

The Crossing at Waterford

www.waterfordcrossing.org



Modification Guidelines

MODIFICATIONS GUIDELINES

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The subjects listed below are not all-inclusive but may be considered as exterior modification candidates by a property owner. These guidelines can be modified without notice at any time.

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INTRODUCTION

DEFINITION OF MODIFICATIONS

A modification is defined as any alteration, change, remodeling, restoration, addition or renovation to any building, structure, fence, wall or improvement of any kind or nature.

After a new house has been completed, in accordance with the approved plans, and occupied, the Modifications Committee (MC) becomes responsible for reviewing all modifications to the exterior of the structure and site. The MC consists of members appointed by the Board of Directors of the Association.

WHO IS SUBJECT TO THE APPROVAL PROCESS?

All property Owners are responsible for obtaining the necessary review and approval to comply with the terms of the Declaration of Covenants, Conditions, & Restrictions for The Crossing at Waterford. The builder will most often be responsible for new constructions and Property Owners will generally be responsible for modifications. Each application is reviewed on an individual basis.

WHO ADMINISTERS THE APPROVAL PROCESS?

The administration process for approval begins with the MC.

THE REVIEW PROCESS

When a new house is completed and ownership changes hands from the builder to the resident, the resident agrees by the mere act of purchasing a property at The Crossing at Waterford to abide by the Declaration of Covenants, Conditions & Restrictions. Part of that responsibility is to submit to a review process prior to the start of an exterior modification.

Submissions for any exterior modification are made to the MC, which is the sole governing authority to administer this process. The MC can be appointed by the Board of Directors of The Crossing at Waterford Homeowners Association, Inc or formed by any other process the Board of Directors finds adequate.

The “steps” listed below describe the sequence of events necessary to complete THE REVIEW PROCESS.

- 1) Obtain Modification application form/s from Neighborhood Management, Inc (NMI) or the web site www.waterfordcrossing.org.
- 2) “Fill Out” the modification application and return it to NMI, along with the necessary supportive materials (i.e., drawings, pictures brochures, plats, etc). (INCOMPLETE FORMS WILL NOT BE ACCEPTED)
- 3) Return your completed and signed form by fax or mail to NMI.

Fax: 972-359-1171

Mail: The Crossing at Waterford Homeowners Association
c/o Neighborhood Management, Inc
P.O. Box 1567
Allen, TX 75013

- 4) The MC meets on an as needed basis (no less than one time per month) and the results of the committee’s decision will be mailed to you.

REMINDER:

Don’t start any project without prior approval. The MC will not be held responsible for any projects that are started without the approval of a request pursuant to the DCCR.

DISCLAIMER:

This booklet has been developed as a guideline. It is a quick reference guide and not meant to replace the DCCR, only to assist in interpreting the DCCR. If you do not see something listed in this document please refer to the DCCR or contact the MC.

Waterford Crossing Modification Guidelines

APPURTENANCES (Antenna, Satellite Dish, Exterior Weather Devices)

Size: Diameter of the dish is not to exceed one meter (39 inches).

Color: All satellite dish antennae, including the support structure and related equipment, must be earth tone.

Location: (SEE PG. 6 FOR VISUAL PLACEMENT LOCATIONS)

- 1) Placement of the dish shall be in the rear yard or side yard behind the primary fence line.
- 2) Dishes should not be placed in the prominent visual locations, such as on top of a chimney, fence, balcony-railing or roof ridge, and may not be located on roof surfaces that directly faces the street.
- 3) Dishes may not encroach upon any public right-of-way, common area, or adjacent property.

Placement is prohibited: (see below)

- a. On a pole/supporting structure that is
 - i. In front of the façade of the house.
 - ii. Outside the perimeter of an approved fence
 - iii. Within the perimeter of an approved fence that causes the satellite dish to exceed the height of the fence by two feet.
- b. On any part of an approved fence
- c. On any part of the front half of the house, unless fully blocked from view of front and/or side residential streets closest to the house.

Safety Considerations: Safety precautions related to maintenance, installation, distance from utility lines, grounding requirements, etc., are the sole responsibility of the property owner.

Variations: Variations to these restrictions may be granted by the MC provided the Property Owner can provide evidence that the above restrictions would impair signal reception, cause an unreasonable increase in cost of installation, maintenance or access of the device, or would cause a legitimate safety concern.

Pre-Approvals: Satellite dish antennae and High Definition antennae 39 inches or less in diameter are pre-approved and require no application, permit or inspection if they comply with the requirements for Small Satellite Dishes and High Definition antennae as contained in this section.

