

EXHIBIT B
TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR MANSFIELD FIVE OAKS CROSSING HOMEOWNERS ASSOCIATION, INC.,
AN ADDITION TO THE CITY OF MANSFIELD, TARRANT COUNTY, TEXAS

DESIGN GUIDELINES

PART ONE: LANDSCAPING, FENCES AND EXTERIOR ELEMENTS

SECTION 1.1 LANDSCAPING:

Upon completion of each Residence, the following landscape elements shall be installed prior to occupancy of the Residence:

- 1.1.1 Sod/Irrigation: Each Lot shall have full sod installed on all non-paved areas of the Lot. All Lots must have underground irrigation systems installed providing coverage for all non-paved areas of the Lot.
- 1.1.2 Trees: All trees installed on a Lot to meet the Minimum Landscaping Requirements for such Lot shall be selected from the list of "Approved Shade Trees" as identified in paragraph 1.1.6 below. At least two (2) canopy trees with a caliper of three inches (3") or greater (measured at breast height) must be located within the front yard of each of the Lots.
- 1.1.3 Shrubbery and Planting Beds: Each Lot shall have a minimum of one (1) fifteen (15) gallon shrub and twenty (20) five (5) gallon shrubs planted in a mulched planting bed; the planting bed shall have edging materials to separate the sod and bed mulch areas. The homeowner shall be responsible for the maintenance and preservation of the shrubs and planting bed, and shall promptly replace dead plants within ninety (90) days of loss occurrence.
- 1.1.4 Initial Installations and Maintenance. Upon completion of any Residence within the Property and prior to the final inspection, the Builder must install the street trees according to the specifications outlined in these Design Guidelines (Exceptions as to timing may be granted at the sole discretion of the Declarant and/or the Association due to inclement weather). After the property has transferred to an Owner, the Owner is responsible for maintaining the trees. In the event the tree needs to be replaced, as determined in the sole discretion of the Declarant and/or the Association, the Owner is responsible for replacing the trees within 90 days of notice. The Declarant and/or the Association shall have the right but not the obligation, to be exercised at its sole option, to remove and replace dead trees and landscaping and charge the costs thereof to the Owner's account as a special individual assessment under Section 6.4(b) of the Declaration. All the trees in the common areas are the responsibility of the

Association to maintain at the sole discretion of the Association. The minimum clearance of any overhanging vegetation over any sidewalk shall be eight (8) feet.

1.1.4 Replacement Trees Required: It shall be the responsibility of any Owner obtaining a tree removal permit for a protected tree under applicable ordinances of the City to provide replacement with trees having a total caliper width equivalent to 1-1/2 times that of the trees to be removed. Total caliper width for replacement trees shall be measured as follows: For single-trunk trees, the width shall be measured at four feet above ground level; for multitrunk trees, total caliper width shall be calculated by combining the caliper width of the largest stem or branch with one-half of the caliper width of each additional stem or branch, all measured at four feet above ground level. An example: If a six-inch protected tree is removed, then that tree must be replaced by trees with a total caliper width of nine inches. This total caliper width could be satisfied by one nine-inch-caliper replacement tree, or three three-inch-caliper width replacement trees, or any other combination providing a total caliper width of nine inches. Such replacement trees shall be container-grown and have a minimum caliper width of 2-1/2 inches to three inches, measured at six inches above ground level. Alternatively, container-grown replacement trees may have a minimum caliper width of four inches (4") measured at twelve inches (12") above ground level. In any event, replacement trees shall have a minimum height of at least six feet (6'), and shall be planted in locations approved by the City's tree preservation and enforcement officer or his authorized designee.

1.1.6 List of Allowed Landscaping: All landscaping installed on a Lot (other than sod) shall be selected from the following is the list of approved trees, shrubs ground cover, vines perennial and annual flowers:

(a) Approved Shade Trees:

- Afghan Pine
- American Elm
- Arizona Cypress
- Bald Cypress
- Bigelow Oak
- Bur Oak
- Caddo Maple
- Cedar Elm
- Chinquapin Oak

Durrand Oak
Lacebrook Elm
Lacy Oak
Live Oak
Pecan
Shumard Oak
Southern Live Oak
Southern Magnolia
Texas Ash
Texas Red Oak
Western Soapberry

