

To: The Downs of Hillcrest Residents

From: The Board of Directors
The Downs of Hillcrest Residential Association

Date: September 15, 2021

Living in The Downs of Hillcrest, residents are subject to certain covenants, conditions, restrictions and policies that are set out in several recorded documents. These governing documents are extensive and affect almost any new construction, renovation or landscaping you might be considering. Prior approval from the Architectural Committee or waiver by the Board of Directors may be required before you make any additions or changes.

In order to remind you of these requirements and provide a quick reference, the Board of Directors has prepared the attached summary of the applicable sections of the governing documents.

Please remember that this is only a limited summary of certain portions of the documents. Refer to the actual recorded documents for the exact language governing these restrictions, as well as information regarding membership and voting rights in the homeowners association, assessments and easements, powers and duties of the Board of Directors/Architectural Committee and property rights, uses and insurance of common areas. Copies of the documents are located on The Downs of Hillcrest's website under "Resource Center."

AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE DOWNS OF HILLCREST (the “CCRs”)*

ARTICLE IX Use of Properties and Lots: Protective Covenants

9.01 Residential Purposes

9.01A Leasing (added by **Fourth Amendment to the CCRs***)

These sections state that each lot may be used only for single-family residential purposes, which excludes specifically, but without limitation, any duplex apartment, garage apartment or other apartment use. Any lot and the residence thereon may only be leased in their entirety (separate rooms, floors, or other areas on the lot or residence may not be separately leased) and only for a term of at least one year. The leasing of any lot and residence for a term of less than 12 months or one year is specifically and expressly prohibited.

9.02 Minimum Lot Areas (amended by **Second Amendment to the CCRs***)

9.03 Minimum Floor Space

9.04 Combining Lots

9.05 Setback Requirements and Building Location

9.06 Height

9.07 Driveways (replaced by **First Amendment to the CCRs***)

9.08 Access

9.09 Drainage

9.10 Retaining Walls

9.11 Mailboxes and Address Plaques

9.12 Utilities

9.13 Construction Requirements

- (a) exterior surfaces and roofing materials
- (b) sidewalks
- (c) service riser conduits
- (d) above-ground swimming pools prohibited
- (e) deadlines for construction
- (f) projections above roofline prohibited
- (g) basketball backboards allowed only on freestanding poles

The sections listed above discuss the areas of construction that must be presented and approved by the Architectural Control Committee (the “ACC”) before any “building, structure, fence, wall or improvement of any kind or nature shall be erected, constructed, placed, altered, changed or modified” on any lot.

9.14 Garages and Servant Quarters

Each residential dwelling must provide garage space for a minimum of two conventional automobiles and provide for off-street parking for at least two additional automobiles. Garages may not be used for any purpose other than garaging automobiles. Garage doors must be equipped with automatic and remote controlled door openers and shall be closed when not in use. Carports are not allowed and any porte cochere must be approved by the ACC.

9.15 Landscaping and Sprinkler System

Each lot must contain an underground water sprinkler system to provide sufficient water to all front yards and side yards and not enclosed by solid fencing. Any and all plans for the landscaping of front and side yards not enclosed by solid fencing, including alterations, changes or additions must be approved by the ACC.

9.16 Fences

- (a) front yard fencing
- (b) side and rear yard fencing
- (c) side or rear yard fencing visible from the street (i.e. corner lots)
- (d) side or rear yard fencing facing water features and common properties

The sections listed above specify the permitted fencing for each lot type. Any deviations require approval by the ACC.

9.17 Trash Receptacles and Collection

Trash containers may be placed on the street curb abutting the lot only on those days designated by the City of Dallas as trash collection days.

9.18 Exterior Lighting

No exterior lighting, including landscape lighting, may be installed or maintained on any lot without prior approval of the ACC.

9.19 Window Coolers

No window or wall type air-conditioners or water coolers may be used, erected, placed or maintained on or in any residential dwelling on any lot.

9.20 Antenna and Satellite Dish Restrictions

Only antennas for the receipt of video programming service, direct broadcast, television broadcast and multipoint distribution service are permitted and they may not exceed one meter in diameter.

