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AFTER RECORDING RETURN TO:

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100 Congress Ave., Suite 1300
Austin, Texas 78701

ROUGH HOLLOW SOUTH SHORE THE ENCLAVE

[ROUGH HOLLOW SECTION 10]

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LOT 1, BLOCK B AND LOT 54, BLOCK A, ROUGH HOLLOW SECTION 37

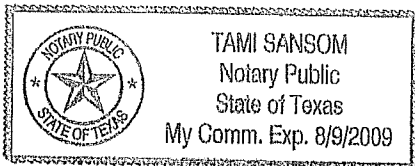
DESIGN GUIDELINES

Adopted:

ROUGH HOLLOW DEVELOPMENT, LTD., a
Texas limited partnership

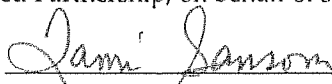
By: JHLV GP, Inc., a Texas corporation,
General Partner

By: 
Haythem Dawlett, Vice President



Travis County, Texas

This instrument was acknowledged before me on the 16th day of February, 2006, by Haythem Dawlett, Vice President of JHLV GP, Inc., a Texas corporation, general partner of Rough Hollow Development, Ltd, a Texas Limited Partnership, on behalf of said corporation and limited partnership.


Notary Public, State of Texas

Adopted by Rough Hollow Development, Ltd., in accordance with Section 6.02(c) of Rough Hollow South Shore Master Declaration of Covenants, Conditions and Restrictions, recorded as Document No. 2005181058, Official Public Records of Travis County, Texas (the "Master Declaration"). In accordance with Section 6.02(c) of the Master Declaration, these Design Guidelines may be amended from time to time by the Rough Hollow South Shore Master Architectural Control Committee. These Design Guidelines apply to lots subject to that certain Rough Hollow South Shore [The Enclave] [Rough Hollow Section 10 and Lot 1, Block B, lot 54, Block A, Rough Hollow Section 37] Development Area Declaration, recorded in the Official Public Records of Travis County, Texas.

Version 1.00

Introduction

Any notice or information required to be submitted to The Rough Hollow South Shore Master Architectural Control Committee under these Design Guidelines hereunder will be submitted to the committee at 205 Wild Basin Road, Bldg. 3, Austin, Texas 78746, Phone: (512) 306-1444, Fax: (512) 306-1620.

Background

Rough Hollow South Shore is a master planned community located in Travis County, Texas. The community consists of Development Areas which are subject to the terms and provisions of the Master Declaration of Covenants, Conditions and Restrictions, recorded in the Official Public Records of Travis County, Texas (the "**Master Declaration**"), and a Development Area Declaration for each particular Development Area (the "**Development Area Declaration**"). The Master Declaration and each Development Area Declaration includes provisions governing the construction of improvements and standards of maintenance, use and conduct for the preservation of the Rough Hollow South Shore community.

Architectural Control Committee and Review Authority

Article VI of the Master Declaration includes procedures and criteria for the construction of improvements within The Enclave community. Section 3.01 of the Development Area Declaration provides that any and all improvements must be erected, placed, constructed, painted, altered, modified or remodeled in strict compliance with the requirements of the Design Guidelines, and Section 6.02 of the Master Declaration and Section 3.02 of the Development Area Declaration provides that no improvements may be constructed without the prior written approval of the Master Architectural Control Committee (the "**Committee**").

The Committee consists of members who have been appointed by Rough Hollow Development, Ltd. (the "**Declarant**"). As provided in Article VI of the Declaration, Declarant has a substantial interest in ensuring that improvements within the Rough Hollow South Shore development maintain and enhance Declarant's reputation as a community developer and do not impair Declarant's ability to market and sell all or any portion of the community, and as a consequence thereof, the Committee acts solely in Declarant's interest and shall owe no duty to any other owner or the Lakeway Rough Hollow South Community, Inc (the "**Association**").

Governmental Requirements

Ordinances and requirements imposed by the City of Lakeway are applicable to all Lots and Condominium Units within Rough Hollow South Shore. It is the responsibility of each Owner to obtain all necessary permits and inspections. Compliance with these Design Guidelines is not a substitute for compliance with the City's ordinances and regulations. Please be advised that these Design Guidelines do not list or describe each requirement which may be applicable to a Lot within The Enclave. Each Owner is advised to review all encumbrances affecting the use and improvement of their lot prior to submitting plans to the Committee for approval. Furthermore, approval by the Committee should not be construed by the Owner that any Improvement

complies with the terms and provisions of all encumbrances which may affect the Owner's Lot. Certain encumbrances may benefit parties whose interests are not addressed by the Committee. Each Owner is further advised that as of the date of these Design Guidelines, the City of Lakeway requires that the Owner obtain from the Committee approval of all Improvements proposed to be located on a Lot prior to submitting plans for the Improvements to the City for approval. Each Owner is further advised that any approval granted by the Committee, or any notation on the plans signifying the Committee's approval, is conditional and no Improvements may be constructed on the Lot until the Owner has submitted to the Committee a copy of the plans and specifications approved by the City of Lakeway for such Improvements and the Committee has issued to the owner a "Notice to Proceed.". In the event of a conflict between the plans and specifications approved by the Committee and the plans and specifications approved by the City, the Committee may require the Owner to resubmit the plans and specifications for re-approval by the Committee, may withdraw the approval previously granted to the Owner, or may require that the Owner apply to the Committee for a variance. Each Owner acknowledges that the City of Lakeway does not have the authority to modify the terms and provisions of these Design Guidelines. The City of Lakeway may change or modify the requirements and procedures applicable to the City's approval of plans and specifications for the construction of Improvements, and each Owner is advised to contact the City to obtain a current version of such requirements and procedures.

The Committee shall bear no responsibility for ensuring plans submitted to the Committee comply with any applicable building codes, zoning regulation and other government requirements.

Interpretation

In the event of any conflict between these Design Guidelines and the Development Area Declaration, the Development Area Declaration shall control. Capitalized terms used in these Design Guidelines and not otherwise defined in this document shall have the same meaning as set forth in the Development Area Declaration.

Amendments

The Committee may amend these Design Guidelines. All amendments shall become effective upon recordation in the Official Public Records of Travis 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.

Architectural Review Process

Objective

The objective of the review process is to promote aesthetic harmony in the community by providing for compatibility of specific designs with surrounding buildings, the environment and the topography. The review process strives to maintain objectivity and sensitivity to the individual aspects of design.

Submittals

Requests for approval of proposed construction, landscaping, or exterior modifications must be made by submitting an application in the form attached hereto as Application Attachment 1.

Timing

The timing of review of applications and submittals and the duration of each approval shall be in accordance with Article VI of the Declaration and Application Attachment 1.

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 Committee as a condition of approval.

Inspection

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

Architectural and Aesthetic Standards

Styles

Architectural styles may vary, subject to compatibility with surrounding properties and to the appropriate use of allowable exterior materials and colors. Certain architectural styles are prohibited, including but not limited to, Georgian, Colonial, Cape Cod, and Tudor, which determination will be made in the sole and absolute discretion of the Committee.

