

**DECLARATION OF USE RESTRICTIONS  
FOR  
THE GREEN RANCH SUBDIVISION  
(THE GREEN SUBDIVISION PHASE 2)**

THAT, **CONTINENTAL HOMES OF TEXAS, L.P.**, a Texas limited partnership ("Declarant"), joined herein by **THE GREEN-MINES RANCH, LTD.**, a Texas limited partnership, being the owners of all of certain lots situated within that certain subdivision platted as **THE GREEN SUBDIVISION PHASE 2**, and being marketed as **GREEN RANCH** (hereinafter called the "Subdivision"), such lots being more particularly described in Exhibit A attached hereto and incorporated herein by reference, and desiring to create and carry out a uniform plat for the improvement, development and sale of such subdivided lots situated in the Subdivision (each said subdivided lot being herein sometimes called a "lot"), do hereby adopt and establish the following restrictions and covenants to run with the land and to apply in the use, occupancy, and conveyance of the aforesaid described subdivided lots therein, and each contract or deed which may be executed with regard to any of such property shall be held to have been executed, delivered and accepted subject to the following use restrictions (the headings being employed for convenience only and not to be controlling over content):

**ARTICLE I. USE**

All lots in the Subdivision shall be used for single-family residential purposes only.

No owner shall occupy or use a lot or any improvements constructed thereon, or permit the same or any part thereof to be occupied or used for any purpose other than as a private residence for the owner, his family, guests and tenants. During the construction and sales period of the lots, the Declarant or any builder who has the consent of Declarant may erect and maintain such structures as are customary in connection with such construction and sale of such property, including, but not limited to, business offices, storage areas, trailers, construction yards, signs, model units and temporary sales offices.

No building material of any kind shall be placed or stored upon any lot until the owner thereof is ready to commence improvements and then the material shall be placed within the property lines of the lot upon which the improvements are erected and shall not be placed on the street.

No residence of a temporary character shall be permitted on any lot. No structure shall be occupied as a residence, even temporarily, unless it is a complete dwelling conforming to these use restrictions.

## ARTICLE II. ARCHITECTURAL CONTROL

Section 1. Development Objectives. The aesthetic and ecological quality of the Subdivision requires that all dwellings be compatible with other dwellings and be in harmony with the natural surroundings. To this end, an Architectural Control Committee (sometimes hereinafter called "the Committee") has been created as described in Section 2 of this Article. The Architectural Control Committee has the responsibility to carry out the goals and functions that have been adopted, and are described below, and which may be amended from time to time.

Section 2. Architectural Control Committee. The Architectural Control Committee shall be Lynn Harmon, Timothy D. Pruski, and Bryan Rome, or a representative or representatives appointed by a majority of them. In the event of the death or resignation of any member, the remaining members shall have full authority to carry out the duties of the Committee and the authority to designate a successor committee member to fill any vacancies. At such time as the Declarant does not hold title to any Lots in the Subdivision, and any members of the Committee appointed by Declarant have resigned, that one certain homeowners association with jurisdiction over the Subdivision created in a duly recorded Declaration of Covenants, Conditions and Restrictions affecting the Subdivision and known as "Green Ranch at Mines Road Homeowners Association" shall have the right to thereafter appoint and/or replace the members of the Committee from time to time.

Section 3. Goal of Architectural Control Committee. The goal of the Committee is to encourage the construction of dwellings of good architectural design, quality and property size compatible with Declarant's conceptual plan for the Subdivision. Dwellings should be planned and designed with particular attention to the design and aesthetic appearance of the exterior and the use of such materials, which in the sole judgment of the Committee, will all create an attractive and harmonious blend with existing and proposed dwellings in the immediate area and the natural surroundings. The Committee may disapprove the construction or design of a home on purely aesthetic grounds where, in its sole judgment, such disapproval is required to protect the continuity of design or values of the neighborhood and of other homeowners or to preserve the serenity and natural beauty of any surroundings. Prior judgments regarding matters of design or aesthetics shall not be deemed binding upon the Architectural Control Committee if the Committee feels that the repetition of such matters will have an adverse affect on the Subdivision.

Section 4. Function of the Architectural Control Committee. The Committee shall function as the representative of the owners for the purposes herein set forth. No building, roof, fence, wall or other structure of any nature whatsoever and no landscaping of any nature whatsoever that is readily visible from the street shall be erected, placed or altered on any lot (nor may any such item be subsequently replaced, treated or repainted in a manner which materially alters the exterior appearance of the item) until plans and specifications, in such form and detail as the Committee may deem necessary, shall have been submitted to and approved in writing by such Committee.

