



AFTER RECORDING RETURN TO:

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RED HAWK LANDING
BUILDER GUIDELINES
[RESIDENTIAL]

Declarant as the Red Hawk Landing Reviewer: MAXLAND ENTERPRISES, LLC, a Texas limited liability company

Adopted by MAXLAND ENTERPRISES, LLC, a Texas limited liability company, in accordance with that certain Red Hawk Landing Master Covenant [Residential], recorded as Document No. 20210088895 in the Official Public Records of Bexar County, Texas, as amended (collectively, the "Covenant"). In accordance with *Section 6.4.2* of the Covenant, these Builder Guidelines [Residential] may be amended from time to time by the Red Hawk Landing Reviewer (as defined in the Covenant).

Corridor Title Co. GF# 20-4387-UB

RED HAWK LANDING
BUILDER GUIDELINES
[RESIDENTIAL]

These Builder Guidelines [Residential] (the "**Builder Guidelines**"), are hereby adopted by MAXLAND ENTERPRISES, LLC, a Texas limited liability company (the "**Declarant**"), as the RED HAWK LANDING REVIEWER, and are as follows:

RECITALS

A. Declarant previously recorded that certain Red Hawk Landing Master Covenant [Residential] recorded as Document No. 20210086708 in the Official Public Records of Bexar County, Texas, as may be amended from time to time (the "**Covenant**").

B. Pursuant to *Section 6.4.2* of the Covenant, the Red Hawk Landing Reviewer has the authority, from time to time, to adopt, amend, modify or supplement the Builder Guidelines.

C. Until the expiration of the Development Period, the Red Hawk Landing Reviewer is the Declarant or its designee.

D. Declarant, as the Red Hawk Landing Reviewer, desires to adopt these Builder Guidelines, which shall serve as a set of Builder Guidelines as contemplated in the Covenant.

E. These Builder Guidelines shall be applicable as to any Lot within the Development used for residential purposes and in a Notice of Applicability or other written instrument executed by Declarant and recorded in the Official Public Records of Bexar County, Texas.

NOW, THEREFORE, Declarant, as the Red Hawk Landing Reviewer, does hereby adopt these Builder Guidelines to be applicable to all Lots in a Notice of Applicability or other written instrument executed by Declarant and recorded in the Official Public Records of Bexar County, Texas, as set forth in the Builder Guidelines attached hereto as Exhibit "A". Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Covenant.

EXECUTED to be effective the day this instrument is Recorded.

[SIGNATURE PAGE FOLLOWS]

DECLARANT, AS THE RED HAWK LANDING REVIEWER:

MAXLAND ENTERPRISES, LLC,
a Texas limited liability company

By: [Signature]
Printed Name: Lee Baker III
Title: President

THE STATE OF TEXAS
COUNTY OF Comal

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§

This instrument was acknowledged before me this 31st day of March, 2021 by Lee E. Baker, III, President of Maxland Enterprises, LLC, a Texas limited liability company, on behalf of said limited liability company.

(SEAL)

Cynthia A. Carroll
Notary Public Signature

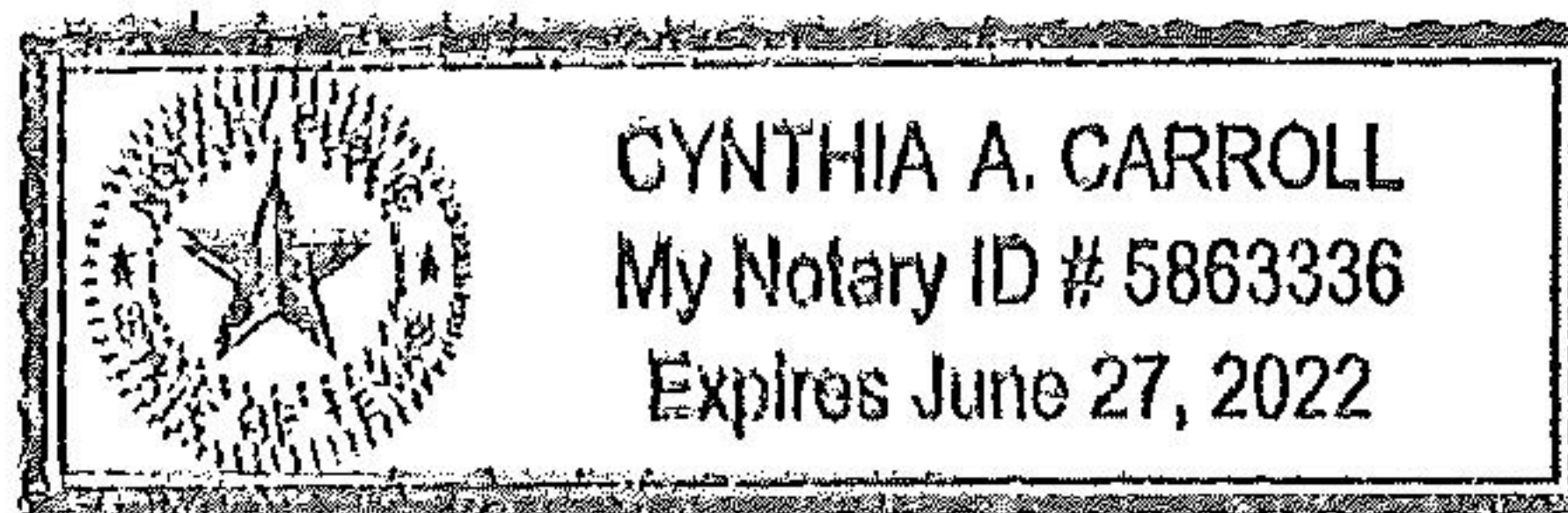


EXHIBIT "A"

RED HAWK LANDING

BUILDER GUIDELINES
[RESIDENTIAL]

[See Attached]

RED HAWK LANDING
BUILDER GUIDELINES
[RESIDENTIAL]

Introduction

These Builder Guidelines [Residential] (the "Builder Guidelines"), are adopted by MAXLAND ENTERPRISES, LLC, a Texas limited liability company (the "Declarant"), as the RED HAWK LANDING REVIEWER. Any notice or information required to be submitted to the Red Hawk Landing Reviewer under these Builder Guidelines will be submitted to the Red Hawk Landing Reviewer.