Stock Plans

It is strongly recommended that an Owner or builder retain competent professional services for planning, design and landscape design. Stock plans may be appropriate for one homesite or neighborhood, and very inappropriate for another. Great caution should be used prior to any decision to select "stock" or "off the shelf" plans from a book or service. Although helpful in determining the needs and tastes of the resident family, consideration of stock plans may not be appropriate to the building site and exterior appearance expected at The Enclave. Prior to purchasing stock plans, please review these Guidelines and consult an architect regarding the potential to modify the plans to accommodate site constraints and ensure compatibility with the community.

Aesthetic Appeal

The Committee may disapprove the construction or design of a home on purely aesthetic grounds. Any prior decisions of the Committee regarding matters of design or aesthetics shall not be deemed to have set a precedent if the Committee feels that the repetition of such actions would have any adverse effect on the community.

Minimum Square Footage

The minimum square footage of heated/air conditioned space permissible for any residence in The Enclave shall be 3,500 square feet; provided, however, that the minimum square footage of heated/air conditioned space permissible for any residence constructed on a lot on the North and South perimeter of The Enclave will be 4,000 square feet. Each applicant is advised to consult with a Committee to determine the minimum square footage applicable to their lot.

Garages, covered outdoor living areas, covered walkways and attached storage spaces may not contribute toward the minimum square footage requirement. Plans submitted for review shall clearly indicate the heated/air conditioned square footage of the residence.

Siting/Setbacks

The Committee reserves the right to stipulate additional building or improvement setbacks attributable to any lot.

Accessory Structures

Detached guest houses, servant's quarters and "in-law" apartments are permissible. A maximum of 250 square feet of such structures (combined) may count toward the minimum square footage requirement.

Other detached accessory uses such as cabanas, garden buildings, storage buildings, or home offices (which are in compliance with neighborhood covenants) are permitted, but will not count toward the minimum square footage requirement.

Prohibited Elements

The following architectural elements are prohibited within The Enclave unless expressly approved in writing by the Committee:

Roofs

- Excessively pitched roofs.
- Metal or composition shingle roofs.
- Mansard, gambrel or chalet roofs.
- Flat roofs.
- Roofs that are too steep or too shallow for the style of the home,
- Shed roofs except as incidental to the main roof.

Design Elements

- Enormous entries and front door assemblies, such as triumphant arches.
- Over-scaled doors.
- Excessively over-scaled arch openings, or the use of arched openings as the primary design characteristic of the home.
- Stove pipe chimneys and metal chimney caps.
- Random roof penetrations, vents or skylights facing the street.

- White or bubble skylights.
- Mirrored glass or glass block.
- Columns that are not in scale with other elements of the residence.
- Expanses of unbroken masonry equal to or exceeding 24 feet in length.

Materials and Colors

- Wood, except as accent when approved by the Committee.
- Brick or wood siding (brick or wood siding accents may be permitted if approved by the Committee and in any event no more than 20% of the exterior of the residence may be composed of brick), Masonite or other synthetic wall materials, including EIFS stucco.
- Stone which appears glued on.
- Wood fences.
- Vivid, inappropriate colors.
- Large areas of white surfaces such as white or very light stucco.
- Concrete and/or aggregate driveways.

Encouraged Elements

The following architectural features are generally appropriate to the community:

- Arcades, colonnades, loggias, and covered passages between structures. See Architectural Attachment A
- Understated and integrated tower elements. See Architectural Attachment B
- Outdoor spaces which extend living functions seasonally. See Architectural Attachment C
- Semi-enclosed courtyards – low-scale entries through garden, courtyard or portal. See Architectural Attachment D
- Elegant yet simple entry features. See Architectural Attachment E
- Diverse and interesting exterior detailing. See Architectural Attachment F
- Restrained use of a variety of exterior materials. See Architectural Attachment G
- Designs which save as many large caliper trees as possible.
- Semi-circular arched openings used discretely.
- Hip roofs of 5 in 12 to 8 in 12 pitch.
- Roof overhangs of 18" or wider measured from exterior cladding.

Height, Massing, Scale

Unless otherwise approved in advance by the Committee, no building or residential structure may exceed 32 feet in height as measured from the existing grade of a lot. Building height is defined as the vertical distance from the average elevation of the grade at the front of the building or residential structure to the highest point on the structure exclusive of chimneys and ventilators. On sloping lots, the average finished grade adjacent to the front of the structure will be used as a basis to calculate height. The Committee has the authority to withhold its approval of a structure's height notwithstanding the previous provisions if the Committee determines that the proposed height is not compatible with adjacent structures or is not responsive to existing or anticipated structure heights on lots located above or below the lot on which the proposed residence will be constructed.

All residences should have an appropriate and adequate amount of design elements, in the Committee's sole determination, incorporated into the rear elevations of the building. Large flat expanses of walls/windows or even uninterrupted porches on the rear of the homes are prohibited. NO FLAT FACADES. The Committee may require that window treatments with banding, precast or window stools be incorporated into rear elevations. The design elements incorporated into the rear elevation of each home are as important as the design elements incorporated into the front and side elevations. Scale, massing, material usage, and design elements are important to the entire residence and will be considered by the Committee.

Residences should be thoughtfully designed to fit into the landscape. Houses that dominate their site, or needlessly demand attention by insensitive massing, are strongly discouraged.

Designs should follow existing contours, and achieve a balance of cut and fill so that when construction is finished, the earth around the residence should be as near as possible to the natural contours. The design of the building should be responsive to the specific qualities and conditions of its site.

Owners are encouraged to break down the mass and/or undulate their homes. Many uses can be placed in accessory structures: garages, workshops, offices, cabanas, and recreational uses. Simple and logical massing is encouraged. Massing that separates the building functions into different parts for courtyards, living areas, bedrooms and garages are favored.

Views are neither guaranteed, preserved, nor protected within Rough Hollow South Shore or The Enclave. However, promoting scenic views from the maximum number of existing and proposed residences a Committee goal.

Floor Area Ratio

The second story of any residence shall not exceed 60% of the enclosed first floor of the residence (heated or air-conditioned), including garages, but not including covered outdoor spaces. Two story interior spaces are included as second floor area in calculating the percentage of second floor area to be built.

Floor area ratio shall be calculated as follows:

Heated/Conditioned area of first floor	_____ sf
Attached Garage area	+ _____ sf
Attached enclosed storage area	+ _____ sf
	=====
Total 1 st floor area	_____ sf

Heated/Conditioned area of 2 nd floor	_____ sf
Unfinished or unheated 2 nd floor area	_____ sf
2 nd story area of rooms open to 1 st floor	+ _____ sf
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Total 2 nd floor area	_____ sf
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If $(\text{Total 2}^{\text{nd}} \text{ floor area} \div \text{Total 1}^{\text{st}} \text{ floor area}) \times 100$ is less than 60, the massing is likely appropriate. However, the intent of this regulation is to avoid "box-on-box" massing. Street-facing elevations that cause the house to appear to be a full two-story house are prohibited. Determination shall be at the sole discretion of the Committee.

