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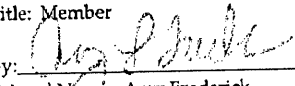
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Austin, Texas 78701
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AVALON DESIGN GUIDELINES

Version 2.0

Adopted:

AVALON REVIEWER:

By: 
Printed Name: Blake Magee
Title: Member
By: 
Printed Name: Amy Frederick
Title: Member

By: 
Printed Name: Dustin Einhaus
Title: Member

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 30 day of November, 2011, by Blake Magee, Member of the Avalon Reviewer.
[seal]

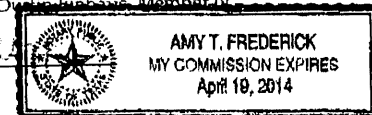
Notary Public, State of Texas



THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 30 day of November, 2011, by Dustin Einhaus, Member of the Avalon Reviewer.
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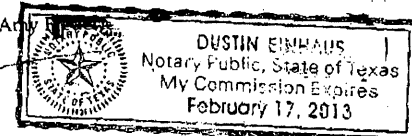
Notary Public, State of Texas



THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 30 day of November, 2011, by Amy Frederick, Member of the Avalon Reviewer.
[seal]

Notary Public, State of Texas



Adopted by KM Avalon, Ltd., in accordance with Section 6.05(b) of Avalon Master Covenant, recorded as Document No. 2006064285, Official Public Records of Travis County, Texas (the "Master Covenant"). In accordance with Section 6.05(b) of the Master Covenant, these Design Guidelines may be amended from time to time by the Avalon Reviewer (as defined in the Master Covenant). All prior versions of these Design Guidelines and amendments thereto are hereby amended, restated and replaced in their entirety.

Introduction

Any notice or information required to be submitted to Avalon Reviewer under these Design Guidelines hereunder will be submitted to the Avalon Reviewer, c/o The Blake Magee Company, 1011 N. Lamar Blvd., Austin, Texas 78703, Phone: (512) 481-0303, Fax: (512) 481-0333.

Background

Avalon is a master planned community located in Travis County, Texas. The community consists of Development Areas which are subject to the terms and provisions of the Avalon Master Covenant, recorded in the Official Public Records of Travis County, Texas (the "**Master Covenant**"), and a Development Area Declaration for each particular Development Area (the "**Development Area Declaration**"). The Master Covenant and each Development Area Declaration includes provisions governing the construction of improvements and standards of maintenance, use and conduct for the preservation of the Avalon community.

Avalon Reviewer and Review Authority

Article 4 of the Master Covenant includes procedures and criteria for the construction of improvements within Avalon community. Section 3.01 of the Development Area Declaration provides that any and all improvements must be erected, placed, constructed, painted, altered, modified or remodeled in strict compliance with the requirements of the Design Guidelines, and Section 6.04 of the Master Covenant and Section 3.02 of the Development Area Declaration provides that no improvements may be constructed without the prior written approval of the Avalon Reviewer.

The Avalon Reviewer consists of members who have been appointed by KM Avalon, Ltd. (the "**Declarant**"). As provided in Article VI of the Master Covenant, Declarant has a substantial interest in ensuring that improvements within the Avalon development maintain and enhance Declarant's reputation as a community developer and do not impair Declarant's ability to market and sell all or any portion of the community, and as a consequence thereof, the Avalon Reviewer acts solely in Declarant's interest and shall owe no duty to any other Owner or the Avalon Master Community, Inc (the "**Association**").

Unless alternate Design Guidelines are adopted for additional Development Areas, these Design Guidelines will apply to each Development Areas made subject to the Master Covenant. These Design Guidelines will apply only to Lots within a Development Area which will be used for residential purposes.

Governmental Requirements

Governmental ordinances and regulations are applicable to all Lots within Avalon. It is the responsibility of each Owner to obtain all necessary permits and inspections. Compliance with these Design Guidelines is not a substitute for compliance with the applicable ordinances and regulations. Please be advised that these Design Guidelines do not list or describe each requirement which may be applicable to a Lot within Avalon. Each Owner is advised to review all encumbrances affecting the use and improvement of their Lot prior to submitting plans to the Avalon Reviewer for approval. Furthermore, approval by the Avalon 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. Certain encumbrances may benefit parties whose interests are not addressed by the Avalon Reviewer.

The Avalon Reviewer shall bear no responsibility for ensuring plans submitted to the Avalon 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 Design Guidelines and the Development Area Declaration, the Development Area Declaration shall control. Capitalized terms used in these Design Guidelines and not otherwise defined in this document shall have the same meaning as set forth in the Development Area Declaration.

Amendments

The Avalon Reviewer may amend these Design Guidelines. All amendments shall become effective upon recordation in the Official Public Records of Travis 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 Design 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 attached hereto as Attachment 1.

Timing

The Avalon 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 Avalon Reviewer to review the related applications.

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 Avalon Reviewer as a condition of approval.

Inspection

Upon completion of all approved work, the Owner must notify the Avalon Reviewer. The Avalon Reviewer may inspect the work at any time to verify conformance with the approved submittals.

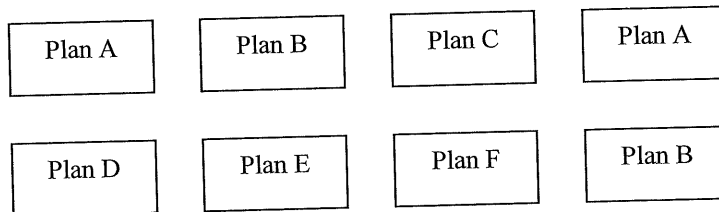
Architectural and Aesthetic Standards

Plan Repetition

The Avalon 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 Avalon Reviewer may adopt additional requirements concerning substantially similar plans or elevations constructed in proximity to each other.