Background

Red Hawk Landing is a master planned community located in Bexar County, Texas. The community consists of Development Areas which are subject to the terms and provisions of that certain Red Hawk Landing Master Covenant [Residential], recorded under Document No. 20210088895 in the Official Public Records of Bexar County, Texas, as amended (collectively, the "Covenant"), and may be subject to Red Hawk Landing Development Area Declaration, pursuant to the Recording of one or more Notices of Applicability in accordance with *Section 9.5* of the Covenant. The Covenant and each Development Area Declaration includes provisions governing the construction of improvements and standards of maintenance, use and conduct for the preservation of Red Hawk Landing community.

Property Subject To/Applicable Development Area Declaration:

The terms and provisions of these Builder Guidelines shall apply to all portions of the Development Area made subject to that certain Red Hawk Landing Development Area Declaration [Residential], recorded as Document No. _____ in the Official Public Records of Bexar County, Texas, as amended (collectively, the "Development Area Declaration"), through one or more Notices of Applicability.

The Red Hawk Landing Reviewer and Review Authority

Article 6 of the Covenant includes procedures and criteria for the construction of Improvements within Red Hawk Landing community. *Section 6.3* of the Covenant and *Section 3.1* of the Development Area Declaration provide that no Improvements may be placed, maintained, erected or constructed within the Development without the prior written approval of the Red Hawk Landing Reviewer.

During the Development Period (as such term is defined in the Covenant), the Red Hawk Landing Reviewer shall be the Declarant, or its designee and/or assignee. Until expiration or termination of the Development Period, the Association does not administer the review and approval of Improvements within the Development.

In the event these Builder Guidelines are silent on a matter relating to the design and construction of any Lot, such matter must be submitted to the Red Hawk Landing Reviewer for review, whose determination on such matter shall be made in its sole and absolute discretion.

Governmental Requirements

Governmental ordinances and regulations are applicable to all Lots within Red Hawk Landing, including, but not limited to federal, state, county and local requirements, including universal building codes, if adopted.

It is the responsibility of each Owner to obtain all necessary permits and inspections and to comply with all Applicable Law (as further defined in the Covenant). Compliance with these Builder Guidelines and approval by the Red Hawk Landing Reviewer is not a substitute for compliance with the applicable ordinances and regulations and other requirements set forth in the Documents or Applicable Law. Please be advised that these Builder Guidelines do not list or describe each requirement which may be applicable to a Lot within Red Hawk Landing. Each Owner is advised to review all encumbrances affecting the use and improvement of their Lot prior to submitting plans to Red Hawk Landing for approval. Furthermore, approval by the Red Hawk Landing Reviewer should not be construed by the Owner that any Improvement complies with the terms and provisions of all encumbrances which may affect the Owner's Lot.

the Red Hawk Landing Reviewer shall bear no responsibility for ensuring plans submitted to the Red Hawk Landing Reviewer comply with any applicable building codes, zoning regulation and other government requirements. It is the responsibility of the Owner to secure any required governmental approvals prior to construction on such Owner's Lot.

Interpretation

In the event of any conflict between these Builder Guidelines, the Covenant or a Development Area Declaration, the Covenant and the Development Area Declaration (in that order) shall control. Terms used but not defined in these Builder Guidelines shall have the meaning subscribed to such terms in the Covenant and the Development Area Declaration.

Amendments

The Red Hawk Landing Reviewer, acting alone, may amend these Builder Guidelines. All amendments shall become effective upon recordation in the Official Public Records of Bexar County, Texas. Amendments shall not apply retroactively so as to require modification or removal of work already approved and completed or approved and in progress. It is the responsibility of each Owner to ensure that they have the most current edition of the Builder Guidelines and every amendment thereto.

Architectural Review Process

Submittals

Requests for approval of proposed construction, landscaping, or exterior modifications must be made by submitting an application in the form provided by the Red Hawk Landing Reviewer as well as specific plan sheets and specifications required in the application. No Improvement constructed by the Declarant is required to be approved by the Red Hawk Landing Reviewer.

Timing

The Red Hawk Landing Reviewer 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 Red Hawk Landing Reviewer to review the related applications. Please be advised that in the event that any plans and specifications are submitted to the Red Hawk Landing Reviewer and the Red Hawk Landing Reviewer 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 Builder Guidelines and all requirements imposed by the Red Hawk Landing Reviewer as a condition of approval.

