



LAND USE AND BUILDING TYPE

- Lots may Not be further subdivided.
- No building shall be erected, altered, placed or permitted to remain on any Lot, other than one detached single-family dwelling per Lot (not to exceed two stories in height) with an attached garage, plus any outbuilding used in connection with the single family dwelling.
- A total of at least seventy percent (70%) of the exterior walls on all sides of the first floor, exclusive of door and window area are masonry or brick veneer construction.
- Masonry or brick veneer construction shall include only clay brick, stucco, synthetic stucco, synthetic stone veneer, or natural stone.
- Concrete block, cinder block, or asbestos siding shall not be permitted to be visible in or on any structure.
- The main roof of each single family dwelling and garage shall be a minimum of 6/12 pitch built with either wood shingles having a natural wood color (and shall not be painted), or clay or concrete tile or asphalt composition shingles. Replacement shingle must also meet these restrictions.
- No dwelling or garage shall ever be built having a roof of crushed stone, gravel, or roll roofing.
- No portable or “move-in” houses shall be allowed on any Lot.

- All Lots have a 10’ rear property setback that must not be encroached upon by any structure or pool.
- Any outbuilding shall be constructed that the highest point of its roof shall not exceed the highest point of the roof of the dwelling
- The outbuildings outside wall shall not exceed 9 feet in height and the exterior walls and roof shall be constructed of the same materials as the primary residence.
- A “storage building” will be allowed as long as its total height does not exceed 10 feet, and the total floor space does not exceed 200 square feet.
- Any building other than the primary dwelling that exceeds 200 square feet of floor space will be considered an outbuilding and will be subject to the requirements place on an outbuilding.
- Any outbuilding or storage building must be in the back yard of the lot and must be completely screened from any street with a fence that meets all of the requirements, except in the event that the building has an overhead door and in that case an opening can be left in the screening fence to access the overhead door.

LOTS ADJACENT TO OIL WELLS

- All lots within the 250’ radius of an adjacent well head shall be subject to the restrictions as specified in the “LAND DEVELOPMENT/USE AGREEMENT”.
- Any Lot in which the 250’ encroaches into the Lot, no structure or pool will be allowed within the radius.

LANDSCAPING

- Landscaping of front yard and side yard shall be required on all lots and shall be completed no later than one year after final transfer of ownership to owner, weather permitting.

- Landscaping must permit reasonable access to public and private utility lines and easements for installation and repair.
- Landscaping must provide an aesthetically pleasing variety of trees, shrubs, ground cover and plants or a xeriscaping plan that incorporates aesthetically pleasing variety of trees, shrubs, natural organic and inorganic mulches, and plants.
- Landscaping must provide for landscaping of all portions of the lot not enclosed by solid fencing and not covered by the improvements.
- Except for typical garden hoses and common portable sprinklers that may be attached to such hoses, no pipes, hoses, sprinklers or other parts of any irrigation system for watering of landscaping on a lot shall be visible above ground.

USE OF PREMISES

- No building or structure intended for or adapted to business or commercial purposes shall be erected, placed, permitted, or maintained on any lot, except those related to development, construction, and sales purposes of the Declarators or any homebuilder who has received Declarators' permission for temporary construction or sales facilities.
- No occupation of any kind shall be allowed on any lot which requires any structural alteration of or to any dwelling or room on the lot, or that requires the installation of machinery or equipment, or that requires exterior storage of equipment or materials.
- No professional, business, or commercial activity to which the general public is invited shall ever be conducted on any lot save and except activities related to development, construction, and sales purposes of the Declarants or any homebuilder who has received Declarants' permission.

DWELLING SIZE

- Each single family dwelling built shall contain a minimum of 1200 square feet of heated and air conditioned floor space measured over brick, exclusive of garages and open porches.

GARAGES

- All Lots shall have an attached garage sufficient in size to accommodate no less than two (2) automobiles.
- The exterior of each attached garage shall be constructed of materials of substantially the same composition, and of compatible color and style, as the exterior of the home.
- The roof of every garage shall comply with the restrictions set in "LAND USE AND BUILDING TYPE" regarding allowable roof materials.

SETBACKS

- Each primary dwelling shall face the street, which abuts the front of the Lot upon which the dwelling is to be situated.
- No structure shall be placed within any setbacks requirement imposed by the City of Midland, Texas.

SIDEWALKS

- All sidewalks shall five feet (5') in width abutted to the curb or be separated from the back of curb by a 2 foot parkway.

FENCES

- Fences may be built of the following materials:
 - wood, in which case the wood may be allowed to age naturally, without stain or paint, or may be stained or painted, provided, however, that only stain or paint resulting in a natural, wood-like or earth-tone appearance shall be used.