For Example:

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



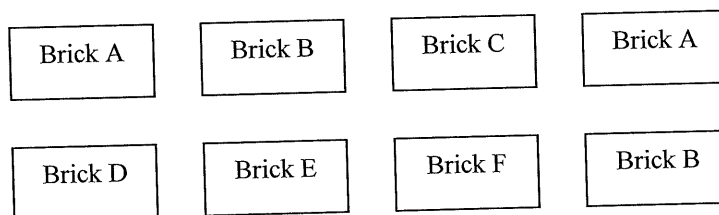
- *Across the Street: Same plan cannot be placed on a Lot across the street or diagonal from any other plan (example above: Plan B).*

Brick Color and Masonry Stone Repetition

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

For Example:

- *Similar brick or masonry can be repeated every third Lot (example: Plan A, Plan B, Plan C, and Plan A).*



- *Across the Street: Same brick or masonry cannot be placed on a Lot across the street or diagonal from any other brick or masonry (example above: Plan B).*

Building Materials

- Only brick, ledge stone, field stone, stucco or any other native type of stone veneer can be used to construct homes in Avalon.
- No more than 30% of stucco can be used as masonry.
- All siding must be horizontal lap siding manufacturer out of fibre-cement ("Hardi-Plank"), or other cementitious material pre-approved by the Avalon Reviewer.
- Sawn wood, "Hardi-Plank" or other cementitious material can be used on a covered entryway, boxed windows and bay windows.
- "Hardi-Plank" (installed as horizontal lap siding) or other cementitious material can be used for dormers, gable ends, and façade walls above the first floor.
- No vertical siding or wood shake siding will be permitted.

Masonry Requirements

- The outside wall area of the first story of any residence shall have a minimum of seventy-five percent (75%) masonry construction consisting of brick, ledge stone, field stone, stucco or any other native type of stone veneer.
- For primary residences of more than one story, the exterior of each such residence shall be of at least fifty percent (50%) masonry construction overall consisting of brick, ledge stone, field stone, stucco or any other native type of stone veneer.
- In addition to the foregoing requirements, if any elevation of a residence faces Jakes Hill Drive, the exterior wall area of such elevation shall be constructed of one-hundred percent (100%) masonry construction consisting of brick, ledge stone, field stone, stucco or any other native type of stone veneer.
- Exposed portions of the foundation on each front elevation, and side elevation visible from any street, must be concealed by extending the exterior stone or brick to within at least twenty-four inches (24") of the finished grade. If the exterior of the elevation adjacent to the exposed foundation is constructed of stucco, the Avalon Reviewer will have the authority to require the use of stone, in a color approved in advance by the Avalon Reviewer, to conceal the exposed portion of the foundation.

Aesthetic Appeal

The Avalon Reviewer may disapprove the construction or design of a home on purely aesthetic grounds. Any prior decisions of the Avalon Reviewer regarding matters of design or aesthetics shall not be deemed to have set a precedent if the Avalon Reviewer feels that the repetition of such actions would have any adverse effect on the community.

On Lots greater than 55 feet wide, the house plan width must be no smaller than 70% of the width of the Lot.

Siting/Setbacks

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

- Front Lot line: 25 feet
- Rear Lot line: 20 feet

- Side Lot line: 5 feet

The following setbacks shall apply to each corner Lot:

- Front Lot line: 25 feet
- Rear Lot line: 20 feet
- Side Lot line - Side of Lot adjacent to, or facing the street: 15 feet
- Side Lot line: - Side of Lot adjacent to, or facing any other Lot: 5 feet
- Corner lots that share a common side line with a landscape easement on the street side of the lot are only required to have a 5 foot setback from the landscape easement.

Notwithstanding any provision to the contrary in these Design Guidelines, a covered porch shall be permitted to extend to a point no closer than ten feet (10') from the rear boundary line of a Lot.

The Avalon Reviewer must approve the encroachment of any flatwork, i.e. driveway, porch, etc. over the side building setbacks.

The Avalon Reviewer reserves the right to stipulate additional building or improvement setbacks attributable to any Lot. The Avalon Reviewer further reserves the right to grant variances to the setbacks set forth herein under special circumstances, as determined in the sole and absolute discretion of the Avalon Reviewer.

Temporary/Accessory Structures

Owners will generally be permitted to erect one (1) accessory structure on their Lot providing the accessory structure, such as a pool cabana, garden building, storage building, or home office is approved in advance by the Avalon Reviewer and otherwise complies with the applicable Development Area Declaration. 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 the applicable Development Area Declaration or these Design Guidelines.

Unless otherwise approved in advance and in writing by the Avalon Reviewer, an accessory structure: (i) may be no greater than 10' by 12' (120 square feet) as measured by the dimensions of the foundation of the accessory structure and from the finished grade of the Lot to the highest portion of the accessory structure; (ii) the exterior of the outbuilding must be constructed of wood or masonry; (iii) may not be constructed of metal or plastic; (iv) must utilize roof materials that match the roof materials incorporated into the principal residential structure constructed on the Lot; (v) have a pitched roof of the same pitch the principal residential structure constructed on the Lot; (vi) the siding must be of at least the same quality/color as that used on the principal residential structure constructed on the Lot; (vii) the paint must match the color of the trim of the principal residential structure constructed on the Lot; (viii) the shingles must be either the same as on the principal residential structure constructed on the Lot or wood shake shingles; and (ix) no accessory structure may be located nearer than five (5) feet to an interior lot line.

Temporary storage structures also known as "pods" are allowed with the prior written approval of the Association Management office provided that:

- Structure is located in the driveway of the property
- Structure is not placed on any lot for more than seven (7) days

The Avalon Reviewer shall be entitled to determine, in its sole and absolute discretion, whether a structure or shed 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 Avalon Reviewer may adopt additional requirements for any accessory structure on a case by case basis as a condition to approval.

Prohibited Elements

Prohibited Elements

The following architectural elements are prohibited within Avalon unless expressly approved in writing by the Avalon Reviewer:

Roofs

- Excessively pitched roofs.
- Mansard, gambrel or chalet roofs.
- Flat roofs.
- Roofs that are too steep or too shallow for the style of the home,
- Shed roofs except as incidental to the main roof.

Design Elements

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

Materials and Colors

- Wood siding (wood siding accents may be permitted if approved by the Avalon Reviewer).
- Cultured stone.
- Gray brick.

Window Coverings

- Foil in any window of the home.
- Non-permanent window coverings such as butcher paper, sheets, blankets, newspaper, etc.
- Temporary coverings may, however, be allowed for a period not to exceed 90 days following the date of closing.

