

**AFTER RECORDING RETURN TO:**

**JUDD A. AUSTIN, JR.  
HENRY ODDO AUSTIN & FLETCHER, P.C.  
1717 MAIN STREET  
SUITE 4600  
DALLAS, TEXAS 75201**

## **CUSTER RIDGE ESTATES**

### **DESIGN GUIDELINES**

**Adopted:**

**DECLARANT:**

**SHADDOCK-CUSTER RIDGE, LLC,  
a Texas limited liability company**

By: \_\_\_\_\_

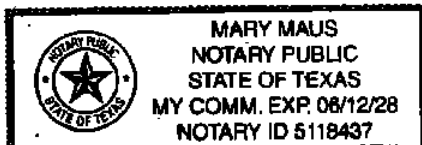
William C. Shaddock, Jr.

Its: Manager

STATE OF TEXAS     §  
                                 §  
COUNTY OF COLLIN §

BEFORE ME, the undersigned authority, on this day personally appeared William C. Shaddock, Jr., Manager of Shaddock-Custer Ridge, LLC, a Texas limited liability company, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and as the act and deed of said corporations on behalf of said limited partnerships, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this 15<sup>th</sup> day of April, 2025.



\_\_\_\_\_  
Notary Public, State of Texas

Adopted by Shaddock-Custer Ridge, LLC, a Texas limited liability company, in accordance with Declaration of Covenants, Conditions and Restrictions for Custer Ridge Estates, recorded as Instrument Number 2024000133029, Official Public Records of Collin County, Texas (the "Declaration"). In accordance with *Article 7, Section 6.11* of the Declaration, these Design Guidelines may be adopted and amended from time to time by the ACC (as defined in the Declaration).

## TABLE OF CONTENTS

	Page
<b>I. INTRODUCTION .....</b>	<b>1</b>
A. Background.....	1
B. ACC and Review Authority .....	1
<b>II. GOVERNMENTAL REQUIREMENTS.....</b>	<b>1</b>
<b>III. INTERPRETATION .....</b>	<b>2</b>
<b>IV. AMENDMENTS .....</b>	<b>2</b>
<b>V. ARCHITECTURAL REVIEW OVERVIEW .....</b>	<b>2</b>
A. Objective.....	2
B. Responsibility for Compliance.....	2
C. Inspection.....	3
D. Submittals .....	3
<b>VI. ARCHITECTURAL AND AESTHETIC STANDARDS.....</b>	<b>3</b>
A. Masonry Repetition .....	3
B. Exterior Materials .....	3
C. Square Footage .....	4
D. Building Setbacks.....	4
E. Building Height.....	4
F. Roofs .....	5
G. Flatwork/Driveways.....	5
H. Garages.....	5
I. Windows and Doors.....	6
J. Exterior Lighting/Security Cameras.....	6
K. Solar Energy Devices .....	6
L. Satellite Dishes .....	7
M. HVAC, Pool Equipment, Garbage Containers, and Noise-generating Equipment Screening .....	7
N. Fences; Sidewalks .....	7
O. Retaining Walls .....	8
P. Temporary/Accessory Structures, Outside Storage Buildings, Detached Garage, and Detached Guesthouse .....	8
Q. Additions .....	9
R. Aesthetic Appeal.....	9
<b>VII. LANDSCAPE GUIDELINES .....</b>	<b>10</b>
A. Landscape .....	10

B.	Tree Protection .....	11
C.	Irrigation .....	11
D.	Landscape Inspection .....	12
E.	Drainage .....	12
F.	Decks .....	12
G.	Pools, Spas and Hot Tubs .....	12
H.	Playscapes, Trampolines and Sport Courts .....	13
<b>VIII.</b>	<b>EROSION CONTROL AND CONSTRUCTION REGULATIONS.....</b>	<b>13</b>
A.	Erosion Control Installation and Maintenance.....	13
B.	Security .....	14
C.	Construction Hours .....	14
D.	Noise, Animals, Children .....	14
E.	Material and Equipment Storage.....	14
F.	Insurance .....	14
G.	Site Cleanliness.....	15
H.	Sanitary Facilities .....	15
I.	Construction Parking & Construction Trailers.....	15
<b>IX.</b>	<b>PLAN REVIEW PROCESS.....</b>	<b>16</b>
A.	Submittals – Production Homebuilders .....	16

