

AFTER RECORDING RETURN TO:



Robert D. Burton, Esq.
Winstead, PC
401 Congress Ave., Suite 2100
Austin, Texas 78701
Email: rburton@winstead.com

OLMOS DRIVE DESIGN GUIDELINES

Adopted:

Olmos Drive, LP, a Texas limited partnership

By: Olmos Drive GP, LLC , a Texas limited liability company, its General Partner

By:
Printed Name: ANTHONY SIELA
Title: Manager

THE STATE OF TEXAS §
COUNTY OF BEXAR §

This instrument was acknowledged before me on this 14th day of January, 2016, by Anthony Siela, Manager Member of Olmos Drive GP, LLC, a Texas limited liability company, General Partner of Olmos Drive, LP, a Texas limited partnership, on behalf of said limited liability company and limited partnership.

(seal)

Notary Public, State of Texas

Adopted by Olmos Drive, LP, in accordance with Declaration of Covenants Conditions and Restrictions for Olmos Drive, recorded as Document No. 20160008317, Official Public Records of Bexar County, Texas (the "Declaration"). In accordance with Section 7.02(c) of the Declaration, these Design Guidelines may be amended from time to time.

OLMOS DRIVE
DESIGN GUIDELINES - DECKS AND PATIOS

The Property subject to that certain Declaration of Covenants, Conditions and Restrictions Olmos Drive recorded as Document No. 20160008317 in the Official Public Records of Bexar County, Texas (the "**Declaration**") is made subject to the terms and provisions of these Design Guidelines. In the event of any conflict between these Design Guidelines and the Declaration, the Declaration shall control. Terms used but not defined in these Design Guidelines shall have the meaning subscribed to such terms in the Declaration. The requirements set forth herein may not be a comprehensive list of all items considered by the ACC, and, in accordance with Section 7.02(c) of the Declaration, the Design Guidelines may be amended from time to time.

Architectural Review Process

Submittals

Requests for approval of proposed construction or modification of decks and or patios must be made by submitting an application with plans to the ACC. No deck or patio constructed by the Declarant is required to be approved by the ACC.

Timing

The ACC will attempt to review all applications and submittals within thirty (30) days. Please allow at least thirty (30) days prior to installation or construction for the ACC to review the related applications. Please be advised that in the event that any plans and specifications are submitted to the ACC and the ACC fails to either approve or reject such plans and specifications for a period of thirty (30) days following such submission, the plans and specifications will be deemed disapproved.

Responsibility for Compliance

An applicant is responsible for ensuring that all of the applicant's representatives, including the applicant's architect, engineer, contractors, subcontractors, and their agents and employees, are aware of these Design Guidelines and all requirements imposed by the ACC as a condition of approval.

Inspection

Upon completion of all approved work, the Owner must notify the ACC. The ACC may, but shall in no event be obligated, to inspect the work at any time to verify conformance with the approved submittals.

OLMOS DRIVE
DESIGN GUIDELINES

Deck and Patio Requirements

General

1. Decks and patio extensions must be permitted by the applicable city and/or county jurisdiction and conform to Applicable Law. Contractors used must be licensed and insured. Proof of contractor insurance and construction permits must be submitted to the Association upon request.
2. The color scheme of all materials used needs to match or complement the exterior color scheme of the residence located on the Lot subject to approval by the ACC.
3. Decks and patios (new or original + expansion area) are limited to a maximum of 200 sq. ft.
4. Decks and/or patios may (i) extend no more than five feet (5') from the lateral boundaries of the home constructed on the Lot; (ii) must be setback at least five feet (5') from side yard privacy fencing; (iii) must be setback at least five feet (5') from the rear boundary of the Lot/perimeter fence; and (iv) may additionally be subject to city or county limits as to setback requirements from the back and/or side Lot lines.
5. No trellis, awnings or roof coverings shall be allowed. Open air decks and patios only. Plants selected for planter boxes must therefore be limited in height and should be non-invasive species as identified by the city or county.
6. Deck or patio surfaces shall be no higher than the surface level of any existing patio or deck or the threshold of your rear exit door. If elevated supports are needed for a deck, skirting must be added to enclose the exposed elevated sections of the deck. Skirting should be made of similar materials and color as the deck. Corten steel may be used for skirting and/or planters as an alternative to the deck material.
7. Deck railings, benches, planter boxes or other features whether attached to the deck or patio or not should not exceed 36 inches in height from the deck surface. No solid railings or continuous solid side walls, even if constructed of detached plant containers, shall be allowed.
8. If stairs are required to access the deck, stair railings should be installed in accordance with Applicable Law.
9. If an Owner's design causes excessive run-off, erosion or pooling of water in the Owner's Yard Area or the Owner's neighbor's Yard Area, said Owner will bear the responsibility for mitigating and correcting the drainage, deck or patio design at the direction of the Association.
10. Modifications to the irrigation system must be planned and made by the licensed irrigation contractor currently maintaining the irrigation system for the Association and access to irrigation valve

OLMOS DRIVE
DESIGN GUIDELINES

boxes must be preserved or they must be relocated as part of the design. All modifications to the irrigation system must be detailed and included with application. Modifications to the irrigation system will be billed to Owner.

11. Only permanent, low voltage, directional low voltage down-lighting systems are permitted for deck/patio illumination.

12. Stepping stones in the Yard Area shall be made of smooth cut limestone and will not count in the allowable square feet.

Existing Patio or Deck Expansion

13. Expansions must match the existing patio or deck material and builder design, however, smooth cut limestone flagstone may be used to create a patio area around an existing deck subject to the maximum square feet.

New Decks or Patios when none is present

14. New Decks shall be built of manufactured lumber (like Trex or TemberTech) in neutral colors.

ACC Plan Submission

15. When applying for design approval, please provide the following measurements in addition to any other requirements:

- distance from the edge of the deck to the side fence lines
- distance to the rear fence line
- total square footage of deck surface
- maximum height of planters, benches, privacy landscaping
- material and color of same to be used
- details of any changes to the irrigation system including current/proposed location of valve boxes

OLMOS DRIVE
DESIGN GUIDELINES

Doc# 20160008872
Pages 5
01/19/2016 10:37AM
e-Filed & e-Recorded in the
Official Public Records of
BEXAR COUNTY
GERARD C. RICKHOFF
COUNTY CLERK
Fees \$38.00

STATE OF TEXAS
COUNTY OF BEXAR
This is to Certify that this document
was e-FILED and e-RECORDED in the Official
Public Records of Bexar County, Texas
on this date and time stamped thereon.
01/19/2016 10:37AM
COUNTY CLERK, BEXAR COUNTY TEXAS



Gerard C. Rickhoff