Building Height

Unless otherwise approved in advance by the Avalon Reviewer, no building or residential structure may exceed thirty five feet (35') in height as measured from the finished grade of the Lot to the highest portion of the proposed Improvement. Without limitation on the foregoing

and unless otherwise approved by the Avalon Reviewer, two-story residences may be constructed on no more than one-third (1/3) of all Lots having a boundary line which is located adjacent to Jakes Hill Road, with the Avalon Reviewer, in its sole and absolute discretion, having the authority to determine whether a one-story or two-story residence may be constructed upon any such Lot. No permitted accessory building may exceed eight feet (8') in height as measured from the finished grade of the Lot to the highest portion of the permitted accessory building, or may be larger than one hundred twenty square feet (120') as measured by the dimensions of the foundation of the permitted accessory building.

Views are neither guaranteed, preserved, nor protected within Avalon.

Room Additions

Any room additions must be approved in writing by the Avalon Reviewer.

Additions to the home may be considered if they meet the following:

- No garage can be permanently enclosed for habitation unless approved in advance by the Avalon Reviewer.
- All materials used match those of the home, including siding, brick, windows, and paint color, shingles, etc.
- Sunrooms will be considered.
- Screened Porches will be considered on a case by case basis and must meet the following minimum acceptable standards:
 - The improvement must be compatible with the architectural elements of the existing house. Paint colors and materials must match those of the house.
 - Design should reflect consideration for any adverse impact of neighboring properties.
 - Screened porches shall be located in back yard only. The screened porch shall not encroach on any easement or building line.
 - Screened porch shall be attached to the main body of the house.
 - Free standing screened porches are not permitted.
 - Supplemental landscaping may be required as part of the Avalon Reviewer review.
 - Roof of screened porch shall be solid decking shingled to match the house.

Square Footage

The minimum and maximum square footage for each residence is set forth in the applicable Development Area Declaration.

Greenbelt/Open Space Lots

"Greenbelt/Open Space Lots" shall refer to lots/land that has not been developed, whether it is owned by the developer, builder, Association or other property Owner and is not intended for use as a single family lot. These areas are to be considered as private property and trespassing is prohibited. Lots Adjacent to Greenbelt/Open Space Lots must comply with all of the following requirements:

- The boundary between the Lot and the Greenbelt/Open Space Lots must be fenced in a manner approved in advance by the Avalon Reviewer.
- The fence must be 6 feet in height and be built of "black powder coated" wrought iron or other decorative metal of a color and style specified by the Avalon Reviewer.
- No gate will be permitted into a Greenbelt/Open Space Lots.
- Backyards must be fully sodded with at least two 3" caliper hardwood trees installed by the Owner.
- Sheds or outbuildings adjacent to Greenbelt/Open Space Lots will be considered on a case by case basis by the Avalon Reviewer. No sheds or outbuildings shall be permitted on lots adjacent to any roadway that back up to a greenbelt and have wrought iron fencing.
- At no time are Greenbelt/Open Space Lots to be used for ingress/egress or storage.
- Greenbelt/Open Space Lots should remain in their natural state. No removal or trimming of trees is permitted.

Non-compliance with the above requirements will result in an immediate fine as outlined in the Schedule of Fines included in these Design Guidelines.

Roofs and Chimneys

The pitch, color and composition of all roof materials must be approved in writing by the Avalon Reviewer. Roof vents and other penetrations shall be as unobtrusive as possible and must match the principal color of the roof unless approved in advance by the Avalon Reviewer.

- Accepted Roof Pitch: The roof of the primary residence erected on a Lot shall have a pitch of no less than 6:12. The roof pitch of dormers, porches and other similar accessory structures attached to the primary residence shall be exempt from this requirement, but nonetheless subject to approval by the Parkside at Mayfield Ranch Reviewer.
- Accepted Roof Materials: roofing materials shall be limited to thirty (30) year dimensional fiberglass shingles in a "weathered wood" color and shall be expressly approved by the Avalon Reviewer.

Driveways and Sidewalks

The design of all driveways must be approved in advance by the Avalon Reviewer.

Aggregate driveways are prohibited. Drives shall intersect the street at as close to 90 degrees as possible.

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.

If the driveway is raised significantly above finished grade (which will be determined by the Avalon Reviewer is its sole and absolute discretion), the exposed sides of the driveway must be screened with landscaping approved in advance by the Avalon Reviewer.

Each Owner of a Lot must build or cause to be built on such Owner's Lot, in a location designated by the Parkside at Mayfield Ranch Reviewer, a concrete sidewalk complying with the specifications set forth in the Master Restrictions in conjunction with and at the time of construction of the residence constructed on such Lot. In constructing such sidewalk, each Owner shall be obligated to comply with applicable law, including any applicable requirements of the Americans with Disabilities Act. Sidewalks from the drive to the residence shall have the same pattern and material as the driveway.

Arbors/Pergola/Patio Covers

All arbors, pergolas and patios covers shall be approved in advance of construction by the Avalon Reviewer.

Arbors and patio covers must meet the following:

- Shall not exceed 10' 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 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 on a case by case basis.
- Approved stain color is Behr Natural Cedar #501. Behr brand is not required, but color should match.

Decks

All decks shall be approved in advance of construction by the Avalon Reviewer.

Backyard deck additions must meet the following:

- Be of cedar or a wood that is painted or stained to match the principal residential structure constructed on the Lot. (All other materials will be reviewed on a case by case basis.)

Exterior Lighting

Exterior lighting will be kept to a minimum, but consistent with good security practices.

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. Exterior lighting must be approved in advance by the Avalon Reviewer.

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.

Exterior Holiday Decorations

Lights or decorations may be erected on the exterior of residential units in commemoration or celebration of publicly observed holidays provided that such lights or decorations do not

unreasonably disturb the peaceful enjoyment of adjacent Owners. All lights and decorations must not be permanent fixtures of the home without prior written approval of the Avalon Reviewer and shall be removed within thirty (30) days after the holiday has ended. Christmas decorations or lights may not be displayed prior to November 15.

Miscellaneous

HVAC Screening

Air conditioning compressors and pool equipment shall be enclosed by a structural screening element constructed of materials approved by the Avalon Reviewer.

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.

