

**GARDENS OVER TAPATIO SPRINGS OWNERS ASSOCIATION**  
**GARDENS ARCHITECTURAL COMMITTEE: NEW HOME CHECKLIST**

STATE OF TEXAS       §  
COUNTY OF KENDALL   §

I, the undersigned, pursuant to Texas Property Code §202.006 do hereby certify:

That I am the President of the Gardens Over Tapatio Springs Owners Association;

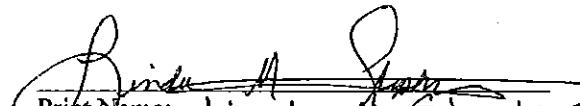
That the attached document is a dedicatory instrument that applies to the property commonly referred to as The Gardens Over Tapatio Springs, a subdivision in Kendall County, Texas;

That The Gardens Over Tapatio Springs subdivision is restricted by the Amended and Restated Declaration of Reservations, Covenants, Conditions and Restrictions for The Gardens Over Tapatio Springs (Garden Home Subdivision) recorded under Kendall County Clerk's File No. 00170101, as same has been or may be amended from time to time;

That the document which affects the use and operation of The Gardens Over Tapatio Springs subdivision, is attached hereto as Exhibit "A", and is a true and correct copy of the original.

IN WITNESS WHEREOF, I have hereunto subscribed my name on this the 6<sup>th</sup> day of January, 2012.

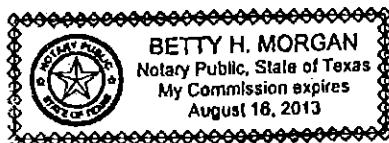
**GARDENS OVER TAPATIO SPRINGS OWNERS  
ASSOCIATION**

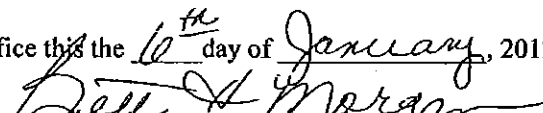
  
Print Name: Linda A. Stephens  
Title: President

STATE OF TEXAS       §  
COUNTY OF KENDALL   §

BEFORE ME the undersigned authority, on this day personally appeared Linda Stephens, the President of the Gardens Over Tapatio Springs Owners Association, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that s/he is the person who signed this certification in her/his representative capacity, and that the statements herein contained are true and correct.

Given under my hand and seal of office this the 6<sup>th</sup> day of January, 2012.



  
Notary Public - State of Texas

GARDENS OVER TAPATIO SPRINGS OWNERS ASSOCIATION  
GARDENS ARCHITECTURAL COMMITTEE  
***NEW HOME CHECKLIST***

**Note: This Checklist is a brief summary of the Rules and Guidelines of the Gardens Architectural Committee ("GAC"), and may not include all the requirements of the Covenants, Conditions and Requirements for The Gardens over Tapatio Springs (CCRs), as same has been or may be amended from time to time.**

**STATEMENT OF PRINCIPLE AND PURPOSE:**

It is the purpose of the Gardens Over Tapatio Springs' design standards to promote and maintain high quality residential design, streetscape, and community character and appearance. It is intended that this quality will enhance residential design compatibility and the overall beauty of the community. These standards will provide the guidelines for use by property owners, surveyors, contractors, builders, architects, landscape architects, engineers, and Realtors.

**GENERAL INFORMATION:**

No building, landscaping, fence, or other structure may be commenced, erected, or maintained upon the Properties, nor shall any exterior addition to or change or alteration be made until the detailed plans and specifications showing the nature, kind, shape, heights, materials, color and location of the same shall have been submitted to and approved in writing as to harmony or external design and location in relation to surrounding structures and topography by the GAC.

**All individual property owners or builders must submit requests using The Gardens Over Tapatio Springs Owners Association's Improvement Request Form.**

The GAC will review the Improvement Request Form and all required documents within 30 days of the request date and return one set of plans to the individual property owners or builder with its approval or denial with appropriate comments. In the event the GAC fails to approve or disapprove such design and location within thirty (30) days after said plans and specifications have been submitted to it, such plans and specifications shall be deemed to have been disapproved.