Masonry

Unless otherwise approved in writing by the Committee, stone or stucco shall comprise 100% of the exterior building material. Notwithstanding the foregoing provision, no more than 50% of the exterior of any residence may be composed of stucco. The Committee encourages the restrained use of a variety of materials, which can add textural richness to the structure. The goal is to have houses constructed with materials that are compatible with the general color and texture of the surrounding landscape.

Orange, white, grey, or very dark brick is not permitted. The color of all brick proposed for masonry accents must be approved in advance by the Committee.

White stucco should be used only as an accent color; large expanses are prohibited.

Changes in materials at a vertical line shall occur only at interior corners.

No more than 12 inches at the bottom of the slab may be left exposed; the remainder must be covered with the same material as the exterior wall (a maximum 12 inch allowable exposed lug). All portions of exposed a slab must be underpinned. The Committee may require that the remaining exposed portion of the foundation be concealed by landscaping approved in advance by the Committee.

Plans shall indicate actual grade and show masonry treatment of slab.

Masonry samples shall be provided to the Committee for approval.

Windows and Doors

Combinations of double hung, casement, or fixed wood windows, wood entry doors, French doors, and patio doors are encouraged. Windows shall be high quality wood or vinyl-clad wood. Snap-in window grids are prohibited.

Aluminum windows and doors are not allowed unless approved in writing by the Committee. Raised panel hollow metal doors are allowed when finished to match residence trim colors.

The use of wood garage doors is mandatory.

Roofs and Chimneys

The pitch, color and composition of all roof materials must be approved in writing by the Committee.

All chimneys shall be clad in masonry of the same type used on the exterior walls. Metal chimney caps are prohibited.

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 Committee.

Driveways, Sidewalks and Visitor Parking

Required Apron and Driveways

All driveways must be constructed of decorative tile or pavers approved in advance by the Committee. Concrete and aggregate driveways are prohibited.

The design of all driveways must be approved in advance by the Committee.

Drives shall intersect the street at as close to 90 degrees as possible.

Driveways and parking courts shall in no case be closer than 10 feet from any side or rear property line. Drives or parking courts that are less than 15 feet from a property line shall be heavily screened from adjacent properties with a variety of appropriate native plant materials approved in advance by the Committee. Drives should undulate so as not to run parallel with the property line.

Unless otherwise approved in advance by the Committee, the maximum driveway grade within a lot is 14%. Curbs must transition cleanly into existing street curb and gutter. Broken transitions between curb/gutter and aprons are not permitted.

Driveways must permit entry by standard mid-size vehicles without "bottoming out" in the transition area between the curb and property line as well as the driveway area between the property line and the garage.

The finished grading process must conceal exposed edges of driveways and parking areas. A maximum of 12 inches of vertical exposure is permitted. Vertical exposures greater than 12 inches in height must be faced (veneered) with masonry compatible with the exterior of the residence and approved in advance by the Committee. If the driveway is raised significantly above finished grade (which will be determined by the Committee in its sole and absolute discretion), the exposed sides of the driveway must be heavily screened with a variety of appropriate native plant materials approved in advance by the Committee.

Circular or Multiple Drives

Circular drives and two drives per residence are permitted on corner lots and on single frontage lots where the street frontage of the homesite measured in a straight line between the front corners of the property is greater than 140 feet. It should be noted that the City of Lakeway may have additional rules regarding the spacing of driveways.

If two drives or a circular drive serve a single lot, the driveway at each point of access to the street must be located no closer than 20 feet from a side lot line.

Unless otherwise approved by the Committee, no more than two driveways (or one circular drive) will be permitted, including corner lots. Corner lots are defined as properties with frontage on two streets.

The use of a circular turn-around fed by a single drive is encouraged.

Sidewalks

Sidewalks from the drive to the residence shall be a minimum of 42 inches wide and have the same pattern and material as the driveway.

Visitor Parking

For residences situated on a lot with an average width of 90' or greater, each residence is required to provide a minimum of two guest parking spaces that must be placed in a location approved in advance by the Committee. Guest parking spaces shall be located so as to permit the installation of substantial landscaping to screen the guest parking area from the street and adjacent properties.

Unless otherwise by the Declarant, or the Board of the Association, no vehicle may be parked on any road within the subdivision unless in the event of an emergency. "Emergency" shall mean an event that jeopardizes life or property. "Parked" shall be defined as a vehicle left unattended by a licensed operator for more than thirty (30) consecutive minutes.

Notwithstanding the foregoing, if an owner hosts a gathering at his or her residence requiring parking in excess of that provided for on his property, such owner's invited guests may park on roads within the subdivision. Street parking provided for under this paragraph is permissible only if it does not unduly hinder ingress to and egress from the subdivision and each residence therein, or inconvenience other owners within the subdivision.

Garages

Garages must be integrated into the design of the dwelling. Detached garages must be architecturally composed to complement the main house. Servant's quarters or guest quarters may be included in garage buildings. See Architectural Attachment H for an example of a detached garage.

Garage doors should generally not face the street, unless appropriately screened by deep overhangs, trees or significant setback from the front of the house, or as otherwise approved by the Committee. If facing a side property line, the Committee may require additional setbacks to allow for the installation of appropriate screening. The surface and design of the garage doors should be treated architecturally. Each garage should include one door per car, but no more than two garage doors may be constructed together.

Exterior Lighting

Exterior lighting will be kept to a minimum, but consistent with good security practices.

Approval of the proposed illumination plan is required as part of the required landscape plan.

No exterior light whose direct source is visible from a street or neighboring property or which produces excessive glare to pedestrian or vehicular traffic will be allowed. Exterior lighting must be approved in advance by the Committee.

Tree lighting is recommended and shall be shielded to eliminate off-site glare and source visibility.

Use of other than white or color corrected high intensity lamps and exterior lights will not be allowed. Holiday lighting is an exception. Sodium, mercury vapor, or bare HID yard lights are not allowed.

Accessory Buildings

Accessory buildings, including pool cabanas, detached garages and guesthouses, shall be constructed of the same materials and with the same quality of construction as the primary residential structure.

Miscellaneous

Utility Connections and Trenches

Site plans shall indicate the location of utility trenches, connections and meters and shall note any specific vegetation that shall require additional protection from trenching equipment. Whenever possible, a central service location not on the street facing elevation, accessible to the utility service provider, not visible from the street and screened from neighbors, shall be designed for each dwelling which shall contain connections for all utilities. Utility meters and service panels mounted on the home should be painted to match the exterior of the structure.

Air conditioning compressors and pool equipment shall be enclosed by a structural screening element constructed of the same masonry materials as the principal residence and landscaped.

Address Markers and Mailboxes

Address markers must be approved in advance by the Committee. The Committee has the authority to adopt specific guidelines regarding the materials, location, and design of all address markers. Mailbox pavilions have been provided in the community for mail pick-up and delivery. Contact the local post office regarding box assignment and key pickup.