Signage

All signs must be maintained in a neat and orderly fashion. No hand painted or spray painted signs may be used. No sign of any kind may be displayed to the public view on any Lot without the prior written approval of the Avalon Reviewer, except for:

- signs which are part of Declarant's overall marketing or construction plans or activities for the Development Area and/or Development;
- Builder Signage: Builders may have one for sale/builder sign per Lot, located on the Lot for sale, limited to a maximum height of 18"x24" at a height not to exceed 4' above the ground and placed between the curb and front building setback. Signs are not allowed to be mounted on windows, inside or outside. "Open House" signs are allowed with the same specifications as the for sale/builder signs, but are limited to being displayed on the day of the open house only. "Bandit" signs and all other types of signage are not permitted within the property or along the frontage road of Kelly Lane at anytime;
- Homeowner/Realtor Signage: One for sale sign per Lot, located on the Lot for sale, limited to a maximum height of 2'x3' at a height not to exceed 4' above the ground and placed between the curb and front building setback. "Open House" signs are allowed with the same specifications as the for sale/builder signs, but are limited to being displayed on the day of the open house only. Temporary signs such as "New Baby" may be erected for 7 days. Booster club type signs in support of sports teams or other similarly non-offensive community activities will generally be permitted, provided that such signs are no larger than 18" by 24" and do not remain on display for more than 90 days. A political sign no larger than 18"x24" may be erected in front of a Lot provided the sign is: (i) erected no earlier than the 90th day before the date of election to which the sign relates; and (ii) is removed no later than the 10th day after the date of the election to which the sign relate;
- one (1) small security service sign per Lot, provided that the sign has a maximum face area of one (1) square foot and is located no more than five (5) feet from the front elevation of the principal residence constructed upon the Lot;

- permits as may be required by legal proceedings; and
- permits as may be required by any governmental entity.

An Owner will be permitted to post a "no soliciting" sign near or on the front door to the principal residence constructed upon the Lot, provided, that the sign not exceed twenty-five (25) square inches.

Banner signs are prohibited on any Lot. No signage is allowed to be posted on any fence on Lots within the community.

Except for signs which are part of Declarant's overall marketing or construction plans or activities for the Development Area and/or Development, no sign may be displayed in the window of any Improvement located on a Lot.

Flags and Flagpoles

Approval Not Required. In accordance with the general guidelines set forth in this section, an Owner is permitted to display the flag of the United States of America, the flag of the State of Texas, an official or replica flag of any branch of the United States Military, or one (1) flag with official insignia of a college or university ("**Permitted Flag**") and permitted to install a flagpole no more than five feet (5') in length affixed to the front of a residence near the principal entry or affixed to the rear of a residence ("**Permitted Flagpole**"). Only two (2) permitted Flagpoles are allowed per residence. A Permitted Flag or Permitted Flagpole need not be approved in advance by the Avalon Reviewer.

Approval Required. Approval by the Avalon Reviewer is required prior to installing vertical freestanding flagpoles installed in the front or back yard area of any residential Lot ("**Freestanding Flagpole**"). The Avalon Reviewer is not responsible for: (i) errors in or omissions in the application submitted to the Avalon Reviewer for approval; (ii) supervising installation or construction to confirm compliance with an approved application; or (iii) the compliance of an approved application with governmental codes and ordinances, state and federal laws.

Approval Application. To obtain Avalon Reviewer approval of any Freestanding Flagpole, the Owner shall provide the Avalon Reviewer with the following information: (a) the location of the flagpole to be installed on the property; (b) the type of flagpole to be installed; (c) the dimensions of the flagpole; and (d) the proposed materials of the flagpole (the "**Flagpole Application**"). A Flagpole Application may only be submitted by an Owner UNLESS the Owner's tenant provides written confirmation at the time of submission that the Owner consents to the Flagpole Application.

Approval Process. The decision of the Avalon Reviewer will be made within a reasonable time, or within the time period otherwise required by the principal deed restrictions which govern the review and approval of improvements. A Flagpole Application submitted to install a Freestanding Flagpole on property owned by the Association or property owned in common by members of the Association will not be approved. Any proposal to install a Freestanding Flagpole on property owned by the Association or property owned in common by members of the Association must be approved in advance and in writing by the Board of Directors of the Association, and the Board need not adhere to these guidelines when considering any such request.

Each Owner is advised that if the Flagpole Application is approved by the Avalon Reviewer, installation of the Freestanding Flagpole must: (i) strictly comply with the Flagpole Application; (ii) commence within thirty (30) days of approval; and (iii) be diligently prosecuted to completion. If the Owner fails to cause the Freestanding Flagpole to be installed in accordance with the approved Flagpole Application, the Avalon Reviewer may require the Owner to: (i) modify the Flagpole Application to accurately reflect the Freestanding Flagpole installed on the property; or (ii) remove the Freestanding Flagpole and reinstall the flagpole in accordance with the approved Flagpole Application. Failure to install a Freestanding Flagpole in accordance with the approved Flagpole Application or an Owner's failure to comply with the post-approval requirements constitutes a violation of these guidelines and may subject the Owner to fines and penalties. Any requirement imposed by the Avalon Reviewer to resubmit a Flagpole Application or remove and relocate a Freestanding Flagpole in accordance with the approved Flagpole Application shall be at the Owner's sole cost and expense.

Installation, Display and Approval Conditions. Unless otherwise approved in advance and in writing by the Avalon Reviewer, Permitted Flags, Permitted Flagpoles and Freestanding Flagpoles, installed in accordance with the Flagpole Application, must comply with the following:

- No more than one (1) Freestanding Flagpole OR no more than two (2) Permitted Flagpoles are permitted per residential Lot, on which only Permitted Flags may be displayed;
- Any Permitted Flagpole must be no longer than five feet (5') in length and any Freestanding Flagpole must be no more than twenty feet (20') in height;
- Any Permitted Flag displayed on any flagpole may not be more than three feet in height by five feet in width (3'x5');
- With the exception of flags displayed on common area owned and/or maintained by the Association and any Lot which is being used for marketing purposes by a builder, the flag of the United States of America must be displayed in accordance with 4 U.S.C. Sections 5-10 and the flag of the State of Texas must be displayed in accordance with Chapter 3100 of the Texas Government Code;
- The display of a flag, or the location and construction of the flagpole must comply with all applicable zoning ordinances, easements and setbacks of record;
- Any flagpole must be constructed of permanent, long-lasting materials, with a finish appropriate to the materials used in the construction of the flagpole and harmonious with the dwelling;
- A flag or a flagpole must be maintained in good condition and any deteriorated flag or deteriorated or structurally unsafe flagpole must be repaired, replaced or removed;
- Any flag may be illuminated by no more than one (1) halogen landscaping light of low beam intensity which shall not be aimed towards or directly affect any neighboring property; and

- Any external halyard of a flagpole must be secured so as to reduce or eliminate noise from flapping against the metal of the flagpole.

