

This information provided as a courtesy by:

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**SNOW WOODS**

**PHASES THREE (3) AND FOUR (4)**

**DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS**

## **DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

## **SNOW WOODS PHASE THREE (3) AND PHASE (4)**

STATE OF TEXAS } KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF WILLIAMSON }

THAT SNOW WOODS, LLC, a Texas limited liability company and Kenneth Snow, Individually, both of Georgetown, Williamson County, Texas (collectively, the "Declarant") have caused to be surveyed and platted the lands hereinafter described under the subdivision name SNOW WOODS, Phases Three and Four, and have caused the same to be subdivided into blocks and lots and does hereby dedicate the utility easements shown on the plat to the utilities, and do hereby impose upon the below described lots the following restrictions for the benefit of all of the owners and purchasers thereof, as follows, to-wit:

## I. DESCRIPTION:

The property covered by these restrictions is as follows:

Snow Woods, Phases Three and Four, as shown on the plat recorded in Cabinet \_\_\_\_\_, Slides \_\_\_\_\_ of the Plat Records of Williamson County, Texas.

Said property, as a whole, is referred to herein as the "Subdivision" and individual lots therein are referred to as a "Lot" or "lot".

## II. RESERVATIONS:

The undersigned has declared that the aforesaid lots, which are shown on the plat above referred to, are held and shall be subject to the reservations, restrictions and covenants herein set forth.

### III. USE OF LAND:

All Lots in this Subdivision shall be used for single family residence purposes only. No structures shall be erected, placed, altered or permitted to remain on any one of said lots, other than the one detached single family dwelling of not more than two and one-half stories in height, together with private garages, carports, servant's quarters, storage room(s), underground pool or utility room. No building shall be erected on any lot, until after or coincidentally with the building of a dwelling thereon.

No more than one dwelling may be erected on any one lot, but the right is reserved to erect a dwelling on parts of any two lots as the same are defined on said recorded plat. No lot may be re-subdivided or cut into smaller parcels.

No residence of a temporary character shall be permitted on any lot. No shack, basement, garage, trailer, tent, barn or other outbuildings erected on or moved to any lot in the subdivision shall at any time be used as a residence, temporarily or permanently.

No noxious or offensive activity or profession shall be carried on in any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

#### IV. LOT AREA AND FRONTAGE:

Every dwelling erected on any Lot shall front or present a good frontage on the street on which said Lot fronts. The size, shape and frontage of any lot shall be defined, by the recorded plat of SNOW WOODS, Phases Three and Four.

#### V. SIZE AND CONSTRUCTION OF DWELLING AND PERMITTED USES:

Square Footage. Any dwelling of a single-store design constructed on any Lot shall contain a minimum of 2,500 square feet of air-conditioned floor area, exclusive of all porches, garages, decks, patios, breeze ways, terraces and balconies. Any dwelling of a two-store or greater story design constructed on any Lot shall contain a minimum of 2,700 square feet of air-conditioned floor area, exclusive of all porches, garages, decks, patios, breeze ways, terraces and balconies.

Exterior Materials. The exterior walls of all dwellings erected on said lots shall be 100% masonry. Hardi-plank is approved for chimneys and side and rear gables.

Roof. Roofs may be constructed of either (a) concrete or clay tile; (b) prefinished metal that has a dull finish upon installation; or (c) thirty (30) year composition shingles.

Bedroom and Bathroom Requirements. Any dwelling constructed on the property shall have a minimum of two bedrooms and a three piece bathroom, including lavatory, toilet and tub or shower connection to a septic tank, soil absorption, sewage disposal system, in accordance with the minimum recommendations of the Division of Sanitary Engineering, Texas State Department of Health, and inspected and approved by a duly authorized agent of Williamson County and Cities Health Department or their successor agencies.

Temporary buildings may be placed on the lots during the construction of the dwelling, but shall not remain there in excess of nine (9) months.

#### VI. GARAGES, OUTBUILDINGS, DRIVEWAYS, and FENCING:

Garages. All dwellings shall have a garage. All garages shall comply with all restrictions, covenants, conditions and limitations on use provided for other

improvements in the subdivision. All garages shall be suitable for not fewer than two automobiles. All garages shall consist of enclosed structures.

Outbuildings. Every outbuilding, except a green house, shall correspond in style and architecture to the dwelling on which it is appurtenant.

