



Declarant, as the case may be (the "leadership"). To preserve the Declaration's broad authority to control the use, maintenance, and appearance of lots in Chisholm Ranch Estates while allowing the Association to regulate - within the permitted bounds of applicable law - the statutorily-protected rights of owners to make certain changes or uses on their lots, the Association's leadership makes the following determinations: (1) The Association's leadership has sufficient authority to adopt and publish guidelines or rules for permitted modifications, additions, installations, or improvements on lots in the Property, inherent in its regulatory powers. (2) A compilation of rules that are subject to certain State laws will assist the Association's awareness that certain actions are controlled by State law, which should be consulted for applicability when enforcement issues arise. (3) The adoption of these Statutory-Based Rules & Regs for Lots in Chisholm Ranch Estates is in the best interest of the Association and its members.

#### ADOPTION

The Board of Directors of Chisholm Ranch Estates Homeowners Association, Inc., a Texas property owners association, approved this Certificate and adopted the statutory-based rules and regulations for lots attached hereto (as Schedules A, B & C) pursuant to the following resolutions.

- (1) Resolved, that it is in the best interests of the Association and its members to adopt each of the rules and regulations attached hereto in order to be compliant with certain state statutes.
- (2) Resolved, that the rules and regulations attached hereto apply to all real property subject to the above-referenced Declaration, as amended or supplemented from time to time.
- (3) Resolved, that this compilation of rules and regulations is not intended to be a complete or exhaustive compilation of all aspects of the use, appearance, or governance of the lots in Chisholm Ranch Estates. Rather, it is a compilation of specific rules that pertain to certain laws, and should not be construed as anything else.
- (4) Resolved, that each of the rules and regulations attached hereto may be independently amended, restated, executed, and recorded by the Association.
- (5) Resolved, that the terms and provisions of the rules and regulations attached hereto must be liberally construed to give effect to the purposes and intent of the underlying statutes, and may not be construed as a way to evade the protections, permissions, or requirements of State law.
- (6) Resolved, that if any of the rules and regulations attached hereto inaccurately paraphrases applicable State law, or inadvertently omits an aspect of applicable State law, State law controls.
- (7) Resolved, that if a provision in the rules and regulations attached hereto appears to conflict with a provision in a Governing Document, an effort must be made to construe the provisions so as to give effect to both, if such construction is reasonable. Otherwise, the provision in the rules and regulations attached hereto is the higher authority for the limited purpose for which it is adopted, superceded only by public law.
- (8) Resolved, that invalidation of any provision of the rules and regulations attached hereto by judgment or court order or subsequent statutory enactment does not affect any other provision, which remains in full force and effect.
- (9) Resolved, that the undersigned officer of the Association is instructed to execute and effect recording of this instrument on behalf of the Association.

SCHEDULES ATTACHED and incorporated herein by reference:

- SCHEDULE A - Regulations for Flags, Political Signs & Religious Displays *(2 pages)*
- SCHEDULE B - Energy Conservation Regulations *(2 pages)*
- SCHEDULE C - Xeriscaping & Composting Regulations *(2 pages)*

**CERTIFICATION**

By signing below, the undersigned officer of Chisholm Ranch Estates Homeowners Association, Inc., certifies that the Board of Directors of Chisholm Ranch Estates Homeowners Association, Inc., adopted each of the statutory-based rules and regulations for lots attached hereto (as Schedules A, B & C), adopted the resolutions stated above, approved this form of Certificate, and instructed the undersigned to execute this instrument and effect its recording on behalf of the Association, for the purpose of complying with the requirements of Texas law.

**CHISHOLM RANCH ESTATES HOMEOWNERS ASSOCIATION, INC.,**  
a Texas property owners association and nonprofit corporation

By:   
David L. Booth, President

THE STATE OF TEXAS    §  
  §  
COUNTY OF DALLAS    §

This instrument was acknowledged before me on this 14 day of January 2013 by David L. Booth, President of Chisholm Ranch Estates Homeowners Association, Inc., a Texas property owners association and nonprofit corporation, on behalf of said association.

