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Mary Louise Garcia

Mary Louise Garcia

COMMITTEE BULLETIN

FOR

DECLARATION OF COVENANTS, EASEMENTS AND RESTRICTIONS

(Heritage)

Accommodation CEO

THE STATE OF TEXAS §
 §
COUNTY OF TARRANT §

THIS BULLETIN FOR THE DECLARATION OF COVENANTS, EASEMENTS AND RESTRICTIONS for Heritage (this "Bulletin") is made on this 26th day of July, 2012 by Hillwood Alliance Residential, L.P., a Texas limited partnership ("Declarant").

RECITALS:

WHEREAS, Declarant established and adopted i) that certain Declaration of Covenants, Easements and Restrictions for Property located in the community known as Heritage which was filed of record December 4, 2000 in the Real Property Records of Tarrant County, Texas as Document No. 200270234, as amended and supplemented; ii) that certain Declaration of Covenants, Easements and Restrictions for Property located in the community known as Heritage filed of record August 28, 2000 in the Real Property Records of Tarrant County, Texas in Volume 14494, Page 0156, as Document Number D2001192456, as amended and supplemented; (iii) that certain Declaration of Covenants, Easements and Restrictions for Property located in the community known as Heritage filed of record July 2, 2002 in the Real Property Records of Tarrant County, Texas in Volume 15791, Page 1, as Document Number D202181826, as amended and supplemented; and (iv) that certain that Declaration of Covenants, Easements and Restrictions for Property located in the community known as Heritage filed of record October 30, 2002 in the Real Property Records of Tarrant County, Texas in Volume 16094, Page 218, as Document Number D202308948, as amended and supplemented (collectively, the "Heritage CCRs"); and

WHEREAS, Declarant intended the Heritage CCRs to serve as guidelines which govern the development, enhancement and protection of the Property referenced therein; and, pursuant to Section 2.6, Declarant possesses the exclusive right, but not the obligation, to appoint a Committee to enforce the guidelines and perform such other duties as set forth in the Heritage CCRs; and

WHEREAS, Declarant retains and exercises all rights, powers and authority of the Committee set forth in the Heritage CCRs in its sole capacity; however, Declarant has, at times, informally delegated certain review and consent duties of Declarant related to minor modification requests from Owners of developed Lots subject to the Heritage CCRs to a sub-committee selected by Declarant (the "Modification Control Committee"). The Modification Control Committee is subject to the power, control and authority of Declarant at all times and any approvals or consents granted by such sub-committee are at all times subject to Declarant's review and approval; and

WHEREAS, Declarant, or any Committee it appoints, possesses the right, in its sole discretion, to grant or withhold consent for and approve of variations from the standards set forth in the Heritage CCRs (the "Variances") as stated in Section 1.2 and Section 2.4 thereof; and, pursuant to Section 2.4, the Committee may publish and promulgate bulletins regarding additional architectural standards from time to time (the "New Guidelines"); and

WHEREAS, Declarant, acting in its sole capacity as Committee since no Committee has been formally appointed by Declarant and pursuant to the authority granted thereto in Section 1.2 and Section

2.4 of the Heritage CCRs, desires to ratify certain actions of the Modification Control Committee and affirm its approval of certain Variances granted by the Modification Control Committee to date as set forth herein, and establish New Guidelines for the Heritage CCRs as set forth in this Bulletin.

NOW THEREFORE, for and in consideration of the premises and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Declarant declares as follows:

1. New Guidelines. In accordance with Section 2.4 of the Heritage CCRS and pursuant to the authority granted therein, Declarant hereby establishes the following New Guidelines to be uniformly applied to the Property subject to the Heritage CCRs:

a. Outdoor Fireplace Elements. Newly constructed outdoor fireplaces whether attached or unattached to any residence on a Lot and freestanding outdoor fireplace elements such as fire pits, fire tables, fire bowls and chimineas used for recreational purposes (the "Outdoor Fireplaces") may be permitted on Lots subject to the review and approval of the Committee as set forth in Section 2.2 of the Heritage CCRs. The Committee shall also have the absolute and exclusive right, power and authority to i) designate the location of and require certain specifications for any Outdoor Fireplace and ii) establish rules for the use and maintenance of the Outdoor Fireplaces in order to promote fire safety on the Lots and Property. Under no circumstances will an Outdoor Fireplace approved by the Committee be considered a violation of Section 1.7(t) of the Heritage CCRs and no approved Outdoor Fireplace shall be used for any purpose other than that for which it was intended. Burning trash or other material foreign to any Outdoor Fireplace is strictly prohibited.