Barbecue Grills

Freestanding barbecue grills are permitted only if they are stored and used in a location that is not visible from the street or any adjacent property. The use of built in grills is encouraged.

Landscape Guidelines

Professional Assistance

Plans should be drawn or drafted by a professional landscape architect or skilled designer capable of communication the design intent through the drawing medium. While a variety of "do-it-yourself" computer programs are currently available, these programs do not indicate the sensitive landscaping necessary to properly compliment the natural climate and terrain of The Enclave and are therefore inappropriate for use.

Base Map

The landscaping plan must be drawn on a copy of the previously approved site plan.

Xeriscaping

The use of Xeriscape is strongly recommended. Xeriscape is a landscape concept that saves water and resists chemical use through the installation of native plant materials. Xeriscape is based on seven principles that will help save water, reduce non-point source pollution, and produce a sustainable environment.

Principles of Xeriscaping

- | | | |
|---|-------------------------|---|
| 1 | Have a Plan | Good design can help reduce water use. |
| 2 | Improve the Soil | Soil improvements are essential, particularly when using plants that require less water. |
| 3 | Limit Lawn Areas | Low water use grasses such as prairie, 609 buffalo grass, common Bermuda or zoysia, should be used. |
| 4 | Use Mulch | Mulch can be used to conserve ground moisture, discourage weed growth, provide organic nutrients, reduce erosion, protect plants from freezing and as a ground cover. |
| 5 | Choose Low Water Plants | Native and low water plants can survive on minimal amounts of water. |
| 6 | Use Water Efficiently | Putting the correct amount of water in the right place at the right time is essential. |

7	Practice Good Maintenance	Ongoing attentive maintenance will help preserve the beauty of any landscape and reduce water loss.
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Planting Guidelines

A landscape plan must be submitted for all homesites and design of the landscaping should be considered as a part of the architectural design process. Submittal of a landscape plan may be deferred a maximum of 6 months from approval of the final plans, upon approval of a deferment application. An approved plant list is attached on Detail Attachment 2.

Landscape designs must contain a variety of plant materials arranged in a manner consistent with the native Hill Country landscape. Informal, natural groupings are suitable; long linear hedges and large expanses of single plant species are not permissible.

Landscape plans shall show the location of all proposed plant materials and include a plant legend comprised of plant species, quantities, and sizes at the time of planting.

Landscape designs shall minimize turf areas. Turf species shall be bermuda, buffalo grass, or other water conserving turf grasses. St. Augustine grass is not permitted. It is recommended that areas that receive less than six hours of sunlight should be included in shrub and groundcover areas.

Landscape designs shall anchor buildings and other vertical improvements with dense foundation plantings.

Landscape designs shall not emphasize or draw attention to property lines.

Plant material both inside and outside of enclosed areas should be deer resistant.

Landscape areas not covered with plant materials shall be covered with mulch composed of organic materials. A landscaping plan that utilizes mulch as a predominant element will not be accepted. The use of rock or crushed rock as a ground cover shall not be permitted.

Landscape plans must include vegetative screening for above ground utility connections visible from the street or adjacent properties.

The Committee 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.

Hardscape elements in the landscaping must be in scale with the home and associated structures. Sculptures and fountains are subject to approval by the Committee.

Irrigation

An irrigation system with a rain gauge is required to provide irrigation for all residences. Plans for the required systems should be submitted to the Committee with landscape plans.

In lieu of submitting an Irrigation Plan, the Landscape Plan shall include the following note:

"An automatic irrigation system with separate zones for turf and bedding areas shall be installed for all proposed landscape areas and for the street buffer prior to occupancy of the residence. An automatic timer and rain sensor/cutoff shall be provided."

Landscape Inspection

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

Drainage

Responsibility for proper site drainage rests with the owners, their general contractor and their architect. No alteration of established drainage patterns may be prosecuted without the advance approval of the Committee.

Fencing and Walls

Plans for fences or walls must be drawn on a previously approved copy of the Site Plan.

Utility, drainage and water quality easements may not be fenced.

Walls and fences may not encroach upon any utility or drainage easement.

Fencing of front yards is not permissible.

Solid walls enclosing an entire site are not permitted. Standard subdivision fencing in accordance with specifications determined by the Declarant, may be required along collector or arterial roadways. The classification collector or arterial roadways will be determined by the Committee and/or the Declarant in its sole and exclusive discretion.

Fencing must be wrought iron style pickets (powder-coated) in a color and height approved in advance by the Committee. Masonry columns (unless otherwise constructed by the Declarant) may not be incorporated into a fence unless expressly approved in advance by the Committee.

Specific Requirements for Retaining Walls

All retaining walls must be faced (veneered) with masonry approved in advance by the Committee. The design and placement of all retaining walls required hereunder must be approved in advance by the Committee.

Retaining walls will be required at the street right-of-way when grade change exceeds 2 feet, and at all cut slope faces.

Unless otherwise approved in advance by the Committee, retaining walls adjacent to any street may not exceed 4 feet in height. Grade changes that require retaining walls exceeding 4 feet must be terraced with a minimum of 4 feet clear separation between each wall.

Unless otherwise approved in advance by the Committee, provide a 3 foot minimum planting separation strip between back of the curb or sidewalk and the face of the retaining wall. The planting strip and any benched areas must be landscaped in accordance with a plan approved in advance by the Committee.

Each retaining wall must be adequately drained on the surcharge side if required.

Pool Plans

Swimming pools shall be in-ground, or a balanced cut and fill, and shall be designed to be compatible with the site and the dwelling. Adequate screening, security, and maintenance shall be provided. Fencing around the pool shall be permitted as described above and integrated into the design of the dwelling and site. Fences must meet all governmental regulations for safety.

The pool plan must be drawn on a copy of the previously approved site plan, with specific indications of distances from the water containing basin(s) and surrounding slab walks to the lot lines. Pools plans shall indicate the total impervious cover for the property upon installation of the pool and surrounding hardscape.

The Committee reserves the right to require a cross section through the pool, should such detail aide in the review process for the facility.

Tennis Courts, Playscapes, Sport Courts

Tennis courts, Playscapes and Sport Courts are permissible at the sole discretion of the Committee. If allowed, these facilities must be properly sited and screened so as to minimize the visual and audio impact of the facility on adjacent properties.

Tennis courts and Sport Courts may not be lighted.

Plans for recreation facilities must be drawn on a copy of the approved site plan and should include proposed masonry and/or vegetative screening. The plans should indicate the total impervious cover for the property upon installation of the facilities.

Erosion Control and Construction Regulations

The Enclave will be the most exclusive neighborhood to date in Rough Hollow South Shores, and one of the most exclusive in the Austin area. As such, it is expected that builders conduct construction activities in a manner than is respectful of adjacent property owners and the neighborhood as a whole.

The following restrictions shall apply to all construction activities at The Enclave. Periodic inspections by a representative of the Committee 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 and deducted from the Compliance Deposit paid by the builder (as provided for herein).