9.21 Solar Panels (Policy established by resolution of the Board of Directors as noted below.)

9.22 Temporary Structures and Vehicles

No temporary structure of any kind may be erected or placed on any lot. In addition, “[a]ny truck, boat, boat trailer, trailer, mobile home, camp mobile, camper or any vehicle other than conventional automobile shall, if brought within the Properties, be stored, placed or parked within the garage of the appropriate Owner or concealed from adjoining Lots, Common Properties, or public streets.”

9.23 Parking

On-street parking is restricted to approved deliveries, pick-up or short-time guests and invitees. Parking in driveways is permitted.

9.24 Signs

No signs or flags shall be displayed to the public view on any lot without prior approval by the ACC except for (1) the patriotic display of flags not exceeding 4' x 6' in size and only on customary holidays and (2) signs of customary dimensions not to exceed 3' x 4' in size advertising the property for sale. (Policy expanded by resolutions of the Board of Directors as noted below.)

9.25 Removal of Dirt

9.26 Drilling and Mining Operations

Removal of dirt (except as necessary in conjunction with landscaping or construction improvements) or excavation/drilling for water, oil, gas or minerals is prohibited.

9.27 Offensive Activities

No activity may be conducted on any lot that is noxious, offensive or which is (or may become) an annoyance or nuisance to any other lot owner. No animals, livestock or poultry of any kind shall be kept on any lot with the exception that dogs, cats or other household pets (not to exceed 3 adult animals) may be kept if not bred or maintained for commercial purposes.

9.28 Swimming and Fishing

No wading, swimming or fishing is allowed in any water feature, lake, waterway or drainage situated within the common properties.

9.29 Duty of Maintenance

Owners and occupants of any lot have the duty and responsibility, at their sole cost and expense, to keep the lot, including buildings, improvements, grounds or drainage easements or other right-of-way, and vacant land in a well-maintained, safe, clean and attractive condition at all times. Such maintenance includes, but is not limited, to the following:

- (a) prompt removal of all litter, trash, refuse and waste
- (b) lawn mowing on a regular basis
- (c) tree and shrub pruning
- (d) watering landscaped areas
- (e) keeping exterior lighting in working order
- (f) keeping laws and garden areas alive, free of weeds, and attractive
- (g) keeping parking area, driveways, curbs and roads in good repair
- (h) complying with all government health and police requirements
- (i) repair of exterior damages to improvements
- (j) cleaning landscaped areas lying between street curbs and lot lines
- (k) repainting of improvements

9.30 Maintenance of Common Properties

All common properties are owned and maintained by the Downs of Hillcrest Residential Association.

9.31 Tennis Courts

No tennis court will be erected, placed or altered on any lot without approval of the ACC. Exterior lighting of tennis courts is prohibited after 8:00 pm CST during the months of November, December, January, February, March and April. Exterior lighting is prohibited during all other months.

9.32 Building Permits

No owner shall commence construction of any improvements on a lot until the plans and specifications for the improvements to be constructed are approved by the ACC.

9.33 Enforcement

The Board of Directors of the Downs of Hillcrest Residential Association may impose a fine or monetary penalty against any owner and the related lot for any violation or breach of any provision of this article.

FIRST SUPPLEMENTAL CERTIFICATE AND MEMORANDUM OF RECORDING OF DEDICATORY INSTRUMENTS FOR THE DOWNS OF HILLCREST ASSOCIATION, INC. (the "First Supplemental Certificate")*

Flag-Flagpoles Policy (pursuant to and in accordance with Section 202.0011 of the Texas Property Code)

The only flags that may be displayed are (1) the flag of the United States of America, (2) the flag of the State of Texas and (3) an official or replica flag of any branch of the United States armed forces. Only one flagpole per lot is permitted. No other types of flags, pennants, banners, kits or similar types of display are permitted if the display is visible from a street or common area. Specifications regarding flag size and flagpole location, size and finish are contained in the First Supplemental Certificate. All flagpole installations must receive prior written approval from the ACC.

Rain Barrels

Rain barrels are prohibited in front yards. The container must be designed for the purpose of collecting rainwater and may not be a converted trash can or other type of container. Specifications regarding the container's size, color, construction and location are contained in the First Supplemental Certificate. All rain barrels require approval by the ACC.