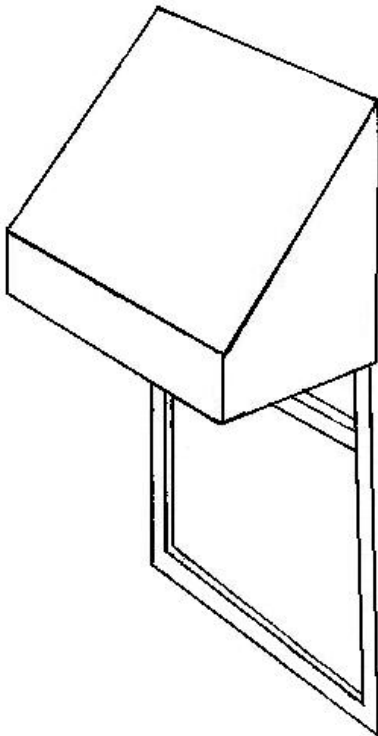
Please see illustration on back of page.

Waterford Crossing Modification Guidelines

AWNINGS/SCREENS

Awnings must be “simple” in design and compatible with the architecture and building scale. Colors of the awning and its support structure must be solid earth toned (i.e. dark green, gray, black, bronze, etc) and compatible with the existing building colors. “Bright” colored, multi-colored and striped (i.e., red, yellow, violet, etc.) are not acceptable. The covering of the awning must be made of fabric. Scalloped-edge or decorative edge awnings are not allowed.

Screens intended for windows shall be integral with the windows, earth toned in color and complementary of the house.



Solid earth toned colored awning, compatible with the existing building colors

APPLICATION CONTENTS:

1. A completed and signed MC Request Form
2. A building plan or photograph showing the awning location.
3. An awning material sample depicting your preferred color selection.

Waterford Crossing Modification Guidelines

BASKETBALL BACKBOARDS & SPORTS APPARATUSES

There is to be no permanent installation of basketball goals or other recreational or sporting equipment in a front yard, on a front driveway, in an unfenced portion of a side yard, or on the street side exterior portion of a dwelling. No recreational or sports equipment may be “permanently” attached, mounted, or installed on the home. Basketball goals are limited to one per property.

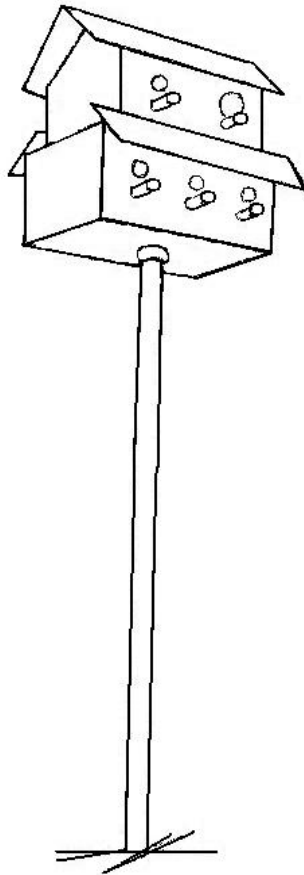
APPLICATION CONTENTS:

1. A completed and signed MC Request Form
2. A copy of your plat indicating the proposed backboard/pole location in relation to the existing house.

Waterford Crossing Modification Guidelines

BIRDHOUSES/FEEDERS

If visible from any street or adjacent street, pole mounted birdhouses are limited to two (2) per property, confined to the rear or side property (except corner lots which front two streets) area and not exceed 15' overall height. Pole material is to be limited to wood or metal, painted dark earth tone (preferably black) and maintained as required.



APPLICATION CONTENTS:

1. A completed and signed MC Request Form
2. A copy of your plat indicating the proposed birdhouse/pole location in relation to the existing house.
3. A brochure or picture depicting the proposed birdhouse/pole.

Waterford Crossing Modification Guidelines

DECKS & PATIOS

You must send in a request for all decks and visible patios.

APPLICATION CONTENTS:

1. A completed and signed MC Request Form
2. A copy of your plat indicating the proposed patio or deck location in relation to the existing house.
3. Plans that indicate dimensions and features (colors, materials, screening, benches, railings and other significant details).