Erosion Control Installation and Maintenance

It is the responsibility of the builder to install erosion control measures prior to the start of construction and to maintain them throughout the entire construction process.

Each construction site shall have one designated construction entry that shall have a 10' long by 15' wide section of 3" to 5" diameter stone placed upon it. The purpose of the stone is to clean the tires of vehicles exiting the site, in order to limit the amount of mud and sediment that is brought on the street. The builder should anticipate that heavy construction vehicles will crush and embed the stone during construction and that additional stone will be required in order to protect the integrity of the entry.

Silt fencing installed to City of Lakeway standards is required to be properly installed and maintained to protect the low sides of all disturbed areas, where stormwater 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. The builder should anticipate that 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, please contact a representative of the Committee prior to the removal.

Security

Neither the Committee, the Association, or Rough Hollow Development, Ltd. shall be responsible for the security of job sites during construction. If theft or vandalism occurs, the builder should first contact the Travis County Sheriff's Department and then notify a representative of the Committee.

Chain Link Fence

Temporarily, six-foot high chain link fencing must be installed around the entire perimeter of construction and shall be maintained throughout construction. The purposes of the fence are to protect vegetation outside the construction area and to stop construction debris from blowing outside a construction site. Orange plastic fencing may be used to protect trees to be saved within the construction area, but may not be used in lieu of chain link fence for the perimeter of the construction area. The Committee will have the authority to designate the limits of construction, i.e., the area of construction, on any lot.

Although not required, the builder may wish to consider adding a gate in the chain link fence across the driveway in order to provide an extra measure of security for the construction site.

If, for any reason, the fence is to be temporarily removed, please contact a representative of the Committee.

Construction Hours

Construction may take place only during the following hours: Monday through Friday from 7:30 a.m. until 6:00 p.m., and on Saturdays from 9:00 a.m. until 5:00 p.m.

There shall be no construction on Sundays or the following holidays: New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, or Christmas Day.

Noise, Animals

The use of radios, tape and CD players must be restrained so as not to be heard on an adjoining lot or street.

Contractors and subcontractors may not bring dogs to construction sites.

Material and Equipment Storage

A designated material storage area shall be indicated on the approved final plans. 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 builder's responsibility and at their risk.

Owners and builders may not disturb, damage or trespass on other lots or adjacent property.

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.

Owners and builders shall provide a container for debris and shall clean up all trash and debris on the construction site on a daily basis. Trash and debris shall be removed from each construction site on a timely basis. Dust control shall be the responsibility of the builder, including the vegetation as necessary, and the watering of disturbed areas to control dust.

Lightweight material, packaging and other items shall be covered or weighted down to prevent wind from blowing such materials off the construction site.

The dumping, burying or burning of trash is not permitted anywhere in The Enclave.

It is imperative that, when moving heavy equipment around, precautions be taken to prevent damage to pavement, curbs, and vegetation. Any damage to such structures will be assessed against the Compliance Deposit paid by the builder. Crawler tractors are not to be operated on paved or concrete surfaces.

Mud, dirt and other construction debris that is tracked off site shall be cleaned on a daily basis.

Sanitary Facilities

A temporary sanitary facility (chemical toilet) shall be provided and maintained by the builder at each residence for the use of the construction workers.

Construction Parking

Construction crews shall not park on, or otherwise use, other lots nor within street and natural buffers.

Construction crews should not park under the crown of existing trees, as this causes compaction of soils and damage to the critical root zone, leading to the death of the trees.

No construction vehicle will be permitted to leak oil or otherwise damage or deface any street located within the community.

Schedule of Fines

Periodic inspections by a representative of the Committee may take place in order to identify non-complying construction activities. A Compliance Deposit Agreement executed by the builder, in the form attached hereto as Application Attachment 2, and payment by the builder of the corresponding Compliance Deposit, must have been submitted prior to the time the Final Plan Review Application (Application Attachment 2) is submitted. If items identified as not complying with the regulations are not remedied in a timely manner (generally by the close of the second business day after the notification of the violation has been delivered), fines will be levied and deducted from the Compliance Deposit. In the event that fines exceed the Compliance Deposit, and fines remain unpaid by the builder or owner, the Committee reserves the right to file a lien against the subject property.

Listed below is the schedule of fines which may be assessed.

Schedule of Fines

Premature Clearing	\$500
Construction Without Committee Approval	\$500
Inadequate Construction Entry	\$250
Inadequate/Removed Silt Fence	\$250
Inadequate/Removed Construction Fence	\$250
Excessive Mud/Debris on Street	\$250 plus \$50/day
Excessive Construction Debris	\$250 plus \$50/day
No Dumpster Provided	\$150 plus \$50/day
No Chemical Toilet Provided	\$150 plus \$25/day
Encroachment on Buffers	\$500 plus tree replacement
Encroachment on Adjacent Properties	\$500 plus cost of repair
Damage to Streets, Curbs, Infrastructure	\$500 minimum
Miscellaneous Violation of Construction Rules	To be determined

Duration of Construction

A residence shall be complete and available for occupancy on or before eighteen (18) months after the start of construction.

Plan Submittals

New residential home construction within The Enclave will utilize a two-stage review process.

PRELIMINARY PLAN REVIEW

Preliminary plan review is a required step in the design process. The submittal shall include the following information:

The Preliminary Plan Review will require the submission of the following:

Preliminary Site Plan

- North arrow
- Property lines
- Easements
- Setbacks
- Tree survey of all area to be disturbed indicating size and species of all trees 6" in diameter or larger
- Topography
- View corridors
- Rock outcroppings
- Proposed building footprint and finished floor elevation
- Proposed driveway location
- Tentative locations of accessory site development (such as pools, cabanas)

Preliminary House Plans

- Schematic floor plans
- Schematic elevations including roof pitch and materials
- Square footages- heated/air conditioned and non-heated/air conditioned for each floor

FINAL PLAN REVIEW

A completed Final Plan Review Application, see Application Attachment 1, must be submitted to the Committee. The application must include a copy of the Compliance Deposit Agreement signed by the builder, in the form attached hereto as Application Attachment 2, and the Compliance Deposit must have been paid by the builder prior to submitting the application. The Final Plan Application must also include all information required to be submitted as set forth on the application.

