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ARCHITECTURAL CONTROL STANDARDS FOR LAS VENTANAS

The following Architectural Control Standards for Las Ventanas are a part of the documentation for Las Ventanas Owner's Association which include the Declaration of Covenants, Conditions and Restrictions of Las Ventanas as recorded in Vol. 9642, Page 369, as modified in Vol. 9728, Page 135, Vol 9728, Page 967, Vol. 9859, Page 892, Vol. 10692 Page 502, Vol.10740, Page 967, Vol. 11440, Page 113, and Vol. 11512, Page 394 of the Real Property Records of Travis County, Texas, as amended. After due notice these Architectural Control Standards were adopted June 4, 1991 in compliance with the necessary votes as required by the declaration and bylaws.

Robert R. Clug
Secretary, Las Ventanas Owners Association, Inc.
Robert R. Clug

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1 3 08/28/92

Robert M. Floyd Jr.
President, Las Ventanas Owners Association, Inc.
Robert M. Floyd Jr.

2:58 PM 0645

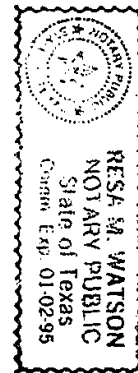
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STATE OF TEXAS
COUNTY OF TRAVIS

This instrument was acknowledged before me on 8/18/92 by *Robert M. Floyd Jr.* as President and *Robert R. Clug* as Secretary of the Las Ventanas Owners Association, Inc., a Texas non-profit corporation, on behalf of said corporation.

RESA M. WATSON

Notary Public for the State of Texas
Printed Name of Notary *RESA M. WATSON*
My Commission Expires *1-3-95*



After recording return to:

Certified Management of Austin
3007 Longhorn Blvd. Ste. 100
Austin, TX 78759

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EXHIBIT "A"

ARCHITECTURAL CONTROL STANDARDS
LAS VENTANAS

These Architectural Control Standards have been adopted as rules by the Las Ventanas Owners Association, Inc., in accordance with the Declaration of Covenants, Conditions, and Restrictions.

The purpose of these Architectural Control Standards is to preserve so far as possible the natural beauty of the Property; to avoid harsh contrasts between structures and landscape; to guard against the erection of poorly designed or proportioned structures or use of unsuitable materials; to encourage freedom of individual expression in the development of the land and the buildings, limited only to those projects which seem to be mutually advantageous; and in general, to enhance the environmental quality and economic value of the Property.

ARTICLE I

ARCHITECTURAL CONTROL COMMITTEE

Section 1.01. "Establishment and Composition." There is hereby established an Architectural Control Committee (ACC) which shall consist of three (3) regular members and one (1) alternate member.

Members of the ACC shall serve without salary or pay.

Section 1.02. "Voting and Status of Alternate Members." Except as otherwise provided herein, a vote or written consent of a majority of the regular members of the ACC at a meeting or otherwise shall constitute the act of the Committee. Except as hereinafter provided, alternate members shall not be entitled to vote. In the event of absence or disability of one (1) or more regular members, the remaining member or members, even though less than a quorum, may designate an alternate member to act or substitute for the absent or disabled member for the duration of such absence or disability. The alternate member so designated shall be entitled to vote in place of the regular member for whom he so substitutes. Notwithstanding the foregoing provisions, the ACC is not authorized to act unless at least one (1) regular member is present, or in the event action is taken without a meeting, unless at least one (1) regular member consents in writing thereto.

Section 1.03. "Terms of Office." Unless the initial members of the ACC have resigned or been removed, their terms of office shall be for the periods of time indicated below, and until

appointment of their respective successors:

a) The terms of office for all members shall be three (3) years.

b) Any new member appointed to replace a member who has resigned or been removed shall serve such member's unexpired term. Members who have resigned or whose terms have expired may be reappointed. At such time as the composition of the ACC is altered, a writing referring to and identifying these Architectural Control Standards, shall be filed with the records of the Secretary of the Las Ventanas Owners Association setting forth the name and address of each member of the Committee as it is constituted.

