

EXECUTED as of the date first set forth above.

ASSOCIATION:

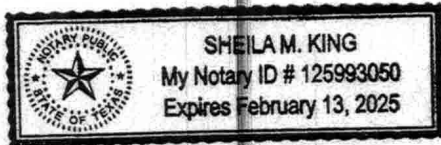
PROVIDENCE HOMEOWNERS ASSOCIATION, INC.
a Texas nonprofit corporation

*Sent to Atty
to file
4/6/2022*

By: Donald L. Fisher
Name: Donald L. Fisher
Title: PRESIDENT

STATE OF TEXAS §
§
COUNTY OF DENTON §

On this 6 day of January, ~~2021~~ ^{2022 (SL)}, before me, the undersigned notary public, personally appeared Donald Fisher, PRESIDENT of PROVIDENCE HOMEOWNERS ASSOCIATION, INC., a Texas nonprofit corporation, known to me to be the person whose name is subscribed to the within instrument, and acknowledged that she or he executed the same for the purposes and consideration set forth therein.



Sheila M King
Notary Public, State of Texas

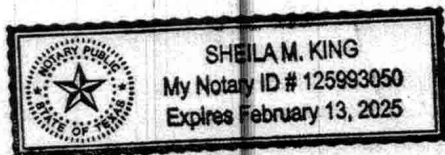
ATTEST:

I, as Secretary of the Association, hereby confirm that the Reviewer (the Board of Directors) properly voted to adopt this Amendment.

ROB VAUGHAN
Rob Vaughan, Secretary

STATE OF TEXAS §
§
COUNTY OF DENTON §

On this 6 day of January, ~~2021~~ ^{2022 (SL)}, before me, the undersigned notary public, personally appeared Rob Vaughan, Secretary of PROVIDENCE HOMEOWNERS ASSOCIATION, INC., a Texas nonprofit corporation, known to me to be the person whose name is subscribed to the within instrument, and acknowledged that she or he executed the same for the purposes and consideration set forth therein.



Sheila M King
Notary Public, State of Texas

**SECOND AMENDMENT TO THE RESIDENTIAL DESIGN GUIDELINES
AND REVIEW PROCEDURES NEW CONSTRUCTION**

WHEREAS, the Association is governed by that certain Declaration of Covenants, Conditions and Restrictions for Providence, recorded on or about June 12, 2002, in Volume 5105, Pages 2787 of the Official Records of Denton County, Texas (together with its amendments and supplements, the "Declaration");

WHEREAS, in accordance with the Declaration, the Association is subject to those certain Residential Design Guidelines and Review Procedures New Construction dated April 17, 2008, and filed of record on April 28, 2008, as Document No. 2008-45290 of the Official Records of Denton County, Texas (the "Design Guidelines");

WHEREAS, pursuant to Section 3.4 of the Declaration, the Reviewer, being the Board of Directors of the Association, may amend the Design Guidelines;

WHEREAS, the Reviewer has previously adopted that certain First Amendment to the Residential Guidelines and Review Procedures New Construction, which was filed of record on January 11, 2017, as Instrument No. 4129 in the Official Records of Denton County, Texas;

WHEREAS, the Reviewer desires to further amend the Design Guidelines for the purpose of providing parameters for Providence with respect to the use of Xeriscape Landscaping (defined below);

NOW, THEREFORE, the Association hereby amends the Design Guidelines as follows:

1. Landscaping. Subsection 3.1.2(6) of the Design Guidelines is hereby deleted in its entirety and restated to read as follows:

(6) **Xeriscape Landscaping**

a. Definition – Xeriscape Landscaping (also referred to herein as "Xeriscaping") means using native and adapted plants that grow and sustain themselves with low water requirements and that can tolerate heat and drought conditions. The advantages of Xeriscaping include:

- Substantial cost savings on water bills
- Conservation of diminishing water resources during drought periods
- Prevention of pollution of surface and groundwater from environmentally harmful runoff
- Reduced yard maintenance requirements
- Pride in doing something substantial to protect a fragile environment

b. Approval for Changes

Prior to changing a Lot's landscape to include Xeriscaping, an Owner must submit a request for approval to the ARC. The request must include an outline of the

Xeriscaping project and a design plan, including details of the types of plants, non-turf ground covers, border materials, and hardscape materials to be used. Owners should allow thirty (30) days for approval of the request; the ARC may request additional information or changes to the plan that may cause final approval to take longer. Installation of the new Xeriscaping cannot begin until the request has been approved. If not approved, the request is automatically denied.

c. Landscape Beds

Landscape beds may contain a substrate of river rock, decomposed granite, ground or chipped hardwood mulch, crushed limestone, paver stones, and flagstone. Colors should be in earth tones (off-white, tan, brown, etc.). Prohibited materials include colored glass mulch, nut shells and husks, rubber mulch, red or black lava rocks, concrete or cement spans larger than a paving stone, and anything that may be sharp or toxic to animals.

If river rock is used, such rocks shall not be less than three inches (3") in diameter, unless a variance is granted by the ARC. Rocks of any type may also not be used on side yards, along driveways, or in alleyways along fences. Rocks used for drainage purposes must be approved by the ARC. Furthermore, plants must constitute a minimum of fifty percent (50%) of landscape beds.