Driveways. All driveways must be constructed of concrete.

Fencing. All fencing must be constructed of wrought iron and/or stone. Wood fencing is prohibited. No fences shall exceed eight (8) feet in height.

#### VII. BUILDING SET BACK:

The restrictions covering the building set back from the street are set forth in the recorded plat of this subdivision above referred to in this description. No part of any building shall be nearer to the side property line than fifteen feet (15'), and the building set back lines on the plat on the front and rear of each lot shall also be used as a filtration strip for water pollution abatement and no construction of impervious cover shall be constructed on said area other than driveways, not exceeding a total of twenty-four feet (24') in width.

#### VIII. SIGNS, BILLBOARDS AND MISCELLANEOUS PROVISIONS:

The construction and maintenance of signs, billboards, and advertising structures of any kind on any lot is prohibited, except that one sign no larger than 2 feet by 3 feet in size, advertising the rental or sale of property shown on the recorded plat is permitted and on lots owned by builders an additional sign of the same size shall be allowed. Signs of larger size advertising the subdivision may be erected by the developer.

No tank for the storage of oil or other potential polluting fluids may be maintained on any of the Lots. Only normal household quantities of any toxins, pesticides, or other pollutants may be kept on the premises.

No animals, livestock, pigeons or poultry of any kind shall be raised, bred or kept on any lot except that dogs, cats and other household pets may be kept provided that they are not kept, bred or maintained for any commercial purposes. All animals shall be contained within the owners' Lot by fence, leash, or other comparable device. All dog pens or dog runs must be out of neighbors view. Landscaping shrubs may be used for a visual barrier. Invisible fences for the containment of pets shall not be allowed in the front yard and unfenced side yards and shall not be the sole means of containment. No animal shall be allowed to make an unreasonable amount of noise of to become a nuisance.

No building material of any kind or character 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 lots upon which the improvements are to be erected and shall not be placed within fifty feet (50') of the street.

No lot shall be used or maintained as a dumping ground for rubbish, trash, garbage or other waste. All rubbish, trash, or garbage shall be kept in sanitary refuse containers with tightly fitting lids. Except as necessary for purposes of effecting garbage

pickup, said containers shall be kept in an area of the Lot adequately screened from view by planting or fencing.

Said premises are to be kept in a neat and presentable condition and shall not have stored thereon old vehicles which are not used for a three month period or other unsightly objects.

No cars, trucks, airplanes or other vehicles of any character shall be placed, parked or stored overnight on the street in front of the dwelling thereon. Boats and recreational vehicles shall be stored out of sight from the street, behind the dwelling, or in a fenced landscaped area.

No fence, wall hedge or shrub planting which obstructs the view of traffic shall be placed or permitted to remain on any lot within twenty feet (20') of the intersection of the street and any driveway. No tree shall be permitted to remain within such distance of intersections unless the foliage line is maintained at sufficient height to prevent obstruction of the view of oncoming traffic.

No firearms shall be discharged.

#### IX. ANTENNAS AND SIGNALS:

No antenna or other device for the transmission or reception of television signals, radio, signals or any other form of electromagnetic radiation shall be erected, used or maintained on any lot, whether attached to a building, structure or otherwise. No radio signals, television signals or any other form of electromagnetic radiation shall originate from any lot which may unreasonably interfere with the reception of television or radio signals on any other lot.

#### X. IRRIGATION REQUIREMENTS FOR NEW INSTALLATIONS

- A. Permanent landscape irrigation systems are not mandatory.
- B. A permit must be obtained from Chisholm Trail Special Utility District, or its successors and assigns or any entity that acquires the retail water system and/or CCN of the Chisholm Trail Special Utility District and its successors and assigns (hereinafter, "CTSUD"), to install an irrigation system within the CTSUD water service area.
- C. A detailed design plan of the irrigation system shall be submitted to CTSUD at the time of permit application.
  1. For a new construction site, the detailed irrigation design plan and a plot plat must be submitted to CTSUD, when applying for the irrigation permit. The plot plan must present the irrigation design and the proposed landscaping.
  2. A detailed design plan for a new irrigation system at an existing residential location must be provided to CTSUD at the time the application for an irrigation permit is submitted.
  3. Detailed irrigation system plans must include the appropriate prescribed settings for the rain sensor and the moisture sensor, based on the water requirements of the plants and the soil depth at the site of installation.