## **I. Introduction**

Any notice or information required to be submitted to the Architectural Control Committee (the "ACC") under these Design Guidelines will be submitted to the Architectural Control Committee, c/o Teri Thomasson, Email: [Teri@legacysouthwestpm.com](mailto:Teri@legacysouthwestpm.com), and Phone: 214-705-1615 ext. 128.

### **A. Background**

Custer Ridge Estates is a residential community located in City of Allen, Collin County, Texas. The community is subject to the terms and provisions of the Declaration of Covenants, Conditions and Restrictions for Custer Ridge, recorded in the Official Public Records of Collin County, Texas, as amended (collectively, the "**Declaration**"). The Declaration includes provisions governing the construction of Improvements and standards of maintenance, use and conduct for the preservation of Custer Ridge Estates community.

### **B. ACC and Review Authority**

The ACC consists of a member or members who have been appointed by **SHADDOCK-CUSTER RIDGE, LLC**, a Texas limited liability company (collectively, the "**Declarant**"). Declarant has a substantial interest in ensuring that Improvements within Custer Ridge Estates development maintain and enhance the Declarant's ability to market and sell all or any portion of the community, and as a consequence thereof, the ACC acts solely in the Declarant's interest and shall owe no duty to any other Owner or to Custer Ridge Allen Community Association, Inc., a Texas nonprofit corporation (the "**Association**").

*Article 6* of the Declaration includes procedures and criteria for the construction of Improvements within the Custer Ridge Estates community. *Section 6.3* of the Declaration provide that no Improvements may be constructed on any Lot without the prior written approval of the ACC.

## **II. Governmental Requirements**

Governmental ordinances and regulations are applicable to all Lots within Custer Ridge Estates, including but not limited to federal, state, county and local requirements and universal building codes, if adopted. It is the responsibility of each Owner or Homebuilder 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 that may be applicable to a Lot within Custer Ridge Estates. Each Homebuilder and Owner is advised to review all encumbrances affecting the use and improvement of their Lot prior to submitting plans to the ACC for approval. Furthermore, approval by the ACC should not be construed by the Homebuilder or Owner to mean that any Improvement complies with the terms and provisions of all encumbrances that may affect the Owner's Lot.

The ACC shall bear no responsibility for ensuring plans submitted to the ACC comply with Applicable Law. It is the responsibility of the Owner to secure any required governmental approvals prior to construction on such Owner's Lot.

### **III. Interpretation**

In the event of any conflict between these Design Guidelines and the Declaration, the Declaration shall control. Capitalized terms used in these Design Guidelines but not otherwise defined herein shall have the same meanings as set forth in the Declaration.

### **IV. Amendments**

During the Development Period, the Declarant, acting alone, may amend these Design Guidelines. Thereafter, the ACC may amend these Design Guidelines. All amendments shall become effective upon recordation in the Official Public Records of Collin 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.

### **V. Architectural Review Overview**

#### **A. Objective**

The objective of the review process is to promote aesthetic harmony in the community by providing for compatibility of specific architectural designs with surrounding buildings, the environment, and the topography. The review process strives to maintain objectivity and sensitivity to the individual aspects of design and acknowledges that architectural styles which may vary from these Design Guidelines may be taken into consideration. Adherence to an architectural style is to be considered by Architectural Control Committee.

#### **B. 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 ACC as a condition of approval.

#### **C. Inspection**

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

## D. Submittals

Requests for approval of proposed new construction, landscaping, or exterior modifications must be made by submitting the information and materials outlined in any plan review process set forth herein or in the Declaration.