**Home Requirements:**

1. Date home and site plans received: \_\_\_\_\_
2. \$100 received with the submission: \_\_\_\_\_
3. Plans received with the submission include all elevations, site plan, and roof plan. Foundation detail including existing and proposed grade relationship and materials. Roof plan showing design, pitch, material, color, etc. Fascia and trim including sections, details, and wall sections. Recommended sheet size for plans is minimum 24"x36". Minimum site detail: 1 inch = 10' feet. Foundation and floor plans, exterior elevations: ¼ inch = 1 foot.

4. General Building Code Notes acceptable: \_\_\_\_\_
5. Square footage minimum/maximum requirements - Min 1800 A/C sq. ft. – Max 3500 A/C sq. ft. and minimum of 300 sq. ft. for the front and back porches combined: \_\_\_\_\_
  - Plans must state the total living area available in each single family dwelling, exclusive of garages, porches and breezeways;
  - Plans must also show all elevations for garages, porches and breezeways
6. Site plan - minimum setbacks 25 ft. front, 6 ft. side, 15 ft. rear – no interference with easements. \_\_\_\_\_
7. Tree Removal – No tree(s) shall be removed from the lot without GAC approval (except for cedar trees). [NOTE: this is also addressed under Landscaping Requirements, #7] \_\_\_\_\_
8. Exterior design must be in harmony in relation to existing structures and topography. It is prohibited to have the same front elevation or a variation of the elevation on the same street or within 20 lots of each other. Exterior composition of dwelling shall be of a type set forth in the CCRs. \_\_\_\_\_
9. Height of structure within CCR restrictions - 35 ft. in height, exclusive of chimney(s). (27 ft. in height, exclusive of chimneys, on lots 90 through 105 & lots 107 through 115): \_\_\_\_\_
10. Chimney capped and painted same color as exterior material: \_\_\_\_\_
11. Drainage Plan - The site plan must include the drainage patterns and elevation changes. \_\_\_\_\_
12. Estimated date of completion must be within 9 months from start date. \_\_\_\_\_
13. All exterior doors minimum 8 ft. in height: \_\_\_\_\_
14. Front door should be made of wood or metal with decorative glass and or decorative metal trim or other materials as approved by the GAC in keeping with the aesthetics of the neighborhood. \_\_\_\_\_
15. Ceiling in covered front porch entry minimum 10 ft. in height: \_\_\_\_\_
16. Minimum of a double car garage (door 18 ft. in width or Two single garage doors, each 9 ft. minimum). Wood door (s) preferred. Only GAC approved decorative handles or decorations are allowed on garage doors. \_\_\_\_\_
17. Concrete driveway and sidewalks must be washed pebble or pea gravel in an acceptable width (18 ft. for driveways and 4 ft. for walkways) and color matching exterior home colors, in harmony with the community and blend in with existing neighboring homes and landscaping. \_\_\_\_\_
18. Color boards and samples received for paint, trim, roof, etc. with the submission of the house plans and must be in harmony with the community and blend in with the neighboring homes and landscaping. Vent pipes and roof vents must be painted to match roof color. Any approved gutters must match the fascia. \_\_\_\_\_
19. House identification numbers plate/identifier must be approved by the GAC. \_\_\_\_\_
20. Roofing material (concrete/clay tile or slate) and color in accordance with the CCRs. (standing seam metal must be approved by GAC) \_\_\_\_\_

21. Any floodlights in plan are shielded or hooded and pointed down to reduce light pollution. \_\_\_\_\_
22. No building or other structure, including but not limited to patios, decks or gazebos shall be constructed, placed, or maintained within 25 feet of any front lot line, within 6 feet of any side boundary of a lot, or within 15 feet of the rear boundary of a lot, unless otherwise approved by the GAC. \_\_\_\_\_
23. Retaining wall size, material colors, and location must be approved by the GAC. \_\_\_\_\_
24. Fences, walls and/or hedges must be approved by the GAC and shall be installed in accordance with the CCRs. \_\_\_\_\_