  
Notary Public, The State of Texas



## SCHEDULE A TO CERTIFICATE OF ADOPTION &amp; RECORDING

**REGULATIONS FOR FLAGS, POLITICAL SIGNS & RELIGIOUS DISPLAYS  
FOR  
CHISHOLM RANCH ESTATES**

A.1. **FLAG REGULATIONS.** Flags may be flown every day at Chisholm Ranch Estates to the full extent protected by applicable law (such as TX Prop Code Sec. 202.011 and the federal "Freedom to Display the American Flag Act of 2005"), subject only to the requirements of this Section. At Chisholm Ranch Estates, these Flag Regulations will be construed liberally to protect the right of residents to fly permitted flags.



A.1.1. **Permitted Flags.** The United States flag ("Old Glory" or "Stars & Stripes"), the Texas state flag ("Lone Star Flag"), and the official or replica flag of any branch of the United States armed forces are the permitted flags that may be flown on a lot. Without the prior approval of the Architectural Committee, no other types of flags, pennants, banners, kites, or similar types of displays are permitted on a lot if the display is visible from a street. As used in these Flag Regulations, "flag" means "permitted flag" in most contexts.

A.1.2. **Architectural Committee.** As stated below, illumination and certain permanent installations **require the prior written approval of the Architectural Committee.** The Association may require an owner to remove or replace a flag, flagpole, and flag apparatus that do not comply with these Flag Regulations. Accordingly, an owner is encouraged to apply to the Architectural Committee for confirmation that a proposed flag, flagpole, or flag staff conforms to these Flag Regulations.

A.1.3. **Suitability.** The materials, design, and method of installation used on the lot to display a flag must be suitable for owner's selected location and use. Flags, flagpoles, flagstaves, and their appurtenances are manufactured and marketed to a wide variety of standards and applications. Residential quality (as compared to commercial quality) is generally suitable for the Property. Permanent installations generally require higher quality materials than do temporary uses. Certain locations and elevations require higher wind speed ratings.

A.1.4. **Size, Number & Location.** Flags up to 3 feet by 5 feet in size may be flown. Up to three permitted flags may be flown simultaneously on a lot. One in-ground flagpole up to 20 feet in height (measured from the lot's typical surface elevation) may be installed in the front yard of a home. No part of a flagpole base may be above-grade (on the surface) or visible from a street without the Architectural Committee's prior written approval. In lieu of an in-ground flagpole in the front yard, one or two flags may be flown from flagstaves wall-mounted to the first floor facade of the house and projecting at an angle. An owner may not install or affix a flag display in a common area or public right-of-way.

A.1.5. **Condition.** Both flag and flagpole (or flagstaff) must be in good condition at all times. A deteriorated flag may not be flown. A deteriorated or structurally unsafe flagpole must be repaired, replaced, or removed. Mounting apparatus and external halyards must be secured to prevent being a continual or reoccurring source of noise that is objectionable to residents of nearby lots. An in-ground flagpole or facade-mounted flagstaff must be constructed of permanent, long-lasting materials, with a finish appropriate to the materials used in the construction of the flagpole and harmonious with the dwelling.

A.1.6. **Ordinances.** The display of a flag, and the location and construction of the supporting flagpole, must comply with applicable zoning ordinances, easements, and setbacks of record.

A.1.7. **Illumination.** The size, location, direction, and intensity of lights used to illuminate a displayed flag **must be approved by the Architectural Committee.**

A.1.8. **Guidelines.** A flag must be displayed in a manner that is appropriate for flag displays in residential neighborhoods, within the context of the applicable federal or state guidelines. The "Federal Flag Code," U.S.C. Secs. 5-10, functions as a voluntary aspirational guide for U. S. flag displays by civilians. The general guidelines for displaying the Texas flag are in Chapter 3100, Government Code. This Section's reference to the federal and state guidelines is not intended to invoke strict compliance with any or every provision in the guidelines. Neither

the Architectural Committee nor the board may be compelled to act on a complaint that a flag display is perceived to be inappropriate.

A.1.9. Severability. If any part of this Section is deemed to be unenforceable as to the flag of the United States under applicable federal law, the rest of this Section will continue to apply to the U. S. flag, and the unenforceable provision will continue to apply to other types of permitted flags.