- brick, in which case the brick shall be substantially the same color and type, or a compatible color and type, as the brick and/or stone used in construction of the home.
- Natural stone, in which case the stone shall be substantially the same color and type, or a compatible color and type, as the brick and/or stone used in construction of the home.
- Vinyl, in which case the vinyl shall be only white or earth-tone in color. Use of stucco in fence construction is allowed, providing that the color of such stucco shall be wood-like or earth-tone.
- Concrete “Rock Face” or Split Face” Block may be used providing the “Rock Face” or “Split Face” is visible to the neighborhood from any view.
- Regular concrete block, also known as cinder block, shall not be used in the construction of any fence.
- Gates shall be constructed of material of the same type and color as the adjacent fence or fences, except for necessary hardware.
- No fence constructed of metal, chain link, or wire materials, including but not limited to those intended for pets, shall be installed within, nor around the perimeter of, any lot unless such fence is in the back yard and is not, under normal circumstances, visible from outside the lot.
- Fences are not allowed in the front yard chain link or otherwise.
- No fence shall be more than eight (8) feet in height.
- All fences shall be maintained in such a manner as to prevent and remedy any unsightly deterioration or disrepair.

SEPTIC SYSTEMS

- No cesspool, outhouse or outside toilet shall be permitted on any lot.

- Toilets located in any Structure shall be connected to an approved public sewage disposal system.

EASEMENT

- Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the Plat.
- All power and utility lines, T.V. cables and all other like wires and lines shall be brought underground from the street servicing each lot to the welling, garage, or outbuilding on such lot, unless otherwise indicated.

NUISANCES

- No noxious or offensive activity shall be conducted on any lot, nor shall anything be done which would or may become an annoyance to the neighborhood.
- No recreational vehicles, including but not limited to boats, mobile trailers, and camping vans, shall be parked, maintained, stored or kept on any lot, unless such vehicle is maintained in the rear portion of the lot, on a concrete paved surface, and within the rear yard fence.
- Recreational vehicles maintained in the rear portion of the lot shall be located no closer to a side street or public right-of-way than ten (10) feet to the lot line, and shall be located no closer than five (5) feet to an exterior lot line.
- The parking of recreational vehicles will be subject to relevant ordinances established by the city.
- No bus, commercial truck, commercial trailer, nor any other like vehicle or equipment, shall be parked in the street in front of any Lot or be parked on the driveway or on any portion of any lot in such a manner as to be visible from the street, except for construction and repair equipment while a dwelling is being built or repaired.
- No junk vehicles or abandoned vehicles shall be stored, parked in the street in front of any lot, or be parked on the

driveway, or on any portion of a lot, in which the vehicles are visible from the street.

- Any vehicle, which is in a non-operating condition for five (5) consecutive days, or any such vehicle, which does not have a current state inspection sticker or license plate, shall be in violation of this restriction.
- The owner of each lot shall keep all weeds and grass thereon cut in a sanitary, healthful and attractive manner and shall in no event permit the accumulation of garbage or rubbish of any kind.
 - In the event these requirements are not met the Declarant may enter upon said lot, to cut weeds and grass, or remove garbage and may billed.

TEMPORARY STRUCTURES

- No outbuilding, nor any structure of a temporary character such as a recreational vehicle, trailer or tent, shall ever be used on any lot at any time as a residence either temporarily or permanently.

SIGNS

- No sign of any kind shall be displayed to the public view on any lot, except one sign of not more than five square feet, advertising the property is for sale.
- No sign of any kind shall be displayed to the public view on any lot at any time advertising the property for rent or lease.

OIL AND MINING OPERATIONS

- No oil drilling, oil development operations, oil refining, or quarrying, or mining operations of any kind shall be permitted upon or in any lot, nor shall oil wells, tanks,

tunnels, mineral excavations or shafts be permitted upon or in any lot.

- No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained or permitted upon any lot.

LIVESTOCK AND POULTRY

- No animals, livestock or poultry of any kind shall ever be raised, bred, or kept on any lot, except dogs, cats, or other household pets, provided that they are not kept, bred or maintained for commercial purposes.

GARBAGE AND REFUSE DISPOSAL

- No lot shall be used or maintained as a dumping ground for garbage or other waste, such waste shall be kept in sanitary containers.
- All containers and other equipment for storage or disposal of such waste materials shall be kept in clean and sanitary condition.

ANTENNAS

- No radio, television or other antennas or satellite dishes shall extend to a height higher than the highest point of the roof of any building and no such antenna or satellite dish shall be maintained on any lot not containing a dwelling.
- No antenna or satellite dish shall be placed within 60' of the front property line of any lot.