Section 1.04. "Appointment and Removal." Except as provided below, and as provided in the Declarations of Covenants, Conditions, and Restrictions, the right to appoint and remove all regular members and alternate members of the ACC at any time, with or without cause, shall be, and hereby is, vested solely in The Association's Board of Directors. The Association members shall have the right to nominate and vote their majority support for members to be appointed by the Board.

Section 1.05. "Resignations." Any regular member or alternate member of the ACC may resign at any time from the Committee by giving written notice thereof to the Association as the situation requires.

Section 1.06. "Vacancy." Vacancies on the ACC, however caused, shall be, except as provided in Section 1.04 of this Article, filled by the Association. A vacancy shall be deemed to exist in case of death, resignation or removal of any regular or alternate member.

Section 1.07. "Address." The address of the ACC shall be the same as the address of the Chairman of this committee as appointed by its members.

Section 1.08. "Duties."

a) General: It shall be the duty of the ACC to receive, consider and act upon all proposals, plans, complaints, requests for determination, Development Plans or other matters submitted pursuant to the terms of these Standards, and to carry out all other duties imposed on it by these Standards.

Section 1.09. "Meetings." The ACC shall meet from time to time as necessary to perform its duties hereunder. Subject to provisions of Section 1.02 above, and except otherwise provided herein, the vote or written consent of a majority of the regular

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members at a meeting or otherwise, shall constitute the act of the Committee. The Committee shall keep and maintain records of all actions taken by it at such meetings and otherwise.

Section 1.10. "Action Without Formal Meetings." The ACC, in accordance with Section 1.02 and 1.09, may take action without formal meeting by unanimously consenting in writing on any matter which they might consider at a formal meeting. Such unanimous written consent shall constitute the act of the Committee. For the purpose hereof, unanimous written consent shall mean a writing by the three (3) regular members of the ACC except as the provisions of Section 1.02 may apply.

Section 1.11. "Procedure for Submission and Approval of Development Plan."

a) Prior to commencement of construction, each Owner shall be required to submit a Development Plan as defined in Section 2.01, in triplicate, to the Architectural Control Committee at the address as listed in Section 1.07.

b) When a new home is in the conceptual phase of design, the house plans should be presented to the Architectural Control Committee for preliminary approval. At this time the committee may show the plans to the owners of the adjoining lots for their comments. This procedure should allow the process of getting a home design approved to flow more smoothly.

c) The ACC shall make every effort to approve or disapprove any Development Plan submitted to it, within fifteen (15) days after submission. However, if the ACC fails to approve or disapprove any material or Development Plan submitted to it hereunder within thirty (30) days after the date shown on the submittal receipt or to give notice of its actions as above required, it shall be conclusively presumed that the Committee has approved such materials as submitted. If the Committee requests additional or amended materials or an amended Development Plan during the initial thirty (30) day period, or approves on condition that certain additional or amended materials be submitted, such shall automatically be extended to fifteen (15) days following the date upon which additional or amended materials are required to be delivered to and received by and receipted for by the Committee. Additional fifteen (15) day extensions shall occur if further additional or amended materials are requested or required during any subsequent extension period. If the additional or amended materials are not received on or before the required date, then the Development Plan shall be automatically disapproved.

Section 1.12. "Waiver and Estoppel." The approval of the ACC of any Development Plan, specifications or drawings or any materials accompanying it for matters requiring approval of the ACC shall not be deemed to constitute a waiver of, or create any right

of estoppel against the Committee's right to withhold approval of any similar Development Plan, drawing, specification or matter subsequently submitted for approval.

