

**GOLDENWOOD PROPERTY OWNERS ASSOCIATION**  
**16104 Goldenwood Way, Austin, TX, 78737**

**GUIDELINES FOR BUILDING AT GOLDENWOOD**

Revised: January 10, 2003

**1. DESIGN REVIEW PROCEDURE**

"SUBMISSION AND APPROVAL OF PLANS AND SPECIFICATIONS.<sup>1</sup> A copy of the construction plans and specifications, including exterior views, exterior materials, colors and elevation; a site plan showing the location of any proposed structure or improvement; a landscaping plan; soil percolation test data; and any other information or documents which may be required by the Architectural & Protective Committee (the Committee) shall be delivered, together with any review fee which is imposed by the Committee in accordance with Article Six, paragraph 3, to the Committee at 16104 Goldenwood Way, Austin, TX, 78737, or such other address as may hereafter be designated in writing from time to time, not less than thirty (30) days prior to the date construction on a Lot is to be commenced. No structure or improvement, including but not limited to buildings, fences, walls, landscaping, pools, exterior lighting fixtures, security and emergency communications systems and radio-television antennae, shall be placed or altered on any Lot until the plans and specifications therefore and the builder which the Owner intends to use to construct the proposed structure or improvement have been approved in writing by a majority of the members of the Committee. The Committee may, in reviewing such plans and specifications, consider any information which it deems proper, including, without limitation, any permits or percolation tests which may be required by the Committee or any other entity; information relating to the question of whether any proposed improvement would unreasonably obstruct the view from neighboring Lots; harmony of external design and location in relation to surrounding structures, topography and finished grade elevation; and the identity of the builder which an Owner proposes to use to construct the proposed structure or improvement. The Committee may postpone its review of any plans and specifications submitted for approval pending receipt of any information or material which the Committee, in its sole discretion, may require. A copy of the construction plans and specifications and a site plan showing the location of the proposed structure or improvement, if approved, shall remain in the possession of the Committee until the Subdivision is built out in its entirety. **SITE PLANS MUST BE APPROVED BY THE COMMITTEE PRIOR TO THE CLEARING OF ANY LOT OR THE CONSTRUCTION OF ANY IMPROVEMENTS THEREON.** The Committee may refuse to approve plans and specifications for proposed improvements on any grounds which, in the sole and absolute discretion of the Committee, are deemed sufficient, including, but not limited to, purely

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<sup>1</sup> Paragraphs in quotes throughout this document are from the Goldenwood restrictive covenants.

aesthetic grounds. In reviewing plans and specifications, the Committee shall consider, but not be limited by, the purposes set forth in Article Two of this Declaration."

### Guidelines

In fulfilling its responsibility to protect the financial and aesthetic investment of the Goldenwood community, the Protective Committee can help the individual lot owner discover the opportunities of his own site on the basis of the observations and experience of the planner, consulting architects, and those who have already built. The Committee's aim is to avoid contrasts in the landscape and to foster careful design, so that there is harmony between the buildings and their sites. It is not primarily concerned with interior design, but is concerned that the exterior of buildings be of good quality materials which will not create a maintenance problem. Only builders who provide such materials and workmanship will be approved.

Whenever an owner proposes to build, reconstruct, add on to, or refinish an exterior, he should submit working drawings at a scale of no less than 1 inch to 40 feet indicating: (a) the lot number; (b) a north arrow, (c) all existing or proposed improvements and driveways; (d) the direction of views; (e) in the area of proposed improvements, the location of all trees measuring 5 inches or more at a point 12 inches above ground level, designating all such trees as the owner may wish to remove; (f) the location of all proposed utility installations<sup>2</sup>; (g) approximate location of any improvements on adjacent lots; (h) the proposed drainage plan; (i) the location of the building with respect to topography and finished grade; (j) the proposed location of the septic tank and drain field.

