

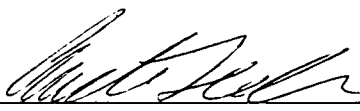
**NOTICE OF FILING OF DEDICATORY INSTRUMENT OF
ALSATIAN HEIGHTS HOMEOWNERS ASSOCIATION**

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF MEDINA §

Notice is hereby given to all persons with any interest in or claim to any parts of the property within Alsatian Heights Subdivision that said property is subject to the attached Amended and Restated Architectural Guidelines.

Thus signed and certified this 6th day of October, 2025.

ALSATIAN HEIGHTS HOMEOWNERS
ASSOCIATION, a Texas non-profit corporation

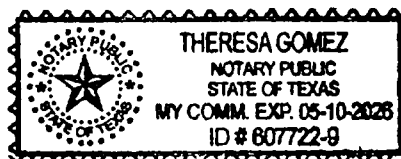
By: 
Austen T. Tealer, its Legal Counsel
Allen, Stein & Durbin, P.C.
6243 IH-10 West, Suite 700
San Antonio, Texas 78201

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

I hereby certify that the foregoing instrument was acknowledged before me, the undersigned Notary, by Austen T. Tealer, Legal Counsel for Alsatian Heights Homeowners Association, on the 6th day of October, 2025.


Notary Public, State of Texas

AFTER RECORDING RETURN TO:
Alsatian Heights Homeowners Association
c/o Austen T. Tealer
Allen, Stein & Durbin, P.C.
6243 IH 10 West, Suite 700
San Antonio, Texas 78201



6497 001 2766789 tg

ALSATIAN HEIGHTS HOMEOWNERS' ASSOCIATION

Amended and Restated Architectural Guidelines – October 2025

INTRODUCTION

Alsatian Heights Homeowners Association (HOA) has been established to administer the recorded Declaration of Restrictive Covenants, Conditions and Restrictions for Alsatian Heights Subdivision ("the Declaration"). The Declaration provides procedures and requirements approving construction plans and specifications for all residences, structures, and other improvements which are to be placed on, altered or removed from any lot in the Alsatian Heights Subdivision ("the Subdivision"). Approval is subject to the determination of the Architectural Control Committee of the Association ("the ACC"). The members of the ACC will be composed entirely of lot owners residing on owned lots in Alsatian Heights Subdivision. Members of the Board of Directors of the Association cannot serve on the ACC at the same time.

The Architectural Control Committee ("ACC") was created to enhance property values by requiring conformity to certain standards of construction, visual appeal, uniformity and design. The Declaration provides that no building, manufactured home, modular home, manufactured house, fence, wall, or other structure shall be commenced, erected, placed, or altered on any Lot, nor shall any exterior addition to or change or alteration therein, be made, nor shall any landscaping, excavating or filling in of any Lot or Lots be undertaken, until the construction plans and specifications describing the nature, kind, shape, height, materials and a plot plan showing the location of same, HAVE BEEN APPROVED IN WRITING BY THE ACC.

The following are guidelines adopted by the ACC to specify their standards, requirements and thought processes used in evaluating an application. The guidelines may be amended from time to time as the circumstances, conditions or opinions of the ACC dictate. It is the responsibility of the homeowner to ensure the most current recorded guidelines are followed. It should be noted that each application is considered on its own merit and that the ACC may grant a variance from these guidelines and/or from the Declaration. The ACC has the right to grant approval for a similar improvement based on the proximity of a property to a main street and on the visual relativity of the site to the overall development. As an example, a home located on the perimeter of the development may be permitted to have a certain styled storage building, whereas on a main entry street and depending on the configuration of the lot, this same item may not be approved. The intent is to maintain overall integrity within areas of higher visual impact.

It should also be noted that ACC approval is required prior to the installation or construction of the improvement or change. If an improvement is made without ACC approval, the Board of Directors has the legal right to enforce its removal.

Neither the Association, the Board, nor the ACC is not responsible for any damage, injuries, theft, or fatalities that occur on any homeowner's property.