A.2. POLITICAL SIGN REGULATIONS. To the full extent protected by applicable law (such as TX Prop Code Sec. 202.009 and local ordinances, if any), an owner may place political signs on the owner's lot, subject only to the limitations of this Section, to the extent permitted or not prohibited by public law.

A.2.1. Minimum Rules. Unless the Rules or public law provide otherwise:

- (1) A political sign may be displayed a lot for up to 90 days before and 10 days after the date of the election to which the sign relates, but no earlier or later.
- (2) A political sign must be ground-mounted, and may not be mounted, installed, posted, or displayed in any other manner. Specifically, a political sign may not:



- (a) Be displayed from a window, balcony, facade of a building, roof, fence, or any other structure or improvement on a lot.
  - (b) Be attached in any way to plant material, a traffic control device, a light, a trailer, a vehicle, or any other existing structure or object.
  - (c) Include the painting of architectural surfaces (*e.g., not painted on a building or fence*).
- (3) A political sign must be located on the lot of the owner or resident who authorizes the sign, and may not be located on common areas, rights-of-way within the Property, or the lot of an owner or resident who has not granted prior authorization for the political sign.
  - (4) Only one political sign for each candidate or ballot item may be displayed on a lot at a time.
  - (5) A political sign must not:
    - (a) Contain language, graphics, or any display that would be offensive to the ordinary person.
    - (b) Be accompanied by music, other sounds, or streamers.
    - (c) Be distracting to motorists.
    - (d) Contain balloons, lights, or nonstandard decorative components.
    - (e) Contain flora or any other similar landscaping components.
    - (f) Contain roofing materials, siding, paving materials, or any other similar building components.
    - (g) Violate a law or threaten the public health or safety.
    - (h) Exceed four feet by six feet in size.

A.2.2. Self-Help. In addition to remedies available to the Association for a violation of the Governing Documents, the Association may exercise self-help to remove a political sign that violates this Section.

A.3. RELIGIOUS DISPLAY REGULATIONS. To the extent permitted and protected by applicable law (such as TX Prop Code Sec. 202.018), an owner or resident may display or affix one or more religious items to the outside surface of the home's front door or its door frame, provided (1) the display is motivated by the owner or resident's sincere religious belief; (2) the display of one or more items does not exceed a collective total size of 25 square inches; (3) the display does not extend past the outer edge of the front door frame; (4) the display does not violate a law or threaten public health or safety; and (5) the display is not patently offensive to a passerby of average sensibilities. This limited right to display based on religious belief does not extend to any other feature or modification of an entry door or door frame. In addition to remedies available to the Association for a violation of the Governing Documents, the Association may exercise self-help to remove a religious display that violates this Section.

*(End of Schedule A)*

## SCHEDULE B TO CERTIFICATE OF ADOPTION &amp; RECORDING

**ENERGY CONSERVATION REGULATIONS  
FOR  
CHISHOLM RANCH ESTATES**

**B.1. RAIN BARREL REGULATIONS.** To the extent permitted and protected by applicable law (TX Prop Code Sec. 202.007), an owner may install rain barrels or a rainwater harvesting system on his lot, subject to the requirements of this Section.

**B.1.1. Architectural Committee.** Owner must apply to the Architectural Committee for approval of the barrel or system, pursuant to the Architectural Committee Article of the Declaration. In reviewing the application, the Architectural Committee may exercise all of the following rights:



- (1) To require that the color of the barrel or system be consistent with the color scheme of the home to which it pertains.
- (2) To prohibit words, text, graphics, or other displays that are not typically displayed by the manufacturer of the barrel or system.
- (3) To regulate the size, type, and shielding of, and the materials used in the construction of a barrel, system, or other appurtenance that is or would be visible from a street, another lot, or a common area, provided (a) the regulation does not prohibit the economic installation of the device or appurtenance on the lot and (b) there is a reasonably sufficient area on the lot in which to install the device or appurtenance.