Solar Panels

Solar energy panels may be installed only with prior written approval of the ACC. Specifications regarding the location and installation of the panels is contained in the First Supplemental Certificate.

Religious Displays

Religious items may be displayed exclusively on the dwelling's entry door or door frame and may not exceed a total of 25 square inches.

SECOND SUPPLEMENTAL CERTIFICATE AND MEMORANDUM OF RECORDING OF DEDICATORY INSTRUMENTS FOR THE DOWNS OF HILLCREST ASSOCIATION, INC. (the "Second Supplemental Certificate")*

Standby Electric Generators

A generator may not be installed in the front yard of a lot and cannot be visible from any common property or from adjoining property. Any generator must be installed by a licensed contractor pursuant to and in compliance with all applicable government standards. Specifications regarding the generator's location, maintenance and use is contained in the Second Supplemental Certificate. Installation of a generator cannot begin until approval has been received from the ACC.

Drought Resistant Landscaping

The use of drought-resistant landscaping and water conserving natural turf is permitted subject to the restrictions detailed in the Second Supplemental Certificate. Before making any changes to a lot's landscaping, the owner must submit for approval to the ACC the plans and specifications detailing the proposed installation, including a to-scale design plan, as well as details on the types of plants, the ground covers, the bordering materials, the hardscape materials, setbacks, irrigation system, and dimensions.

THIRD SUPPLEMENTAL CERTIFICATE AND MEMORANDUM OF RECORDING OF DEDICATORY INSTRUMENTS FOR THE DOWNS OF HILLCREST ASSOCIATION, INC. (the "Third Supplemental Certificate")*

Landscape Contractor Hours of Operation

Landscape contractors are allowed to access the community to perform work only during the hours of:

8:00 am – 6:00 pm	Monday through Friday
9:00 am – 5:00 pm	Saturday
No access allowed	Sunday

FOURTH SUPPLEMENTAL CERTIFICATE AND MEMORANDUM OF RECORDING OF DEDICATORY INSTRUMENTS FOR THE DOWNS OF HILLCREST ASSOCIATION, INC. (the "Fourth Supplemental Certificate")*

Architectural Standards

Various standards adopted by the ACC include the following:

- (a) architectural plan requirements
- (b) driveway aprons and sidewalks
- (c) fencing at common areas
- (d) roofing materials
- (e) retaining walls
- (f) gate types and locations
- (g) perimeter walls
- (h) fence/retaining walls

FIFTH SUPPLEMENTAL CERTIFICATE AND MEMORANDUM OF RECORDING OF DEDICATORY INSTRUMENTS FOR THE DOWNS OF HILLCREST ASSOCIATION, INC. (the “Fifth Supplemental Certificate”)*

Rules Governing the Limited Access Gate Entry

Only owners and their immediate family have toll tag access privileges and are the only persons authorized to provide guards with gate instructions or permission to grant access. Guests of an owner are required to sign in with the guard with each entry and provide the required identification. Such guests do not have authority to contact the gate with instructions or grant access to other guests.

Non-Domesticated Animals

It is prohibited to leave food or water outside any dwelling or other structure on a lot or on any common property that may attract animals that are not domesticated, owned by or cared for by residents of the community. This policy is intended to prevent the attraction of feral cats or other non-domesticated animals.

SIXTH SUPPLEMENTAL CERTIFICATE AND MEMORANDUM OF RECORDING OF DEDICATORY INSTRUMENTS FOR THE DOWNS OF HILLCREST ASSOCIATION, INC. (the “Sixth Supplemental Certificate”)*

Political Signs

Only signs advertising a candidate or measure for an election are permitted as Political Signs. Such signs may be only placed on a lot in public view on or after the 90th day before the election and must be removed before the 10th day after the election date. Each lot is allowed one sign for each candidate or measure. Specifications as to the size, location and contents are contained in the Sixth Supplemental Certificate.

* Note that this document provides only a limited summary of certain portions of the referenced CCRs and policies. For the exact covenants, conditions, restrictions and policies that apply to the residents of The Downs of Hillcrest, refer to the actual recorded documents. Copies of the documents are located on the website for The Downs of Hillcrest.