Inspection

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

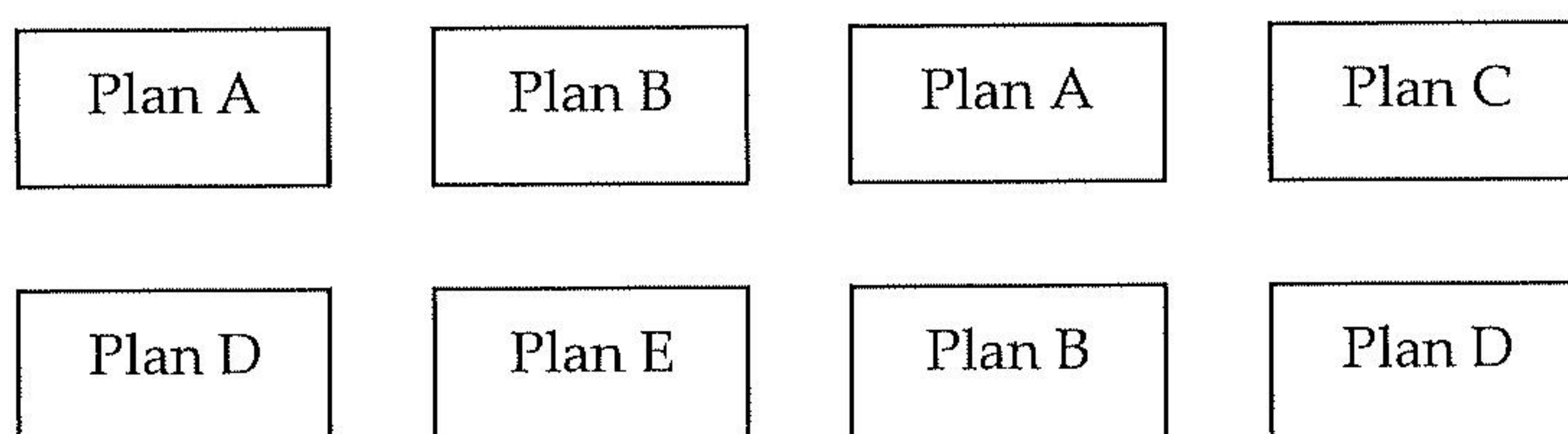
Architectural and Aesthetic Standards

Plan Repetition

The Red Hawk Landing Reviewer may, in its sole and absolute discretion, deny a plan or elevation proposed for a particular Lot if a substantially similar plan or elevation exists on a Lot in close proximity to the Lot on which the plan or elevation is proposed. The Red Hawk Landing Reviewer may adopt additional requirements concerning substantially similar plans or elevations constructed in proximity to each other.

For Example:

- *Plan can be repeated every second Lot (example: Plan A, Plan B, and Plan A).*



- *Across the Street: Same plan cannot be placed on a Lot across the street, but same plan can be diagonal from another plan as long as the plan elevation changes (example above: Plan B).*

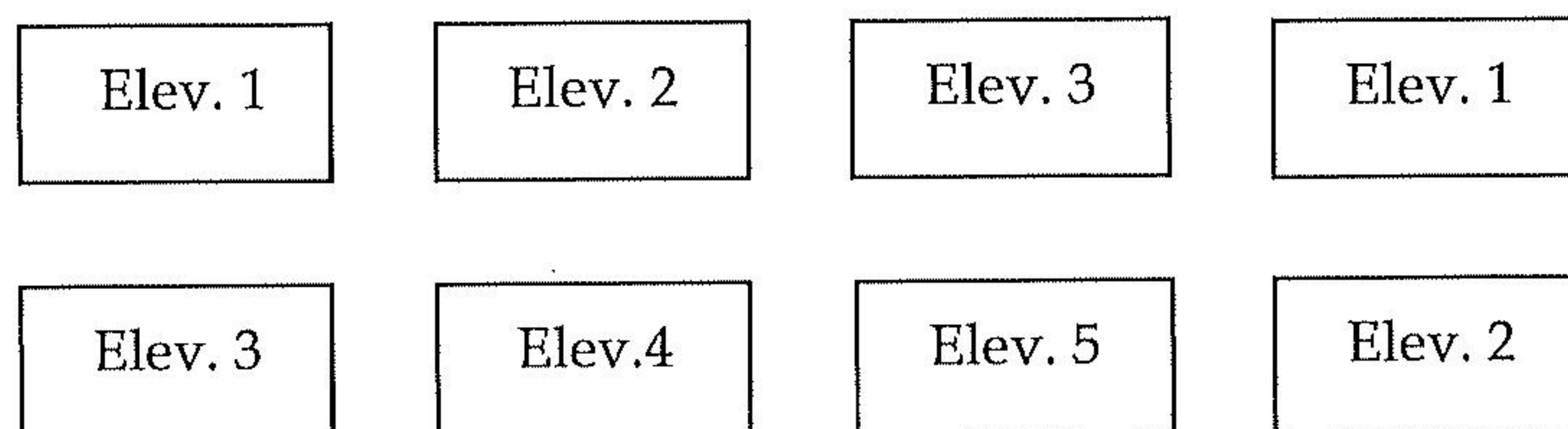
Elevation Repetition

The Red Hawk Landing Reviewer may, in its sole and absolute discretion, deny a plan or elevation proposed for a particular Lot if a substantially similar plan or elevation exists on a Lot in close proximity to the Lot on which the plan or elevation is proposed. The Red Hawk Landing Reviewer may adopt

additional requirements concerning substantially similar plans or elevations constructed in proximity to each other.

For Example:

- *Plan Elevations can be repeated every third Lot on same side of street provided Plan Elevation separation across the street is met as shown. (See Below Example).*



Masonry Color and Stone Repetition

The Red Hawk Landing Reviewer may, in its sole and absolute discretion, deny proposed exterior paint color, brick or masonry for a particular Lot if substantially similar to the exterior paint color, brick and/or masonry exists on a Lot in close proximity to the Lot on which the exterior paint color, brick and/or masonry is proposed. The Red Hawk Landing Reviewer may adopt additional requirements concerning substantially similar exterior paint color, brick or masonry constructed in proximity to each other.

Building Materials

- All building materials must be approved in advance by the Red Hawk Landing Reviewer, and only new building materials (except for used brick) shall be used for constructing any Improvements.
- All projections from a dwelling or other structure, including but not limited to chimney flues, vents, gutters, downspouts, utility boxes, porches, railings and exterior stairways must, unless otherwise approved by the Red Hawk Landing Reviewer, match the color of the surface from which they project.
- No highly reflective finishes (other than glass, which may not be mirrored) shall be used on exterior surfaces (other than surfaces of hardware fixtures), including, without limitation, the exterior surfaces of any Improvements.