Solar Energy Devices and Energy Efficient Roofing

Approval by the Avalon Reviewer is required prior to installing a Solar Energy Device or Energy Efficient Roofing (as defined below). The Avalon Reviewer is not responsible for: (i) errors in or omissions in the application submitted to the Avalon Reviewer for approval; (ii) supervising the installation or construction to confirm compliance with an approved application; or (iii) the compliance of an approved application with governmental codes and ordinances, state and federal laws.

A “**Solar Energy Device**” means a system or series of mechanisms designed primarily to provide heating or cooling or to produce electrical or mechanical power by collecting and transferring solar-generated energy. The term includes a mechanical or chemical device that has the ability to store solar-generated energy for use in heating or cooling or in the production of power.

An “**Energy Efficiency Roofing**” means shingles that are designed primarily to: (a) 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.

Solar Energy Device Procedures and Requirements:

During the Development Period under the terms and provisions of the Master Covenant, the Avalon Reviewer need not adhere to the terms and provisions of this Solar Device guidelines and may approve, deny, or further restrict the installation of any Solar Device.

Approval Application. To obtain Avalon Reviewer approval of a Solar Energy Device, the Owner shall provide the Avalon Reviewer with the following information: (i) the proposed installation location of the Solar Energy Device; and (ii) a description of the Solar Energy Device, including the dimensions, manufacturer, and photograph or other accurate depiction (the “**Solar Application**”). A Solar Application may only be submitted by an Owner unless the Owner’s tenant provides written confirmation at the time of submission that the Owner consents to the Solar Application.

Approval Process. The decision of the Avalon Reviewer will be made within a reasonable time, or within the time period otherwise required by the principal deed restrictions which govern the review and approval of improvements. The Avalon Reviewer will approve a Solar Energy Device if the Solar Application complies with the Approval Conditions Paragraph below **UNLESS** the Avalon Reviewer makes a written determination that placement of the Solar Energy Device, despite compliance with the Approval Conditions Paragraph, will create a condition that substantially interferes with the use and enjoyment of the property within the community by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities. The Avalon Reviewer’s right to make a written determination in accordance with the foregoing sentence is negated if all Owners of property immediately adjacent to the Owner/applicant provide written approval of the proposed placement. Notwithstanding the foregoing provision, a Solar Application submitted to install a Solar Energy Device on property owned or maintained by the Association or property owned in common by members of the Association will not be approved despite compliance with the Approval Conditions Paragraph. Any proposal to install a Solar Energy Device on property owned or maintained by the Association or property owned in

common by members of the Association must be approved in advance and in writing by the Board of Directors of the Association, and the Board need not adhere to these guidelines when considering any such request.

Each Owner is advised that if the Solar Application is approved by the Avalon Reviewer, installation of the Solar Energy Device must: (i) strictly comply with the Solar Application; (ii) commence within thirty (30) days of approval; and (iii) be diligently prosecuted to completion. If the Owner fails to cause the Solar Energy Device to be installed in accordance with the approved Solar Application, the M Avalon Reviewer may require the Owner to: (i) modify the Solar Application to accurately reflect the Solar Energy Device installed on the property; or (ii) remove the Solar Energy Device and reinstall the device in accordance with the approved Solar Application. Failure to install a Solar Energy Device in accordance with the approved Solar Application or an Owner's failure to comply with the post-approval requirements constitutes a violation of these guidelines and may subject the Owner to fines and penalties. Any requirement imposed by the Avalon Reviewer to resubmit a Solar Application or remove and relocate a Solar Energy Device in accordance with the approved Solar Application shall be at the Owner's sole cost and expense.

Approval Conditions. Unless otherwise approved in advance and in writing by the Avalon Reviewer, each Solar Application and each Solar Energy Device to be installed in accordance therewith must comply with the following:

- The Solar Energy Device must be located on the roof of the residence located on the Owner's Lot, entirely within a fenced area of the Owner's Lot, or entirely within a fenced patio located on the Owner's Lot. If the Solar Energy Device will be located on the roof of the residence, the Avalon Reviewer may designate the location for placement unless the location proposed by the Owner increases the estimated annual energy production of the Solar Energy Device, as determined by using a publicly available modeling tool provided by the National Renewable Energy Laboratory, by more than 10 percent above the energy production of the Solar Energy Device if installed in the location designated by the Avalon Reviewer. If the Owner desires to contest the alternate location proposed by the Avalon Reviewer, the Owner should submit information to the Avalon Reviewer which demonstrates that the Owner's proposed location meets the foregoing criteria. If the Solar Energy Device will be located in the fenced area of the Owner's Lot or patio, no portion of the Solar Energy Device may extend above the fence line.
- If the Solar Energy Device is mounted on the roof of the principal residence located on the Owner's Lot, then: (A) the Solar Energy Device may not extend higher than or beyond the roofline; (B) the Solar Energy Device must conform to the slope of the roof and the top edge of the Solar Device must be parallel to the roofline; (C) the frame, support brackets, or visible piping or wiring associated with the Solar Energy Device must be silver, bronze or black.

Energy Efficient Requirements:

The Avalon Reviewer will not prohibit an Owner from installing Energy Efficient Roofing provided that the Energy Efficient Roofing shingles: (i) resemble the shingles used or otherwise authorized for use within the community; (ii) are more durable than, and are of equal or superior quality to, the shingles used or otherwise authorized for use within the community; and (iii) match the aesthetics of adjacent property.

An Owner who desires to install Energy Efficient Roofing will be required to comply with the architectural review and approval procedures set forth in the Master Covenant. In conjunction with any such approval process, the Owner should submit information which will enable the Avalon Reviewer to confirm the criteria set forth in the previous paragraph.

Rainwater Harvesting Systems

Approval by the Avalon Reviewer is required prior to installing rain barrels or rainwater harvesting system on a residential Lot (a "**Rainwater Harvesting System**"). The Avalon Reviewer is not responsible for: (i) errors in or omissions in the application submitted to the Avalon Reviewer for approval; (ii) supervising installation or construction to confirm compliance with an approved application; or (iii) the compliance of an approved application with governmental codes and ordinances, state and federal laws.