LANDSCAPE PLAN REVIEW (ALL LOTS)

Prior to the installation of any landscaping on any lot a Landscape Plan must be submitted to the Committee. The Landscape Plan must include the following:

- Property Lines with dimensions
- Utility boxes and screening
- Existing contours
- Trees to remain
- Trees to be removed
- Required street trees
- Drives, parking areas and walks
- House and accessory structures
- Easements
- Boundaries of turf areas with type of turf noted
- Locations of all proposed plants
- Plan legend including species, quantity and sizes at time of planting
- Fence location and materials
- Proposed landscape lighting
- Required notes (see above)

Attachments:

Architectural Attachments A through H	
Detail Attachment 1	Plant List
Application Attachment 1	Plan Submittal Application
Application Attachment 2	Form of Compliance Deposit Agreement

ARCHITECTURAL ATTACHMENT A



ARCHITECTURAL ATTACHMENT B



ARCHITECTURAL ATTACHMENT C



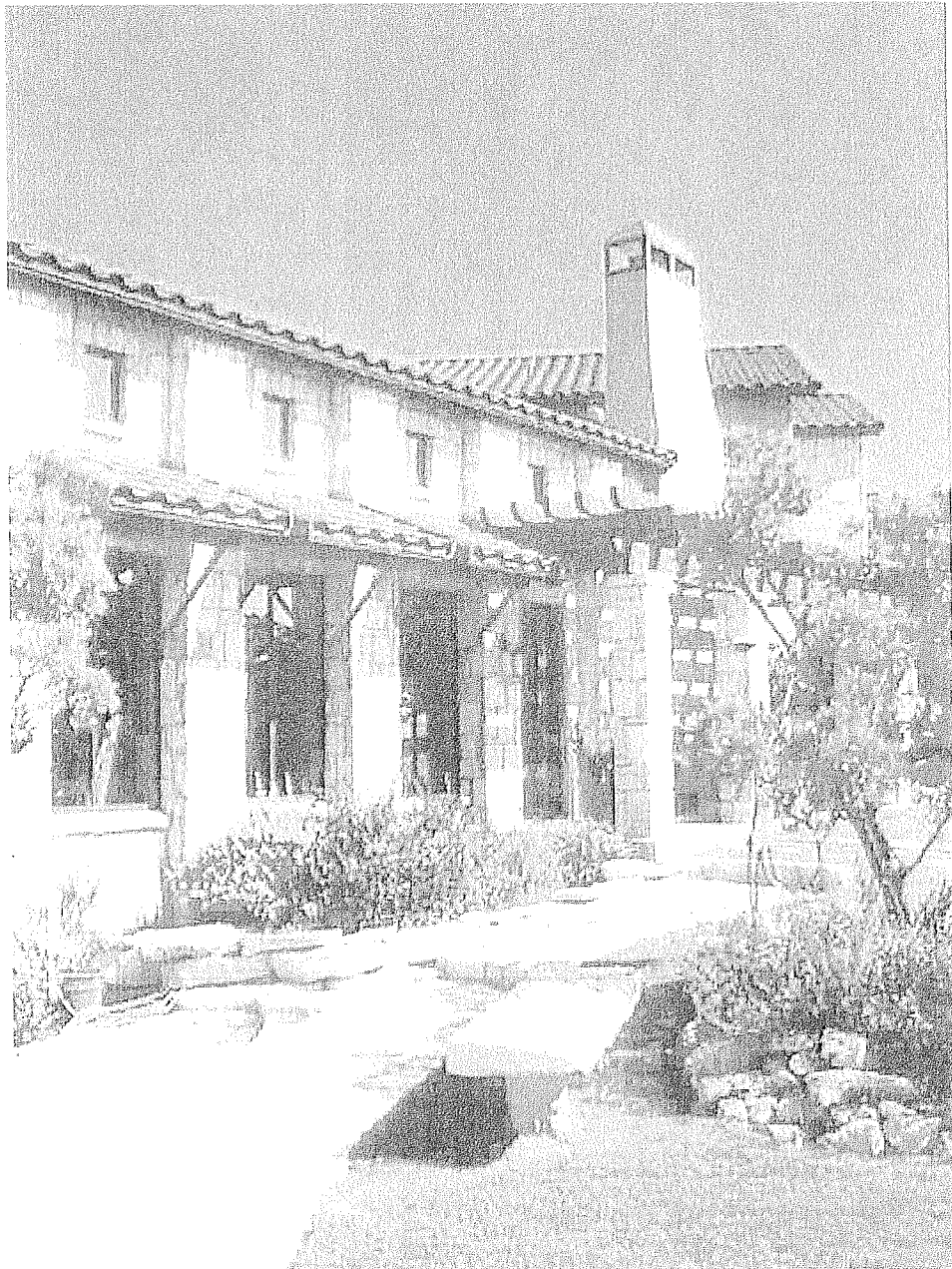
ARCHITECTURAL ATTACHMENT D



ARCHITECTURAL ATTACHMENT E



ARCHITECTURAL ATTACHMENT F



ARCHITECTURAL ATTACHMENT G



ARCHITECTURAL ATTACHMENT H



DETAIL ATTACHMENT 1

APPROVED PLANT LIST

The following list of plants is composed of selected native and adaptive plant material suitable for plant material in Rough Hollow South Shore. This list is recommended but is not all-inclusive. All plants selected for installation must be approved by the Committee.

Canopy Trees

<u>Scientific Name:</u>	<u>Common Name:</u>	
Acer grandidentatum	Bigtooth Maple	fall color
Carya illinoensis	Pecan	tree litter
Fraxinus texensis	Texas Ash	
Juglans microcarpa	Texas Black Walnut	
Pistacia chinensis	Chinese Pistache	fall color
Pistacia texensis	Texas Pistache	
Platanus occidentalis glabrata	Sycamore	moist areas
Populus deltoides "Cottonless"	Cottonwood	
Quercus muhlenbergii	Burr Oak	
Quercus glaucoides	Lacey Oak	
Quercus pungens "Vaseyana"	Chinquapin Oak	
Quercus shumardii	Shumard Oak	fall color
Quercus sinuata	Shin Oak	drought tolerant
Sapindus drummondii	Western Soapberry	drought tolerant
Taxodium distichum	Bald Cypress	moist
Ulmus americana	American Elm	
Ulmus crassifolia	Cedar Elm	drought tolerant
Ulmus parvifolia	Chinese Elm	
Ulmus parvifolia "Drake"	Drake Elm	fast growing

Ornamental Trees -

<u>Scientific Name:</u>	<u>Common Name:</u>	<u>Comments</u>
Acacia wrightii	Wright Acacia	full sun
Aesculus arguta	Texas Buckeye	DR
Aesculus pavia	Red Buckeye	
Bumelia lanuginosa	Wooly-Bucket Bumelia	sun/drought
Cercis canadensis alba	Whitebud	
Cercis canadensis texana	Texas Redbud	sun/drought
Chilopsis linearis	Desert Willow	DR
Cornus drummondii	Rough Leaf Dogwood	shade/DR
Crataegus reverchonii	Reverchon Hawthorn	
Crataegus tracyi	Mountain Hawthorn	fall color
Diospyros texana	Texas Persimmon	sun/drought/DR

Ilex decidua	Possumhaw Holly	sun/shade
Ilex vomitoria	Yaupon Holly	sun/drought
Juniperus ashei	Cedar	sun/drought
Koeleruteria paniculata	Goldenrain Tree	susceptible to freeze
Lagerstroemia indica	Crape Myrtle	sun/summer color
Parkinsonia aculeata	Jerusalem Thorn	sun
Pinus eldarica	Afgan Pine	
Prunus mexicana	Mexican Plum	
Prunus americana	American Plum	
Prunus caroliniana	Carolina Laurel Cherry	moist soils, subject to Chorosis
Prunus serotina "eximia"	Escarpment Black Cherry	
Pyrus calleryana "Bradford"	Bradford Pear	white flower, formal
Rhamnus Caroliniana	Carolina Buckthorn	moist soils
Rhus lanceolata	Prairie Flameleaf Sumac	sun/drought/DR
Rhus glabra	Smooth Sumac	sun/drought/DR
Sophora secundiflora	Texas Mountain Laurel	sun/drought/DR
Unquadia speciosa	Mexican Buckeye	sun/DR
Vitex agnus-castus	Lilac Chaste Tree	sun