Exterior Finishes

- The exterior of each primary residence shall be constructed of either masonry, stucco, siding or such other material as may be approved by the Red Hawk Landing Reviewer, exclusive of roofs, eaves, soffits, windows, gables, doors and trim work.
- Siding shall be Hardi-Plank or LP Smart Siding and other cementitious materials, exclusive of roofs, eaves, soffits, windows, gables, doors and trim work.
- Improvements must comply with Applicable Law.
- The Red Hawk Landing Reviewer must approve in advance the composition and method of application of all stucco proposed to be applied.
- Mortar color shall be limited to muted earth tones such as brown, green, beige, tan or such other color approved by the Red Hawk Landing Reviewer.

Square Footage

Unless otherwise approved in advance and in writing by the Red Hawk Landing Reviewer, the minimum living square footage for each residence on a Lot, defined as finished, heated and air-conditioned living space, exclusive of open or screened porches, terraces, patios, decks, driveways, and garages, is to be one thousand (1,000) square feet.

the Red Hawk Landing Reviewer shall have the unilateral right, in its sole and absolute discretion, to: (i) designate additional Lots as a member of any of the foregoing categories; (ii) create additional categories of Lots for purposes of setting forth applicable square footage requirements; or (iii) modify a prior designation of certain Lots into different categories as circumstances require; provide, however, that in no event shall a Lot be designated in a different category after a Lot has been conveyed with a completed residence thereon. Such designation may be included in a Notice of Applicability or other instrument executed by the Declarant, as the Red Hawk Landing Reviewer, and recorded in the Official Public Records of Bexar County, Texas.

Aesthetic Appeal

The Red Hawk Landing Reviewer may disapprove the construction or design of a home on purely aesthetic grounds. Any prior decisions of the Red Hawk Landing Reviewer regarding matters of design or aesthetics will not be considered to establish a precedent for any future decision of the Red Hawk Landing Reviewer.

Siting/Setbacks

The following setbacks shall apply to each Lot (other than a corner Lot):

- Front Lot Setback:
 - 20 feet
- Rear Lot Setback:
 - 10 feet
- Side Setback for Lots shall be 5 feet.
- In no event shall flatwork encroach beyond a two foot side setback for either a Lot or a corner Lot.
- Corner Lots:
 - The following secondary street side setbacks shall apply to each corner Lot:
 - 15 feet provided that any garage fronting on a secondary street shall have a minimum setback of 20 feet.
 - In the event of a dispute as to whether the Lot is considered a "corner Lot" hereunder, the determination of the Red Hawk Landing Reviewer shall be final and conclusive.

The Red Hawk Landing Reviewer reserves the right to stipulate building or improvement setbacks attributable to any Lot. The Red Hawk Landing Reviewer further reserves the right to grant variances to the setbacks set forth herein in accordance the Covenant.

Notwithstanding anything contained herein to the contrary, all Improvements must comply with Applicable Law.

Temporary/Accessory Structures

Owners will generally be permitted to erect one (1) accessory structure on their Lot providing the accessory structure is within the approved setbacks and, is approved in advance by the Red Hawk Landing Reviewer. In no event will the total square footage of any approved accessory structure be interpreted to reduce the minimum square footage requirements of the principal residential structure as set forth in these Builder Guidelines.

Unless otherwise approved in advance and in writing by the Red Hawk Landing Reviewer:

- (i) the exterior of the accessory structure must be constructed of 25% masonry and utilizing the same materials and colors as the principal residential structure, and may not be constructed of metal or plastic;
- (ii) must utilize roof materials that match the roof materials incorporated into the principal residential structure constructed on the Lot;
- (iii) the masonry must be of at least the same quality/color as that used on the principal residential structure constructed on the Lot; and
- (iv) the paint must match the color of the trim of the principal residential structure constructed on the Lot.

The Red Hawk Landing Reviewer shall be entitled to determine, in its sole and absolute discretion, whether an accessory structure on any Lot complies with the foregoing requirements relating to size, height, fence enclosure and construction materials. No accessory structure will be approved unless a principal residential structure has been constructed on the Lot or the accessory structure is being constructed at the same time as the principal residential structure. The Red Hawk Landing Reviewer may adopt additional requirements for any accessory structure on a case by case basis as a condition to approval, including a greater rear setback on larger Lots.

Prohibited Elements

The following architectural elements are prohibited within Red Hawk Landing Lots unless expressly approved in writing by the Red Hawk Landing Reviewer:

Prohibited Design Elements

- Unnecessarily prominent chimneys and other roof penetrations.
- Vents or skylights facing the street extending above the roof height.
- White or bubble skylights.
- Mirrored glass.

Prohibited Materials and Colors

- Gray Mortar (unless expressly approved by the Red Hawk Landing Reviewer)
- Gray brick (unless expressly approved by the Red Hawk Landing Reviewer)
- White brick (unless expressly approved by the Red Hawk Landing Reviewer)

Building Height

Unless otherwise approved in advance by the Red Hawk Landing Reviewer, no building or residential structure may exceed thirty five feet (35') in height, as measured by the vertical distance measured from the highest point from natural grade adjacent to or under the residence or other Improvement to the highest point on the roof, not including a chimney.

Views are neither guaranteed, preserved, nor protected within Red Hawk Landing.

Roofs and Chimneys

The pitch, color and composition of all roof materials and chimneys must be approved in writing by the Red Hawk Landing Reviewer.

- Accepted Roof Materials: Slate, tile or standing seam metal, "Weatherwood" or earthen colored non-reflective metal, clay, asphalt and/or composition shingles with a rating of 20 years or more, or 3-dimensional composition shingles with a rating of 30 years or more that conform to or exceed applicable local, FHA and VA requirements.