(b) Approved Accent trees (range from 10 to 20 feet):

Blackhaw, Rusty
Buckeye, Mexican
Buckthorn, Carolina
Chitalpa
Crab Apple
Crepe Myrtle
Deciduous Holly
Dogwood, Rough-leaf
Flameleaf Sumac
Hawthorn, Downy
Hawthorn, Washington
Maple, Japanese
Mesquite

Persimmon, Texas
Plum, Mexican
Redbud
Smoke tree
Texas Sophora (Eve's Necklace)
Wild Plum
Willow, Desert
Yaupon Holly

(c) Approved Shrubs (range from 3 to 5 feet):

Beautyberry
Dwarf Buford Holly
Dwarf Chinese Holly
Dwarf Crepe Myrtle
Dwarf Yaupon Holly
Fountain Grass
Juniper supp.
Purple Leaf Japanese Barberry
Purple Sage
Sumac species
Yucca, Red

(d) Approved Ground cover (range from 18 inches):

Asian Jasmine
Buffalo Grass
Confederate Star Jasmine
Juniper supp.

Liriope
Monkey Grass
Periwinkle
Thyme, Creeping
Wood Fern

(e) Approved Vines:

Boston Ivy
Carolina Yellow Jasmine (Jessamine)
Coral Honeysuckle
Mandevilla
Virginia Creeper

(f) Approved Perennial and annual flowers:

Caladium
Canna
Chrysanthemum
Copper Leaf
Gayfeather
Iris
Lantana
Marigold
Moss Rose or Portulaca
Periwinkle
Petunia
Plumbago
Salvia

Tulip

Wild Flowers

Zinnia

SECTION 1.2 FENCES:

- 1.2.1 All Wooden Fencing: All wooden fencing shall be stained and preserved using one of the approved colors listed below. All fencing must comply with 1.2.2, 1.2.3 and 1.2.4 below. No variation without the written consent of Declarant or the ACC is allowed.

Manufacturer: Sherwin Williams

Color: Banyan Brown or similar color acceptable to the ACC.

Manufacturer: Standard Paint

Color: Sable Brown or similar color acceptable to the ACC.

Manufacturer: Seal Rite

Color: Medium Brown or similar color acceptable to the ACC.

- 1.2.2 Fences Facing Street (front or side): All fencing facing a street including major thoroughfares and corner lots shall be constructed of 8' cedar (measured from grade), board-on-board with steel posts and a 2" x 6" cap and 1" x 4" ledger strip. Steel posts shall not be visible from the street.

- 1.2.3 Standard Side and Rear Yard Fences – Interior Lots: Side and rear yard fences not facing the street shall be no less than 6' in height from grade and no higher than 8' from grade, and shall be constructed of cedar with steel posts not visible from the exterior of the Lot. Top caps, ledger strips and board-on-board construction are preferred but not required. All portions of the fence that are viewable from the street shall be stained with the color specified above at Section 1.2.1

- 1.2.4 Fences Adjacent to Common Areas: All fencing adjacent to Common Areas shall be 4' wrought iron painted black. Any wooden fence intersecting a wrought-iron fence must transition to wrought-iron at the corner of the Lot, with the wooden fence sloping gradually (stepped transition design is only allowed if specifically approved by the ACC), to four feet (4'). The transition shall commence at ten feet (10') prior to the point of intersection between the wooden fence and the wrought-iron fence. All fences shall be consistent; no variation of design shall be permitted. Fence areas shall be unobstructed by screening or other materials unless specifically approved by the Association.

SECTION 1.3 MAIL BOXES:

- 1.3.1 Standard Mail Boxes: With respect to the Lots, a mail box is required and shall comply with the details indicated in Exhibit C.
- 1.3.2 Mail Box Location: Mail boxes serving Residences on Lots shall be located on the common property line of each Lot as required by the terms of the Declaration.