## VI. Architectural and Aesthetic Standards

### A. Masonry Repetition

The ACC 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 ACC 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).*

Brick A	Brick B	Brick C	Brick A
Brick D	Brick E	Brick F	Brick B

- *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: Brick B).*

### B. Exterior Materials

All building materials must be approved in advance by the ACC, and only new building materials (except for antique brick if approved in writing) may be used for constructing any Improvements.

Acceptable exterior materials are stone, cultured stone, brick, or similar products approved by the ACC. HardiePlank® and/or stucco board are permitted only on the second-floor of a residence.

- All four sides of the first-floor of a residence shall be 100% masonry and the front face of the second-floor of a residence shall be a minimum of 60% masonry.
- Roofs, eaves, soffits, windows, gables, doors, garage doors and trim work are not required to be constructed of masonry.

- Alternative masonry material may be considered, such as concrete or concrete slurry application, when built with an architectural style approved by the ACC, in its sole and absolute discretion.
- Brick may be painted, if approved by the ACC in its sole discretion, provided the paint color is a neutral earth tone (including white).

#### **C. Square Footage**

- Minimum. The minimum required square footage for each residence is 2,400 s.f.
- Calculation. For the purpose of calculating total square footage, open or screened porches, terraces, patios, decks, driveways, garages, storage facilities and walkways shall be excluded. The calculation of square feet shall be measured from outside surface to outside surface.

#### **D. Building Setbacks**

The restrictions for building setbacks are set forth on the Plat.

In order to enhance the views and streetscape, and to not adversely affect adjacent homes, the ACC, at times, may dictate the exact location of building structures on a Lot. Views are not protected.

#### **E. Building Height**

Proposed heights must be compatible with adjacent structures and be compatible with existing or anticipated structure heights on Lots located above or below the Lot on which the proposed residence will be constructed and must be approved in writing by the ACC, prior to commencement of construction.

- Structure Height. Unless otherwise approved in advance by the ACC, no building or residential structure may exceed two and one-half (2½) stories or forty feet (40') in height as measured as the vertical distance between the finished floor elevation at any point within the structure and the highest ridge, peak or gable (exclusive of chimneys and ventilators).
- Views. Views are neither guaranteed, preserved nor protected within Custer Ridge Estates.

## F. Roofs

The pitch, color and composition of all roof materials must be approved in writing by the ACC prior to commencement of construction. 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 ACC.

- Accepted Roof Pitch: [RESERVED].
- Accepted Roof Materials for Pitched Roofs: [RESERVED].
- Chimneys. Chimney style must be appropriate for the style of the residence and may be brick or other masonry matching with the same permitted colors and materials as permitted on the body of the residence. Fireplace and chimneys shall be built per local building codes and be permitted through the municipal authority.
- Gutters. Gutters are required on all residences.

## G. Flatwork/Driveways

The design, construction materials, and location of: (i) all flatwork/driveways, and (ii) culverts incorporated into flatwork/driveways for ditch or drainage crossings, must be approved by the ACC, prior to commencement of construction.

- Architectural Plans. Flatwork/driveway design, plot plan and specifications shall be submitted with architectural plans.
- Materials. All flatwork/driveways shall be brushed or treated concrete, pavers, or decorative concrete with approval of the ACC, prior to commencement of construction. Pavers are optional. Asphalt driveways are prohibited.

## H. Garages

All garages shall be approved in advance of construction by the ACC.

- Enclosed Garage. Improvements constructed on each Lot must include a private, enclosed garage capable at all times of housing at least two (2) standard size automobiles.
- Features. Interior walls of all garages must be finished with sheetrock and painted at a minimum. Each garage shall have garage doors that are wired so as to be operated by electric door openers, and automatic door openers are required for all garage doors.



- Garage Doors. Garage doors must be faux wood or wood clad, stained or painted with a color consistent with the color palette of the home and approved in advance by the ACC or an alternative decorative garage door to accommodate various architectural styles.