In addition to the above, the four corners of all proposed buildings and septic tank and drain fields must be staked and marked on the ground. Also, the well site and center line of the driveway must be staked. An on site inspection will be made of improvement locations to assess their suitability and impact on surrounding lots before approval may be granted.

With regard to the sewage disposal system the following is required: (a) information regarding the projected load on the sewage system including planned number of bedrooms, water conservation devices, etc. (use attached form), (b) a copy of the Hays County Health Department written approval of the proposed septic system plans.

The applicant should also submit working drawings which include: (a) a flood plan at scale of no less than 1/4 inch to one foot; (b) the four major exterior building elevations, including any basement or lower levels (in at least 1/8" scale); (c) an outline description of materials and colors proposed for all exterior building surfaces; and (d) location of smoke

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<sup>2</sup> Electric service to Goldenwood is overhead. However, many residents may to preserve the beauty of their homesite by having the electric company set their last pole some distance from the house and trench underground for the remaining distance. Consult the Pedernales Electric Cooperative for details at (888) 554-4732.

alarm and fire extinguisher on each floor. All drawings and plans should clearly and specifically communicate a thorough understanding of the design and construction.

The Committee has forms which must be used for completing this application process. Please request the forms from the Goldenwood office.

The Committee will attempt to expedite plan approval. A decision will be made within 21 days or less after the information required above is submitted. If construction is not started within 6 months after approval, plans must be reconfirmed by the Committee. The Committee will send written approval to lot owners, using standard forms for that purpose as well as a building permit to be posted at the construction site as per instructions on the permit.

The remaining 21 day period shall not begin until such date as all information required or requested is submitted in complete form to the Committee.

## **2. GENERAL DESIGN CONSIDERATIONS**

“LAND USE AND BUILDING TYPES. All Lots shall be used only for single-family residential and recreational purposes in accordance with these covenants, conditions and restrictions, and no building or improvement shall be erected, altered, placed or permitted to remain on any Lot except as authorized under the terms and conditions hereof. All buildings shall be subject to such height limitations as the Committee may judge necessary to preserve lines of sight and views from neighboring Lots.”

### Guidelines

Camouflaging the houses: To preserve the feeling of seclusion and natural beauty in Goldenwood, houses should blend with the trees and be as inconspicuous as possible. Site location, exterior materials and lighting should be chosen with this in mind.

Exterior massing: The manner in which a house is to meet the ground should be considered in terms of the slope of the site. Excessively large exposed areas of foundation above grade should be avoided as well as houses projected over steep slopes on stilts or pipe columns. Large areas of a site should not be disturbed or terraced to accommodate a particular house design.

Exterior walls: It is recommended, but not required that all or a portion of the exterior wall surface be masonry such as brick, stone or stucco of a color which harmonizes with the natural surroundings. A minimum of 5/8" lap siding or textured exterior plywood of cedar,

redwood, fir, or pine may also be used on exterior finish. Masonite siding is generally not recommended.

Roofing: Recommended roofing materials are: Asphalt or fiberglass shingles, flame retardant treated cedar shakes, clay or concrete tile or painted metal. Highly reflective roofing materials are discouraged, especially in highly visible locations. Because it is a potential fire hazard, untreated cedar shake roofs are prohibited. In addition, flat built-up roofs are not recommended because they are prone to eventual leakage. Porch patio covers of fiberglass or unpainted aluminum are not acceptable. Constructions of such covers should match the house materials and harmonize with the natural surroundings. Porch covers and greenhouses should be carefully designed to assure aesthetic compatibility with the main structure. Plans for such structures must be submitted to the Committee for approval prior to construction.

Insulation: As a result of the energy crisis, industry standards for insulation have increased. Check with the power company or other professionals with regard to these standards. Do not accept the recommendations of nonprofessionals. At present it is considered a good practice to have 6 inches insulation in the floor, 6 inches or its equivalent in exterior walls and 10 inches or the equivalent in ceilings.