SECTION 1.4 FLAGS AND FLAGPOLES

- 1.4.1 The only flags which may be displayed are: (i) the flag of the United States of America; (ii) the flag of the State of Texas; and (iii) an official or replica flag of any branch of the United States armed forces. No other types of flags, pennants, banners, kits or similar types of displays are permitted on a Lot if the display is visible from a street or Common Area.
- 1.4.2 The flag of the United States must be displayed in accordance with 4 U.S.C. Sections 5-10.
- 1.4.3 The flag of the State of Texas must be displayed in accordance with Chapter 3100 of the Texas Government Code.
- 1.4.4 Any freestanding flagpole, or flagpole attached to a Residence, shall be constructed of permanent, long-lasting materials. The materials used for the flagpole shall be harmonious with the Residence, and must have a silver finish with a gold or silver ball at the top. The flagpole must not exceed three (3) inches in diameter.
- 1.4.5 The display of a flag, or the location and construction of the supporting flagpole, shall comply with applicable zoning ordinances, easements, and setbacks of record.
- 1.4.6 A displayed flag, and the flagpole on which it is flown, shall be maintained in good condition at all times. Any flag that is deteriorated must be replaced or removed. Any flagpole that is structurally unsafe or deteriorated shall be repaired, replaced, or removed.
- 1.4.7 Only one flagpole will be allowed per Lot. A flagpole can either be securely attached to the face of the Residence (no other Structure) or be a freestanding flagpole. A flagpole attached to the Residence may not exceed 4 feet in length. A freestanding flagpole may not exceed 20 feet in height. Any freestanding flagpole must be located in either the front yard or backyard of a Lot, and there must be a distance of at least 5 feet between the flagpole and the property line.

- 1.4.8 Any flag flown or displayed on a freestanding flagpole may be no smaller than 3'x5' and no larger than 4'x6'.
- 1.4.9 Any flag flown or displayed on a flagpole attached to the Residence may be no larger than 3'x5'.
- 1.4.10 Any freestanding flagpole must be equipped to minimize halyard noise. The preferred method is through the use of an internal halyard system. Alternatively, swivel snap hooks must be covered or "Quiet Halyard" Flag snaps installed. Neighbor complaints of noisy halyards are a basis to have flagpole removed until Owner resolves the noise complaint.
- 1.4.11 The illumination of a flag is allowed so long as it does not create a disturbance to other residents in the community. Solar powered, pole mounted light fixtures are preferred as opposed to ground mounted light fixtures. Compliance with all municipal requirements for electrical ground mounted installations must be certified by Owner. Flag illumination may not shine into another Residence. Neighbor complaints regarding flag illumination are a basis to prohibit further illumination until Owner resolves complaint.
- 1.4.12 Flagpoles shall not be installed in Common Area or property maintained by the Association.
- 1.4.13 All freestanding flagpole installations must receive prior written approval from the ACC.

SECTION 1.5 GUTTERING, RAIN BARRELS OR RAINWATER HARVESTING SYTEMS

- 1.5.1 All Residences shall be fully guttered. This requirement applies regardless of whether rain barrels or rain water harvesting systems are installed on the Lot.
- 1.5.2 Rain barrels or rain water harvesting systems and related system components (collectively, "Rain Barrels") may only be installed after receiving the written approval of the ACC.
- 1.5.3 Rain barrels may not be installed upon or within the Common Areas.
- 1.5.4 Under no circumstances shall rain barrels be installed or located in or on any area within a Lot that is in-between the front of the Owner's Residence and an adjoining or adjacent street.
- 1.5.5 The rain barrel must be of color that is consistent with the color scheme of the Owner's Residence and may not contain or display any language or other content that is not typically displayed on such rain barrels as manufactured.

- 1.5.6 Rain barrels may be located in the side-yard or back-yard of Lot so long as such rain barrel(s) may not be seen from a street, another Lot or any Common Area of the Subdivision.
- 1.5.7 In the event the installation of Rain Barrels in the side-yard or back-yard of an owner's property in compliance with paragraph e above is impossible, the Reviewing Body may impose limitations or further requirements regarding the size, number and screening of Rain Barrels with the objective of screening the Rain Barrels from public view to the greatest extent possible. The owner must have sufficient area on their Lot to accommodate the Rain Barrels.
- 1.5.8 Rain Barrels must be properly maintained at all times or removed by the owner.
- 1.5.9 Rain Barrels must be enclosed or covered.
- 1.5.10 Rain Barrels which are not properly maintained, become unsightly or could serve as a breeding pool for mosquitos must be removed by the owner from the Lot.

