contractually leased by R. Michael Shuck, his heirs, successors, or assigns, and therefore will be subject to all stipulations of this amendment until such time the lease is terminated. Should the lease be terminated and ownership is not transferred to R. Michael Shuck, Lot 31, Section V will return to the standard, individual, residential lot status and be subject to the same dedicatory documents that are administered to all property owners by the Association.

The Owner, his heirs, successors or assigns will be entitled to voting privileges and subject to any assessments attached to the Property as stipulated in the By-Laws of the Association.

Deed Restriction recorded in Vol.1648, Page 335, Jun. 9, 2015

Dumpsters

Dumpsters are provided for HOUSEHOLD REFUSE ONLY. Empty boxes must be flattened before being placed in the container. No fish carcasses are allowed. Tree limbs, leaves, scrap wood, metal and large empty boxes must be disposed of in some other manner. No remodeling or contractors' waste is allowed. No furniture or appliances are allowed. No trash, garbage, or other waste generated outside of April Cove may be dumped in April Cove with the exception of household garbage generated by a Member who does not reside in April Cove. No trash shall be left on the ground or on top, even if the dumpsters are full. Lids are to remain closed at all times.

Paragraph G., Additional Rules & Regulations recorded in Vol. 1562, Page 522, Nov. 1, 2011

Storage Lot

Parking and storage in the community lot is at the risk of the owner. The Association assumes no liability and provides no security other than the safety lock on the gate. No commercial units or construction equipment will be allowed unless a project has been permitted by the Board for a specific time, then immediately removed. All units are to be the personal property of members and utilized for their personal use. No cars or trucks will be allowed, running or not. Building materials or loose items will not be allowed. All items stored must be in usable condition and registered with the Board of Directors. Any unit not registered is subject to removal at the owner's expense. Members are required to keep grass and weeds around and under their units mowed and/or trimmed. Space will be available on a first come basis.

Paragraph H., Additional Rules & Regulations recorded in Vol. 1562, Page 522, Nov. 1, 2011

Rental Properties

Homes within April Cove are deemed for single-family usage. No contractual rental or lease agreements for a period of less than six (6) months are allowed except those attached to a real estate contract as part of the sales agreement in which case the time period may be less than six (6) months. The renter must be provided a copy of all declarations and abide by all declarations.

Paragraph I., Additional Rules & Regulations recorded in Vol. 1562, Page 522, Nov. 1, 2011

Composting Devices, Rain Barrel or Rainwater Harvesting Systems

The Association will impose and enforce restrictions pertaining to the regulation of composting devices and rain barrels or rain water harvesting systems within the limitations of Texas Property Code Section 202.007(d).

Paragraph Q., Additional Rules & Regulations recorded in Vol. 1562, Page 522, Nov. 1, 2011

Flag Display

The Association will impose and enforce restrictions pertaining to the display of flags and flag poles within the limitations of Texas Property Code Section 202.011.

Paragraph R., Additional Rules & Regulations recorded in Vol. 1562, Page 522, Nov. 1, 2011

Display of Certain Religious Items

The Association will impose and enforce restrictions pertaining to the display of certain religious items within the limitations of Texas Property Code Section 202.018.

Paragraph S., Additional Rules & Regulations recorded in Vol. 1562, Page 522, Nov. 1, 2011

Careless Driving

Posted speed limits are to be obeyed at all times. All persons operating golf carts, 4-wheelers, utility vehicles, dirt bikes or other personal recreational vehicles within April Cove are to observe speed limits, yield the right of way to cars and trucks, and respect both common and private properties.

Paragraph W., Additional Rules & Regulations recorded in Vol. 1562, Page 522, Nov. 1, 2011

Obstruction of View

No fence, hedge or shrub planting shall obstruct sight lines of neighboring properties to the lake or other scenic views or impede the safety of vehicular traffic.

Paragraph Y., Additional Rules & Regulations recorded in Vol. 1562, Page 522, Nov. 1, 2011