Approval Application. To obtain Avalon Reviewer approval of a Rainwater Harvesting System, the Owner shall provide the Avalon Reviewer with the following information: (i) the proposed installation location of the Rainwater Harvesting System; and (ii) a description of the Rainwater Harvesting System, including the color, dimensions, manufacturer, and photograph or other accurate depiction (the "**Rain System Application**"). A Rain System Application may only be submitted by an Owner unless the Owner's tenant provides written confirmation at the time of submission that the Owner consents to the Rain System Application.

Approval Process. The decision of the Avalon Reviewer will be made within a reasonable time, or within the time period otherwise required by the principal deed restrictions which govern the review and approval of improvements. A Rain System Application submitted to install a Rainwater Harvesting System on property owned by the Association or property owned in common by members of the Association will not be approved. Any proposal to install a Rainwater Harvesting System on property owned by the Association or property owned in common by members of the Association must be approved in advance and in writing by the Board of Directors of the Association, and the Board need not adhere to these guidelines when considering any such request.

Each Owner is advised that if the Rain System Application is approved by the Avalon Reviewer, installation of the Rainwater Harvesting System must: (i) strictly comply with the Rain System Application; (ii) commence within thirty (30) days of approval; and (iii) be diligently prosecuted to completion. If the Owner fails to cause the Rain System Application to be installed in accordance with the approved Rain System Application, the Avalon Reviewer may require the Owner to: (i) modify the Rain System Application to accurately reflect the Rain System Device installed on the property; or (ii) remove the Rain System Device and reinstall the device in accordance with the approved Rain System Application. Failure to install a Rain System Device in accordance with the approved Rain System Application or an Owner's failure to comply with the post-approval requirements constitutes a violation of these guidelines and may subject the Owner to fines and penalties. Any requirement imposed by the Avalon Reviewer to resubmit a Rain System Application or remove and relocate a Rain System Device in accordance with the approved Rain System shall be at the Owner's sole cost and expense.

Approval Conditions. Unless otherwise approved in advance and in writing by the Avalon Reviewer, each Rain System Application and each Rain System Device to be installed in accordance therewith must comply with the following:

- The Rain System Device must be consistent with the color scheme of the residence constructed on the Owner's Lot, as reasonably determined by the Avalon Reviewer.
- The Rain System Device does not include any language or other content that is not typically displayed on such a device.
- The Rain System Device is in no event located between the front of the residence constructed on the Owner's Lot and any adjoining or adjacent street.
- There is sufficient area on the Owner's Lot to install the Rain System Device, as reasonably determined by the Avalon Reviewer.
- If the Rain System Device will be installed on or within the side yard of a Lot, or would otherwise be visible from a street, common area, or another Owner's property, the Avalon Reviewer may regulate the size, type, shielding of, and materials used in the construction of the Rain System Device. See the Guidelines for Certain Rain System Devices Paragraph for additional guidance.

Guidelines for Certain Rain System Devices. If the Rain System Device will be installed on or within the side yard of a Lot, or would otherwise be visible from a street, common area, or another Owner's property, the Avalon Reviewer may regulate the size, type, shielding of, and materials used in the construction of the Rain System Device. Accordingly, when submitting a Rain Device Application, the application should describe methods proposed by the Owner to shield the Rain System Device from the view of any street, common area, or another Owner's property. When reviewing a Rain System Application for a Rain System Device that will be installed on or within the side yard of a Lot, or would otherwise be visible from a street, common area, or another Owner's property, any additional regulations imposed by the Avalon Reviewer to regulate the size, type, shielding of, and materials used in the construction of the Rain System Device, may not prohibit the economic installation of the Rain System Device, as reasonably determined by the Avalon Reviewer.

Landscape Guidelines

Detailed landscape plans for each Lot may be submitted to the Avalon Reviewer for consideration after construction of the primary residence thereon has begun, so long as such submission occurs at least ninety (90) days before completion of the residence. Upon written request, however, the Avalon Reviewer may waive the requirement of landscape plans for any Lot if the builder uses plans previously approved by the Architectural Reviewer for another Lot. There shall be no revisions made to approved plans without submission to, and approval by, the Avalon Reviewer of the revised plans. All introduced vegetation shall be trees, shrubs, vines, ground covers, seasonal flowers or sodded grassed which are commonly used in South Central Texas for landscaping purposes and which are approved by the Avalon Reviewer. Landscaping in accordance with the approved plans shall be installed within ten (10) days after issuance of a certificate of occupancy with respect to the residence on a Lot. Extensions to the time limit may be granted by the Avalon Reviewer for up to an additional thirty (30) days on a case by case basis. The approved plans shall include permanent sodded grass or "ground cover" in all sodded areas. Winter rye shall be considered a temporary measure to reduce soil erosion through the winter season, and shall be completely demolished and replaced with sodded grass according to the approved plans. Each Lot shall be landscaped, at a minimum, with (a) full

sodded front and side yards (in front of fences), with backyards to be fully sodded by the Owner within thirty (30) days after acquiring the Lot; (b) the following number of hardwood shade trees: two (2) per Lot on all Lots other than corner Lots and four (4) per corner Lot, and (c) ten shrubs sized five gallons or more. The hardwood shade trees required by this Section shall be no smaller in size than 3" caliper. Trees and other foliage over 3' tall need Avalon Reviewer approval. All Owners are required to landscape front yards, side yards, and adjacent to building foundations within thirty (30) days after acquiring their Lot. Trees, shrubs, ground covers, seasonal color and sodded grass shall be used in these areas to achieve the landscape intent according to the approved plans. After installation, landscaping (including temporary landscaping) shall be properly maintained at all times. Any Owner who wishes to plant one or more gardens upon their Lot must obtain the approval of the Avalon Reviewer of any such garden and must follow applicable requirements as to size of the Lot, visibility of the Lot from other Lots, streets or common areas, and such other matters as the Avalon Reviewer may specify in any written approval.

Masonry retaining walls need Avalon Reviewer approval.

Ground cover is defined as a planting of low plants (such as ivy) that covers the ground in place of turf. (Rock or stone are not acceptable for use as a ground cover other than in flowerbed or walkway areas).

The use of rock or crushed rock as a ground cover shall not be permitted.

Landscape plans must include vegetative screening for above ground utility connections visible from the street or adjacent properties.