#### **I. Windows and Doors**

[RESERVED]

#### **J. Exterior Lighting/Security Cameras**

Exterior lighting will be kept to a minimum, but consistent with good security practices and customary traditional single-family residential use, and shall face in a downward direction so as to mitigate light pollution and minimize light spillage beyond Lot lines onto surrounding properties or projection above the horizontal plane. Lighting practices that minimize light pollution, glare and light trespass are strongly encouraged.

To the extent an Owner is authorized by Applicable Law to build or install security measures, including, but not limited to, a security camera or motion detector, any digital security improvements must have a minimal impact on the aesthetics of the home and on the use and enjoyment of other Lots within the Property. For example, security devices should not be pole-mounted, but should be attached to the main structure or accessory structures on the Lot. In addition, the Association may impose restrictions and conditions on video cameras and security lighting to limit the potential impact on any neighboring property and to preserve privacy. If it is found that security cameras do not fit within a reasonable aesthetic standard by the ACC or are in violation of neighbor's privacy expectations, the ACC may require the Owner to submit additional information for further consideration and approval. To the extent a Lot Owner is authorized by Applicable Law to build or install security measures, including, but not limited to, a security camera, motion detector, or security/perimeter fencing, the Owner must still submit a request to the ACC for architectural approval in accordance with the Association's architectural review requirements for the construction or installation of Improvements.

Notwithstanding all of the above, NO approval shall be required for the installation of a doorbell camera or other camera mounted above or near any door of the house for the purpose of identifying people approaching or at any door of the house.

#### **K. Solar Energy Devices**

The requirements for the installation of Solar Energy Devices are set forth in the Declaration.

#### **L. Satellite Dishes**

The requirements for the installation of Satellite Dishes are set forth in the Declaration.

#### **M. HVAC, Pool Equipment, Garbage Containers, and Noise-generating Equipment Screening**

HVAC machines and compressors, and any other mechanical or electrical devices, pool equipment, garbage containers, and any noise-generating equipment shall be enclosed by a structural screening element, constructed of materials approved by the ACC, or by fencing. If screening is by landscaping, materially complete screening will be accomplished with initial material installation. Screening is not required for gas risers, transformers, or telecom equipment boxes along the front of the Lot near the street.

#### **N. Fences; Sidewalks**

The materials, height, location and construction of all fences must be approved in advance by the ACC.

- **Lot Fencing.** Fencing of a Lot is required on the rear and on the sides up to the front of the AC unit, thereby fully enclosing the rear yard of each Lot. Fences must be a minimum of six feet (6') and a maximum of eight feet (8') in height and constructed of cedar wood, stained with earth tones, with a minimum picket size of 4"x1", metal posts, board-to-board or board-on-board construction with trim/cap. Masonry columns and walls are permitted, provided the materials are approved in advance by the ACC and are complementary to the materials used for the construction of the residence. If a retaining wall is on a Lot, the fence must be placed into sleeves in the retaining wall. On corner lots, the side visible from the street is required to have a minimum of two one masonry columns with one being at the intersection of the side and rear property line constructed of Leuders limestone.
- **Plans.** Plans submitted for fences or walls must be drawn on an accurate copy of the site plan.
- **Obstruction of Site-Lines Prohibited.** No fence, wall or hedge or shrub planting that obstructs sight lines at elevations between three (3') and six (6') feet above the roadway shall be allowed on any corner Lot within the triangular area formed by the street right-of-way lines and a line connecting them at points ten (10') feet from the intersection of the street right-of-way lines, or in the case of a rounded property corner, from the intersection of the street right-of way lines, as extended. The same sight-line limitations apply to a Lot within ten (10') feet from the intersection of a street right-of-way line with the edge of a private driveway or alley pavement. No tree shall be permitted to remain within such distance of such intersections unless the foliage line is maintained at a sufficient height to prevent obstruction of such sight-lines.

- Stain.

Any part of the fence that is visible from any street shall be routinely re-stained in the approved stain color. The ACC and/or the Association shall have the right to re-stain such visible portion of the fence and charge the expense to the Owner pursuant to the terms and provisions of the Declaration.