SECTION 1.6 CERTAIN RELIGIOUS DISPLAYS

- 1.6.1 By statute, an Owner is allowed to display or affix on the entry to the Owner's Residence one or more religious items, the display of which is motivated by the Owner's or occupant's sincere religious belief. Such display is limited according to the provisions contained herein.
- 1.6.2 If displaying or affixing of a religious item on the entry to the Owner's or occupant's Residence violates any of the following covenants, the Association may remove the item displayed:
 - (1) threatens the public health or safety;
 - (2) violates a law;
 - (3) contains language, graphics, or any display that is patently offensive to a passerby;
 - (4) is permanently installed in a location other than the entry door or door frame or extends past the outer edge of the door frame of the Owner's or occupant's Residence; or
 - (5) individually or in combination with each other religious item displayed or affixed on the entry door or door frame has a total size of greater than 25 square inches
- 1.6.3 No owner or resident is authorized to use a material or color for an entry door or door frame of the Owner's or occupant's Residence or make an alteration to the entry door or door frame that is not authorized by the Declaration or otherwise expressly approved by the ACC.

PART TWO: DWELLING UNITS

EXHIBIT B

SECTION 2.1 ROOFS

- 2.1.1 Roof Pitch: All Roof Pitches shall have a minimum of 6-in-12 slopes.
- 2.1.2 Roofing Materials: Roofing materials shall be asphalt shingles with a 20-year rated shingle and have a weathered brown or gray color. Other roofing materials shall not be used without written approval from the ACC.
- 2.1.3 Dormers & Above Roof Chimneys: Dormers and chimney chases, above roof structure and roofing materials, may be finished with an approved exterior grade siding material. All fireplace flues shall be enclosed and finished; exposed pre-fabricated metal flue piping is prohibited.

SECTION 2.2 CERTAIN ROOFING MATERIALS

- 2.2.1 Roofing shingles covered by this Section are exclusively those designed primarily to: (i) be wind and hail resistant; (ii) provide heating and cooling efficiencies greater than those provided by customary composite shingles; or (iii) provide solar generation capabilities (collectively, "Roofing Shingles").
- 2.2.2 Roofing Shingles allowed under these Guidelines shall:
 - (1) resemble the shingles used or otherwise authorized for use in Subdivision;
 - (2) be more durable than and are of equal or superior quality to the shingles used or otherwise authorized for use in Subdivision; and
 - (3) match the aesthetics of the property surrounding the property of the owner requesting permission to install the Roofing Shingles.
- 2.2.3 The Owner requesting permission to install the Roofing Shingles will be solely responsible for accrediting, certifying and demonstrating to the ACC that the proposed installation is in full compliance with paragraphs a and b above.
- 2.2.4 Roofing Shingles shall be installed after receiving the written approval of the ACC.
- 2.2.5 Owners are hereby placed on notice that the installation of Roofing Shingles may void or adversely affect other warranties.

SECTION 2.3 SOLAR PANELS

- 2.3.1 Solar energy devices, including any related equipment or system components (collectively, "Solar Panels") may only be installed after receiving the written approval of the ACC.

- 2.3.2 Solar Panels may not be installed upon or within Common Areas or any area which is maintained by the Association.
- 2.3.3 Solar Panels may only be installed on designated locations on the roof of a Residence, on any structure allowed under any Subdivision or Association dedicatory instrument, or within any fenced rear-yard or fenced-in patio of an Owner's Lot, but only as allowed by the ACC. Solar Panels may not be installed on the front elevation of the Residence.
- 2.3.4 If located on the roof of a Residence, Solar Panels shall:
- (1) not extend higher than or beyond the roofline;
 - (2) conform to the slope of the roof;
 - (3) have a top edge that is parallel to the roofline; and
 - (4) have a frame, support bracket, or wiring that is black or painted to match the color of the roof tiles or shingles of the roof. Piping must be painted to match the surface to which it is attached, i.e. the soffit and wall. Panels must blend with the color of the roof to the greatest extent possible.
- 2.3.5 If located in the fenced rear-yard or patio, Solar Panels shall not be taller than the fence line or visible from any adjacent Lot, Common Area or street.
- 2.3.6 The ACC may deny a request for the installation of Solar Panels if it determines that the placement of the Solar Panels, as proposed by the Owner, will create an interference with the use and enjoyment of any adjacent Lot or Common Area.
- 2.3.7 Owners are hereby placed on notice that the installation of Solar Panels may void or adversely affect roof warranties. Any installation of Solar Panels which voids material warranties is not permitted and will be cause for the Solar Panels to be removed by the Owner.
- 2.3.8 Solar Panels must be properly maintained at all times or removed by the Owner.
- 2.3.9 Solar Panels which become non-functioning or inoperable must be removed by the Owner.