Shrubs

<u>Scientific Name:</u>	<u>Common Name:</u>	<u>Comments:</u>
Abelia grandiflora	Glossy Abelia	
Agave americana	Agave/Century Plant	full sun drought
Anisacanthus wrightii	Flame Acanthus	tolerant
Callicarpa americana	French Mulberry	sun/DR
Cephalanthus occidentalis	Button Bush	sun/shade/moist
Cotoneaster horizontalis	Cotoneaster	moist areas
Dasylium texanum	Texas Sotol	sun
Escallonia	Escallonia spp.	sun/DR
Eupatorium havanense	Shrubby Boneset	sun
Eysenhardtia texana	Texas Kidneywood	moist
Forestiera pubescens	Texas Elbow Bush	sun/drought
Fouquieria splendens	Ocotillo	
Garrya ovata	Silk Tassel	sun
Hesperaloe parviflora	Red Yucca	
Ilex vomitoria	Yaupon Holly	sun/DR
Ilex vomitoria "Nana"	Dwarf Yaupon	sun/shade
Lantana horrida	Texas Lantana	DR
Leucophyllum frutescens	Texas shade	sun/DR
Lindera benzoin	Spice-bush	sun/drought/DR
Mahonia trifoliolata	Agarita	sun/drought/DR
Mahonia swaseyi	Texas Mahonia	sun/drought/DR
Myrica cerifera	Wax Myrtle	shade
Pistacia texana	Texas Pistache	sun/shade

<i>Prunus rivularis</i>	Creek Plum	
<i>Prunus reverchonii</i>	Reverchon Hog Plum	moist
<i>Rhus aromatica</i>	Fragrant Sumac	sun
<i>Rhus virens</i>	Evergreen Sumac	DR
<i>Rosmarinus officinalis</i>	Rosemary	drought/DR
<i>Sabal texana</i>	Texas Sabal Palm	drought/DR
<i>Sophora affinis</i>	Eve's Necklace	DR
<i>Symphoricarpos</i>	Coralberry	sun/shade
<i>Orbiculatus</i>	Rusty Blackhaw	
<i>Viburnum rufidulum</i>	Viburnum	sun/drought
<i>Yucca pallida</i>	Pale Leaf Yucca	DR

Groundcovers

<u>Scientific Name:</u>	<u>Common Name:</u>	<u>Comments:</u>
<i>Achillea millefolium</i>	Yarrow	full sun/shade/DR
<i>Adiantum capillus-veneris</i>	Maidenhair Fern	moist areas/shade
<i>Ajuga reptans</i>	Ajuga	shade/DR
<i>Aquilegia canadensis</i>	Columbine	shade
<i>Cyrtomium falcatum</i>	Holly Fern	shade/moist/DR
<i>Dryopteris</i> spp.	Wood Fern	shade/moist/DR
<i>Hedera helix</i>	English Ivy	shade
<i>Juniperus conferta</i> "Blue Pacific"	Shore Juniper	sun/DR
<i>Liriope muscari</i>	Liripoe	sun/shade
<i>Lonicera sempervirens</i>	Coral Honeysuckle	sun/shade
<i>Mahonia repens</i>	Creeing Mahonia	shade
<i>Nolina texana</i>	Bear grass	sun/DR
<i>Ophiopogon japonicus</i>	Monkey Grass	shade/DR
<i>Pavonia lasiopetala</i>	Pavonia	sun
<i>Phlox drummondii</i>	Drummond's phlox	sun
<i>Phlox subulata</i>	Thrift	sun
<i>Poliomenantha longiflora</i>	Mexican Oregano	sun/DR
<i>Rosmarinus officinalis</i> "prostratus"	Trailing Rosemary	sun/DR
<i>Salvia farinacea</i>	Mealy Sage	sun/DR
<i>Salvia greggii</i>	Cherry Sage	sun/DR
<i>Salvia romeriana</i>	Cedar Sage	sun/DR
<i>Santolina chamaecyparissus</i>	Gray Santolina	sun/drought/
<i>Santolina virens</i>	Green Santolina	sun/drought tolerant
<i>Tradescantia</i> spp.	Spiderwort	shade
<i>Verbena bipinnatifida</i>	Prairie Verbena	sun/DR
<i>Verbena elegans</i> "asperata"	Hardy Verbena	sun/DR
<i>Vinca major</i>	Bigleaf Periwinkle	dry shade
<i>Yucca rupicola</i>	Twisted-leaf Yucca	sun/drought/DR

Grasses

<u>Scientific Name:</u>	<u>Common Name:</u>	<u>Comments:</u>
Andropogon gerardii	Big Bluestem	tall seed heads
Andropogon Scoparius	Little Bluestem	
Bouteloua curtipendula	Sideoats Gramma	
Bouteloua gracilis	Blue Gramma	drought tolerant
Buchloe dactyloides	Buffalo Grass	
Cynodon spp.	Bermuda Grass	drought tolerant
Festuca glauca	Blue Fescue	
Festuca Spp. "Arid"	Tall Fescue	ornamental
Hilaria belangeria	Common Curly mesquite	drought
Leptochloa dubia	Green Sprangletop	shade/drought
Miscanthus sinensis "zebrinus"	Zebra Grass	
Muhlenbergia lindheimeri	Big Muhly	
Panicum virgatum	Switchgrass	clump
Sorghastrum nutans	Indiangrass	
Stenotaphrum secundatum	St. Augustine Grass	
Tripsacum dactyloides	Eastern Camagrass	moist
Zoysia spp.	Zoysia Grass	

Vines

<u>Scientific Name:</u>	<u>Common Name:</u>	<u>Comments</u>
Bignonia capreolata	Crossvine	evergreen
Campsis radicans	Trumpet Creeper	aggressive
Clematis pitcheri	Leather Flower	delicate
Gelsemium Sempervirens	Carolina Yellow Jasmine	
Ipomoea Quamoclit	Cypress Vine	annual
Lonicera sepervirens	Coral Honeysuckle	
Mauranda antirrhinniflora	Snapdragon Vine	delicate
Parthenocissus quinquefolia	Virginia Creeper	shade

Annuals

<u>Winter/Spring:</u>	<u>Spring/Summer:</u>	<u>Summer/Fall</u>
Calendula	Geranium	Acalypha
Daffodil (bulb)	Marigold	Ageratum
Hyacinth (bulb)	Periwinkle	Alyssum
Ornamental Kale	Petunia	Amaranthus
Pansy		
Poppy		Caldium
Primula		Chrysanthemum
Snapdragon		Coleus