ARTICLE II

SITE DEVELOPMENT

Section 2.01. "Development Plan." Each Owner shall be required to submit a detailed Development Plan and such plan must be approved in writing prior to the commencement of construction of any Improvement. The Development Plan should include, but is not limited to:

- a) a topographic survey.
- b) a site plan with grades at 1' intervals showing location of the home, fences, driveways, and all other Improvements to the Lot.
- c) a set of house plans by a registered architect that include a demonstration that the house described by the plans is designed for the specific Lot in addition to: floor plans, site plan including driveway and any proposed sidewalk or other flatwork, foundation plans, building section, all elevations, specifications including detailed description and samples of all exterior materials and finishes. A foundation designed by a Registered Professional Engineer is required.
- d) a stakeout on the Lot of the homesite, driveway, and all Improvements to the Lot.

Section 2.02. "Time for Construction."

- a) Construction of Structure or Improvement shall be continuous and proceed in an orderly fashion without interruption and any Structure or Improvement on a Lot shall be completed in a reasonable amount of time, not to exceed ten (10) months from the commencement of construction.
- b) Commencement of Construction shall mean the first on-site work for construction, including, but not by way of limitation, clearing of trees, excavation or site preparation for the foundation.
- c) Materials and equipment necessary for construction, and all debris resulting from clearing or construction shall be confined to the Lot, and shall not be left on any other Lots without prior written consent from that Owner, or any Common Areas or roadway without prior written approval from the ACC, which approval shall not be unreasonably withheld.

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ARTICLE III
RESIDENTIAL STRUCTURES

Section 3.01. "Requirements." All Single Family Residential Structures shall be built in place and subject to the following requirements, and each enumerated item must be included in the Development Plan submitted and approved in writing by the ACC prior to the commencement of construction. Once approved, no Structure or Improvement may vary from the Development Plan without further approval of the ACC.

a) Setbacks: All platted setbacks and P.U.E. requirements will be observed. Additionally, all front setbacks will be a minimum of ten (10') feet, all rear setbacks will be as shown on the recorded plat for Las Ventanas, and side setbacks will be a minimum of two and one half (2.5') feet from any adjoining residential lot line, with no less than five (5') feet between any two structures as measured from the footprint of their foundations. The roof overhang shall be a maximum of one and one half (1 1/2') feet on any adjoining residential lot line side. Except as otherwise provided on the recorded plat for Las Ventanas, any lot line adjoining a common area shall be a "zero lot line", and overhangs may extend up to two (2') feet into the common area. On Lots 6 through 23, decks shall be allowed to extend up to five (5') feet into the fifteen (15') rear building setback. The ACC shall have the right to reasonably impose additional setback requirements from all Lot lines in order to preserve lines of sight, and views of neighboring properties, subject to approval by the ACC in any event.

b) Minimum Floor Areas: All Single Family Residential Structures shall have an air conditioned floor area of not less than 2,000 square feet, exclusive of open and closed porches, patios, garages, carports, balconies or decks. The ACC may grant a variance for homes which are smaller than 2,000 square feet if the owner can demonstrate an extraordinary high standard of quality design and construction.

c) Height Limitations: The ACC shall have the right to impose reasonable limitations on the height of any Single Family Residential Structure or Improvement to preserve lines of sight and views enjoyed by neighboring Lots.

d) Exterior Color Schemes: The ACC shall have the right to impose limitations on the exterior color and materials used in all Single Family Residential Structures.

e) Roofing Material: The roofing material of any Improvement must be of a color which will blend with the environment. The material must be concrete, clay or slate tile, factory-finished metal, copper, or fiberglass shingles with a

minimum weight of 240lbs. No reflective material will be allowed. The ACC shall have the right to impose other limitations on roofing materials.

f) Exterior Materials: No plywood siding may be used as an exterior sheathing material except as soffits. Exterior must have a wall surface area of a minimum of 50% masonry (stone, brick, stucco, or combination thereof) unless otherwise approved by the ACC.

g) Exposed foundations: All exposed concrete foundations must be screened from view or underpinned with stucco or plaster.

h) Cuts, Fill and Debris: All exposed cuts must be covered with landscaping, rockwork or some appropriate screen. No debris, fill or brush may be left on the construction site, in particular, along either edge of the Easement. This applies during construction as well as after the completion of the construction.

i) Stacks, Gutters, Service/Storage Areas: All roof stacks and gutters must be painted a color that is in harmony with the roof. All service and storage areas must be screened so that they are not visible from neighboring properties.

j) Erosion and Trash Control: Erosion and trash control barriers must be erected to prevent debris, brush or fill from spilling onto adjoining property, the roadway, or into Easements. Debris will be removed during construction at ACC discretion.

k) Driveways and Flatwork: All driveways and other flatwork must be concrete or approved pavers. No asphalt will be allowed.