Waterford Crossing Modification Guidelines

FENCES & GATES

Fences and gates visible from the streets adjacent to the property of the house are permissible if the following guidelines are followed:

1. Proper completion of the MC Application process (see below for contents)
2. Fence and gate designs must be one of the following types:
 - a. Shadow box
 - b. Solid Panel
 - c. Board on Board
 - d. Wrought Iron—6' maximum ht. hollow or solid square tubes that are ½" vertical pickets, 1" horizontal framing members and 2" posts. Spikes will not be permitted on the tops of the fencing. Fence must be black in color.
3. Fence and gate materials are limited to wood panels, wood posts or metal posts. Chain link fences are not acceptable
4. Fence and/or gate height is limited to 8 feet per City of Allen code. Except wrought iron, which is restricted to 6' height maximum.
5. Fence location must be within the parameter of the plat.

Wood Fence Painting or Staining:

Wood fence can be permitted to weather to its natural color. Any paint or stain must be of natural wood colors. Color paints will not be permitted to include colors such as red, orange, green, white, etc. All fencing must be the same color/stain. If pickets are replaced on a wood fence the consistency of the fence must be maintained in respect to color whether, it is naturally weathered, stained, or painted.

The homeowner is responsible for maintaining an appearance consistent with that of the house in terms of structural integrity, consistent stain/color, and general consistent appearance. All wood panels and wood posts must be maintained to keep with their original intended purpose. For example, vertical wood panels must be firmly fastened to the horizontal wood panels.

APPLICATION CONTENTS:

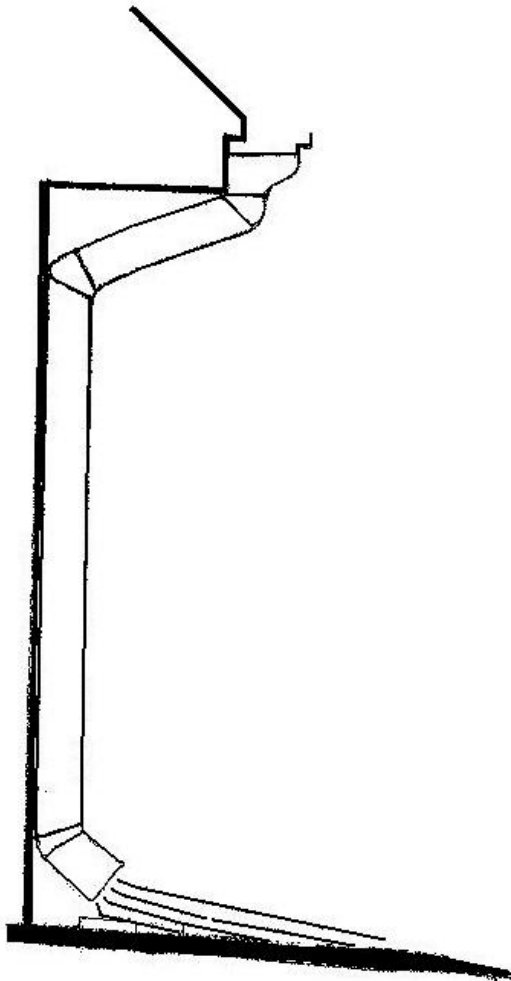
1. A completed and signed MC Request Form.
2. A copy of your plat indicating the proposed location of the fence in relation to the existing house
3. A drawing, brochure, or picture of the proposed fence with intended materials, size and color clearly identified and marked.

Waterford Crossing Modification Guidelines

GUTTERS/DOWNSPOUTS

Gutters and downspouts must match the trim on your house. The dispersal of the downspout must direct water onto your lot and “sheet flow” by the time the water reaches your property line.

Piped drainage must not have an outlet, which directs water onto adjoining lots.



APPLICATION CONTENTS:

1. Application not required if you comply with the above guidelines.
2. If there are questions with the interpretation of the above guidelines, please contact Management Company.

Waterford Crossing Modification Guidelines

LANDSCAPING

The homeowner can add/change landscaping under the following conditions **(these guidelines apply to all areas visible from streets adjacent to the property of the house)**:

1. Any and all trees, shrubs, plants, flowers, etc. must be planted within the plat boundary, including any additional growth or overhang. If there is potential for overhang of trees to a neighboring yard or common area, the homeowner will not be permitted to plant in that location.
2. Any shrubs planted in front of a window must not exceed the midpoint of that window.
3. Landscape improvements must not negatively impact existing drainage.
4. Landscaping must not impede sight lines needed for safe traffic movement.

APPLICATION CONTENTS:

1. None required provided you comply with the above guidelines.
2. If there are questions regarding the interpretation of the above guidelines please contact the Management Company.