- Sidewalks:

Sidewalks that tie in to cluster box unit pads must tie in to such pad(s).

- Trash Can Screening:

Enclosures to screen trash may be constructed with the advanced written approval of the ACC.

#### **O. Retaining Walls**

The design, placement and materials of all retaining walls and front yard walls must be approved in advance by the ACC. All approved retaining walls and front yard walls must be constructed of concrete jointed stone veneer only unless otherwise approved by ACC. All masonry must be approved in advance by ACC.

Landscape walls are permitted in the front yard only to the extent they contain a flower or shrub bed. The masonry must match the masonry on the residence. Tree "border walls" are not permitted.

#### **P. Temporary/Accessory Structures, Outside Storage Buildings, Detached Garage, and Detached Guesthouse**

No temporary/accessory structure, outside storage building, detached garage or detached guesthouse shall be placed upon a Lot without the prior written approval of the ACC, except as provided in the Declaration.

- Location. No temporary/accessory structure, outside storage building, detached garage or detached guesthouse shall be located on any Lot forward of the rear of the residence thereon.
- Materials. The exterior of outside storage buildings, detached garages and detached guesthouses shall be constructed of the same or substantially similar materials and of the same color as the residential constructed on the Lot.

Further restrictions regarding temporary/accessory structures and outside storage buildings are set forth in the Declaration.

## **Q. Additions**

Any additions to a residence must be approved in writing by the ACC.

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

- No garage may be permanently enclosed or otherwise used for habitation.
- 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 porch and related improvements must be compatible with the architectural elements of the existing residence.
  - Paint colors and materials must match those of the principal residential structure.
  - 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 principal residential structure.
  - Free standing screened porches are not permitted.
  - Supplemental landscaping may be required as part of the ACC review.
  - Roof of screened porch shall be solid decking shingled to match the principal residential structure.

## **R. Aesthetic Appeal**

The ACC may disapprove the construction or design of a residence on purely aesthetic grounds. Any prior decisions of the ACC regarding matters of design or aesthetics shall not be deemed to have set a precedent if the ACC feels that the repetition of such actions would have any adverse effect on the community. The ACC, in its sole and absolute discretion, from time to time and at any time, may consider and approve architectural styles that may conflict with these Design Guidelines. In such cases, the ACC may, but is not obligated to, grant a variance in accordance with Section 7.2.6 of the Declaration.

## **VII. Landscape Guidelines**

### **A. Landscape**

General landscaping guidelines for each Lot are set forth below. Notwithstanding the subsequent provisions, the installation of native or drought-resistant landscaping or water-

conserving turf on a residential lot, which is a landscaping procedure known as xeriscaping ("Xeriscaping") will be allowed in certain instances in accordance with that certain Xeriscaping provision set forth in the Declaration. All landscapes and landscaping must be approved in writing by the ACC prior to installation.

- Plans. Detailed landscape plans for each Lot must be submitted to the ACC for consideration at least thirty (30) days before installation is planned. No significant (*i.e.*, major changes in the plant list, plant and plant bed locations, plant count, hardscape design, materials) revisions may be made to approved plans without submission to, and further approval by the ACC of the revised plans. Landscape plans must include vegetative screening for above ground utility connections visible from the street or adjacent properties. Hardscape elements in the landscaping must be in scale with the residence and associated structures.
- Materials. All introduced vegetation shall be trees, shrubs, vines, ground covers, seasonal flowers or sodded, and that are approved by the ACC. The entire yard area of a Lot shall be completely sodded, excepting areas with retaining walls, xeriscaping, artificial grass, or flower beds. Artificial grass may be allowed in the rear yard, but the type and quality must be clearly indicated in the plan submitted to attain approval from the ACC.
- Installation and Maintenance. Landscaping of new residences must be installed within thirty (30) days of completion and in any event, landscaping in accordance with the approved plans shall be completely installed prior to occupancy of a residence. Modifications of existing landscaping must be completed within fourteen (14) days of commencement. Extensions to the time limit may be granted by the ACC but may require a deposit. After installation, landscaping (including temporary landscaping) shall be properly maintained at all times, including but not limited to: (i) adequate irrigation, automatic irrigation systems are encouraged; (ii) appropriate fertilization; (iii) pruning; (iv) mowing; (v) weed control in lawns, tree and plant beds; (vi) seasonal mulching of planting beds; (vii) insect and disease control; (viii) replacement of diseased or dead plant materials; and (ix) initial warranty of all planting materials.
- Minimum Tree Requirements. Each Lot will have a minimum of one (1) 4.5" caliper large canopy shade tree, which must be in the front yard of the Lot.
- Exposed Foundations. Exposed portions of the foundation on each front elevation visible from the street must be concealed with evergreen shrubs and/or flowers. Hedges shall be a maximum of six feet (6') in height or height of adjacent fence.
- Reservation of Future Approvals. The ACC 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.