**B.1.2. Prohibited Locations.** An owner may not install a rain barrel or rainwater harvesting system between the front of the home and an adjoining or adjacent street, or in a common area or any portion of a lot within the drainage and/or equestrian trail easement on the lot.

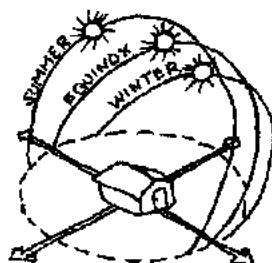
**B.2. ROOF MATERIAL REGULATIONS.** To the extent permitted and protected by applicable law (TX Prop Code Sec. 202.011), roof shingles with the Permitted Features described below may be used on roofs in the Property if the shingles comply with all of the Qualifying Criteria described below, or - alternatively - if approved by the Architectural Committee. Owner is encouraged (but not required) to apply to the Architectural Committee for confirmation that the proposed shingles conform to the parameters of applicable law. The Association may require an owner to remove and replace shingles that do not comply with the requirements of applicable law, which are paraphrased in this Section as a convenience.

**B.2.1. Permitted Features.** Subject to the Qualifying Criteria below, roof shingles with any of the following features may be used on roofs of buildings on a lot:

- (1) Roof shingles that are designed primarily to be wind and hail resistant.
- (2) Roof shingles that are designed primarily to provide solar generation capabilities.
- (3) Roof shingles that are designed primarily to be more heating and cooling efficient than customary composite shingles.



**B.2.2. Qualifying Criteria.** Shingles with the Permitted Features described above may be used (without Architectural Committee approval) only if (when installed) they meet all of the following Qualifying Criteria as compared to roof shingles authorized for use in that location in the Property: (1) similar in appearance, (2) more durable, (3) of equal or greater quality, and (4) match the aesthetics of the surrounding homes.



B.3. **SOLAR INSTALLATION REGULATIONS.** To the extent permitted and protected by applicable law (TX Prop Code Sec. 202.010), an owner may install solar energy devices defined by Tex Prop Code Sec. 202.010 on the roof or in a fenced yard on his lot, subject to the requirements of this Section.

B.3.1. **Architectural Committee Approval.** **Owner must apply to the Architectural Committee** for approval of the device and its proposed location, pursuant to the Architectural Committee Article of the Declaration. Architectural Committee approval may not be withheld if the device meets or exceeds the requirements and limitations of this Section, unless the Architectural Committee determines in writing that placement of the device as proposed by the owner constitutes a condition that substantially interferes with the use and enjoyment of land by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities. The written approval of the proposed placement of the device by all property owners of adjoining property constitutes prima facie evidence that such a condition does not exist. The Association may order or effect the removal of a solar energy device installed without prior approval by the Architectural Committee.

B.3.2. **Declarant Rights.** To the maximum extent permitted by applicable law, including without limitation during any "Development Period" that may now or hereafter be described in the Declaration, Declarant has the right to unilaterally prohibit or restrict the installation of solar energy devices.

B.3.3. **Yard Installation.** The device may be installed in a fenced or screened portion of the lot, provided the device is not taller than the fence or screen.

B.3.4. **Roof Installation.** The device may be installed on the roof if all of the following criteria apply:

- a. The device may not extend higher than or beyond the roofline, the device must conform to the slope of the roof, and the top edge of the device must be parallel to the roofline.
- b. The color of the device's frame, support bracket, and visible piping or wiring must be a silver, bronze, or black tone commonly available in the marketplace.
- c. The location of the device must be on a portion of the roof that, in the opinion of the Architectural Committee, is the least objectionable location for the device, unless a more visible location on the roof increases the estimated annual energy production of the device by more than 10 percent, as determined by using a publicly available modeling tool provided by the National Renewable Energy Laboratory. The Architectural Committee's preference for location may be made on a case-by-case (roof-by-roof) basis, taking into consideration factors such as the topography, location of the lot, location and orientation of the house on the lot, design of roof, and visibility of the device from adjacent lots, thoroughfares, and common areas. The Architectural Committee's guiding principle is to balance between a location that enables the device to be effective and a location that is the least visible and least obtrusive. This subsection may not be construed to prevent the Architectural Committee from establishing "standard" locations for locating the devices on roofs in the subdivision.