Waterford Crossing Modification Guidelines

LANDSCAPING BORDERS

1. Brick edging must complement house brick and must be mortared in place. **In no instance will loose common brick be allowed. Holes showing on brick will not be acceptable.**
2. Landscape stone, i.e. Windsor Stone/Pavestone, is allowable if complementary in color to house brick and installation is of good quality. They **must** be level.
3. Natural rock and flagstone are acceptable borders. It is recommended that they are mortared in place, but it is not required. They **must** be level if more than one row high.
4. Gravel used as the main ground cover or lawn in a publicly visible yard is not permitted.
5. Railroad ties and picket fencing is not permitted.
6. Other forms of landscaping trim will need approval of the MC prior to installation. **
7. Landscaping concrete items (birdbaths, pots, etc) cannot exceed 36 inches in height.

APPLICATION CONTENTS:

1. None required provided you comply with the above guidelines.
**Item 6 will always require MC approval.
2. If there are questions regarding the interpretation of the above guidelines please contact the Management Company.

Waterford Crossing Modification Guidelines

PAINTING/STAINING/COLOR CHANGES

Property owners who wish to re-paint their house with the same original house color do not have to submit a modification application. Property owners who elect to change their house color from the originally approved color are required to submit a modification application. Property owners who elect to stain their fence see guidelines for fence staining.

APPLICATION CONTENTS:

1. A completed and signed MC Request Form
2. A picture of the existing house showing current paint/stain, brick colors, and stone colors.
3. A sample of stain or paint color, manufacturer and color specifications (color name and number).

Waterford Crossing Modification Guidelines

PLAY EQUIPMENT

Play equipment is limited to the backyard. Equipment shall not exceed an overall height of 12'. Wood structures must be of new timber, preferably redwood or cedar. Metal or plastic play equipment is permitted as long as the overall height does not exceed the property's current fence height. Awnings may be composed of wood that matches the color of the structure or fabric. All structures must be maintained to a quality appearance.

APPLICATION CONTENTS:

1. A completed and signed copy of the MC Request Form.
2. A copy of your plat indicating the proposed location of the play equipment in relation to the existing house including distance from property lines.
3. A drawing, brochure or picture of the proposed structure including material size and color.

Waterford Crossing Modification Guidelines

POOLS/SPAS/HOT TUBS

All pools, spas and hot tubs are to be located in side or rear yards and abide by City of Allen standards. Pool, spa and hot tub equipment must be enclosed by fencing. Above ground, masonry block, vinyl lined and low hung vinyl lined pools will not be approved.

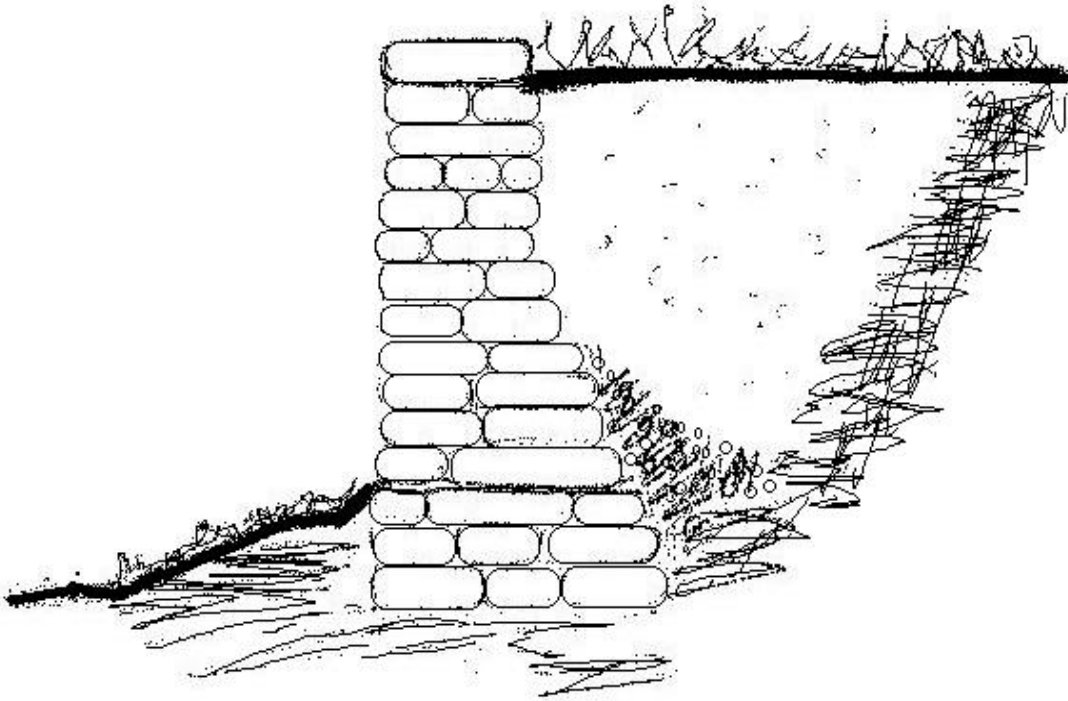
APPLICATION CONTENTS:

1. A completed and signed copy of the MC Request Form.
2. A copy of your plat indicating the proposed pool, spa or tub location, decking and fencing in relation to the existing house.
3. Construction drawings indicating the pool and its support equipment.

Waterford Crossing Modification Guidelines

RETAINING WALLS

All retaining walls require MC approval. All retaining walls higher than 2ft require a city permit in addition to MC approval. Walls must be constructed of “natural” and neutral color materials. Landscape timber is not recommended.



APPLICATION CONTENTS:

1. A completed and signed MC request form.
2. A copy of your lot layout showing the proposed retaining walls location in relation to existing house.
3. A sketch, drawing or picture of the proposed wall showing materials to be used including pattern and color.

Waterford Crossing Modification Guidelines

ROOF REPLACEMENTS

The roof material must compliment the other exterior materials of the house. All roof replacements are required to make a submission unless the roof is being replaced with the exact same roof (material and color).

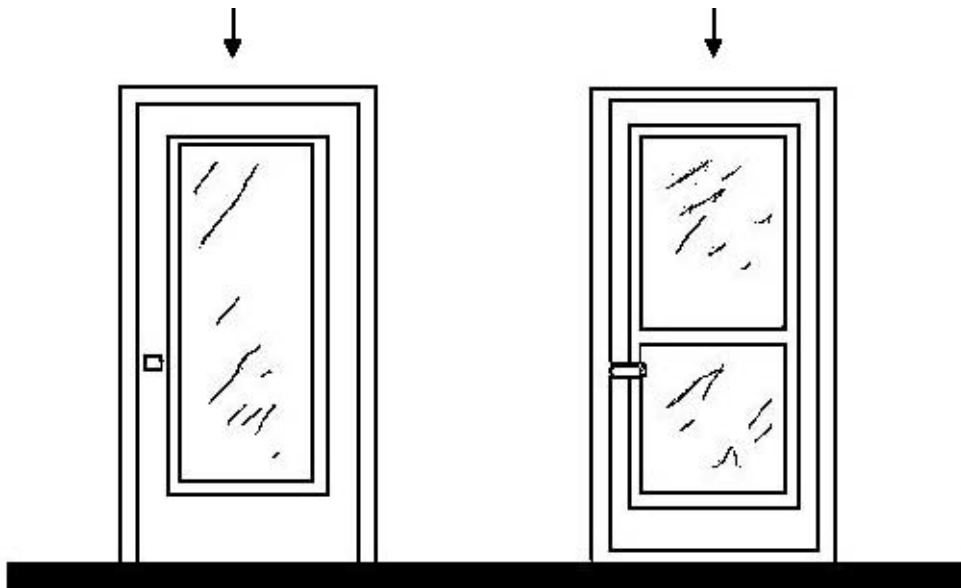
APPLICATION CONTENTS:

1. A completed and signed MC Request Form
2. Brochure or sample of roof material and color.

Waterford Crossing Modification Guidelines

SCREEN AND STORM DOORS

The proposed screen or storm door shall be without ornamentation or grillwork. Screen and storm doors shall be finished in a color to match or complement the house trim. Storm doors shall have transparent glass. Screen doors shall have a screen mesh (dark in color) with an even transparent look. Storm doors should be simple in design. The entire surface of storm/screen door must be glass or screen mesh. Storm doors should be simple in design.



Storm door with transparent glass

Storm door with transparent mesh

APPLICATION CONTENTS:

1. None required provided you comply with the above guidelines.
2. If there are questions with the interpretation of the above guidelines, please contact the Management Company.