4. Backflow prevention devices shall be installed in accordance with CTSUD and State regulation.
- D. All in-ground irrigation systems that are installed shall be zonal irrigation systems that are based on the water requirements of the landscaping and soil depth at the installation site.
- E. All irrigators installing irrigation systems shall provide to the irrigation system owner, in writing, the following.
  1. A recommended seasonal irrigation schedule and instructions specifying how to use the irrigation system and set the controller.
  2. A copy of the irrigation system design plan.
- F. The schedule and design plan shall be affixed to the irrigation controller or an adjacent wall, if the owner is not available at the time of installation.
- G. Irrigated turf and/or ornamental common areas at subdivision entryways and street intersections shall follow the requirements outlined below.
  1. Irrigated subdivision entryway landscaping shall not exceed 6,000 square feet.
  2. Irrigated landscaping areas at intersections within the subdivision shall not exceed 1,000 square feet each, with a maximum of one irrigated street intersection per 200 subdivision lots.
  3. Irrigated turf will be limited to 2.5 times the square footage of the primary foundation slab or 10,000 square feet, whichever is less.
- H. Irrigation systems installed in public/common areas shall be monitored once a month by the owner of such systems. Any required repairs or system adjustments shall be made within 3-calendar days of noting the need for system repairs or adjustments.
- I. Pop-up spray and rotor heads shall adhere to the following criteria on residential sites:
  1. Shall direct flow away from any adjacent impervious surface.
  2. Shall not be placed within four (4) inches from an impervious surface.
  3. Irrigation systems installed on residential lots may not irrigate an area larger than 2.5 times the site's foundation footprint or 10,000 square feet of landscape, whichever is the smaller, with spray or rotor irrigation heads.
  4. The use of drip irrigation, bubblers and micro-sprayers may be used to expand the irrigation coverage area, without being included in the area calculation for spray or rotor irrigation heads.
- J. Irrigation systems shall be programmed by the installer to meet the watering schedule of the CTSUD, as to both the required day and time of irrigation, at the time of installation.
- K. All automatic irrigation systems that are installed shall include an operational rain sensor and soil moisture sensor. These may be part of the original irrigation system or stand-alone products that are integrated with the irrigation system at the time of installation.
  1. For lawn/grass areas, one soil moisture sensor shall be located within the grassroot zone, for each 5,000 square feet, or part thereof, of grass landscape area.

2. For planter beds, one soil moisture sensor, located within the ornamental plant root zone, shall be installed for each 1,000 square feet, or part thereof, of planter bed area.
3. Pressure reducing valves and/or remote control valves shall be installed for each automatic sprinkler system which receives ambient system supply side pressure of greater than 80 psi. Automatic sprinkler systems shall not operate at point of application pressure of greater than 80 psi.
4. Irrigation systems shall not overspray onto hardscapes, driveways, sidewalks, and/or streets.
5. Low flow (i.e., less than 0.5 GPM per head) irrigation application systems shall be installed in areas less than 10 feet wide, such as median strips, and parking islands.

L. Automatic irrigation systems shall be programmed at the time of installation not to water during rain events or when soil moisture is higher than the programmed threshold of the installed soil moisture sensor.

M. The installation of any automatic irrigation system within the CTSUD water service area must comply with all regulations and requirements defined in Title 30 of the Texas Administrative Code, Chapter 344.

## XI. LANDSCAPING REQUIREMENTS FOR NEW CONSTRUCTION

A. Soil Depth Requirements.

1. At the time of new construction, landscape areas shall have a soil depth of at least 6 inches beneath the turf, except within 1 foot of a paved surface, in which case the soil depth may be tapered to 3 inches, if necessary for constructability.
2. Those landscaped areas with soil depth less than 6 inches shall be brought up to a 6 inch depth, through the addition of topsoil and soil amendments, before any landscaping can be installed. a. Topsoil shall be native soil from the site or fertile, loose, easily broken into pieces and, blended sand / loam / compost topsoil. b. Non-native topsoil shall contain at least 20% organic material.
3. No plants shall be installed where soil depth is less than 6 inches.
4. Areas of the site that are unaffected by construction, are uncultivated or remain in their natural state are exempt from soil depth requirement.

B. Caliche shall not be considered as soil.

C. Topsoil that is added to the site shall be incorporated in a 2 to 3 inch scarified transition layer to improve drainage.