Driveways

The design of all driveways on Lots must be approved in advance by the Red Hawk Landing Reviewer. In addition:

- (i) Driveways shall intersect the street at as close to 90 degrees as possible, and have an apron with a maximum of 24' in width;
- (ii) Driveways shall have a concrete salt finish or broom finish.
- (iii) Circular drives are not permitted;
- (iv) Driveways must permit entry by standard mid-size vehicles without "bottoming out" in the transition area between the curb and property line as well as the driveway area between the property line and the garage;
- (v) In no event shall flatwork encroach beyond a two foot side setback for either a Lot or a corner Lot; and
- (vi) If the driveway is raised significantly above finished grade (which will be determined by the Red Hawk Landing Reviewer in its sole and absolute discretion), the exposed sides of the driveway must be screened with landscaping approved in advance by the Red Hawk Landing Reviewer.

No carports shall be placed, erected, constructed, installed or maintained on a Lot.

Garages

All garages shall be approved in advance of construction by the Red Hawk Landing Reviewer. The Improvements on each Lot must contain either: (i) a private, enclosed garage capable at all times of housing at least two (2) standard size automobiles; or (ii) a private, enclosed garage capable at all times of housing one (1) standard size automobile if the driveway of the Lot is constructed such that it may accommodate two (2) standard size automobiles. No garage may be sized to accommodate more than three (3) standard size automobiles without the approval of the Red Hawk Landing Reviewer. Tandem garages will be considered. Limiting street facing garages to two (2) car garages is encouraged. When three (3) garage doors front a street, decorative garage doors must be utilized and one (1) garage must be setback from the others by a minimum of 2' and approved by the Red Hawk Landing Reviewer. Each garage shall have a minimum width, as measured from inside walls, of 9.6' per car and a minimum depth for each car of 20'.

Garages may contain appropriately sized storage rooms, recreational workshops and tool rooms if approved in advance by the Red Hawk Landing Reviewer. Interior walls of all garages must be finished (*i.e.*, taped and bedded, at a minimum). The orientation of the opening into a garage (*i.e.*, side-entry or front-entry) must be approved in advance by the Red Hawk Landing Reviewer.

Address Markers, Builder Signs, and Flag Poles

Homebuilders may utilize one sign per Lot that is available for purchase and owned by the Homebuilder. Signs are limited to the Homebuilder logo, name, contact number, and the verbiage "for Sale" or "Available". Model homes may have sign monuments pre-approved as to design and location by the Red Hawk Landing Reviewer.

Arbors/Pergola/Patio Covers

All arbors, pergolas and patios covers must be approved in advance of construction or installation by the Red Hawk Landing Reviewer.

Arbors and patio covers must comply with the following:

- Shall not exceed fifteen feet (15') in height.
- Be of cedar or a wood that is painted to match the principal residential structure constructed on the Lot (all other materials will be reviewed by the Red Hawk Landing Reviewer on a case by case basis).
- If roof is solid cover, the shingles must match the principal residential structure constructed on the Lot.
- Lattice on the arbor will be considered by the Red Hawk Landing Reviewer on a case by case basis.

Screened enclosures and/or retractable screens shall be considered by the Red Hawk Landing Reviewer on a case by case basis.

Decks

All decks must be approved by the Red Hawk Landing Reviewer prior to commencing construction.

Exterior Lighting

All proposed exterior lighting must be approved in advance by the Red Hawk Landing Reviewer. Exterior lighting will be kept to a minimum, but consistent with good security practices. Such illumination shall be designed and installed so as to light only the principal residential structure, landscaping, driveway areas and walkways upon a Lot. Dark sky lighting is required and must be submitted for approval to the Red Hawk Landing Reviewer.

No exterior light whose direct source is visible from a street or neighboring property or which produces excessive glare to pedestrian or vehicular traffic will be allowed.

Any permitted ground-level light fixtures shall be depressed or screened from public view in a manner approved by the Red Hawk Landing Reviewer. No outdoor lighting shall be directed towards or focused in the Common Area, buffer zones, greenbelts or dedicated habitat or conservation easements.

Use of other than white or color corrected high intensity lamps and exterior lights will not be allowed. Sodium, mercury vapor, or bare HID yard lights are not allowed.

Miscellaneous

HVAC and Pool Location and Screening Requirements

No air-conditioning apparatus may be installed on the ground in front of the principal residential structure or on the roof of the principal residential structure unless screened in a manner approved the Red Hawk Landing Reviewer. No window air-conditioning apparatus or evaporative cooler may be attached to any front wall or front window of the principal residential structure or at any other location where it would be visible from any street, any other Lot or any Common Area.

Air conditioning compressors and pool equipment shall be enclosed by a fence, landscape or structural screening element constructed of materials approved in advance by the Red Hawk Landing Reviewer.

Landscape screening requires a minimum height of twenty-four inches (24") at planting and must be perennial.

Barbecue Grills

Freestanding barbecue grills are permitted only if they are stored and used in the rear yard space of the Lot that is not visible from the street. All outdoor fire pits or other devices must be natural gas or charcoal. Outdoor wood burning is prohibited. Outdoor kitchens and fire pits will be considered on a case by case basis and must be approved by the Red Hawk Landing Reviewer.

Landscape Guidelines

General landscaping guidelines for each Lot are set forth below. Notwithstanding the subsequent provisions, the installation of native or drought-resistant landscaping or water-conserving turf on a residential lot, which is a landscaping procedure known as xeriscaping ("Xeriscaping") will be allowed in certain instances in accordance with that certain Xeriscaping provision set forth in the Development Area Declaration. All landscapes and landscaping must be approved in writing by the Red Hawk Landing Reviewer prior to installation.