b. Commercial Vehicles. In addition to those standards for vehicles allowed on the Property set forth in Section 1.7(b) (*Recreational Vehicles*), Section 1.7(c) (*Transport Vehicles*) and Section 1.7(d) (*Regular Use Vehicles*) of the Heritage CCRs, any vehicle of an Owner, or any guests or visitors of such Owner, having three or more axles shall automatically be considered a "Commercial Vehicle" and shall be prohibited from being parked in the driveway of any Lot and in the streets or any other place in public view on the Property. Commercial Vehicles shall not include any Regular Use Vehicle possessing a permanent or removable commercial advertisement or logo; however, profanity or nudity on any such commercial advertisement or logo is strictly prohibited.

Notwithstanding the foregoing, Commercial Vehicles belonging to invitees temporarily on the Property for the purpose of providing third party services, such as delivery, repair or emergency services, to Owners, Declarant or the Association and which Commercial Vehicles are not parked on the Property for any length of time in excess of what is normal and customary to providing such services in light of the applicable circumstances shall not be subject to the Commercial Vehicle restrictions set forth herein.

Official vehicles driven by Owners who are employed as civil servants (i.e. policemen) or are employed by private agencies that provide similar type services (i.e. security guards) shall be considered Regular Use Vehicles and shall be subject to the restrictions set forth in Section 1.7(d) of the Heritage CCRs.

c. Flags and Flagpoles. Due to recent changes in Chapter 202 of the Texas Property Code effecting current restrictions that exist in one or more of the Heritage CCRs for flags and flagpoles, Declarant hereby establishes the following updated restrictions which shall replace any restrictions in the Heritage CCRs for flags and flagpoles that are no longer lawful due to the recent law change. Any other restrictions in effect under any of the Heritage CCRs for flags and flagpoles unaffected by recent changes made to Chapter 202 of the Texas Property Code shall remain the same and shall continue to be in full force and effect.

i) **Flags** – Each Owner has a right to fly certain flags on its Lot. A United States flag, State of Texas flag or an official or replica flag of any branch of the United States armed forces are the only flags allowed on a flagpole which is in compliance with the Heritage CCRs and such flags must be displayed in a respectful manner. Flags may not exceed three feet by five feet in size. Flag lighting (if any and as approved by the Committee) shall be directed at the flag and may not cause or be a nuisance to neighboring Lots. All flags must be in good condition and flown in compliance with applicable federal and state laws governing public flags.

ii) **Flagpoles** – Flagpoles shall not exceed 20 feet in height and only one flagpole is allowed per Lot. All permanent flagpoles must be reviewed and approved by the Committee prior to installation on a Lot.

2. **Variances.** Declarant hereby ratifies its approval of any Variance granted by the Modification Committee pursuant to the Heritage CCRS with respect to outdoor fireplace elements of similar size and nature to the Outdoor Fireplaces contemplated in this Bulletin prior to the date hereof about which Declarant was made aware and did not oppose.

3. **No Other Changes.** Except as expressly modified herein, the Heritage CCRs remain unmodified and in full force and effect. All terms used herein with initial capital letters and not otherwise defined shall have the meanings specified in the Heritage CCRs.

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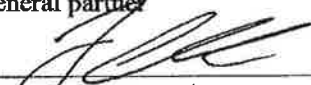
IN WITNESS WHEREOF, the Declarant has caused this Bulletin to be executed on the 26th day of July, 2012.

DECLARANT

HILLWOOD ALLIANCE RESIDENTIAL, L.P.,
a Texas limited partnership

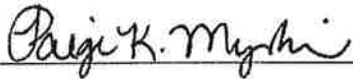
By: Hillwood Operating, L.P.,
a Texas limited partnership,
its general partner

By: Hillwood Services GP, LLC,
a Texas limited liability company,
its general partner

By: 
Name Brian Carlock
Title Vice President

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on July 26th, 2012, by Brian Carlock, Vice President of Hillwood Development Corporation, a Texas corporation, general partner of Hillwood Operating, L.P., a Texas limited partnership, general partner of Hillwood Alliance Residential, L.P., a Texas limited partnership, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said entities.



Notary Public, State of Texas

AFTER RECORDING RETURN TO:

Hillwood
3090 Olive Street, Suite 300
Dallas, Texas 75219
Attn: Amy R. Reed, Esq.

