



RULE RE: USE OF LOTS

ADOPTED BY THE BOARD OF DIRECTORS OF SAVANNAH COMMUNITY ASSOCIATION

BEING A LAND OWNER IN SAVANNAH IS NOT A CARTE BLANCHE TO DO WHAT YOU WANT ON YOUR LAND. WE HAVE RULES TO PROTECT THE PROPERTY VALUES AND LIFESTYLES OF THE MANY FROM THE EXCESSES, ECCENTRICITIES, AND SELF-CENTEREDNESS OF A FEW.

I. BACKGROUND

A. Savannah is a phased planned development in Denton County, Texas, which is subject to the Declaration of Covenants, Conditions & Restrictions for Savannah, recorded on October 24, 2003, as Document No. 2003-R0176314, in Volume 5546, Page 2083, Real Property Records, Denton County, Texas, as amended and supplemented from time to time (the "**Declaration**").

B. Savannah is governed by the Savannah Community Association (the "**Association**"), a Texas property owners association, that acts by and through its Board of Directors.

C. In addition to being subject to the Declaration, every lot and owner in Savannah is also subject to the authority of the Association's Board of Directors to adopt, amend, repeal, and enforce reasonable Rules regarding anything that interferes with the quality of life for the community of Savannah residents, including the occupancy, use, disposition, maintenance, appearance, and enjoyment of the Property.

D. Occasionally an owner defies the restrictions and challenges the authority of the Board and the Architectural Reviewer to enforce the Declaration to which the owner and his lot are subject. The Board of Directors is adopting this Rule as a concise compilation of some restrictions pertaining to uses of lots, and to reaffirm and illustrate some prohibited uses of Savannah's residential lots.

II. CONFIRMATION OF RESTRICTIONS

By the act of acquiring a Savannah lot, each owner agrees to comply with the Savannah Documents, including the Declaration and Rules adopted by the Board. (*§18.1*) Several provisions of the Declaration prohibit uses of a lot in ways that are unsightly, unsuitable, or annoying to residents of other homes and lots. Examples of such provisions include, without limitation, the following:

- Section 7.6 of the Declaration prohibits use of a lot in ways that "may reasonably be considered annoying to neighbors," and authorizes the Board of Directors to determine what constitutes an annoyance.

- Section 7.7 of the Declaration requires the lot to be maintained in a manner so as not to be unsightly when viewed from the street or neighboring lots, and designates the Architectural Reviewer to determine the acceptable appearance standards.
- Section 7.8 of the Declaration prohibits business uses that interfere with residents' use and enjoyment of neighboring lots.
- Section 7.23 of the Declaration prohibits loud, disturbing, or objectionable noises; harmful fumes; and obnoxious odors that may disturb or annoy residents of neighboring lots.
- Section 7.33 of the Declaration the keeping of any vehicle which the Board deems to be a nuisance, unsightly, or inappropriate.
- Section 7.36 reinforces that all aspects of a visible yard are within the purview of the Architectural Reviewer.

III. ILLUSTRATIONS OF PROHIBITED USES

The following uses - whether for profit or for fun - on any portion of any house lot that is visible from a street, from an alley, or to residents of other lots are examples of what the Board of Directors considers to be annoying, unsightly, objectionable, and inappropriate:

- ▶ Storage, stockpiling, or warehousing of any item or material.
- ▶ Activities or items that are not characteristic of a residential neighborhood in a deed restricted community of the caliber of Savannah.
- ▶ Manufacturing or assembly processes.
- ▶ Sales or leasing activities, other than the limited and regulated activities related to marketing the lot for sale or lease.
- ▶ Repair or reconstruction of vehicles, engines, or motors, other than a repair necessary to move the vehicle to another location.
- ▶ A use or activity that emits odor, waste, dust, gas, fumes, chemicals, or environmental pollution that annoys residents of neighboring lots in the ordinary use of their properties.
- ▶ A use or activity that involves loud or offensive noise that can be heard on neighboring lots.
- ▶ Kenneling of animals and any use involving outdoor animal pens.

IV. NOT EXHAUSTIVE

This document does not purport to identify all provisions of the Declaration that regulate the use and appearance of lots, nor to illustrate every possible violation of the provisions that are cited. The purpose of this document is to remind all persons who own or occupy homes in Savannah that ours is a community of rules.

No document can identify - in advance - every possible affront to the concepts and principles that are embodied by the Declaration and the other Savannah Documents. Owners who refuse to play by the rules often demand to be shown a specific prohibition against the specific conduct the Association seeks to regulate. "Where does it say that I can't have 25 beehives in my backyard?" And the Board, unable to find a dead-on exactly worded prohibition about beehives may feel unsure of its inherent authority to prohibit the objectionable activity.

WHERE DOES IT SAY I CAN'T HAVE 25 BEEHIVES IN MY BACK YARD?

The bottom line is that the Association's Board of Directors, or the Architectural Reviewer in some circumstances, has sufficient authority under the Declaration to protect the community of Savannah residents from activities, uses, and appearances that adversely affect the quality of life and property values of other owners and residents. They know a violation when they see it. If an owner desires more certainty about what is permitted and prohibited, the owner is advised to obtain prior written permission from the Board of Directors, or from the Architectural Reviewer, depending on the circumstance, for the questionable activity, use, or modification.

EXECUTION

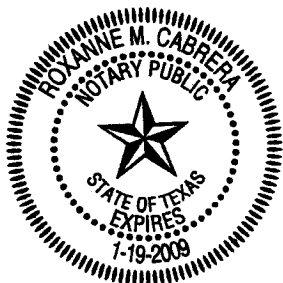
By signing below, the undersigned officer of the Savannah Community Association certifies that this **Rule Re: Use of Lots** was adopted by the Board of Directors of the Savannah Community Association by unanimous written consents.

SAVANNAH COMMUNITY ASSOCIATION, a Texas property owners association and nonprofit corporation

By: *Phillip W. Huffines*
Phillip W. Huffines, President

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on the 3 day of October 2007 by Phillip W. Huffines, President of Savannah Community Association, a Texas property owners association and nonprofit corporation, on behalf of said association.



Roxanne M. Cabrera
Notary Public, The State of Texas

AFTER RECORDING, PLEASE RETURN TO:
Ms. Sharon Reuler ■ SettlePou • Attorneys
3333 Lee Parkway, Eighth Floor
Dallas, Texas 75219

Denton County
Cynthia Mitchell
County Clerk
Denton, Tx 76202



70 2007 00122998

Instrument Number: 2007-122998

As

Recorded On: October 17, 2007

Misc General Fee Doc

Parties: SAVANNAH COMMUNITY ASSOCIATION

Billable Pages: 4

To

Number of Pages: 4

Comment:

(Parties listed above are for Clerks reference only)

**** Examined and Charged as Follows: ****

Misc General Fee Doc	23.00
Total Recording:	23.00

***** DO NOT REMOVE 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: 2007-122998

Receipt Number: 429114

Recorded Date/Time: October 17, 2007 10:55:37A

User / Station: P Sallee - Cash Station 4

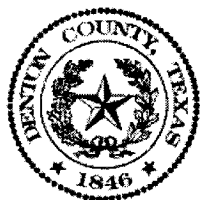
Record and Return To:

MS SHARON REULER

SETTLEPOU

3333 LEE PARKWAY EIGHTH FLOOR

DALLAS TX 75219



THE STATE OF TEXAS }
COUNTY OF DENTON }

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 Denton County, Texas.

C Mitchell

County Clerk
Denton County, Texas