- Plans. Detailed landscape plans for each Lot must be submitted to the Red Hawk Landing Reviewer for consideration at least thirty (30) days before installation is planned. Notwithstanding the foregoing, a Homebuilder may submit one or more landscape plans applicable to all Lots upon which the Homebuilder may construct Improvements (the “**Master Landscape Plan**”). Any Master Landscape Plan is subject to guidelines contained herein. Approval by the Red Hawk Landing Reviewer of a Master Landscape Plan shall apply to all Lots subject to that Master Landscape Plan. No significant (*i.e.*, major changes in the plant list, plant and plant bed locations, plant count, hardscape design, materials) revisions may be made to approved plans without submission to, and further approval by the Red Hawk Landing Reviewer of the revised plans. Landscape plans must include vegetative screening for above ground utility connections visible from the street or adjacent properties. Hardscape elements in the landscaping must be in scale with the home and associated structures.
- Materials. All introduced vegetation shall be trees, shrubs, vines, ground covers, seasonal flowers or sodded grasses that are commonly used in Central Texas for landscaping purposes and that are approved by the Red Hawk Landing Reviewer. An emphasis should be placed on utilizing native plants that are drought tolerant as well as deer resistant. Additionally, an emphasis should be placed on preserving existing trees. Exclusive of beds and plantings, the front yard, rear yard, and side yard of all Lots, from the front property line to the rear property line of the Lot, must have an irrigation system and shall be fully sodded with St. Augustine, Bermuda, Zoysia, Prairie Buffalo Grass, or other sod approved by the Red Hawk Landing Reviewer. All Lots shall be provided, whether by a Homebuilder or other Owner of a Lot, all necessary trees pursuant to any applicable tree study or permit requirements pursuant to Applicable Law. In no event shall fewer than two (2) trees of at least three inches (3”) in diameter each be planted on a Lot prior to occupancy of the Lot, unless two such trees already exist upon the Lot. A minimum of two inches (2”) of mulch is required for all shrub and bed areas. Turf grass shall have a minimum of four inches (4”) of native soils or improved soils. Caliche is not considered soil. An Owner must plant grass within three (3) days after top-soil for planting grass has been delivered to the Lot.
- Installation and Maintenance. Landscaping of new homes must be installed within thirty (30) days of completion and in any event, landscaping in accordance with the approved plans shall be completely installed prior to occupancy of a residence. Modifications of existing landscaping must be completed within fourteen (14) days of commencement. Extensions to the time limit may be granted by the Red Hawk Landing Reviewer but may require a deposit. After installation, landscaping (including temporary landscaping) shall be properly maintained at all times.
- Gardens; Sculptures and Fountains. Any Owner who wishes to plant one or more gardens upon their Lot must do so only in the rear yard and must obtain the approval of the Red Hawk Landing Reviewer. The use of fountains and sculptures in the front yard and the front side yard of any Lot is prohibited.
- Reservation of Future Approvals. The Red Hawk Landing Reviewer reserves the right to require additional landscaping for pools, cabanas and other hardscape elements that may be constructed after completion of the residence and associated landscaping.
- Prohibited Elements.
 - Rock other than crushed granite as a ground cover (unless approved in advance by the Red Hawk Landing Reviewer).

Tree Protection

Protection and preservation of trees is of significant importance to the aesthetics of the community and the environment of Red Hawk Landing.

- Vegetative Fencing. Whenever possible and economically feasible, all trees should be preserved and protected during construction with vegetative fencing.
- Tree Removal. Each Owner is encouraged to preserve all existing trees to the extent practicable. As used herein, the "**Building Envelope**" shall be defined as the area of the Lot that is the location of the building foundation, including porches and decks, plus five feet (5') and the driveway area. A "**Specimen Tree**" is defined as a tree that is healthy and with a uniform canopy, excluding Junipers and Mesquite. In the area outside the Building Envelope, a Specimen Tree that is four inches (4") or larger in diameter measured twenty-four inches (24") off the ground must be flagged and approved in writing by the Red Hawk Landing Reviewer prior to removal.
- Oak Wilt. Sound horticultural practices, as recommended by the Texas Forest Service, are required to prevent the establishment or spread of oak wilt. Specific requirements include:
 - Tree pruning tools and blades shall be sterilized prior to and between cutting any oak trees.
 - Oak tree pruning is discouraged from February 1st to June 15th.
 - Pruned trees and/or wounds shall be immediately protected with tree paint (approved example: Treekote Tree Compound).
 - All firewood shall be covered

B. Irrigation

- Front Yard Requirements. Front yard programmable irrigation systems are required to be installed on all Lots. All irrigation systems must be installed and maintained pursuant to any state or local water requirements, including any applicable Texas Commission on Environmental Quality ("TCEQ") regulations. Homebuilders and Owners are encouraged to install a separate irrigation water meter so that such irrigation use is billed separately from other water consumption.
- Backflow Prevention Device. Each Owner is advised that TCEQ regulations require the installation of a backflow prevention device at any connection to a public drinking water supply. If a backflow prevention device is required, the Owner will be obligated to have performed a yearly inspection by a licensed TCEQ Backflow Prevention Assembly Tester.
- Drip Systems. The use of drip irrigation is encouraged. Irrigation sprinkler systems must use heads that emit large drops rather than a fine mist. All irrigation systems shall be based on plant zone watering requirements.

Landscape Inspection

The Red Hawk Landing Reviewer may, upon the Owner's completion of the installation of landscaping, conduct an on-site inspection of the property to ensure compliance with the approved plan.

Drainage

Responsibility for proper site drainage rests with the Homebuilder and the Owner. There shall be no interference with the established drainage patterns except by Declarant, unless adequate provision is made for proper drainage and such provision has been certified by a professional engineer and approved in advance by the Red Hawk Landing Reviewer. Each Owner is solely responsible for correcting any change in water flow or drainage caused by the construction of Improvements on such Owner's Lot.

Neither the Declarant nor Declarant's successors or assigns shall be liable for any loss of, or damage done to any shrubbery, grass, flowers, Improvements, fences, driveways, or buildings of any type or the contents thereof on any Lot caused by any water levels, rising water, or drainage waters.