Section 3.02 "Trees, Shrubs and Landscaping." The ACC shall have the right to approve the initial removal and/or addition of trees, shrubs, hedges, ground cover and all other landscaping with the Development Plan. Subsequently, any major alterations to a lot's landscape design shall be submitted to the ACC for approval. All landscaping must be maintained to be consistent with the environment. Landscaping must be in place within ninety (90) days of the completion of construction of any Single Family Residential Structure.

Section 3.03 "Fences and Walls." Any fence, wall, or other similar structure or improvement must be included in the Development Plan with respect to location, height, and type of material and must be approved in writing by the ACC. No barbed wire or chain link shall be allowed in the construction of any fence on the Property.

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Section 3.04. "Towers and Antennas." No visible antenna or other service transmission for reception of television signals, radio signals, or any other form of electromagnetic radiation shall be erected, used or maintained on any Lot, whether attached to a building or Structure or otherwise, without prior approval of the ACC. No radio signals, television signals, or any other form of electromagnetic radiation shall originate from any Lot which may unreasonably interfere with the reception of any television or radio signal on any other Lot.

Section 3.05. "Underground Utility Lines." No utility lines, including but not limited to wires or other devices for the communication or transmission of telephone or electric current or power, cable television or any other type of line or wire shall be erected, placed, or maintained anywhere in or upon any Property within the Subdivision unless the same shall be contained in conduit or cables installed and maintained underground or concealed in, under, or on buildings or other Structure as approved in writing by the ACC; provided, however, that no provision hereof shall be deemed to forbid the erection of temporary power or telephone structures incident to the construction of buildings or Structures which have been previously approved in writing by the ACC. The installation method, including, but not limited to, location, type of installation, for both temporary and permanent utilities shall be included in the Development Plan and approved in writing by the ACC.

Section 3.06. "Temporary Structure, Occupancy During Construction." No trailer, basement of any incomplete building, tent, shack, garage or barn and no temporary building of any kind shall be used at any time for a residence on the Property within the Subdivision either on a temporary or permanent basis.

Section 3.07. "Outbuildings." No out-buildings shall be allowed on the Property within the Subdivision without special approval from the ACC.

Section 3.08. "Signs." No sign, billboard, including, but not limited to, commercial and similar signs, which are visible from neighboring property or from streets or access roads shall be erected or maintained on any Lot or parcel of property within the Subdivision, except the following types of signs, each of which must be approved in writing by the ACC:

- a) signs which may be required by legal proceedings:
- b) not more than two (2) residential identification signs (street number and/or name of Owners) for a maximum combined total face area of 144 inches (A minimum of one (1) residential identification sign is required on all Single Family Residential Structures);

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c) during the time of construction of any building or other Improvement, one job identification sign not larger than three (3) feet by five (5) feet having a face area not larger than fifteen (15) square feet:

d) one lot identification sign not to exceed (1) square foot:

e) signs, the nature, number and location of which have been approved in advance by the ACC; and

f) one "for sale" sign to advertise that the Lot or Property of the Owner is being offered for sale is permitted, but such sign shall not exceed a total of five (5) square feet and must be removed when the listing expires;

Section 3.09. "Improvements and Alterations." No structures, improvements, alterations, repairs (excluding routine repairs), excavations, or other work, which in any way alters the exterior appearance of any structure within the Subdivision or the appearance of any other improvement located thereon from its natural or improved state existing on the date such Property was first conveyed in fee to the current Owner, Purchaser or annexed by Declarant, whichever is later, shall be made or done without the prior approval of the ACC.