Waterford Crossing Modification Guidelines

SHEDS

Sheds must be located behind an approved fence. Overall shed height must not exceed fence height. Sheds must be located at least 3 feet from any property line per City of Allen code. If visible from streets adjacent to the property of the house: exterior siding and trim material is limited to wood, brick, stone, fiber cement, and/or vinyl that matches the majority color and texture of the house, and exterior roofing material must match the roofing of the house in color, texture and material.

The homeowner is responsible for maintaining an appearance consistent with that of the house. All sheds are subject to City of Allen ordinances with a City of Allen permit required.

APPLICATION CONTENTS:

1. A completed and signed MC Request Form
2. A copy of your plat indicating the proposed location of the shed in relation to the existing house
3. A drawing, brochure, or picture of the proposed shed with intended materials, size and color.

Waterford Crossing Modification Guidelines

SHUTTERS

Shutters must be proportioned and sized to match windows/doors. The shutter width must equal one half of the overall window width (i.e., a 3' wide window should have a pair of 1'-6" wide shutters). The intent is to provide for a visually operable shutter. The shutter color should be compatible with the color scheme of the house. Wood shutters are allowed as long as properly stained and treated.

APPLICATION CONTENTS:

1. A completed and signed MC Request Form
2. A copy of your plat indicating the proposed shutter location/s on the existing house.
3. An elevation drawing or picture of the existing house, shutter and proposed color.

Waterford Crossing Modification Guidelines

SOLAR SCREENS

Solar screens are an exterior modification and therefore require approval of the MC. Frame and screen color should be compatible with the exterior color of the house.

APPLICATION CONTENTS:

1. A completed and signed MC Request Form
2. A picture of the house showing the windows to be covered.
3. A drawing, brochure, or picture of the proposed solar screens with intended materials and color.

SWINGS/YARD FURNITURE

All yard furniture, visible from a street, including swings of all types will need MC approval prior to placement. This is per the DCCR that states all exteriors and landscape modifications must receive approval.

APPLICATION CONTENTS:

1. A completed and signed MC request form.
2. A copy of your lot layout showing the location of the proposed structure
3. A drawing, brochure, or picture of the proposed yard furniture including materials and color.

Waterford Crossing Modification Guidelines

TRELLISES / ARBORS / GAZEBOS

All structures must be submitted for approval prior to construction.

APPLICATION CONTENTS:

1. A completed and signed MC request form.
2. A copy of your lot layout showing the location of the proposed structure (trellis, arbor, or gazebo).
3. An elevation drawing of the proposed structure. Please indicate color/finish.

Waterford Crossing Modification Guideline

MISCELLANEOUS

In the event of a conflict between these Guidelines/Procedures and the terms of the Declaration, the latter shall prevail.

WAIVER, AMENDMENT AND THIRD PARTY BENEFIT

As described in the Declaration of Covenants, Conditions, and Restrictions, these Design Guidelines may be waived, amended or modified from time to time. The MC, its agents, representatives or employees shall not be liable for failure to follow these Design Guidelines as herein defined. These Design Guidelines confer no third party benefit or rights upon any Entity, Person or Builder.

NON-LIABILITY OF THE MC

As described in the Declaration of Covenants, Conditions and Restrictions, the MC shall not be liable to anyone submitting plans for approval in accordance herewith or to any other Person for damages (whether direct, indirect, consequential or otherwise) arising out of or in connection with:

- (a.) the approval or disapproval or failure to approve or disapprove any such plans;
- (b.) enforcement or failure to enforce any site maintenance or other requirement hereof;
- (c.) the approval or disapproval of, or failure to approve or disapprove, any architectural, landscaping, development or other plans for improvements to any property adjacent to, or situated on or in the proximity or the Properties;
- (d.) the development or construction of, or the failure to develop or construct, any improvements (including landscaping) on lands adjacent to or in the proximity of the Properties;
- (e.) Defects (whether latent or otherwise) in such plans. Anyone submitting plans for review agrees not to seek any such damages against the MC. In addition, each owner shall release and hold harmless the MC, and the members thereof from any and all liability, including attorneys' fees and court costs actually incurred, regardless of whether suit is brought or any appeal is taken there from, arising out of any approval given or denied n/by the MC

ACCURACY OF INFORMATION & REPRESENTATION

Applicants making submissions to the MC shall be responsible for accuracy of and verification of data. A portion of this data might include site dimensions, grades, elevations, utility locations and other features of the property. Property Owners represent by the act of entering in the MC review process, all representatives of the property owner (i.e., architect, engineer, builder, subcontractors, etc.) shall be made aware by the property owner of all applicable requirements set forth by the MC and shall abide by these Design Guidelines with respect to approval of plans and specifications.