## B. Tree Protection

Protection and preservation of trees is of significant importance to the aesthetics of the community and the environment of Custer Ridge Estates. The Owner or Homebuilder must replace any tree damaged during the course of construction. Whenever possible and economically feasible, all trees should be preserved and protected during construction with vegetative fencing.

- Oak Wilt. Sound horticultural practices, as recommended by the Texas Forest Service, are required to prevent the establishment or spread of oak wilt. Specific requirements include:
  - Tree pruning tools and blades shall be sterilized prior to and between cutting any oak trees.
  - Oak tree pruning is discouraged from February 1<sup>st</sup> to June 15<sup>th</sup>.
  - Pruned trees and/or wounds shall be immediately protected with tree paint (approved example: Treekote Tree Compound).
  - All firewood shall be set at least twenty five (25) feet away from the residence constructed on the Lot and be set on a concrete or stone platform.

## C. Irrigation

- Requirements. Programmable irrigation systems must be installed on all sodded areas of the Lots and all irrigation systems must be installed and maintained pursuant to any state or local water requirements, including any applicable Texas Commission on Environmental Quality ("TCEQ") regulations.
- Backflow Prevention Device. Each Owner and Homebuilder is advised that TCEQ regulations require the installation of a backflow prevention device at any connection to a public drinking water supply. If a backflow prevention device is required, the Owner or Homebuilder will be obligated to have performed a yearly inspection by a licensed TCEQ Backflow Prevention Assembly Tester.
- Drip Systems. The use of drip irrigation is encouraged. Irrigation sprinkler systems must use heads that emit large drops rather than a fine mist. All irrigation systems shall be zone based on plant watering requirements.
- Drought Management Plans. Drought management plans may be implemented, as necessary, by the ACC.

#### **D. Landscape Inspection**

The ACC may, upon the Owner's or Homebuilder's completion of the installation of landscaping, conduct an on-site inspection of the property to ensure compliance with the approved plan.

#### **E. Drainage**

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 ACC.

- Site Drainage. Responsibility for proper site drainage rests with the Owner. 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.

#### **F. Decks**

The materials, location and construction of all decks must be approved in advance by the ACC.

#### **G. Pools, Spas and Hot Tubs**

An application must be submitted to the ACC in conjunction with the review of any application for any proposed swimming pool, spa, or hot tub. The materials, location and construction of all pools, spas and hot tubs must be approved in advance by the ACC.