Fire prevention: It is extremely important that roofing be constructed of fire resistant materials. Metal or tile is the best. However, good quality asphalt, (#235 or more) is acceptable. Untreated wood shingles are not allowed because they are extremely hazardous in the event of fire. (ANY FIREPLACE CHIMNEY MUST HAVE A SPARK ARRESTOR.)

Each floor (or loft) of every residence must have a UL approved smoke alarm and fire extinguisher with their location included on the plan before the design will be approved.

## **SPECIFIC CRITERIA FOR INDIVIDUAL SITE PLANS**

### Guidelines

Location on lot: To ensure a house location that will facilitate access and construction yet take full advantage of aesthetic possibilities, the site plan should preferably provide for the house to be hidden from the main road in summertime woods. Garage entry should be turned, where possible, away from the main road.

Orientation on site: To achieve the most advantageous situation for privacy the owner should attempt to front his house away from other nearby houses rather than toward them. For maximum energy efficiency it is best, if possible, to locate the house where trees provide shade from the summer sun, but allow the sun to fall on the house to help warm it in the winter. One should also consider wind and sun direction when choosing a site and orienting the house on the site.

Number and location of buildings: Garages or carports, horse barns, tool sheds, etc. should be clustered around a single location and not scattered throughout the property. No separate living quarter, animal shelter, or structure of any kind may be placed on the property, except as approved in writing by the Architectural and Protective Committee.

Drainage: Drainage water from roofs and paving should be distributed over large areas of ground or routed into French drains to avoid soil erosion. For the same reason, roof drains should spill into gravel beds or drain tile.

Landscaping, thinning, planting: Owners should give high priority to preservation or enhancement of natural terrain and natural plant growth. Modifications and additions should harmonize with the particular setting. It is desirable that landscaping of adjacent lots blend with one another and that rigid or formal dividing lines be minimized as much as possible. All areas of the site disturbed by construction must be restored to a natural condition by adding topsoil and ground cover.

### **3. SIZE AND QUALITY**

"MINIMUM FLOOR AREA. Any single-family dwelling constructed on a Lot must have a ground-floor area of not less than 1,200 square feet, exclusive of open and closed porches, terraces, patios, balconies, driveways and garages."

Guidelines: Quality of design, materials, and workmanship, although not always germane to the question of size, cannot be ignored by the reviewers of proposed building plans. Poor quality leads to maintenance problems involving not just the owner but the development company and the community; it may lead to a deterioration of external appearance. It also contributes to capital losses not only for the owner but for the neighbors. A 1,200 square foot house can be so designed as to complement the landscape and be comparable in quality of appearance to larger houses in the area. Design information about smaller houses may be found at: <http://www.notsobighouse.com/> .

### **4. SETBACKS AND PROPERTY LINES**

"SETBACKS. No building shall be located on any of the Lots nearer than fifty (50) feet from any front or rear Lot line, nearer than fifty (50) feet from any street or cul-de-sac, or nearer than twenty-five (25) feet from any side Lot line. The Committee shall have the right to impose such additional setback requirements as it deems necessary to preserve lines of sight from neighboring lots. The Committee shall be entitled to review and modify the setback requirements for Lots for which compliance with the foregoing setback requirements might be difficult or impossible."

Guidelines: Pie shaped lots will be individually reviewed by the Committee as to which lot line constitutes the front or rear as well as the side lot line. In considering setback variances, the Committee will balance the needs of the applicant with the interests of his neighbors.

## 5. DRIVEWAYS

"DRIVEWAYS. All private roads and driveways on any Lot shall be constructed of all-weather surfacing materials and properly maintained, and the portion of the private road or driveway between the street and the front line of a Lot (within the street right-of-way) shall be paved and properly maintained in accordance with Hays County paving specifications. All drainage structures under private driveways shall have a net drainage opening area of sufficient size to permit the free flow of water without backwater, and shall be subject to the approval of the Committee".