D. Plant Choices. Plant choice for landscaping shall be local native plants that are naturally drought-tolerant, resistant to pests and diseases and shall be selected from CTSUD's Preferred Plant List found in the UDC Development Manual.

E. Plants shall be bedded by Hydrozone and irrigated accordingly.

F. Lawns and Turf Grasses. Turf installed on residential lots may not cover an area larger than 2.5 times the site's foundation footprint or 10,000 square feet, whichever is the smaller.

1. Any lawn or turf grass located within an irrigation area shall be fully sodded or seeded in a warm weather grass variety that has summer dormancy capabilities.
2. A requirement to irrigate turf grass that has summer dormancy capabilities, in order to avoid dormancy is not allowed.
3. The installation of Saint Augustine turf grasses is prohibited in a landscaped area with less than a 10 inch soil depth or on a site that is in full sun 6 or more hours a day.

G. A residential landscape plan, designed by a professional landscaper, identifying the required plantings and stating the soil depth, must be provided to CTSUD prior to obtaining a plumbing permit.

H. Landscaping installed at all new single-family or two-family developments may be inspected by CTSUD at time of final plumbing inspection.

I. Exemption

1. A site that is allowed to remain in its natural state or is landscaped 100% in plants native to its specific site location with no automatic irrigation system installed, is exempt from soil depth and turf area restrictions and is eligible to have a 5/8" water meter installed, and to pay a reduced impact fee.
2. In the event that an automatic irrigation system is installed at the site at a later date, the following criteria must be met. (a) The 5/8" meter must be replaced with a 3/4" or larger meter, (b) The incremental cost of the corresponding impact fee for the installation of the larger meter must be paid, (c) Landscape requirements, including but not limited to soil depth and turf area restrictions, must be met, and (d) No landscaping or irrigation incentives shall be provided to sites installing automatic irrigation systems where there was not one previously.
3. Sites that are one acre or larger in size may be exempt from the turf area limitations and soil depth requirements on qualifying sections of the site. Qualifications for the exemption are as follows. (a) The exemption applies only to the areas of the site *not* included in the 2.5 x the foundation footprint measurement for irrigable turf, (b) The additional turf on the site is not irrigated with an automatic irrigation system, and (c) The site only has plants that are native to the specific site location.

J. No more than 20% of a yard within public view may contain an unplanted area. An unplanted area is an area of more than 30 ft<sup>2</sup> without a plant.

K. Trees shall not be planted in a utility easement.

L. A minimum distance of (15') fifteen feet shall be maintained between all shade trees. A minimum distance of (8') eight feet shall be maintained between shade trees and a building's foundation. Trees are to be planted a minimum of (4') four feet from the curb.

M. In the front yards, builders shall incorporate a minimum of four tree species throughout the neighborhood. For a single block face, at least two different species shall be used.

N. Before digging deep into the ground, verify where utility lines are located. At least three days before you are ready to dig, call the CTSUD office at 254-793-3103 and call 1-800-dig-tess (344-8377) and provide the location of your exaction project.

**XII. UTILITIES AND DRAINAGE:**

Easements for installation and maintenance of utilities are reserved as shown on the recorded plat. All utilities are to be underground from pole to house.

**XIII. DURATION AND RIGHT TO ENFORCE:**

The covenants, conditions, and restrictions of the declaration shall run with and bind the land, and shall insure to the benefit of and be enforceable by the Declarant and by the owner of any lots subject to the restrictions in the declaration, and their respective legal representatives, heirs, successors, and assigns. It is further expressly understood that the Declarant or any one or more of the owners of the properties in said subdivision shall have the right to enforce the restrictive covenants and use limitations herein provided for said subdivision by injunction in order to prevent a breach thereof, or to enforce the observance thereof, which remedy however, shall not be exclusive of the Declarant or any other person or persons owning property in said subdivision injured by virtue of the breach, and in connection therewith. It is understood that in the event of a breach of these restrictions and use limitations by the owner of any lot or lots in said subdivision, it will be conclusively presumed that the other owners of lots in said subdivision have been injured thereby. It is further expressly understood that the Declarant shall continue to have the right to enforce such restrictive covenants and use limitations after all properties have been sold by them but shall have no obligation to do so. It is understood that all expenses, attorney fees, and court costs incurred in connection with the enforcement of such restrictive covenants and use limitations shall be borne by the party or parties seeking to enforce the same; and that the Declarant shall have no obligations to bear such expense, although they may contribute to such expense if they so desire.