TABLE OF CONTENTS

Introduction	Page 1
Application Information and Procedures.....	Page 3
Air Conditioners.....	Page 3
Burglar Bars.....	Page 3
Carports and Patios.....	Page 3
Decks.....	Page 4
Driveways and Sidewalks.....	Page 4
Exterior Lighting.....	Page 4
Exterior Painting.....	Page 4
Fence and Fence Extension.....	Page 4
Flags.....	Page 5
Improvements of Existing Structure.....	Page 5
Original Site Plan Approval.....	Page 6
Outbuilding.....	Page 6
Permits.....	Page 7
Plans and Specifications.....	Page 7
Playground Equipment.....	Page 7
Rain Barrels.....	Page 7
Religious Displays.....	Page 7
Room Additions.....	Page 8
Seasonal Decorations.....	Page 8
Signs, Billboards, Unsightly Objects.....	Page 8
Skirting.....	Page 9
Solar Energy Devices.....	Page 9
Swimming Pools, Hot Tubs, Spas.....	Page 11
Window Shades, Awnings.....	Page 11

INTRODUCTION, INFORMATION, AND PROCEDURES

Logical Extension of Definition

It is understood that the Declaration cannot and has not provided a universal list of all restrictions that would have been included if they could have been foreseen by the Declarant. Therefore, the Declaration will be liberally construed to achieve the intent of its drafter.

Application Information and Procedures

Homeowners must contact the Management Company for an Architectural Modification Request ("AMR Application") before any project is started. Our Management Company is highly educated in our guidelines and can offer you additional information if needed.

Air Conditioners

Central units, window units, or mini splits are allowed. No evaporated water coolers are allowed

Burglar Bars

Allowed with approval from ACC

Carports and Patios

Carports and kits are allowed. It must be made with new materials. Carports and Patios cannot be built on any easement.

Patio covers should be constructed of materials that complement the home. Entire patio cover and posts should be trimmed out to match the home. Supports must be painted wood or treated wood. No metal columns or pipe is allowed. At no time, however, shall a shingled roof be allowed with an unpainted frame. Frame will have to be painted to match trim of home whether treated or untreated wood is used.

Patio Construction materials are as follows:

Painted wood to match trim of home, or stained. Natural pressure treated wood such as cedar, fir or redwood may be used. Treated pine must be painted or stained. Canvas/tarp is not permitted. Patio covers may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment. Patio covers must be situated on the lot to provide drainage solely into the owner's lot. All structures of similar magnitude are to be held subject to same

limitations as patio covers. This includes, but is not limited to all attached or free standing added to or at, the side of existing dwelling.

Decks

Decks cannot be placed on any easement. Decks should not be situated on the lot so that it poses a problem with drainage on homeowner's lot or neighboring lot. All material must be new. If using wood, all wood must be painted or stained.

Driveway/Sidewalks

Driveway material that is approved is: base with rock, asphalt, concrete, paving stones

Driveways cannot be used to park Travel Trailers, Motor Homes or Big 18 wheeled tractor.

Exterior Lighting

Directional lights or floodlights must not be aimed as to shine in the windows of the neighboring homes.

Exterior Painting

Paint must conform to colors in the existing neighborhood and must have ACC approval.

Fence and Fence Extensions

No T-Post Fencing allowed. Fencing must have a top rail. Fencing projects have a thirty (30) day completion deadline, from start to finish. Fence and extensions will be reviewed on an individual basis. Replacement or repairs of fence must be made with the materials and construction details as used in original fence, in which case an AMR Application is not needed.

Flags

The permissible restrictions in the following statute are hereby adopted.

Sec. 202.012. of THE TEXAS PROPERTY CODE FLAG DISPLAY.

(a) A property owners' association may not, except as provided in this section, adopt or enforce a dedicatory instrument provision that prohibits, restricts, or has the effect of prohibiting or restricting an owner from the display of:

- (1) the flag of the United States of America;
- (2) the flag of the State of Texas; or
- (3) an official or replica flag of any branch of the United States armed forces.

(b) A property owners' association may adopt or enforce reasonable dedicatory instrument provisions:

- (1) that require:
 - (A) the flag of the United States be displayed in accordance with 4 U.S.C. Sections 5-10;
 - (B) the flag of the State of Texas be displayed in accordance with Chapter 3100, Government Code;
 - (C) a flagpole attached to a dwelling or a freestanding flagpole be constructed of permanent, long-lasting materials, with a finish appropriate to the materials used in the construction of the flagpole and harmonious with the dwelling;
 - (D) the display of a flag, or the location and construction of the supporting flagpole, to comply with applicable zoning ordinances, easements, and setbacks of record; and
 - (E) a displayed flag and the flagpole on which it is flown be maintained in good condition and that any deteriorated flag or deteriorated or structurally unsafe flagpole be repaired, replaced, or removed;
- (2) that regulate the size, number, and location of flagpoles on which flags are displayed, except that the regulation may not prevent the installation or erection of at least one flagpole per property that:
 - (A) is not more than 20 feet in height and, subject to applicable zoning ordinances, easements, and setbacks of record, is located in the front yard of the property; or
 - (B) is attached to any portion of a residential structure owned by the property owner and not maintained by the property owners' association;
- (3) that govern the size of a displayed flag;
- (4) that regulate the size, location, and intensity of any lights used to illuminate a displayed flag;
- (5) that impose reasonable restrictions to abate noise caused by an external halyard of a flagpole; or
- (6) that prohibit a property owner from locating a displayed flag or flagpole on property that is:
 - (A) owned or maintained by the property owners' association; or
 - (B) owned in common by the members of the association.

