

SUPPLEMENTAL DECLARATION  
TO  
FAIRWAYS OF BLACKHAWK  
CONVENANTS, CONDITIONS AND RESTRICTIONS

THE STATE OF TEXAS       S  
                                  S       KNOW ALL MEN BY THESE PRESENTS THAT:  
COUNTY OF TRAVIS        S

WHEREAS, Fairways of Blackhawk, Inc., an Ohio Corporation, are the owners of that certain real property described as Fairways of Blackhawk, a subdivision situated in the County of Travis, State of Texas according to the map or plat thereof recorded in Volume 91, Page 50,51, Plat Records of Travis County, Texas (the "Property"); and 52

WHEREAS, that certain real property described as Fairways of Blackhawk, a subdivision in Travis County, Texas, (the "Property"); is subject to that certain Fairways of Blackhawk Master of Declaration of Covenants, Conditions and Restrictions or record in Volume       , Page       , of the deed record of Travis County, Texas (the "Declaration"); and

WHEREAS, the Declaration provides in Section 1.26 that property subject to the Declaration may be subjected to further restrictions;

NOW, THEREFORE, it is hereby declared that (i) the Property shall be held, sold, conveyed and occupied subject to the following restrictions, which are for the purposes of protecting the value and desirability of, and which shall run with, the Property and shall be binding on all properties having any right, title and interest to the Property or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof; and (ii) each contract or deed which may hereafter be executed with regard to the Property or any part thereof shall conclusively be held to have been executed, delivered and accepted subject to the following restrictions regardless of whether or not the same are set out or referred to in said contract or deed.

"Design Guidelines"

1. General Restriction. All of the Property shall be owned, held, encumbered, leased, used, occupied and enjoyed subject to the following limitations and restrictions:

1.1 Set Backs. No residential structure or any such improvement shall be located on any lot nearer to the front, rear, side or street side or corner lot building line shown on the plat or nearer to the property lines than the minimum building setback lines set out below.

REAL PROPERTY RECORDS  
TRAVIS COUNTY, TEXAS

Front Yard - 25 feet  
Rear Yard - 25 feet  
Side Yard - 5 feet  
Corner Lot & Side Building - 10 feet

1.2 Minimum Square Footage With Improvements. The living area of the main residential structure located on any lot exclusive of open porches and parking facilities shall not be less than 1,600 square feet for a single-story structure and not less than 1,800 square feet for a two-story structure on off course lots and not less than 2,000 square feet for single or two-story structures on golf course lots.

1.3 Masonry Requirements. All single-story residences located on now golf course and corner lots shall have masonry fronts and sides for a total of approximately 75% of the exterior walls. All two-story residences located on now golf course and corner lots shall have masonry fronts on both levels and on the first level for a total of approximately 50% of the exterior walls. All single and two-story residences located on golf course lots shall have masonry fronts and sides for a total of approximately 75% of the exterior walls. All gables, windows, and door openings shall be excluded from the total area and masonry fireplaces, chimneys and garages may be included in the computation as masonry used. The Architectural Review Committee may grant a variable in the percentages set out herein.

1.4 Garages. All residences shall contain an enclosed, attached garage for not less than two, nor more than three, passenger vehicles.

1.5 Roofing Materials. Roofing materials used on residential structures must be (i) composition rated at least 215 pounds per square, or (ii) any materials approved in writing by the Architectural Review Committee, provided that the Architecture Review Committee will only approve roofing materials which are of high grade and quality and which are consistent with the exterior design, color and appearance of other improvements within the Property.

1.6 Fences. The construction of fences shall be subject to the prior written consent of the Architectural Review Committee. The Architectural Review Committee may, in its discretion, prohibit the construction of any proposed fence, specify the materials of which any proposed fence must be constructed, or require that any proposed fence be partially screened by vegetation.