Guidelines: All-weather driveways must be completed within six months of beginning home construction, though homeowners are encouraged to finish their drive by the time they move into their homes. Location of driveway and materials to be used in its construction, including location and sizing of culverts or proper drainage, must be submitted to the Committee and approved prior to beginning construction. Exterior of culvert shall be covered to within 12" of the ends. The portion of the drive that is on the street right-of-way must be of the same quality as the street with regard to culverts, base, paving material, and workmanship. Paving of homeowner's right-of-way portion must be completed within three months of the paving of the street adjacent to the lot, but preferably at the same time.

## 6. DOMESTIC ANIMALS

"PETS AND LIVESTOCK. No pets, animals, livestock or poultry of any kind shall be raised, bred or kept on any Lot, except that:

(a) Domestic pets may be kept if confined at all times inside any residence on the Lot; and

(b) No more than one dog, horse, pony, dairy cow, goat or sheep may be kept for the first full two (2) acres and for each additional full three (3) acres per Lot if fenced in a manner and location acceptable to the Committee, if never allowed to run at large within the Subdivision and if kept for non-commercial purposes. No animal(s) may be kept which, in the sole discretion of the Committee, shall create any noise or odor nuisance, or shall endanger landscape or ecology by overgrazing."

Guidelines: In (b) above the meaning extends to any dogs or any large animals which are kept outside the house, only one of which may be kept on a lot of less than 5 acres. One

more large animal may be kept for each additional full three (3) acres per lot if the subsequent conditions of fencing, etc. are met. In the event that complaints are received concerning pet nuisance, this covenant will be strictly enforced.

## **7. CAMPING**

"CAMPING. The only camping allowed shall be temporary recreational camping on Owner's lot for periods of one (1) week or less and which, in the sole discretion of the Committee, does not create a noise or visual nuisance. No permanent or temporary outdoor latrines shall be allowed."

## **8. PROHIBITED STRUCTURES**

"PROHIBITED STRUCTURES. Only in connection with camping allowable under paragraph 6 of this Article shall tents, trailers or motor homes be erected and/or used on any Lot and in such case only for periods of one (1) week or less. No other structure of a temporary character, including trailers, basements, tents, shacks, horse trailers, or other outbuildings, shall be erected and/or used on any Lot at any time, either temporarily or permanently. No mobile home shall be placed on any Lot at any time, either temporarily or permanently."

Guidelines: Metal storage sheds or barns are strictly prohibited. However, the Committee realizes the need for contractors to have equipment storage during construction. Exceptions may be made in such cases if such storage facilities are on the side of the homesite away from the road and written permission is granted by the Committee.

## **9. COMPLETION OF STRUCTURES**

"COMPLETION OF STRUCTURES. The exterior of each house or other improvement shall be completed and finished within six (6) months of the earliest to occur of (i) the placement of building materials on the Lot, or (ii) the commencement of foundation work for the structure, or (iii) the commencement of on-site work on the structure itself."

Guidelines: In order to maintain the beauty and orderliness of the subdivision, this covenant will be strictly enforced. If you plan to try to build your own home you must plan sufficiently well to be able to comply with this common covenant. You will also be required, in Owner build situations, to submit a letter of credit or other finance verification as the Committee may require to assure completion of the structure in the 6 month time period.

## **10. SEWAGE DISPOSAL STANDARDS**

"SEWAGE DISPOSAL. All soil-absorption sewage disposal systems must be constructed in conformity with the restrictions outlined on the recorded plat of the Subdivision.<sup>3</sup> In addition, no soil-absorption sewage disposal systems or components thereof may be installed on any Lot without the prior written approval of the Committee. The Committee is hereby authorized to consider, without limitation, when evaluating proposed plans for soil-absorption sewage disposal systems: (i) the soil percolation rate and known subsurface geology of the proposed drainfield site; (ii) the projected load on the sewage disposal system in view of the planned number of bedrooms, water conservation devices, etc.; and (iii) the cost and effectiveness of alternative systems. The Committee is hereby authorized to set such standards for acceptable sewage disposal systems in excess of the minimum standards set by appropriate governmental entities as the Committee, in its sole discretion, shall deem necessary to protect the environmental integrity of the Subdivision and the health of its residents."