(c) A property owner who has a front yard and who otherwise complies with any permitted property owners' association regulations may elect to install a flagpole in accordance with either Subsection (b)(2)(A) or Subsection (b)(2)(B).

Improvements of Existing Structure

Any addition to an existing building, any exterior alteration, or change in any existing building, or the construction of any new detached structure must have approval from the ACC before any work begins. Examples of such projects include carport, garage, storage shed, fence, etc. Any new construction or remodeling shall be of new materials and be of equal quality construction compatible with the design

character and exterior finish and color of the original building. Any addition including decks, exterior alteration or change to existing building shall be compatible with the design character and exterior finish and color of the original building.

Original Site Plan Approval

Original site plan is to show the dimensions and materials to be used as well as the placement of the home, driveway, septic tank and laterals, and other improvements to the lot and basic home. The site plan when implemented shall be in compliance with all architectural requirements identified in the Deed Restrictions. Approval of the site plan does not relieve the property owner from being in full compliance with the Deed Restrictions.

If the site plan is to be implemented over time (as opposed to being completed during the time period for home set-up or construction) and implementation plan grouping all work to be done on the lot into separate projects must be submitted with the site plan. Each project once started will be subject to the time limits set out in the Deed Restrictions.

Outbuildings

An "outbuilding" is defined as any structure that is not attached to the main structure. This definition does not include bona fide additions to the main residences or garage wherein an actual opening to the main structure exists, but does include storage sheds, gazebos and playhouses/forts.

Outbuildings cannot be placed on the five (5) foot easement. A variance can be submitted along with a signed Consent to Encroach document from the utility companies for ACC to allow the structure on the easement.

The ACC will consider the following:

The colors should match/blend with the predominant exterior colors (as close as possible) of the main residence.

Material should match those of the main residence in both size and color; The HOA ACC will approve storage building, providing the color blends with the main residence and placement of building is located in a designated area approved by the ACC.

A storage building placed on a concrete slab on top of a utility easement will require letters of Consent to Encroach, as it will not be considered portable. In the event the utility company must enter that easement, any damage done to the storage building is at the homeowner's expense. If a storage building is on the utility easement, but not on a slab and can be moved, the CC will consider it as portable.

No storage building can be built up against any side or rear wall of the home unless its maximum height is less than six (6) feet and it is not visible above the fence. It must also comply with all the other requirements for proper construction, size and location.

Playhouses/forts and gazebos must be at least six (6) feet from the house in the back yard. There are some lots in the subdivision that have a natural water flow, therefore a variance will be granted to place elsewhere on the lot after ACC inspects the lot for direction of water flow.

Permits

Septic Tank Permit is required by Medina County Texas before a home can be placed/built on the property. Contact the following for permit: Environmental Health Investigator

1502 Avenue K

2nd Floor

Hondo, Texas 78861

(830) 741-6195

Driveway Permit is required by Medina County Texas under the following conditions:

- a. If lot has never had a driveway
- b. If homeowner is wanted to add a second driveway (example: horseshoe drives have two (2) entrances/exits onto the county easement)

Contact the following for permit: Medina County Precinct 2 Commissioner

8366 FM 471 S

Castroville, TX 78009

Phone: (830) 931-4000

PLANS AND SPECIFICATIONS

Submittal to the ACC must include the following:

One copy of a plot plan showing the location of the proposed improvements on the lot. ACC excepts a copy of the original survey plot or a legible hand drawn sketch. Specifications indicating the type material and the proposed exterior color. The description of the project must include all information necessary for the ACC to take action. Photographs or legible sketches of proposed project would be an aid in the ACC's consideration.

Playground Equipment

Backyard Only unless a variance is requested by homeowner. Approval is needed for playhouses and forts.

Rain Barrels and Rainwater Harvesting Devices

Rain Barrels and Harvesting device can be placed anywhere on the property that will collect the most rain. Color of Barrel must match as close as possible to the home. No words, drawings, paintings can be on rain barrel. Heavy plastic type of container is the only kind approved by ACC.