St. Augustine grass should be maintained at a height of two and one-half inches. Bermuda and Buffalo grass should be maintained at the height of two to two and one-half inches. Mowing heights may need to be altered to prevent scalping in the event of an uneven grade.

Grass will be trimmed away from sidewalks, building, planted areas and other obstacles according to the attached schedule. It is suggested that line trimmers, mechanical edger and chemicals are employed to keep a neat, tidy appearance.

Four-inch caliper trees and shrubs should be pruned to avoid blocking clear view of signs, address marker, illumination by light fixtures, the flow of air vents and air conditioner compressors as well as pedestrian and vehicular traffic.

The Avalon 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.

Hardscape elements in the landscaping must be in scale with the home and associated structures. Sculptures and fountains are subject to approval by the Avalon Reviewer.

Notwithstanding any requirements to the contrary, Owners shall comply with all applicable governmentally imposed water use restrictions and shall be granted appropriate relief from any specific requirement set forth in these Design Guidelines that cannot reasonably be complied with, as determined by the Avalon Reviewer, as a result of such water use restrictions.

Lawn Furniture, Decorations, and Garden Maintenance Equipment

Lawn furniture, including swings/chairs/benches in good repair are allowed on front porches, but must be incorporated into a landscape theme if visible from other lots. Swings and or benches are not allowed on driveways/front lawns etc. unless specifically approved for placement by the Avalon Reviewer.

A birdbath of a standard size is acceptable without prior written approval from the Avalon Reviewer.

Notwithstanding exterior holiday decorations, plastic lawn decorations and artificial plants are not acceptable in the front yard of the lot including pink flamingos, animals, or other plastic designs/statues.

Lawn mowers, edgers, wheelbarrows, etc. may not be left out in view of other lots except when in use. Bulk/bag material (mulch, topsoil, etc.) may not be left out in view for longer than ten (10) days.

Irrigation

The Avalon Reviewer must approve all irrigation systems prior to installation.

Landscape Inspection

The Avalon 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 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 Avalon 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.

Fencing

Fencing of front yards is not permissible. Solid walls enclosing an entire site are not permitted. All Lots shall have fencing of 6 feet in height. Fences shall be constructed of either: (a) RightWood pre-finished wood fencing, finished in Behr #501 Semi-Transparent Cedar Tone; or (b) black coated wrought iron or decorative metal construction approved by the Avalon Reviewer. The Fence must be located 10 feet from the front of the residence and no farther from the front of the residence than the midpoint of the residence. In the event of any dispute or disagreement as to the location of a fence on a Lot, the decision of the Avalon Reviewer, in its sole and absolute discretion, will be final.

- Fences facing an existing or proposed street or other right-of-way must have the slats facing the street or public right-of-way and be capped. All other fencing must be "good neighbor fencing".
- Fences along the side yard of corner lots shall not be placed closer to the public right-of-way than eight feet (8') feet from such right-of-way or eighteen feet (18') from the back of curb.

Once any Lot that contains a model home is conveyed from either the Declarant or a builder to an Owner, the fencing on such Lot must be modified to meet the fencing restrictions of this section.

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 Avalon Reviewer. All applications submitted to the Avalon Reviewer for the approval of plans and specifications for swimming pools, hot tubs or spas must be accompanied by the applicable city permits for the construction of same. Any applications submitted to the Avalon Reviewer, which do not include finalized construction permits from the city shall constitute an automatic rejection of the application. Above-ground or temporary swimming pools are prohibited. Each swimming pool constructed on a Lot must be entirely enclosed with a fence or similar structure which, at a minimum, satisfies all applicable governmental requirements. The location, color and style of the fence or enclosure must be approved in writing and in advance of construction by the Avalon Reviewer. The Avalon Reviewer may require that a swimming pool, spa and hot tub constructed on a Lot and associated Improvements be enclosed with a fence or similar structure irrespective of governmental requirements. Approval of a swimming pool, spa and hot tub and/or associated Improvements by the Avalon Reviewer will not constitute a determination by the Avalon Reviewer that the swimming pool, spa and hot tub and/or associated Improvements comply with governmental requirements or that the swimming pool, spa and hot tub and/or associated Improvements are safe for use. The Avalon 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. No swimming pool, spa and hot tub shall be located in the front or side yard on any Lot. Unless otherwise approved in writing by the Avalon 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 residence. 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 Avalon Reviewer in its sole and absolute discretion. The Avalon 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 dwelling as determined in the sole and absolute discretion of the Avalon Reviewer. Unless otherwise approved in writing by the Avalon 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 (5) feet from any property line. Unless otherwise approved in writing by the Avalon Reviewer, all maintenance equipment, including chemicals, plumbing fixtures, heaters, pumps, etc., associated with a swimming pool, spa or hot tub 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 and hot tub is constructed. Above ground spas and hot tubs visible from public view or from an adjacent street or Lot 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.

Basketball Goals and Sporting Equipment

Basketball goals, or backboards, or any other similar sporting equipment of either a permanent or temporary nature shall not be placed on any Lot or street or where same would be visible from an adjoining street or Lot without the prior written consent of the Avalon Reviewer.

Permanent goals must meet the following criteria:

- the metal pole must be permanently mounted into the ground to the side of the driveway in a full upright position 25' back from the curb;
- the pole, backboard and net must be maintained in good condition at all times; and
- poles may not be installed in front of the garage or facing into the street.

Portable goals will not be allowed unless the following criteria are met:

- the goal must be placed to the side of the driveway and permanently installed to be flush with the ground and maintained at all times in a full upright position 25' back from the curb;
- the pole, backboard and net must be maintained in good condition at all times;
- poles may not be installed in front of the garage or facing the street;
- landscape barrier, such as small shrubs must screen the base of the goal;
- goals may not be rolled into the street or any other public right-of-way; and
- goals may not be maintained in front of the garage or facing into the street.

The Avalon Reviewer shall have the authority to establish additional guidelines for the placement and design of basketball goals, backboards, or any other similar sporting equipment and the same shall be kept and maintained out of view from any street, except in accordance with any such established guidelines.

Playscapes and Sport Courts

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

Playscapes or any similar recreational facilities may not be constructed on any Lot without the advance written approval of the Avalon Reviewer. The Avalon Reviewer may prohibit the installation of playscapes or similar recreational facilities on any Lot.