### Guidelines

In order to protect the groundwater (our drinking water source) and to prevent problems which commonly occur with septic tank sewage disposal. The more stringent requirements shall apply of either the APC's guidance or Hays County Health Department requirements.

The Hays County Development Permitting Division is responsible for permitting on-site sewage facilities. To apply for an on-site sewage facility permit (OSSF), applicants must submit a floor plan of the proposed structure, a detailed site plan, and a legal description or survey plat of the property. For questions about permitting, or to schedule a site evaluation, please call (512) 393-2150 Hays County Health Department, San Marcos, Texas or further information may be found at:

<http://www.co.hays.tx.us/departments/envirohealth/envirohealth.asp> .

The Goldenwood APC has the following minimum requirements for septic tanks for individual home sewage disposal until further notice:

- a. Two-compartment septic tanks must be installed.
- b. Septic tanks must have a minimum capacity of 1000 gallons, plus 250 gallons for each bedroom over 2.

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<sup>3</sup> These restrictions are as follows:

"Each house constructed in the subdivision shall be connected to a sewage disposal system constructed and installed at least in accordance with the regulations of the Hays County Health Department, and all sewage disposal systems shall be inspected and approved by the Hays County Health Department. This restriction is enforceable by the Hays County Health Department and/or the subdivider, its agents or assigns."

c. Lot owners intending to install septic drainfields shall submit to the Protective Committee and Hays Co. Health Dept the results of tests from four (4) percolation test holes within the proposed drainfield area (rather than the minimum two holes as required by Hays Co.).

d. Septic tank drainfields shall be permitted only when percolation rates are between 6 and 45 minutes per inch (nearly all soils within the area fall within this range). Soils with unacceptable percolation rates may be required to have lined or unlined evapotranspiration beds or mechanized aerobic system. All drainfield locations and sizes must be approved by the Hays County Health Dept and by the Protective Committee.

e. The Hays Co. Health Dept must be informed of the installation of any septic tank disposal system (or any other sewage disposal system), which system shall be installed according to their regulations except when superseded by more stringent Goldenwood requirements. The Committee must be furnished acceptable written evidence that installation complies with applicable standards.

f. All septic tanks shall be installed with an easily located, readily accessible inspection port which is not to be covered with any difficult-to-remove obstruction. Such location shall be documented on the final "as-built" plat as to actual dimensions and location.

g. Homeowners shall be required to have their septic tanks inspected at least once every four years and pumped out when needed. If a homeowner chooses to inspect his tank himself, he must submit a written affidavit to the Protective Committee including the date of inspection and to what depth sludge had accumulated.

h. The following guidelines shall be observed to ensure proper operation of the septic tank:

- 1) No non-biodegradable objects or particularly caustic chemicals shall be flushed into the septic tank, for example, disposable diapers, cleaning solvents, paint thinners, motor oils, excessive amounts of Drano and such chemicals. It is recommended that homeowners flush a cake of baker's yeast into the septic tank once a month to promote bacterial action.
- 2) All leaky faucets and valves shall be promptly repaired.
- 3) No heavy equipment or trucks shall be driven over the drainfield area.

i. The following water conserving devices must be installed in homes served by septic tanks:

<u>Water Use Rate</u>	<u>Max Allowed</u>
1) Low flow shower heads	□ 2.5 gal/minute
2) New washing machines	□ 25 gal/regular cycle with load-size selectors
3) Faucet aerators/spray taps	□ 1 gal/minute

- 4) Low flow toilet                      □ 1.6 gal/flush

Garbage disposals are discouraged due to the load they place on septic tanks. If one is used the owner will be encouraged to install a grease trap between the disposal unit and septic tank and said grease trap shall be inspected and/or cleaned out yearly. Alternatively, a larger septic and drainfield may be installed to offset the additional load.

k. A minimum setback between the drainfield and areas with high slope shall be in effect, using Hays County regulations. Hays County has minimum setback distances of 75' for bluffs, creeks, and other surface bodies of water and 10' from property lines.