- In Ground. Swimming pools and accompanying spas shall be in-ground, or a balanced cut and fill, and shall be designed to be compatible with the site and the dwelling. Self-contained above-ground hot tubs require approval by the ACC.
- Screening; Fencing. Screening, fencing, security and maintenance are required of all swimming pools, spas and hot tubs. Additional fencing, if any is proposed in addition to the yard fencing, and/or walls around the swimming pool, spa or hot tub must be approved in advance by the ACC and integrated into the design of the dwelling and site. Fences must meet all governmental regulations and no pool, spa, hot tub or other similar water containing basin shall be filled with water until proper fencing is installed.
- Plans. The swimming pool, spa or hot tub plan must be drawn on a copy of an accurate site plan and shall include specific indications of distances from the water containing basin(s) and surrounding slab walks to the lot lines and building setbacks.
- Backwash. Unless otherwise expressly approved by the applicable governmental agency or utility service provider, backwash from a swimming pool, spa or hot tub drain with a backwash filtering system must be contained within the Lot on which the

swimming pool, spa or hot tub has been constructed and is not permitted to be discharged into any street, adjoining Lot or drainage easement.

**Lot Access.** No access across another Lot or greenbelt/open space area for the purpose of building or maintaining a swimming pool, spa or hot tub is permitted without the prior written approval of the other property owner or the ACC in the case of greenbelts/open spaces.

#### **H. Playscapes, Trampolines and Sport Courts**

Playscapes, recreational or sport courts and trampolines must be approved in writing by the ACC prior to the commencement of construction or placement.

Further restrictions regarding playscapes and sport courts are set forth in the Declaration.

### **VIII. Erosion Control and Construction Regulations**

The following restrictions shall apply to all construction activities at Custer Ridge Estates. **It is the responsibility of all Owners, Homebuilders and/or contractors to adhere to state and federal stormwater runoff protection and prevention requirements that may be applicable to their construction activities and to obtain proper permits as may be required. Periodic inspections by a representative of the ACC 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.**

#### **A. Erosion Control Installation and Maintenance**

Upon written approval by the ACC, it is the responsibility of the Owner or Homebuilder to install erosion and sedimentation control measures prior to the start of construction and to maintain the measures throughout construction.

- **Limits of Construction.** Construction site disturbance shall be limited to the extent feasible based on good design practice and construction techniques; the areas of approved disturbance shall be defined by silt fence, chain link fencing, orange plastic mesh fencing or other appropriate methods.
- **Silt Fencing.** 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 storm-water 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.
- **Sediment Removal.** **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, a representative of the ACC must be contacted prior to the removal.



**B. Security**

Neither the ACC, the Association, nor the Declarant shall be responsible for the security of job sites during construction. If theft or vandalism occurs, the Owner or Homebuilder should first contact the local police department and then notify the ACC.

**C. Construction Hours**

Unless a written waiver is obtained from the ACC, construction may only take place as follows:

- **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. On Sundays, only job site cleaning and interior work is allowed, as long as there is not a noise nuisance.
- **Holidays.** There shall be no construction on New Year's Day, Easter, Memorial Day, July 4th, Labor Day, Thanksgiving Day, or Christmas Day.

**D. Noise, Animals, Children**

The use of music devices and noise must be restrained so as not to be heard on an adjoining Lot or street. Contractors and subcontractors may not bring dogs or children less than sixteen (16) years of age to construction sites.

**E. 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 or Homebuilder's responsibility and at their risk. Neither Owners nor Homebuilders may not disturb, damage or trespass on other Lots or adjacent property.

**F. Insurance**

The ACC may require an Owner or Homebuilder to procure adequate commercial liability insurance during construction naming the Association, the Declarant and the ACC as additional insureds in an amount to be determined, from time to time, by the ACC.

**G. 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.

- **Fencing.** Brightly colored construction fence must be installed before the start of construction on all side lot lines where a residence is being constructed next to an existing occupied residence.

- **Trash Containers.** Owners and Homebuilders shall clean up all trash and debris on the construction site. Trash and debris shall be removed from each construction site on a timely basis. The ACC will have the authority to require that one dumpster be provided to serve no more than two (2) Lots. In addition to any dumpster, a trash receptacle approved in advance by the ACC will be located on each Lot during construction. Trash receptacles must be emptied periodically and will not be permitted to overflow. Chain link fencing is not an acceptable enclosure material for temporarily containing trash. Lightweight material, packaging and other items shall be covered or weighted down to prevent wind from blowing such materials off the construction site.
- **No Dumping or Burning.** **The dumping, burying or burning of trash is not permitted anywhere in Custer Ridge Estates.**
- **Heavy Equipment and Debris.** When moving heavy equipment, precautions must be taken to prevent damage to pavement, curbs, and vegetation. Track loaders are not to be operated on paved or concrete surfaces. **Mud, dirt and other construction debris that is tracked off the construction site shall be cleaned on a daily basis.** Skid steer loaders are not to be used to clean the streets by scraping them.