Playscapes or any similar recreational facilities must comply with all the following requirements:

- Must be located where the equipment will have minimum impact on adjacent Lots and be screened from public view.
- All playscapes or any similar recreational facilities equipment must be of earth tones colors, i.e., medium to dark greens, browns, and tans.

- Bright primary colors will not be permitted.
- Views of playscapes or any similar recreational facilities must be reduced from public streets and adjoining units whenever possible.
- Playscapes or any similar recreational facilities must not be located any closer to a property line than the established building setbacks.
- Trampolines, whether portable or non portable must be placed no closer than five feet (5') to any property line.
- Playscapes, playground equipment and trampolines are prohibited in the front yard.

If approved, portable playscapes, including but not limited to, non-permanent and/or inflatable slides, moon bounces, water parks and above ground inflatable pools or kiddy pools (collectively "**Portable Playscapes**") must be stored in a screened area, the rear of the Lot, or inside the garage when not in use. In no event, shall any Portable Playscapes be visible from or in the front of any Owner's Lot for any period of time exceeding twenty-four (24) consecutive hours.

Erosion Control and Construction Regulations

The following restrictions shall apply to all construction activities at Avalon. Periodic inspections by a representative of the Avalon Reviewer 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 will be levied.

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 stormwater 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 a representative of the Avalon Reviewer prior to the removal.

Security

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

Construction Hours

Unless a written waiver is obtained from the Avalon Reviewer, construction may take place only during the following hours: Monday through Friday from 7:00 a.m. until 7:00 p.m., and on Saturdays and Sundays from 9:00 a.m. until 6:00 p.m.

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 or children under 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 Avalon Reviewer requires an Owner to procure adequate commercial liability insurance during construction naming the Association, the Declarant and the Avalon Reviewer as additional insureds, in an amount to be determined, from time to time by the Avalon 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 Avalon.

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.

Sanitary Facilities

A temporary sanitary facility (chemical toilet) shall be provided and maintained for the use of construction workers.

Construction Parking

Construction crews shall not park on, or otherwise use, other Lots. No construction vehicle will be permitted to leak oil or otherwise damage or deface any street located within the community.

Schedule of Fines

Periodic inspections by a representative of the Avalon Reviewer may take place in order to identify non-complying construction activities. Listed below is the schedule of fines which may be assessed.

Schedule of Fines

Premature Clearing	\$500
Construction Without Avalon Reviewer Approval	\$500
Encroachment on Adjacent Properties	\$500 plus cost of repair
Violation of Rules, Restriction or Guidelines	\$50/day
*Greenbelt/Open Space Lot violation	\$500
Sign Violation	\$50 per sign/incident

*= In the event, the Association or Developer is required to repair, clean up or provide necessary service to bring the improvement into compliance, the Owner will be assessed the cost of repair, clean up, or service plus an additional 50% for time and service expended.

Duration of Construction

A residence shall be complete and available for occupancy on or before eighteen (18) months after the start of construction.

Plan Submittals

New residential home construction within Avalon will utilize a two-stage review process. No Improvements may be commenced until the Owner has received a written "Approval" from the Avalon Reviewer.

PLAN BOOK, MATERIAL AND LANDSCAPE REVIEW

The applicant must first submit for approval plans for the home designs to be offered in the neighborhood including the exterior elevations and landscaping associated with each plan.

The Plan Book, Material, and Landscaping Review will require the submission of the following information:

- Floorplans
- Elevations of all sides of each home indicating
 - Roof pitch
 - Roof peak height above the foundation
 - Exterior materials- walls, roof, chimney
 - Window specifications
 - Chimney cap materials/design
 - Heated/air conditioned square footage of each floor and the total heated/air conditioned square footage

- Material samples, including stone samples (colors and patterns), mortar colors, stucco colors, trim colors, roof materials and colors, and window materials and colors must be approved in advance by the Avalon Reviewer. The Avalon Reviewer reserves the right to request samples of all materials. **PLEASE BE ADVISED THAT PLAN BOOK AND MATERIAL REVIEW IS NOT FINAL APPROVAL. SPECIFICALLY, MATERIAL TO BE INCORPORATED INTO A RESIDENCE OR IMPROVEMENT IS NOT APPROVED FOR USE ON A PARTICULAR RESIDENCE OR IMPROVEMENTS UNTIL THE FINAL PLAN REVIEW FOR THE RESIDENCE AND/OR IMPROVEMENT HAS BEEN SUBMITTED TO AND APPROVED BY THE AVALON REVIEWER.**
- Sample Landscaping Plan
 - General boundaries of turf areas with type of turf noted
 - General locations of all proposed plants
 - Listing of materials Plan

FINAL PLAN REVIEW

A completed Final Plan Application must be submitted for review and approval to the Avalon Reviewer prior to the construction of any improvements on a Lot. The Final Plan Application must also include all information required to be submitted as set forth on the application.

ATTACHMENT 1
AVALON
FINAL PLAN APPLICATION

Deliver to:
Avalon Reviewer
Attn: Blake Magee
1011 N. Lamar Blvd.
Austin, Texas 78703
Phone: (512) 481-0303
Fax: (512) 481-0333

Date: _____

Lot: _____ Block: _____ Phase: _____ Section: _____

Plan & Elevation #: _____ Bedrooms: _____ Baths: _____

Address: _____ House Width: _____ Lot Size: _____

Lot Plan Attached: (Please Circle) Yes/No

1st Floor Masonry % _____ 2nd Floor Masonry % _____

Chimney: (Please Circle) Yes/No _____ Masonry _____ Fibre Cement

Fencing Type: () Good Neighbor Fencing () Iron/Metal Fencing
(Fencing could be a combination of two types of fences) & *Wood fencing facing a street must be stained)

Brick & Stone Manufacturer and Color: _____

Roof Pitch: _____ Roof Color: Weathered Wood _____ Year dimensional shingle

Paint Color: _____

Fill in the information if different from color above

Trim Color: _____ Door Color: _____

Shutters Color: _____ Garage Color: _____

Living Square Footage of House: _____

Front Retaining Wall: (Please Circle) Yes/No Deck: Yes/No Patio: _____ square feet

Comments: _____

Builder Name: _____

By: _____

Blake Magee

Approval Date: _____



FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

DANA DEBEAUVOIR, COUNTY CLERK
TRAVIS COUNTY, TEXAS

November 10 2011 03:33 PM

FEE: \$ 120.00 2011165364