Section 3.10. "Solar Equipment." Request for approval of installation of any type of solar equipment shall be included in the Development Plan and must be approved in writing by the ACC.

Section 3.11. "Garages." Each Single Family Residential Structure shall have a minimum of a two-car garage or a one-car garage with a one-car carport as approved by the ACC.

ARTICLE IV MISCELLANEOUS

Section 4.01. "Liability." Neither the ACC nor any member thereof shall be liable to any Owner, or any other person, association, or entity, for any damage, loss or prejudice suffered or claimed on account of: (i) the approval or disapproval of any Development Plan or any materials submitted therewith, whether or not defective; (ii) the construction or performance of any work, whether or not pursuant to an approved Development Plan or any material submitted therewith; (iii) the development of the Property; (iv) the structural capacity or safety features of the proposed Improvement or Structure; (v) whether or not the location of the proposed Improvement or Structure on the building site is free from possible hazards from flooding, or from any other

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possible hazards whether caused by conditions occurring either upon or off the Property; (vi) soil erosion causing sliding conditions; (vii) compliance with governmental laws, ordinances, and regulations; provided, however, that with respect to the liability of a member, such member has acted in good faith on the basis of such information as may be possessed by him. Without in any way limiting the generality of any of the foregoing provisions of this Section, the ACC, or any member thereof, may, but is not required to consult with or determine the view of any other Owner with respect to any Development Plan, or any materials submitted to the ACC.

Section 4.02. "Governmental Agency Approval." Nothing in these Standards shall relieve or be interpreted as purporting to relieve any Owner from also securing such approval(s), certificate(s) or permit(s) of any governmental agency or entity with jurisdiction as may be required by law as a condition to the commencement, construction, maintenance, addition, change or alteration to or of any Improvement, and the Committee may require that a copy of such approval(s), certificate(s) or permit(s) be provided to the Committee as a final condition to approval of a Development Plan, or as additional insurance to the Committee that the Improvements and uses of an approved Development Plan meet governmental requirements, or for both such purposes.

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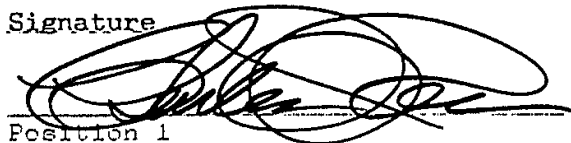
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SIGNATURES OF INITIAL MEMBERS

These Architectural Control Standards are hereby effective as of this, the 4th day of June, 1991, the following having been duly appointed as initial members of the Architectural Control Committee.

Signature

Name, Address, Telephone#



Charles J. Rowe
7909 Griffin Ct.
Austin, TX 78731
Home 512-338-5308/office 329-5329

Position 1
Regular Member



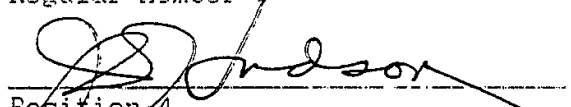
William E. Jones
7188 Las Ventanas
Austin, TX 78731
512-454-4849

Position 2
Regular Member



CHARLES LOEFFLER
7170 LAS VENTANAS
AUSTIN
338-0342

Position 3
Regular Member



J. D. HUDSON
7187 LAS VENTANAS DR.
AUSTIN 78731
345-4545-41
458-6121-0

Position 4
Alternate Member

RECORDER'S MEMORANDUM - At the time of recordation this instrument was found to be inadequate for the best photographic reproduction, because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

STATE OF TEXAS COUNTY OF TRAVIS
I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me, and was duly RECORDED, in the Volume and Page of the named RECORDS of Travis County, Texas, on

AUG 28 1992

FILED

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Dana De Beauvoir
COUNTY CLERK
TRAVIS COUNTY, TEXAS

DANA DE BEAUVOIR
COUNTY CLERK
TRAVIS COUNTY, TEXAS

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