B.3.5. **Prohibited Installations.** An owner may not install a solar energy device in a common area. An owner may not install a solar energy device that has been held by a court to violate a law or threaten public health or safety.

*(End of Schedule B)*

SCHEDULE C TO CERTIFICATE OF ADOPTION & RECORDING

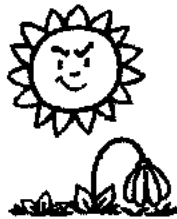
**XERISCAPING & COMPOSTING REGULATIONS  
FOR  
CHISHOLM RANCH ESTATES**

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C.1. XERISCAPING REGULATIONS.

C.1.1. Maintenance. To the extent the Association regulates yard and landscape maintenance on lots, any landscape maintenance requirements adopted for lots or enforced by the Association or by the Architectural Committee may not restrict or prohibit turf or landscape design that promotes water conservation.

C.1.2. Watering. To the extent permitted and protected by applicable law (TX Prop Code Sec. 202.007), an owner may implement efficient irrigation systems on his lot, including underground drip or other drip systems, subject to the requirements of this Section. Before installing an efficient irrigation system on the unfenced portions of his lot, the **owner must apply to the Architectural Committee** for approval of the installation and compliance with visibility limitations, if any, established by the Architectural Committee for aesthetic purposes, pursuant to the Architectural Committee Article of the Declaration, or otherwise as set forth in the Declaration. If any part of the irrigation system on a lot is maintained by the Association, the Association may deny changes to the system.



C.1.3. Turf. The Association may require the use of one or more particular types of turf on lots as well as common areas to encourage or require water conservation. An owner who intends to install new turf on more than 20 percent of the unfenced turf area, or intends to change the type of turf on unfenced portions of his lot **must apply to the Architectural Committee** for approval of the type of turf. If any part of the turf on a lot is maintained by the Association, the Association may deny, require, or make changes to the turf.

C.1.4. Rock. An owner may use gravel, rocks, or cacti in place of turf on the unfenced portions of his lot only if the **owner obtains the Architectural Committee's prior written approval** of the owner's detailed landscape plan. The Architectural Committee may prohibit, limit, or regulate the use of gravel, rocks, and cacti in a landscape plan based on aesthetics and surface water drainage, in addition to water conservation. Also, if an unfenced portion of a lot is maintained by the Association, the Association may deny, require, or install gravel, rocks, or cacti in place of turf in such areas.

C.1.5. Equestrian Trails/Drainage Easements. The following lots have an equestrian trail easement and/or a drainage easement located on a portion of the lot as set forth on the plat and as contemplated by the Declaration. Within the boundaries of these easements the Association may deny, require, or install gravel, rocks, or other material, turf or vegetation, or require that no plantings of any type be made and that the surface remain "natural".

C.2. COMPOSTING REGULATIONS. To the extent permitted and protected by applicable law (TX Prop Code Sec. 202.007), on his lot an owner may implement measures promoting solid-waste composting of vegetation, including grass clippings, leaves, or brush, or leaving grass clippings uncollected on grass, subject to the requirements of this Section. Before installing a composting device on his lot, the **owner must apply to the Architectural Committee** for approval of the device, pursuant to the Architectural Committee Article of the Declaration. To the extent permitted by applicable law, the Architectural Committee may regulate the size, type, shielding, materials, and location of the device on the owner's lot. The Architectural Committee may require that the composting device be installed only within a fenced





\*\*\*\* Electronically Filed Document \*\*\*\*

Rockwall County  
Shelli Miller  
County Clerk

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Direct- CHISHOLM RANCH ESTATES HOA INC  
Indirect- PUBLIC

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\*\*\*\*\* DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT. \*\*\*\*\*

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I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the Volume and Page of the named records in Rockwall County, Texas

Any provision herein which restricts the sale, rental or use of the described Real Estate because of color or race is invalid and unenforceable under Federal law.

A handwritten signature in cursive script, appearing to read "Shelli Miller".

Shelli Miller  
Rockwall County Clerk