#### **H. Sanitary Facilities**

A temporary sanitary facility (chemical toilet) shall be provided and maintained for the use of construction workers on or within three (3) Lots of the construction site.

#### **I. Construction Parking & Construction Trailers**

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. The Restrictions permit Declarant to maintain and locate construction trailers and construction tools and equipment within the Property. Upon written approval from the ACC, a Homebuilder may be permitted to establish a construction trailer, field office or similar temporary structure by submitting along with the application for approval, a copy of the site plan with proposed locations of trailer, field office or similar temporary structure with a trash receptacle noted thereon. The trash receptacle shall be of an approved size. Such temporary structure, if approved, must be removed immediately upon completion of construction. Approval by the ACC shall not relieve Homebuilder from the obligation to apply for and obtain any other governmental permits before moving any such construction trailer, field office, etc. onto the Property.

### **IX. Plan Review Process**

The construction or installation of any improvements, changes to existing improvements, or the reconstruction of improvements, will require the submission of plans and specifications for approval of the ACC **before** any such construction or installation activity **is commenced**. The

ACC may waive plan and specification requirements for certain modifications or improvements at its discretion.

#### **A. Submittals – Production Homebuilders**

The Plan Review Process for production Homebuilders includes a Master Plan Approval by the ACC. All applications, documents, and applicable review fees shall be submitted to the ACC one (1) week prior to the review.

Master Plan Approval – The Declarant shall review all Homebuilder plans and shall issue, in writing, any approvals for master building plans, elevations and master landscape plans (if applicable) (as used in this section, “Master Plans”).

1. Master Plans may be submitted any time after the Homebuilder has an executed contract for the purchase of Lots within the Property.
2. The Declarant, in its sole and absolute discretion, may designate, from time to time, one or more persons to act on its behalf as the ACC for all or a portion of the Property.
3. The Declarant or its designee will review requests for variances.
4. Master Plans shall include, without limitation, the floor plan; front, side and rear elevations; air-conditioned square footage.
5. After Master Plans have been approved by the Declarant or its designee, the Master Plan may be used within the community, subject to continual compliance by the Homebuilder with the requirements in the Restrictions, including these Design Guidelines, any limitations outlined in the ACC's written approval, and the terms and provisions of the Homebuilder's contract for the purchase of Lots. Nothing contained herein relieves the Homebuilder's responsibility to obtain a building permit from the City of Allen.

**Collin County  
Honorable Stacey Kemp  
Collin County Clerk**

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**Instrument Number:** 2025000045576

eRecording - Real Property

MISCELLANEOUS

**Recorded On:** April 16, 2025 01:48 PM

**Number of Pages:** 20

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**" Examined and Charged as Follows: "**

**Total Recording:** \$97.00

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\*\*\*\*\* **THIS PAGE IS PART OF THE INSTRUMENT** \*\*\*\*\*

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY  
because of color or race is invalid and unenforceable under federal law.

**File Information:**

**Document Number:** 2025000045576  
**Receipt Number:** 20250416000398  
**Recorded Date/Time:** April 16, 2025 01:48 PM  
**User:** Jennifer S  
**Station:** cck083

**Record and Return To:**

Simplifile



**STATE OF TEXAS  
COUNTY OF COLLIN**

**I hereby certify that this Instrument was FILED In the File Number sequence on the date/time  
printed hereon, and was duly RECORDED in the Official Public Records of Collin County, Texas.**

Honorable Stacey Kemp  
Collin County Clerk  
Collin County, TX