Fencing

All fencing plans must be approved in advance by the Red Hawk Landing Reviewer. In the event of any dispute or disagreement as to the location of a fence on the Lot, the decision of the Red Hawk Landing Reviewer, in its sole and absolute discretion, will be final. Homebuilders shall provide cedar fencing that encompasses the entirety of the rear yard. If the front door of the residence is situated on the corner of the home, no fence may extend further toward the front-facing elevation of the home than five feet (5') behind such door.

Fencing of front yards is not permitted. Solid walls enclosing an entire site are not permitted. Fencing of rear yards shall be required and subject to the approval of the Red Hawk Landing Reviewer.

Once any Lot that contains a model home is conveyed from either the Declarant or a Homebuilder to an Owner, the fencing on such Lot must be modified to meet the fencing restrictions of this section or otherwise adopted by the Red Hawk Landing Reviewer.

Retaining Walls

Retaining walls, if required, must be engineered to comply with Applicable Law. The materials of any retaining walls must be approved by the Red Hawk Landing Reviewer.

Pools, Spas and Hot Tub Plans

The plans and specifications for each swimming pool, spa and hot tub constructed on a Lot must be approved in writing and prior to construction by the Red Hawk Landing Reviewer. All applications submitted to the Red Hawk Landing Reviewer for the approval of plans and specifications for swimming pools, hot tubs or spas must be accompanied by any applicable permits for the construction of same and a defined way of accessing the Lot for construction of the pool and/or spa. Above-ground, movable, or temporary swimming pools are prohibited.

Each swimming pool constructed on the Lot must be entirely enclosed with a fence or similar structure which, at a minimum, satisfies Applicable Law. The location, color and style of the fence or enclosure must be approved in writing and in advance of construction by the Red Hawk Landing Reviewer.

Approval of a swimming pool, spa and hot tub and/or associated Improvements by the Red Hawk Landing Reviewer will not constitute a determination by the Red Hawk Landing Reviewer that the swimming pool, spa and hot tub and/or associated Improvements comply with Applicable Law or that the swimming pool, spa and hot tub and/or associated Improvements are safe for use. The Red Hawk Landing Reviewer may

require an Owner to install additional screening as a pre-condition to the approval and construction of any swimming pool, spa, or hot tub.

Any swimming pool, spa and hot tub shall be located in the rear yard on any Lot. Unless otherwise approved in writing by the Red Hawk Landing Reviewer, if the foundation or other vertical surface of the swimming pool will extend more than twenty-four inches (24") above the final grade of the Lot, the exposed foundation or vertical surface extending more than twenty-four inches (24") above the final grade will be finished in a manner that matches the exterior masonry of the principal residential structure. Application of the terms "front yard", "side yard", "foundation or other vertical surface", and/or "final grade" as to a specific Lot will be determined by the Red Hawk Landing Reviewer in its sole and absolute discretion. The Red Hawk Landing Reviewer may adopt additional requirements for any swimming pool, spa and hot tub and/or associated Improvements on a case by case basis as a condition to approval.

Swimming pools shall be in-ground, or a balanced cut and fill, and shall be designed to be compatible with the site and the principal residential structure as determined in the sole and absolute discretion of the Red Hawk Landing Reviewer. Unless otherwise approved in writing by the Red Hawk Landing Reviewer, associated swimming pool, spa, and hot tub improvements, such as rock waterfalls and slides, shall not be over six feet (6') in height. No pool or deck may be closer than five feet (5') from any side Lot line or ten feet (10') from any rear Lot line.

Unless otherwise approved in writing by the Red Hawk Landing Reviewer, all maintenance equipment, including chemicals, plumbing fixtures, heaters, pumps, etc., associated with a swimming pool, spa or hot tub shall be located in the rear of the Lot and may not be visible from any adjacent street or Lot. The drains serving a swimming pool, spa and hot tub must be connected to street drainage systems. No swimming pool, spa or hot tub shall be drained onto property other than the Lot on which the swimming pool, spa or hot tub is constructed. Above ground spas and hot tubs visible from public view or from an adjacent street or Lot (whether a Lot or otherwise) shall be skirted, decked, screened or landscaped in a manner which excludes pumps, plumbing, heaters, filters, etc. from view. No swimming pool, spa or hot tub will be approved unless a principal residential structure has been constructed on the Lot or the swimming pool, spa or hot tub is being constructed at the same time as the principal residential structure.

Sport Courts and Tennis Courts

Sport courts and tennis courts are specifically prohibited on any Lot.

Erosion Control and Construction Regulations

The following restrictions shall apply to all construction activities at Red Hawk Landing. Periodic inspections by the Red Hawk Landing Reviewer or its representative may take place in order to identify non-complying construction activities. If items identified as not complying with the regulations are not remedied in a timely manner, fines and/or construction fines may be levied as set forth in these Builder Guidelines and the Fine and Enforcement Policy in the Community Manual (as defined in the Covenant).

Erosion Control Installation and Maintenance

It is the responsibility of each Owner to install erosion control measures prior to the start of construction and to maintain them throughout the entire construction process.

Silt fencing installed to all applicable standards is required to be properly installed and maintained to protect the low sides of all disturbed areas, where storm-water will flow during construction. The purpose of the silt fence is to capture the sediment from the runoff and to permit filtered, clean water to exit the site. The Owner should anticipate that built-up sediment will need to be removed from the silt fence after heavy or successive rains, and that any breach in the fencing will need to be repaired or replaced immediately. If for any reason the silt fence is to be temporarily removed, please contact the Red Hawk Landing Reviewer prior to the removal.

Fencing around the perimeter of the site is required to ensure construction debris and trash remain on the Lot.