Religious Displays

Prohibited Items: No religious item displayed in any area may threaten the public health or safety, violate a law, contain language, graphics, or display that is patently offensive to a passerby.

Seasonal Religious Holiday Decorations. This rule will not be interpreted to apply to otherwise-permitted temporary seasonal religious holiday decorations.

Room Additions

Detailed plans must be submitted to the ACC. Exterior materials and colors should match the home as closely as possible. Room additions may not encroach into any easement. On an individual basis: size and shape will depend on the architectural style and layout of the home, size of the lot, and how well the room addition with the original house. Roof of addition must integrate with existing roofline so as to appear to have been part of the original home. The addition must be opened to the main structure. All such improvements must be designed to building code standards. Room additions may be denied for other reasons, i.e., structural integrity, architectural suitability, etc. Garage enclosures are not allowed, therefore are not considered a room addition.

Seasonal Decorations

Holiday decorations are allowed. Holidays celebrated in December, decorations can be placed December 1, and removed by January 15. All remaining holidays, decorations can be placed two weeks before and removed two weeks after.

Signs or Billboards

Standard Security System signs that identify a property by a home security system.

Sign size shall be no larger than eleven (11) inches at the longest dimension.

For Sale signs, Lost Pet sign, Non-regulatory Safety/Caution signs such as "Children at Play". These signs will generally, be eighteen (18) inches by twenty-four (24) inches.

Student Achievement signs.

Yard Sale sign to be posted the day before sale and removed at closing of yard sale.

Political Signs:

The restrictions allowed by the following statute are adopted.

Sec. 259.002. of THE TEXAS ELECTION CODE

REGULATION OF DISPLAY OF POLITICAL SIGNS BY PROPERTY OWNERS' ASSOCIATION. (a) In this section, "property owners' association" has the meaning assigned by Section 202.001, Property Code.

(b) Except as otherwise provided by this section, a property owners' association may not enforce or adopt a restrictive covenant that prohibits a property owner from displaying on the owner's property one or more signs advertising a candidate or measure for an election:

(1) on or after the 90th day before the date of the election to which the sign relates; or

(2) before the 10th day after that election date.

(c) This section does not prohibit the enforcement or adoption of a covenant that:

(1) requires a sign to be ground-mounted; or

- (2) limits a property owner to displaying only one sign for each candidate or measure.
- (d) This section does not prohibit the enforcement or adoption of a covenant that prohibits a sign that:
 - (1) contains roofing material, siding, paving materials, flora, one or more balloons or lights, or any other similar building, landscaping, or nonstandard decorative component;
 - (2) is attached in any way to plant material, a traffic control device, a light, a trailer, a vehicle, or any other existing structure or object;
 - (3) includes the painting of architectural surfaces;
 - (4) threatens the public health or safety;
 - (5) is larger than four feet by six feet;
 - (6) violates a law;
 - (7) contains language, graphics, or any display that would be offensive to the ordinary person; or
 - (8) is accompanied by music or other sounds or by streamers or is otherwise distracting to motorists.
- (e) A property owners' association may remove a sign displayed in violation of a restrictive covenant permitted by this section.

Skirting

All homes in Alsatian Heights Subdivision are required to have skirting. The allowed types of skirting are vinyl, stucco, landscaping rocks and decorative bricks. Not allowed is picket fencing, tin/metal, or plywood (some variances have been approved in certain circumstances).

Solar Energy Device

The restrictions allowed by the following statute are adopted.

Sec. 202.010. of THE TEXAS PROPERTY CODE

REGULATION OF SOLAR ENERGY DEVICES. (a) In this section:

- (1) "Development period" means a period stated in a declaration during which a declarant reserves:
 - (A) a right to facilitate the development, construction, and marketing of the subdivision; and
 - (B) a right to direct the size, shape, and composition of the subdivision.
- (1-a) "Residential unit" means a structure or part of a structure intended for use as a single residence and that is:
 - (A) a single-family house; or
 - (B) a separate living unit in a duplex, a triplex, or a quadplex.
- (2) "Solar energy device" has the meaning assigned by Section 171.107, Tax Code.

(b) Except as otherwise provided by Subsection (d), a property owners' association may not include or enforce a provision in a dedicatory instrument that prohibits or restricts a property owner from installing a solar energy device.

(c) A provision that violates Subsection (b) is void.