SECTION 2.4 EXTERIOR WALLS

- 2.4.1 Exterior Wall Materials: Exterior walls shall be masonry and exterior-grade siding materials as approved by the Architectural Control Committee and conform as follows:
- 2.4.1.1 Front Walls: All front wall surfaces shall be not less than ninety percent (90%) masonry. Siding may be used for hidden or concealed wall surfaces not directly visible from the Lot front property line. Siding can be used in limited quantities for upper gable areas that would create a

“brick-on-wood” condition; this provision is for special conditions only and is not intended to reduce the essential 90% masonry requirement for the front wall areas and approval of the use of this provision is at the sole discretion of the ACC.

2.4.1.2 Side and Rear Walls: Side wall surfaces may be constructed using a mixture of masonry and exterior-grade siding as required to comply with a minimum eighty percent (80%) masonry overall requirement. Rear wall surfaces of the first floor may be constructed using a mixture of masonry and exterior-grade siding as required to comply with the minimum eighty percent (80%) masonry overall requirement; second floor wall surfaces may be exterior-grade siding materials.

2.4.1.3 Chimneys: Chimney wall structures that are a direct extension of an exterior wall shall match the requirement of said wall.

SECTION 2.5 ELEVATION AND BRICK USAGE

2.5.1 Same Plan with Same Elevation: The repeat of the same floor plan with the same elevation design shall be governed by the following provisions:

2.5.1.1 Same Side of Street: When Residences, using the same floor plan and same elevation, are constructed on the same side of the street; they shall be separated by a minimum of two (2) Lots. A one (1) Lot separation will be permitted when a street intersection occurs, the street right-of-way serves as a Lot equivalent.

2.5.1.2 Opposite Side of Street: When Residences, using the same floor plan and same elevation, are constructed on opposite sides of the street; they shall not be constructed directly or diagonally across from each other.

2.5.2 Repeat Brick Usage: All plans for the construction of Residences submitted to the ACC for review and approval shall calculate the percentage coverage for each material as follows:

2.5.2.1 Same Side of Street: No combination of brick color, mortar color, and sand color shall be repeated for adjacent Residences. Street and alley intersections are acceptable separation elements.

2.5.2.2 Opposite Side of Street: There are no restrictions for the use of brick color, mortar color, and sand color for Residences on opposing sides of the street.

2.5.2 Exterior Material Area Calculations: All dwelling submittals for the construction of Residences submitted to the ACC for review and approval shall calculate the percentage coverage for each material as follows:

2.5.2.1 Calculation Method: Calculations for material coverage percentages shall include all exposed areas of the wall surface, excluding window and door openings.

2.5.2.2 Calculation Format: Calculations shall indicate the area coverage for front, side, and rear wall areas. Calculations shall be submitted in the following format:

Brick Calculations	
<i>Overall</i>	
Total Wall Area	0 sf
Total Brick Area	0 sf
Total Brick Percentage	0%
<i>Front</i>	
Total Wall Area	0 sf
Total Brick Area	0 sf
Total Brick Percentage	0%
<i>Left</i>	
Total Wall Area	0 sf
Total Brick Area	0 sf
Total Brick Percentage	0%
<i>Right</i>	
Total Wall Area	0 sf
Total Brick Area	0 sf
Total Brick Percentage	0%
<i>Rear</i>	
Total Wall Area	0 sf
Total Brick Area	0 sf
Total Brick Percentage	0%

** Openings removed from areas in all calculations

Exhibit C - Standard Mail Boxes Design

**EXHIBIT C
TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR MANSFIELD FIVE OAKS CROSSING
AN ADDITION TO THE CITY OF MANSFIELD, TARRANT COUNTY, TEXAS**

STANDARD MAILBOX DESIGN

[see attached]

EXHIBIT C: COVER PAGE

Standard Mail Boxes Design