Concrete Wash Out Pits: Concrete wash out pit locations shall be established by the Red Hawk Landing Reviewer and cleanout of the same is the sole responsibility of the homebuilders utilizing such pits.

Street Sweeping

During construction, streets shall be swept on Thursday or Friday of each week utilizing a sweeper with a magnetic broom. The cost shall be borne by the Homebuilder.

Security

Neither the Red Hawk Landing Reviewer, the Association, nor the Declarant shall be responsible for the security of job sites during construction.

Construction Hours and Permitted Construction Days

Unless a written waiver is obtained from the Red Hawk Landing Reviewer, construction may only occur Monday – Friday, 7 a.m. – 7 p.m., Saturday from 8 a.m. to 6 p.m. and no construction is permitted on Sundays. Construction is also prohibited on the following holidays: New Year's Day, Easter Sunday, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day.

Noise, Animals, Children

The use of radios, tape and CD players must be restrained so as not to be heard on an adjoining Lot or street.

Contractors and subcontractors may not bring dogs to construction sites. Contractors and subcontractors may not bring children less than sixteen (16) years of age to construction sites.

Material and Equipment Storage

All construction materials and equipment shall be neatly stacked, properly covered and secured. Any storage of materials or equipment shall be the Owner's responsibility and at their risk. Owners may not disturb, damage or trespass on other Lots or adjacent property.

Insurance

The Red Hawk Landing Reviewer requires an Owner to procure adequate commercial liability insurance during construction naming the Association, the Declarant and the Red Hawk Landing Reviewer as additional insureds, in an amount to be determined, from time to time by the Red Hawk Landing Reviewer.

Site Cleanliness

During the construction period, each construction site shall be kept neat and shall be properly policed to prevent it from becoming an eyesore.

Owners shall provide a container for debris and shall clean up all trash and debris on the construction site on a daily basis. Trash and debris shall be removed from each construction site on a timely basis. Lightweight material, packaging and other items shall be covered or weighted down to prevent wind from blowing such materials off the construction site.

The dumping, burying or burning of trash is not permitted anywhere in Red Hawk Landing.

It is imperative that, when moving heavy equipment around, precautions be taken to prevent damage to pavement, curbs, and vegetation. Crawler tractors are not to be operated on paved or concrete surfaces. Mud, dirt and other construction debris that is tracked off site shall be cleaned on a daily basis. Owners are required to promptly treat oil spills should they occur and immediately notify the Red Hawk Landing Reviewer of the same in writing. Any damage to curbs, pavement and vegetation shall be repaired to its condition prior to such damage at Owner's sole cost and expense.

Homebuilder Lot Maintenance

Each Homebuilder shall, at its expense, maintain each Lot from closing through the completion of the construction of the single-family residence and the resale to a third party. Homebuilder shall protect each Lot from all waste and damage, keeping each Lot in a clean and organized manner, and mowing grass or weeds thereon as reasonably necessary to maintain an attractive appearance in the sole discretion of the Red Hawk Landing Reviewer. Homebuilders shall maintain each construction and job site in a neat and orderly condition throughout construction and ensure that the roadways, easements, swales, lakes, Common Areas and other such areas adjacent to each Lot are clear from construction materials and excessive trash or debris at all times. During construction of Improvements, Homebuilder, at its expense, shall promptly remove all debris and trash within three (3) business days or immediately upon the request of the Red Hawk Landing Reviewer.

At minimum, Homebuilder shall furnish one (1) fifteen yard roll-off dumpster or one or more temporary trash bins (provided that such bins are emptied on a weekly basis) and one (1) temporary sanitary facility (chemical toilet) for every residence under construction. Placement of the chemical toilet shall be as far from neighboring residences as practicable and doors shall not face the street.

Homebuilders shall store, handle and use any and all hazardous wastes or toxic materials, including, without limitation, gasoline and petroleum products, in compliance with Applicable Law, and shall not deposit the same in any manner in or upon the Property.

In the event Homebuilder fails to comply with these Lot maintenance requirements, the Red Hawk Landing Reviewer, in its sole discretion, may have the Lot(s) mowed and/or cleared of trash or debris, and the Homebuilder shall reimburse the Red Hawk Landing Reviewer for any costs incurred.

The Red Hawk Landing Reviewer may impose a fine(s) and/or construction fine(s) pursuant to the Fine and Enforcement Policy in the Community Manual (as defined in the Covenant). The exact amount of fines are available upon request.

Construction Parking

Construction crews shall only park on one side of the street designated by the Red Hawk Landing Reviewer, should ensure the roadway is passable at all times, and shall not park on, or otherwise use Lots. No construction vehicle will be permitted to leak oil or otherwise damage or deface any street located within the community. Owner shall be responsible for the immediate treatment of any oil leaks and the repair of any street damage.

Review Fees

New residential home construction within Red Hawk Landing will utilize the process and fee structure as published and updated from time to time. No Improvements may be commenced until the Owner has received a written "Approval" from the Red Hawk Landing Reviewer. The Red Hawk Landing Reviewer may adopt a schedule of fees for plan review.

File Information

**eFILED IN THE OFFICIAL PUBLIC eRECORDS OF BEXAR COUNTY
LUCY ADAME-CLARK, BEXAR COUNTY CLERK**

Document Number: 20210088895
Recorded Date: April 05, 2021
Recorded Time: 3:12 PM
Total Pages: 21
Total Fees: \$102.00

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Any provision herein which restricts the sale or use of the described real property because of race is invalid and unenforceable under Federal law

STATE OF TEXAS, COUNTY OF BEXAR

I hereby Certify that this instrument was eFILED in File Number Sequence on this date and at the time stamped hereon by me and was duly eRECORDED in the Official Public Record of Bexar County, Texas on: 4/5/2021 3:12 PM



Lucy Adame-Clark
Lucy Adame-Clark
Bexar County Clerk