

AMENDMENT 1
TO THE PLANO WHIFFLETREE VILLAS HOMEOWNERS
ASSOCIATION, INC ORIGINAL RESTRICTIVE COVENANTS
DATED SEPTEMBER 14, 1987

The Amendment approved by the Members

On May 5, 2012

The additions to the Covenants and Bylaws are to conform to the Texas laws passed during 2011 regarding Homeowners Associations. The property code laws are:

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| SB 101 | Foreclosure: Military Protection, effective 9/1/11 |
| HB 8 | Transfer Fees, effective 9/1/11 |
| HB 362 | Solar Devices and Roof Shingles, effective 6/17/11 |
| HB 1278 | Religious Displays, effective 6/17/11 |
| HB 1821 | Resale Certificates, Recording Requirements and Online information, effective 1/1/12 |
| HB 2779 | Flags and Flagpoles, effective 6/17/11 |
| HB 3391 | Rain Barrels, effective 9/1/11 |
| HB 1127 | Notices of Violation before Levying Fines, effective 1/1/12 |
| HB 2761 | Records and Meetings, effective 1/1/12 |
| SB 472 | Voting Declaration amendments, effective 9/1/11 |
| HB 1228 | Collections: Payment Plans; Foreclosures, effective 1/1/12 |
| HB 873 | Political Signs, effective 9/1/05 |

14. Signs or Billboards

The Member shall only display political signs as follows:

- on or after the 90th day before the date of the election to which the sign relates; or
- before the 10th day after that election date.
- a sign is required to be ground-mounted.
- only one sign for each candidate or ballot item.

15. Boats, Trailers and Recreational Vehicles

This includes any vehicle of any type that may depreciate the property values of the Members' villas.

18. Mailboxes

The current mailboxes in use are the original type approved and installed by the builders. The Board and Architectural Control Committee (ACC) will continue to approve this type; when needing repair or replacement the ACC can assist in finding retailers and repair shops.

19. Antennas, Solar Devices, Roof Shingles, Flags, Rain Barrels, Driveways, Religious Displays and Other

Section 1. Antennas. (No change.)

Section 2. Solar Devices. Solar Energy Panels are not allowed if:

- in violation of any law;
- on property owned or maintained by the Association;
- in common areas;
- anywhere but on the Member's roof or within his fenced yard;
- the device extends beyond the roofline or does not conform to certain allowed design guidelines;
- it is taller than the fence line;
- it is installed in a manner that voids material warranties;
- it is installed without prior approval by the Association or the Architectural Control Committee; or
- the device would "substantially interfere with the use and enjoyment of land by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities." This argument will not apply if all neighboring Members give written approval.

Section 3. Roof Shingles. Shingles that are designed primarily to (i) resist wind and hail, (ii) provide heating/cooling efficiency greater than ordinary composite shingles, or (III) may be installed with prior written approval of the ACC so long as the shingles aesthetically resemble approved shingles within the Association, are more durable or of better quality than “normal” shingles allowed within the Association, and aesthetically match the Owner’s and surrounding properties.

(The Association ACC guidelines). Roof shingles shall be uniform in color to all other homes in WVHOA and must be approved by the Architectural Control Committee prior to re-roofing or repairing.

Section 4. Flags. Members may display U.S., Texas, or military branch flags under the following conditions:

- The flag of the United States must be displayed in accordance with 4 U.S.C Sections 5-10.
- The flag of the State of Texas must be displayed in accordance with Chapter 3100 of the Texas Government Code.
 - The flagpole (whether freestanding or attached to a dwelling) must be constructed of permanent, long-lasting materials, with an appropriate finish that is harmonious with the dwelling and not to exceed 20 feet in height. No more than one flagpole is permitted per property.
- The display must comply with all applicable zoning ordinances, easements, and setback requirements.
- The flag and flagpole must be maintained in good condition, and any deteriorated flag or structurally unsafe flagpole must be repaired, replaced or removed.
- The Architectural Control Committee has guidelines on noise caused by an external halyard (hoisting rope).
- Flags must not be larger than 3 feet by 5 feet.

No other types of flags, kits or similar displays are permitted on a lot if the display is visible from a street or Common Facilities.

Section 5. Rain Barrels - Rainwater Harvesting Systems. Members may not install a rainwater harvesting system on property owned by the Association, in Common Facilities, or on an Owner’s property between the front building line and the street.

Any rainwater harvesting system must be consistent with the home’s color scheme and submitted for architectural approval if visible from the street.

The Architectural Control Committee has a set of guidelines available for rain barrels for the Members to follow.

Section 6. Driveways. Driveways may be replaced or repaired with the same type of concrete as currently in use. Any new or repaired driveways shall not have any bricks, stones or colors visible. The City of Plano is responsible for the alleys.

Section 7. Religious Displays. An Owner may display religious items on his front door or doorframe unless the display contains obviously offensive language or graphics or is larger than 25 cumulative square inches in size. An Owner may not use a material or color for an entry that is prohibited by the governing documents. The Association may remove an item that violates deed restrictions, provided the deed restrictions do not conflict with this statute.

Section 8. Other Association Control Committee (ACC) Responsibilities. A Member must obtain prior approval from the ACC to change the paint color(s) on his villa, including major changes in shades of color. Landscaping redesigns where there is a significant change planned require ACC approval.