## **11. BUTANE AND FUEL TANKS**

"BUTANE AND FUEL TANKS. No butane or fuel tank or other structure or facility for the storage of combustible fuels shall be placed or maintained on any Lot unless expressly authorized in writing by the Committee."

Guidelines: Any tanks shall be located with the approval of the Committee in such manner as to be visually screened from streets and other lots. Any tanks must conform to state and county codes.

Fire prevention: Exterior fires are permitted only in barbeque pits and containers. All fire must be attended at all times and thoroughly extinguished when left unattended. The burning of refuse from construction or any origin is not allowable except in areas designated by the Committee. Contact the Committee for such location and for permission. Those lot owners who rent should be certain that tenants know the fire rules. Brush clearing by burning **must** be with permission of the Committee and the Driftwood Volunteer Fire Dept. or County Fire Marshall 512-393-7896 or -7339 respectively.

## **12. WALLS AND FENCES**

"FENCES. Any fence, wall, hedge or other similar structure or improvement shall be approved by the Committee with respect to location, height, type and materials."

Guidelines: Wood and/or masonry construction are to be used on the lot lines adjacent to roads. On such front fences owners are encouraged to follow the motif set at the entry to Goldenwood. Wire, chain link fences or exposed concrete block walls are not to be used along roads. Retaining walls, where required, should be kept as low as possible and be constructed of preservative treated wood, stone, brick or stucco. All plans must be approved by the Committee in writing.

## **13. SIGNS**

"SIGNS. No signs of any character shall be allowed on any Lot except those approved prior to erection by the Committee for purposes of identification or sale of a Lot or the residence thereon."

Guidelines: Each property owner will be allowed to erect no more than two signs per lot. No sign shall exceed (4) four square feet in area.

#### **14. VEHICLES, ETC.**

"TRUCKS, BUSES, TRAILERS AND BOATS. No bus, semi-trailer, machinery, equipment, or truck larger than a 3/4 ton pickup shall be kept, placed, maintained, constructed, or repaired on or in the street in front of any Lot, except for construction and repair vehicles during the period of construction on a Lot. No motor vehicle of any type shall be constructed or repaired on or in front of any Lot in such manner as to be visible from neighboring property.

Motor homes, recreational house trailers, horse trailers, truck campers, boats, boat trailers and recreational vehicles of any type kept on a Lot shall be kept within a garage or in such a manner as to not be visible from neighboring property. No motorized vehicle of any kind shall be operated in any manner which is dangerous, noisy, or creates a nuisance in the opinion of the Committee."

Guidelines: No house trailers, tents or truck campers are permitted. No unregistered or uninspected or inoperable vehicles shall be permitted to remain on any lot for more than 30 days unless they are enclosed and hidden from view in a garage or other approved structure. After 30 days such vehicles may be towed away at owner's expense.

#### **15. PARKING**

"PARKING. On-street parking shall be prohibited, except in emergency circumstances."

#### **16. DUMPING AND GARBAGE**

"DUMPING, RUBBISH, GARBAGE AND STORAGE. No Lot shall be used or maintained as a dumping ground for rubbish or trash, nor may such materials be buried or burned on any Lot. All garbage or other waste shall be kept in sanitary containers. All garbage, storage, and disposal containers shall be kept in a clean and sanitary condition, and the location and type of such containers shall be subject to the approval of the Committee."

## **17. FIREARMS**

"FIREARMS. No firearms, fireworks or explosives shall be discharged or openly displayed on any Lot. No hunting, including hunting with bow and arrow, shall be permitted within the Subdivision."