The preceding paragraph shall not apply to Articles X and XI of these covenants, conditions and restrictions. Rather, Articles X and XI shall insure to the benefit of and be enforceable by Chisholm Trail Special Utility District (or its successors and assigns or an entity that acquires the District System or CTSUD's CCN) in accordance with their regulations.

The covenants, conditions and restrictions herein shall be effective until January 1, 2035, after which time said covenants, conditions and restrictions shall be automatically extended for successive periods of ten years, unless by a vote of three-fourths of the owners of lots in such subdivision, with each lot in such subdivision having one vote, taken prior to the expiration of said twenty-year period or for any current extended period, and filed for record in the Official Records of Williamson County, Texas. It is agreed that these restrictive covenants and use limitation shall terminate as to said subdivision at the end of such twenty-year period or current extended period. However, the terms and conditions of these deed restrictions shall not cease without the approval of the City of Georgetown and Chisholm Trail Special Utility District (or its

successors and assigns or an entity that acquires the District System or CTSUD's CCN) in accordance with their regulations in accordance with the platted subdivision restrictions.

**XIV. BINDING:**

All covenants and restrictions shall be binding upon the purchaser, his heirs, Executors, administrators, successors, and assigns, and said covenants and restrictions for the benefit of all lot owners within the subdivision or any Phase thereof.

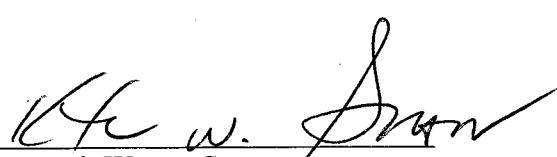
**XV. RIGHT TO ASSIGN:**

The Declarant by appropriate instruments may assign or convey to any person, organization, or corporation purchasing all the remaining lots in the Subdivision or resale any or all of the rights, reservations, easements, and privileges herein reserved by the owner. When such assignment or conveyance is being made its assigns or grantees may, at their option, exercise, transfer, or assign such rights, reservations, easements, and privileges or any one or more of them at any time or times in the same way and manner as though directly reserved by them or it in this instrument.

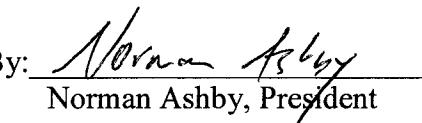
**XVI. PARTIAL INVALIDATION:**

Invalidation of any one of these covenants or restrictions by judgment or court order shall in no way invalidate any of the other provisions, which shall remain in full force and effect.

EXECUTED this 20 day of January, 2015.

  
Kenneth Wayne Snow

**SNOW WOODS, LLC**

By:   
Norman Ashby, President

**ACKNOWLEDGMENT**

STATE OF TEXAS

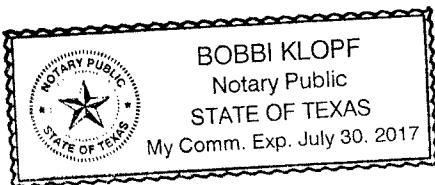
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COUNTY OF WILLIAMSON

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This instrument was acknowledged before me on the 20 day of January, 2015, by **KENNETH WAYNE SNOW**.

  
NOTARY PUBLIC STATE OF TEXAS



#### ACKNOWLEDGMENT

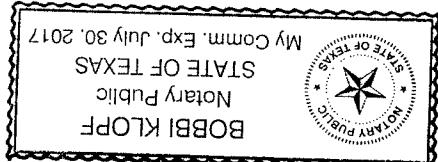
STATE OF TEXAS

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COUNTY OF WILLIAMSON

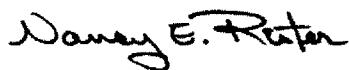
This instrument was acknowledged before me on the 20 day of January, 2015, by **NORMAN ASHBY, PRESIDENT OF SNOW WOODS, LLC**, on behalf of said entity.

  
NOTARY PUBLIC STATE OF TEXAS



AFTER RECORDING RETURN TO:

**FILED AND RECORDED**  
OFFICIAL PUBLIC RECORDS 2015009783





Nancy E. Rister, County Clerk

Williamson County, Texas

February 09, 2015 02:15 PM

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John Readyhough  
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