(d) A property owners' association may include or enforce a provision in a dedicatory instrument that prohibits a solar energy device that:

(1) as adjudicated by a court:

(A) threatens the public health or safety; or

(B) violates a law;

(2) is located on property owned or maintained by the property owners' association;

(3) is located on property owned in common by the members of the property owners' association;

(4) is located in an area on the property owner's property other than:

(A) on the roof of the home or of another structure allowed under a dedicatory instrument; or

(B) in a fenced yard or patio owned and maintained by the property owner;

(5) if mounted on the roof of the home:

(A) extends higher than or beyond the roofline;

(B) is located in an area other than an area designated by the property owners' association, unless the alternate location increases the estimated annual energy production of the device, as determined by using a publicly available modeling tool provided by the National Renewable Energy Laboratory, by more than 10 percent above the energy production of the device if located in an area designated by the property owners' association;

(C) does not conform to the slope of the roof and has a top edge that is not parallel to the roofline; or

(D) has a frame, a support bracket, or visible piping or wiring that is not in a silver, bronze, or black tone commonly available in the marketplace;

(6) if located in a fenced yard or patio, is taller than the fence line;

(7) as installed, voids material warranties; or

(8) was installed without prior approval by the property owners' association or by a committee created in a dedicatory instrument for such purposes that provides decisions within a reasonable period or within a period specified in the dedicatory instrument.

(e) A property owners' association or the association's architectural review committee may not withhold approval for installation of a solar energy device if the provisions of the dedicatory instruments to the extent authorized by Subsection (d) are met or exceeded, unless the association or committee, as applicable, determines in writing that placement of the device as proposed by the property owner constitutes a condition that substantially interferes with the use and enjoyment of land by causing

unreasonable discomfort or annoyance to persons of ordinary sensibilities. For purposes of making a determination under this subsection, the written approval of the proposed placement of the device by all property owners of adjoining property constitutes prima facie evidence that such a condition does not exist.

Swimming Pools, Hot tubs and Spa

Swimming pools, hot tubs or spas are allowed in backyard only.

No swimming pools, hot tubs or spas are allowed on easement.

All pools must be enclosed by a fence, there are multiple regulations that must be met:

- a. The fence must be at least 4 feet tall and gate to pool must be self-close or self-latch. The fence cannot have gaps or openings more than four (4) inches in size. Decorative openings in a pool fence must be smaller than 1 ¾ inches in all directions. Pool gate needs to open away from the pool.
- b. The fence cannot be made from a climbable material, and this includes chain-link fencing.
- c. Fence locks must be out of reach of small children.
- d. All chemicals must be in a locked cabinet outside of the water feature.
- e. Pool pumps and equipment, (hoses, skimmers, etc.,) must be screened within the fenced perimeter and not visible from the street.
- f. Residential pool laws in Texas include pool alarms and other safety systems. If the wall of your home serves as a boundary, you have to install an alarm on doors and windows that open to the pool area.
- g. Alarms should sound when someone enters the pool. Texas law requires this alarm system to be high enough on a wall that it cannot be reached by children.
- h. For an above-ground pool, steps or ladders must have a locking capability for security when the pool is not in use.

Window Shades/Awnings

Window awnings must have ACC approval. These must be kept in excellent condition at all times or will be subject to a violation. No canvas/cloth awnings are allowed. No aluminum foil, cardboard or wood can be placed in the frame of the window. If the window glass is broken, replacing is required. If the sun is bearing down into the window, black out curtains are helpful.

Executed by The Architecture Control Committee Chairperson this 6th day of October 2025.

Brenda Suehs, Brenda Suehs

Approved by all Alsatian Heights Board of Directors

President Gerard Bednarek, [Signature] date 10/06/2025

After recording, please return to: Alsatian Heights Homeowner's Association,

C/O Diamond Management, 14603 Huebner Rd Building 40, San Antonio, TX 78230

**Medina County
Gina Champion
Medina County
Clerk**

Instrument Number: 2025009659

eRecording - Real Property

AMENDMENT

Recorded On: October 06, 2025 04:13 PM

Number of Pages: 14

" Examined and Charged as Follows: "

Total Recording: \$73.00

******* THIS PAGE IS PART OF THE INSTRUMENT *******

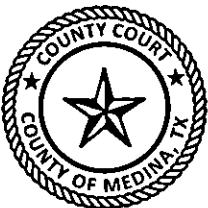
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2025009659
Receipt Number: 20251006000049
Recorded Date/Time: October 06, 2025 04:13 PM
User: Ruby G
Station: ccscan1.medinacounty.local

Record and Return To:

CSC



**STATE OF TEXAS
MEDINA COUNTY**

**I hereby certify that this Instrument was FILED In the File Number sequence on the date/time
printed hereon, and was duly RECORDED in the Official Records of Medina County, Texas.**

Gina Champion
Medina County Clerk
Medina County, TX