USE RESTRICTIONS

The Board of Directors of The Crossing at Waterford Homeowners Association, Inc. may from time to time promulgate use restrictions governing the use of lots and Association common areas. The property owner should review any such use restriction to ensure lot improvements are in compliance with such use restrictions.

REGULATORY COMPLIANCE

Plans submitted for review must comply with all applicable building codes, zoning ordinances and other local and federal codes as they pertain to the modifications. It is the property owner's responsibility to obtain all necessary permits and ensure all governmental compliance. Regulatory approvals do not preclude the authority and responsibility of the MC for design review and approval by the MC does not preclude the property owner from obtaining any necessary governmental approvals.

ENFORCEMENT POLICY

The Board of Directors has adopted the following procedures and practices for the enforcement of the provisions of the Declaration of Covenants, Conditions, and Restrictions, Modifications Guidelines and for the elimination of violations of the Declaration and the rules promulgated thereunder. These procedures were adopted in an effort to encourage owners to comply with the Association's governing documents. The policy is as follows:

1. PROCESS OF NOTIFICATION – Prior to imposing a fine, the Board of Directors or Architectural Modifications Committee (MC) must give an owner a written notice of violation and an opportunity to cure the violation. The following steps must be followed with supporting documentation kept on file in order to impose a fine:

i. First Notice – As soon as **reasonably possible after** a violation is discovered, the Association's management agent ("Management") shall send notice to the owner and resident, if different than the owner, of the discovered violation by First-Class Mail (the "First Notice"). A First Notice need not be sent if the alleged violator has previously received a "First Notice" relating to a similar Violation within six (6) months of the occurrence of the current Violation and was given a reasonable opportunity to cure the prior Violation. If the alleged violator was given notice and an opportunity to cure the prior similar Violation within the previous six (6) months, the Board may impose sanctions as authorized by the DCCR and/or this Enforcement Policy without notice to the Owner other than the Notice of Fine Application described in Paragraph 1(B) below. The First Notice shall contain the following information:

1. Reference to the provision(s) of the DCCR or adopted rules which has been violated;
2. The nature, description and location of the violation, including any property damage caused by the Owner and what specifically must be done to cure the violation;
3. The amount of the proposed fine or the amount claimed to be due from the owner for property damage;
4. A statement that not later than thirty (30) days from the date of the Owner's receipt of the First Notice, that one of the following actions must be taken to avoid suspension of membership privileges and the imposition of fines:
 - a. The violation must be cured, or
 - b. A written request for a hearing must be submitted to Management.

5. A statement that if none of the actions set forth in subparagraph 1(A)(4) are timely taken by the Owner, the Owner's membership privileges will be suspended and an applicable fine will be imposed and will become part of the owners assessment obligation.
6. A statement that the violation may be referred to legal counsel and that any Attorney's fees and costs will be charged to the Owner as an assessment if none of the actions set forth in subparagraph 1(A)(4) are taken by the Owner within the allotted period.

ii. Notice of Fine Application – Where Management has observed the violation uncorrected and has not received a written request for a hearing within the allotted thirty (30) day period noted in the First Notice, Management shall notify the owner and the violator (if different than the owner) by First-Class mail, that a fine is being applied to the Owner's assessment obligation and their voting rights and membership privileges will be suspended. The Notice of Fine Application shall contain the following information:

1. The nature of the violation;
2. A statement that their voting rights and membership privileges are suspended and a fine in the amount of twenty five dollars (\$25). If the violation has not been cured 30 days from the first fine an additional fine of seventy-five dollars (\$75) will be levied and failure to cure the violation in an additional 30 days will result in an additional fine of two hundred and twenty five dollars (\$225).
3. A statement that there is no limit to the number of fine applications for separate violations, which may occur, and that the matter may be referred to legal counsel for further enforcement measures if not cured.

2. HEARING/APPEAL/DUE PROCESS – The following steps should be provided in the case where a homeowner has been given appropriate notice of a violation and has submitted to the management company a written request for a hearing or a written appeal to the application of a fine within the specified period of time:

i. Hearing – If the owner timely requests a hearing to challenge the proposed action or timely appeals a fine application, a hearing before the Board of Directors (composed of not less than three (3) nor more than five (5) Board members) shall be held in executive session affording the owner a reasonable opportunity to be heard. Such hearing shall be held no later than the 30th day after the date of the Board of Directors receives the Owner's request for a hearing. The Board of Directors shall send notice to the owner of a mutually agreed time, date and place of a hearing with an invitation to attend and produce any statements, evidence, and witnesses in support of the owner's challenge to the proposed fine application or violation. Such notice shall be sent no later than the 10th day before the date of the hearing. The Board or the Owner may request a postponement, and, if requested, a

postponement shall be granted for a period of not more than ten (10) days. The minutes of the meeting shall contain a written statement of the Owner's reason for non-compliance and the results of the hearing (whether the fine is applied or not). The decision of the Board of Directors will be made in executive session after the homeowner has been excused from the meeting.