All landscape beds must be maintained to prevent weed growth, preferably without using toxic or environmentally harmful chemicals.

d. Plants

For public safety, no plants with thorns, spines, or sharp edges can be used within six feet (6') of the public sidewalks. Where applicable, no plants higher than twelve inches (12") may be planted in the sidewalk strip (e.g., the area between the sidewalk and the street, if applicable), as this constitutes a visual safety hazard to pedestrians and drivers. Plant beds must be kept weed-free; no plants may encroach on public sidewalks. Sickly and dying plants must be removed and replaced. Perennials that die during winter must be cut back to remove dead material. This includes most ornamental grasses and other flowering perennials that go dormant to the ground in winter. Mulched areas must have fresh mulch reapplied as needed. Owners should plan to re-mulch at least once per year.

e. Borders

In publicly visible areas of the yard, professional landscape borders that clearly define the Xeriscaped areas from turfed areas must surround the Xeriscaped areas. Borders must consist only of stone or brick masonry; borders may not consist of wood, plastic, rubber, or metal. Any proposed bordering must receive prior approval of the ARC. Brick masonry must be approved for color and type; if brick units are used, they must be solid units, not those with exposed holes. No "common" bare concrete blocks are permitted. Individual stones may be "dry-fit" (do not need to be cemented together) as long as they do not exceed three (3) feet in height, and

are positioned in a way as to maintain stability if kicked, nudged, or run into with a lawnmower. Any retaining walls or raised beds in excess of three (3) feet in height must be engineered. If the ARC determines there is any safety risk in a design or finished project, Owners will be required to modify or remove the structural element/retaining wall. Borders must be maintained as part of the landscaping and kept in attractive condition.

Tree rings may contain river rock (with rocks at least 3" in diameter), and all tree rings must employ a professional stone border.

f. Turf Grasses

Owners should consider replacing "thirsty" turf grasses such as St. Augustine with turf that has lower water requirements. Typical turf grasses for Providence include Buffalo grass, Zoysia, and Bermuda. However, no one turf grass is ideal for all situations, so Owners should carefully consider the amount of sunlight their lawns receive before choosing a new turf grass.

g. Hardscapes

Hardscapes can include large boulders or other natural materials that are used as part of a Xeriscaped landscaping design. Urns, pots, and other man-made ornamentation can add variety, but are not to exceed four (4) items in public view. Any proposed landscape "decorative items" such as birdbaths, statuary, or other similar non-vegetative items must be approved by the ARC.

h. Xeriscape Maintenance

Xeriscaped areas are subject to the same maintenance requirements as other landscaping and must be maintained at all times to ensure an attractive appearance. Plants must be trimmed, beds must be kept weed-free, and the permitted borders must be established. No plants may encroach on the street. Sickly and dying plants must be removed and replaced. Perennials that die during winter must be cut back to remove dead material. This includes most ornamental grasses and other flowering perennials that go dormant to the ground in winter.

i. Weed Barriers / Landscaping Fabric:

Any materials used to restrict weed growth must be hidden from view (covered by mulch or other acceptable substrate). Homemade weed barriers such as old newspapers and cardboard may be used, as long as they are non-toxic and not visible.

- j. In the event of any inconsistency between the provisions of this Section 3.1.2(6) and any other provision of the Design Guidelines, the provisions of Section 3.1.2(6) will control.

**RESOLUTION OF THE BOARD OF DIRECTORS
OF
PROVIDENCE HOMEOWNERS ASSOCIATION, INC.
ADOPTING
SECOND AMENDMENT TO THE RESIDENTIAL DESIGN GUIDELINES AND
REVIEW PROCEDURES NEW CONSTRUCTION**

WHEREAS, the Association is governed by that certain Declaration of Covenants, Conditions and Restrictions for Providence, recorded on June 12, 2002, in Volume 5105, Pages 2787 of the Official Records of Denton County, Texas (together with its amendments and supplements, the "Declaration");

WHEREAS, in accordance with the Declaration, the Association is subject to those certain Residential Design Guidelines and Review Procedures New Construction dated April 17, 2008, and filed of record on April 28, 2008, as Document No. 2008-45290 of the Official Records of Denton County, Texas (the "Design Guidelines");

WHEREAS, pursuant to Section 3.4 of the Declaration, the Reviewer, being the Board of Directors of the Association, may amend the Design Guidelines;

WHEREAS, the Reviewer has previously adopted that certain First Amendment to the Residential Guidelines and Review Procedures New Construction, which was filed of record on January 11, 2017, as Document No. 4129 in the Official Records of Denton County, Texas;

WHEREAS, the Reviewer desires to further amend the Design Guidelines for the purpose of providing parameters for Providence with respect to the use of Xeriscape Landscaping (defined below);

WHEREAS, the Reviewer has voted to adopt that certain Second Amendment to the Design Guidelines attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED, that the Association hereby adopts that certain Second Amendment to the Residential Design Guidelines and Review Procedures New Construction attached hereto as Exhibit A, which establishes policies pertaining to the use of Xeriscape Landscaping.

{SIGNATURE PAGE FOLLOWS}

EXHIBIT A

SECOND AMENDMENT TO THE RESIDENTIAL DESIGN GUIDELINES
AND REVIEW PROCEDURES NEW CONSTRUCTION

[ON FOLLOWING PAGE(S)]