**Minimum Contractor Environmental Requirements During Construction:**

25. Contractor - Dumpster on lot, emptied when full
26. Contractor - Portable toilets must be located as far as possible to the rear of the lot
27. Contractor - Lot must be kept neat, and trash and debris must be picked up and placed into dumpster during construction
28. Contractor - No loud music or alcohol consumption on premises
29. Contractor - No trashing adjacent Lot
30. Contractor - Clean street in front of site; remove mud and debris; repair scars to asphalt

**LANDSCAPING DESIGN STANDARDS:**

The purpose of these requirements is to assure that the individual property and community values are maintained and enhanced. Every property owner in the community has a vested interest in making sure the community as a whole maintains a degree of aesthetic integrity. Landscaping plays a major role in accomplishing this goal. The design should be a logical extension of the house and meet the Landscaping Requirements listed below.

**Landscaping Requirements:**

1. Landscape designs (for front and side yards and back yard, if applicable) are to be presented to GAC a minimum of 30 days prior to completion of the construction of the home. \_\_\_\_\_
2. Landscaping must be completed within 60 days of completion of the construction of the home. \_\_\_\_\_
3. The plan shall be prepared by persons with competent knowledge of planting design, plant materials and use of those materials. The GAC reserves the right to reject any designer it deems not competent to prepare acceptable landscape plans. \_\_\_\_\_
4. Date landscaping plans and drawings received: \_\_\_\_\_
5. Drainage Plan, elevation, and drainage patterns. Must provide Positive Drainage away from the home and not directing flows onto adjacent lots \_\_\_\_\_
6. Any materials and colors shall be in harmony with the community and blend in with neighboring homes and landscaping. The landscaping plan should show the existing conditions on the adjacent lots (where applicable) and show how the proposed design blends in and compliments the adjacent lot design, especially where the lots meet. \_\_\_\_\_

7. Tree Removal – No tree(s) shall be removed from the lot without GAC approval (except for cedar trees). \_\_\_\_\_
8. Plans must include plants, beds, irrigation system (required) and hardscape materials to be used. \_\_\_\_\_
9. Allowable grasses shall be drought resistant grasses, including Zoysia, (Preferred is El Toro, or other thick blade variety), certain types of Bermuda (Preferred Tifway 419), and Buffalo grass. St. Augustine is prohibited. \_\_\_\_\_
10. Topsoil must be a minimum 4 in. depth under sod. \_\_\_\_\_
11. Grass plugs and sprigs are prohibited. \_\_\_\_\_
12. Planting areas (flowerbeds, plant beds, and or grass), must comprise a minimum 50% of the front yard area (excluding driveway and sidewalk areas). \_\_\_\_\_
13. The design of the beds shall include a variety of types and sizes of plants. \_\_\_\_\_
14. Indigenous, drought resistant and deer resistant plants are preferred. \_\_\_\_\_
15. Trees to be planted must be minimum 2 in. diameter. Preference is Mexican Oak, Monterey Oak, Pin Oak or Live Oak. Others to be approved by GAC. \_\_\_\_\_
16. Sodded and planted areas must be irrigated. The system must be fully automatic with pop-up heads in the sodded and low growing groundcover areas or underground drip system. \_\_\_\_\_
17. A rain sensor device, which shuts the system off when moisture has been detected, will be installed in accordance with manufacturer's specifications. A double check backflow preventer, equal to DCA-100, shall be mounted on the service side of the water meter and immediately adjacent to the meter. A licensed irrigator must install the entire system. \_\_\_\_\_

Rev. 1 10-18-11

Filed & Recorded in :

KENDALL COUNTY  
DARLENE HERRIN  
COUNTY CLERK

01/10/2012 11:00AM

Document Number: 00262651

Total Fees : \$ 27.00

This Document has been electronically received by  
this office for Recording into the Official Public Records.  
We do hereby swear that we do not discriminate  
due to Race, Creed, Color, Sex or National  
Origin.

STATE OF TEXAS, COUNTY OF KENDALL  
I hereby certify that this instrument was e-filed  
in File Number Sequence on the date and  
at the time stamped hereon and was duly  
recorded in the OFFICIAL RECORDS Records of  
Kendall County, Texas on

01/10/2012  
DARLENE HERRIN, COUNTY CLERK  
Kendall County, Texas

By: Harriet P Seidensticker Deputy