- ii. Notification of Hearing Decision – Within **thirty** (30) days of the hearing the Board of Directors shall send notice as to their decision providing a support response for their decision. Any reasonable extension of time required by the Board of Directors shall also be noted in the response.
- iii. Waiver of fines (Correspondence) – Contained within any correspondence sent to a homeowner, where a fine is applied, will be a notation to the homeowner that they may request waiver of the fine by appealing to the Board of Directors in writing after the violation is cured.

3. FINES AND OTHER FEES

i. Fining Schedule – The imposition of fines per incident type will be on the following basis:

- 1. First Violation - \$25.00 per incident type
- 2. Additional violations –an additional seventy-five dollars (\$75) for failure to cure the violation within 30 days and another two hundred and twenty five (\$225) if not cured within 60 days.
- 3. Number of Fines – There is no limit to the number of fine applications for separate violations or the number of fines, which may occur.

ii. Administrative and Legal Fees – Any administrative and/or attorney's fees and any related charges incurred by the Association to enforce an owner's compliance with the Association's governing documents, including, without limitations, the administration of this policy as to a particular violation, shall become part of the violating owner's assessment obligation. The imposition of fines will be in addition to and not exclusive of any other rights or remedies of the Association as created by the Declaration or this Policy.

4. CURE OF VIOLATION DURING ENFORCEMENT – An owner may correct or eliminate a violation at any time during the pendency of any procedure prescribed by this Policy. Upon verification that the violation has been corrected or eliminated, the violation will be deemed no longer to exist. Unless proper appeal process is followed and fines removed, the owner will remain liable for the costs and fines under this Policy, which costs and fines, if not paid upon demand, will be referred to legal counsel for collection.

This policy was adopted by the Board of Directors on February 27, 2001

Waterford Crossing Modification Guidelines

DEFINITIONS

“Association”: means The Crossing at Waterford Owners Association, Inc., the association of owners of all lots in the Property, initially organized as a Texas Nonprofit Corporation, and serving as the “property owners’ association” defined in Section 202-001 (2) of the Texas Property Code.

“Board”: means the board of directors of the Association.

“City”: means the City of Allen, Collin County, Texas, in which the Property is located.

“Common Area”: means property that is owned by or for the benefit of owners or residents of the Property.

“DCCR” refers to the Declaration of Covenants, Conditions and Restrictions for The Crossing at Waterford Owners Association, Inc.

“Documents”: means, singly or collectively as the case may be, this Declaration, the plat, the bylaws, the Association’s articles of incorporation, and the rules of the Association, as any of these may be amended from time to time. An appendix, exhibit, schedule, or certification accompanying a Document is a part of that Document.

“Earth Tone Color”: shall mean brown, black, green or derivatives thereof (i.e., beige, tan, gray, etc). Red, blue, yellows and derivatives thereof (i.e., orange, purple, pink, etc) are not earth tone colors.

“Lot”: means a portion of the Property intended for independent ownership, on which there is or will be constructed a dwelling, as shown on the Plat. Where the context indicates or requires, “lot” includes all improvements thereon.

“Majority”: means more than half.

“MC”: means the Architectural Modifications Committee of the Association.

“Member”: means a member of the Association, each member being an owner of a lot, unless the context indicates that member means a member of the board or a member of a committee of the Association.

“NCC” means New Construction Committee.

“Owner”: means a holder of recorded fee simple title to a lot. Declarant is initial owner of all lots. Contract sellers and mortgagees who acquire title to a lot through a deed in lieu of foreclosure or through judicial or nonjudicial foreclosures are owners. Persons or entities having ownership interests merely as security for the performance of an obligation are not owners. Every owner is a member of the Association.

“Rules”: means rules and regulations adopted by the board in accordance with the Documents.

REVISION LOG

DATE	DESCRIPTION
	Board of Directors voted to accept modifications booklet as plain English version of DCCR.
	Document distributed to homeowners