## **18. COMMERCIAL ACTIVITIES**

"COMMERCIAL ACTIVITIES. No business, professional, commercial, or trade venture or activity shall be conducted on any of the Lots; provided, however, that model homes and/or sales offices may be constructed and maintained by Declarant, its successors and assigns, in connection with the development of and the construction and sale of houses in the Subdivision. Subject to the prior written consent of the Committee, which consent is and shall be expressly required, home offices to which the general public is invited, incidental to an Owner's business, may be maintained within such Owner's residence, so long as activities conducted in connection with such home offices do not become an annoyance or nuisance to the neighborhood, in the sole and absolute discretion of the Committee."

## **19. ANNOYANCE OR NUISANCE**

"ANNOYANCE OR NUISANCE. No noxious or offensive activity shall be carried out on or upon any Lot, nor shall anything be done thereon which, in the sole discretion of the Committee, is or may become an annoyance or nuisance to the neighborhood in the sole discretion of the Committee. No clothesline or air conditioner window units shall be visible from a neighboring Lot without the written consent of such neighboring Owner. No unsightly or elaborate radio or television antennae shall be permitted, provided, however, that conventional antennae for normal household radio and television viewing purposes may be maintained, subject to the approval of the Committee as to appearance, height and location. All exterior lighting shall be subject to review and approval by the Committee, and no offensive exterior lighting shall be permitted."

Guidelines: The light source of any exterior lighting fixture should not be visible from neighboring property since this detracts from the atmosphere of privacy in the country. We recommend directing light where it is needed, rather than general flood-lighting. Low path lights or tree-up lighting are more desirable than general light on a yard. General flood lamps such as the mercury vapor or high-pressure sodium types provided on poles by utility companies are expressly forbidden.

Clothes drying shall be located only in areas screened from view from neighboring property or the road.

The Goldenwood community is envisioned as a quiet country retreat. Noisy vehicles such as motorcycles without proper muffler systems, loud barking dogs, and other sources of annoyance or nuisance to neighbors will not be allowed.

## **20. SPRAYING AND USE OF TOXIC SUBSTANCES**

"TOXIC SUBSTANCES. The Committee shall have the right to prohibit the storage and/or application on Lots of those toxic substances including, without limitation, herbicides and pesticides, which, in the sole discretion of the Committee, present an unreasonable hazard to human health or environmental quality due to the location, type or amounts of such storage and/or application".

Guidelines: Poisons, insecticides, herbicides etc. which contain chlorinated hydrocarbons are lethal to a broad spectrum of insect and animal life, both harmful and friendly. Due to the structure of these chemicals, they have a long half life and tend to build up in the food chain, thus causing extensive long-term damage to the ecology of our neighborhood. For these reasons, these substances have no constructive place in our community and will not be approved for use.

The former residents of the Crystal ranch were successful in controlling ticks and chiggers around their homesite with applications of sulphur dust to the land and kerosene to their pant legs and boots. Modern insect repellents are also very helpful with less odor when sprayed on shoes and socks and pant legs.

The Committee is currently researching the products on the market today to find those that give the best results with the least harm. IT IS IMPERATIVE THAT EVERY LOT OWNER CHECK WITH THE COMMITTEE TO OBTAIN PERMISSION BEFORE USING ANY TOXIC CHEMICAL WITHIN GOLDENWOOD. Please call several days before you plan to use a substance--preferably even before you buy it, and let us know the use you plan and the chemical composition (list of ingredients) of the substance.

## **21. TREES**

"TREES. No trees, except cedar trees, having a diameter of five (5) inches or more, measured one foot above natural ground level, shall be removed from any Lot without the consent of the Committee. Any tree stumps shall also be promptly removed."

Guidelines: Site work shall minimize the destruction of trees, especially large and well-preserved specimens, or exceptionally desirable ones like oaks. Large and small shrubs and trees are vital to the environment. Except where explicitly approved by the Committee, no trees over five inches in diameter may be cut on the individual lot or on common ground. It should be remembered that all growth (vines, shrubs, trees, saplings, etc.) provides screening, shade, windbreak, cover for wildlife, and aesthetic value. It takes only minutes to cut a vine or tree, but years to grow one of appreciable size. It is vital to keep these facts in mind at all times when reviewing your lot, because once a mistake is made, it takes years to correct.