1.7 Fence Maintenance. Fence maintenance shall be the responsibility of the property owner and all damage shall be repaired within thirty days of written notification by the Homeowners' Association. It shall be a violation of the Restrictive Covenants to maintain fences in such a manner as to allow (1) any portion of a fence to lean so that the fence's axis is more than five (5) degrees out of perpendicular alignment with

its base (2) missing, loose, or damaged stone or wood rails in the fence and (3) symbols, writings, and other graffiti on the fence.

1.8 Improvements. No improvements shall be placed or installed as to be visible from the street or from another residence without prior approval of the location and the Plans and Specifications of the Architectural Review Committee.

1.9 Swimming Pools, Tennis Courts and Sport Courts. The location and Plans and Specifications for any swimming pool, tennis court or sport court, and its screening or fencing, shall be subject to the approval and requirements of the Architectural Review Committee. Above ground swimming pools shall not be allowed. The materials, design and construction of all pools and courts shall meet standards generally accepted by the industry, shall comply with regulations of all applicable governmental entities, and shall meet all fence and setback criteria established by this Declaration and other applicable governmental requirements.

1.10 Landscaping. All landscape improvements visible from a street are subject to review by the Architectural Review Committee prior to installation. Grass seeding, sprigging or hydromulching shall be prohibited in areas visible from the street. Grassed areas shall be established by sod installed for immediate and full coverage in areas visible from the street or areas up to front corners of each residence.

1.11 Ratification. The Declaration is hereby ratified and confirmed as to the Property except as it may be inconsistent herewith, in which case this Supplemental Declaration will control.

2. The restrictions and conditions set forth herein shall apply to the Property in addition to and not in lieu of any other restrictions filed of record which run with the land and inure to the benefit of the Property.

IN WITNESS WHEREOF, Declarant has executed this Master Declaration as of this the 6th day of November, 1992.

Declarant:

FAIRWAYS OF BLACKHAWK LTD. PARTNERSHIP  
By Ohio Blackhawk of Texas, Inc.  
an Ohio Corporation

By: David L. Brasby  
Its President

REAL PROPERTY RECORDS  
TRAVIS COUNTY, TEXAS

STATE OF OHIO           §  
                                  §  
COUNTY OF HAMILTON §

This instrument was acknowledged before me on the 6th day of November, 1992, by David L. Brooks President of Ohio Blackhawk of Texas, Inc., General Partner, Fairways of Blackhawk Limited Partnership

*Sheri Vee Draffen*  
Notary Public  
SHERI VEE DRAFFEN  
Notary Public, State of Ohio  
My Commission Expires October 20, 1994



CONSENT OF LOT OWNER

\_\_\_\_\_, as the owner of Lots \_\_\_\_\_ and \_\_\_\_\_, Block \_\_\_\_\_, Fairways of Blackhawk Section \_\_\_\_\_ conveyed by warranty deeds of record in Book \_\_\_\_\_ at Page \_\_\_\_\_, Deed Records of Travis County, Texas, does hereby join in the execution of this FAIRWAYS OF BLACKHAWK SECTION ONE DECLARATION OF COVENANT, CONDITIONS AND RESTRICTIONS for the purpose of evidencing its consent hereto.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 1992.

FILED

92 NOV 13 AM 10:01  
DANA DE BEAUVOIR  
COUNTY CLERK  
TRAVIS COUNTY, TEXAS

By: \_\_\_\_\_  
Its \_\_\_\_\_

*Plan 701* Howard Engineers, Inc.  
4303 Russell Drive  
Austin, TX. 78704

STATE OF TEXAS           COUNTY OF TRAVIS  
I hereby certify that this instrument was FILED on the date and at the time stamped herein by me, and was duly RECORDED, in the Volume and Page of the named RECORDS of Travis County, Texas, on

NOV 13 1992



*Dana De Beauvoir*  
COUNTY CLERK  
TRAVIS COUNTY, TEXAS

REAL PROPERTY RECORDS  
TRAVIS COUNTY, TEXAS

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