Tulip (bulb)
Ornamental Pepper
Dianthus

Impatiens
Marigold
Periwinkle
Phlox
Portulaca
Purslane

Legend For Approved Plant List:

Full sun/sun	sun-loving plant
Shade	shade-loving plant
Moist	moist-loving plant
Drought/drought tolerant	plants generally able to survive on less supplemental water and better able to withstand droughts
Fall color	fall leaf color
DR	deer resistant plants unpalatable enough to be left alone as long as other food is available
Ornamental	showy plant

NOTE: The following plants/shrubs/trees are prohibited

Photonia glabra	Red Tip Photinia	Intolerant of deer, especially in immature plants
Nerium Oleander	Oleander	Extremely poisonous to wildlife and domestic animals
Melia azedarach	Chinaberry	Non-native invasive plant which will choke out native plants necessary for native wildlife and endangered species
Nandina Domesitca	Nandina	See reason for Chinaberry
Ligustrum japonicum	Ligustrum	See reason for Chinaberry
Lonicera japonica	Japanese Honeysuckle	See reason for Chinaberry
Ailanthus altissima	Tree of Heaven	See reason for Chinaberry

APPLICATION ATTACHMENT 1

FINAL PLAN REVIEW APPLICATION

Deliver to:

Rough Hollow South Shore Master Architectural Control Committee

205 Wild Basin Road, Bldg. 3

Austin, Texas 78746

(f) 512.306.1620

(o) 512.306.1444

The Enclave

Final Plan Review Application

Submittal Date

Legal Description

Street Address

Homeowner (if custom home)

Homebuilder

Architect (if applicable)

Block _____ Lot _____

Applicant's Signature _____

I ____ do ____ do not wish to attend the Committee meeting for review of the attached plans.

Notes:

1. Complete plans and applications received by noon Thursday will be placed on the following Thursday's agenda.
2. Plans will not be reviewed without the required application fee.
3. Incomplete applications and plans will be returned for completion prior to inclusion on the Committee agenda. Please fully complete this application prior to submittal to ensure your plan and application is complete.

The Enclave

Final Plan Review Application, Page Two

Application Fee and Compliance Deposit

Check Executed by Builder for the Compliance Deposit in the amount of \$3,500.00 payable to Rough Hollow Development, Ltd.

Compliance Deposit Agreement Executed by Builder

Site Plan (2 copies)

Please indicate whether plans include the following:

- ☐ 1"= 20' or larger scale, as appropriate to the acreage
- ☐ Site dimensions
- ☐ Existing Contours
- ☐ Property lines
- ☐ Chemical toilet location
- ☐ Silt fence location
- ☐ Chain link fence location at limits of construction
- ☐ Construction entry with dimensions of entry and size of stone
- ☐ Dumpster location
- ☐ Materials storage location(s)
- ☐ Existing sidewalk along the street (if applicable)
- ☐ Building setbacks
- ☐ Building location labeled with floorplan reference and noting any proposed revisions to previously approved plans
- ☐ Proposed finished floor elevation
- ☐ Easements
- ☐ Utility connections at the street and residence with proposed trench locations
- ☐ Trees to be removed
- ☐ Trees to remain
- ☐ North arrow
- ☐ Driveway and sidewalk locations and materials
- ☐ Proposed perimeter fence locations including material and height
- ☐ Any anticipated accessory development such as pools, cabanas, guest house

The Enclave

Final Plan Review Application, Page Three

Floor Area Ratio:

(Per the Design Guidelines, the total square footage of the second floor of any residence shall not exceed 100% of the heated/air conditioned space on the first floor.)

_____	Heated/Air Conditioned area of first floor
_____	Attached Non heated/air conditioned area of first floor
_____	Total 1st floor area
_____	Heated/Air Conditioned area of second floor
_____	Attached Non heated/air conditioned area of second floor
_____	Total 2nd floor area
_____	Total Heated/Air Conditioned area all levels
_____	Total Attached Non Heated/Air Conditioned area all levels
_____	Total floor area (all levels)

APPLICATION ATTACHMENT 2
COMPLIANCE DEPOSIT AGREEMENT

Compliance Deposit Agreement

In compliance with the rules adopted by the Lakeway Rough Hollow South Community, Inc. (the "Association") and the Rough Hollow South Shore Master Architectural Control Committee (the "Committee"), _____ (the "Builder") does hereby deposit with Rough Hollow Development, Ltd. ("Declarant") the sum of \$3,500 (hereinafter called the "Compliance Deposit") and agrees to the following terms and conditions.

1. The Compliance Deposit shall be held as security against
 - violation of erosion control or construction rules;
 - unapproved clearing of buffers; or
 - any damage caused to the Association's Common Areas, streets, or any Owners' Lots, and all improvements, structures, landscaping and personal property attached hereto or located thereon; which damage is caused by the acts and/or omissions of the Builder, his general contractor and/or any employee, agent or subcontractor of the Builder or general contractor in connection with the construction of improvements on each Lot for which the Builder is engaged.
2. Upon the occurrence of any such damage, the Declarant from time to time, and without prejudice to any other remedy, may use the Compliance Deposit to the extent necessary to repair such damage or pay to the injured part the cost of such damage. It is expressly understood that the use of any or all of the Compliance Deposit shall not be considered a measure of the damage nor release the Builder from paying additional amount if the total damage exceeds \$3,500.
3. If the Declarant uses any portion of the Compliance Deposit as described above, written notification will be mailed to Builder at the address indicated below. Withdrawal of money from the Compliance Deposit shall occur no sooner than 10 days after written notification has been provided to the Builder.
4. The Declarant shall not be liable to the Builder or to any other person for any loss, damage, or injury arising out of the payment or nonpayment of the Compliance Deposit funds unless such loss, damage, or injury is due to the willful misconduct or bad faith of the Declarant.
6. During construction, it is the responsibility of builders and owners to carry the necessary hazard and liability insurance.
7. Upon completion of the construction of all homesites for which the Builder has been engaged as per the approved plans and specification for each such homesite, and a final inspection by the Committee of each such homesite satisfactorily indicating that no damage as set forth in paragraph 1 above remains unremedied, the Compliance Deposit or any balance upon the Compliance Deposit shall be returned to the Builder.
8. No interest shall be payable upon the Compliance Deposit.
9. By signature below, the Declarant acknowledges receipt of the \$3,500 Compliance Deposit.

Executed on the ____ Day of _____, 200__

BUILDER:

Lot _____ Block _____
Section _____

By: _____

Printed Name: _____

Title: _____

Date: _____

DECLARANT:

ROUGH HOLLOW DEVELOPMENT, LTD.,
a Texas limited partnership

By: JHLV GP, Inc., a Texas corporation,
General Partner

By: _____

Printed Name: _____

Title: _____

Date: _____

Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

2006 Feb 17 03:27 PM 2006020950

RANEYJ \$168.00

DANA DEBEAUVOIR COUNTY CLERK

TRAVIS COUNTY TEXAS