In Goldenwood Section II Lots, cedar (or juniper) trees are not exempted from the 5 inch requirement and all cedars larger than 5 inches must be cut **only** with Committee approval. This requirement is to protect the integrity of the cedar brake that is the only nesting area of the golden-cheeked warbler.

## **22. QUARRYING**

"SURFACE MINING. No quarrying or surface mining operations shall be permitted upon or in any Lot."

## **23. DRAINAGE OBSTRUCTIONS**

"CREEK AND TRIBUTARY OBSTRUCTIONS. No obstructions of any type, including, but not limited to, fences, dams, and concrete walkways, shall be placed in, on, or across the bed of any creek or drainage course adjoining or running through any Lot in the Subdivision, without the written consent of the Committee."

## **24. RESUBDIVISION AND CONSOLIDATION**

"RESUBDIVISION AND CONSOLIDATION. None of the Lots in the Subdivision shall be resubdivided unless resubdivision is expressly approved in writing by the Committee. Only one single-family dwelling shall be erected on any one Lot. An Owner may consolidate two or more Lots for the purpose of constructing one single-family dwelling."

Guidelines: As a general policy, resubdivision of lots is discouraged and generally will not be approved prior to January, 1984. It is hoped that by that time the Committee will have more experience with water and sewage density factors within Goldenwood with which to consider future resubdivision requests on a case-by-case basis.

## **25. EASEMENTS**

"EASEMENTS. In addition to the easements and setbacks shown and referenced on the plat of record for the Subdivision, there is hereby

reserved to Declarant, its successors and assigns, easements on, over and under each Lot for the placement of braces, guy-wires and anchors relating to utility lines placed within the public utility easements shown on the plat of record for the Subdivision, and there is also hereby granted to Declarant, its successors and assigns, and a utility easement within the street, road and thoroughfare rights-of-way shown on the plat of record in the Subdivision. The right of use of any easement shall include at all times the right of ingress and egress, for the installation, operation, maintenance, repair, or removal of any utility facilities, together with the right of removal of any obstruction that may be placed in such easement which would constitute interference with the use, maintenance, operation or installation of such utility facilities. An easement is hereby granted to all law enforcement, fire protection, ambulance and other emergency vehicles, and to garbage and trash collection vehicles and other service vehicles to enter upon the Lots in the performance of their duties. Further, an easement is hereby granted to the Association, its officers, agents, employees and management personnel to enter the Lots to render any service."

## **26. WATER WELLS**

"Water wells shall be properly located, cased and maintained in order to prevent the contamination or unnecessary depletion of the aquifers underlying the Subdivision, and in no case shall a water well be drilled within one hundred fifty (150) feet of a septic drainage field. Each Owner shall promptly provide the Committee with a driller's log of any well drilled on the Owner's Lot. No water shall be transported for commercial purposes off the premises, and houses within the Subdivision shall be constructed with such water-conservation devices as the Committee from time to time may prescribe."

## **27. MAINTENANCE REQUIREMENT**

"In the event the Owner of any Lot shall fail to maintain such Lot and the improvements situated thereon in a neat and orderly manner, the Association, acting through the Committee, its agents and employees, shall have the right to enter upon said Lot and to repair, maintain, and restore the Lot and exterior of any and all buildings and other improvements erected thereon at the expense of Owner.

The Committee shall have the sole authority to make a determination as to the acceptability of the maintenance and appearance of any Lot. In the event that the Association or the Committee incurs any expense in maintaining all or any portion of a Lot, the costs thereof shall be charged to and paid by the Owner of such Lot. If such Owner fails to pay such costs upon demand, the Association shall have the right to maintain an action in a court of appropriate jurisdiction to recover any sums so expended. In addition, the Association shall be entitled to pursue the remedies set forth in Article Five, paragraph 2 of this Declaration.

