

**TOWN OF TROPHY CLUB, TEXAS**

**ORDINANCE NO. 2000-09 P&Z**

**AN ORDINANCE OF THE TOWN OF TROPHY CLUB, TEXAS AMENDING ORDINANCE NO. 2000-06 P & Z OF THE TOWN, THE SAME BEING THE COMPREHENSIVE ZONING ORDINANCE, BY AMENDING THE OFFICIAL ZONING MAP OF THE TOWN BY CHANGING THE ZONING ON A CERTAIN TRACT OF LAND DESCRIBED AS A 74.956 ACRE TRACT OF LAND FROM ITS CURRENT ZONING TO PD PLANNED DEVELOPMENT #22 FOR SINGLE FAMILY RESIDENTIAL; PROVIDING THAT SUCH TRACT OF LAND SHALL BE USED IN ACCORDANCE WITH THE REQUIREMENTS OF THE COMPREHENSIVE ZONING ORDINANCE AND ALL OTHER APPLICABLE ORDINANCES OF THE TOWN; PROVIDING THAT THE ZONING MAP SHALL REFLECT THE PD PLANNED DEVELOPMENT #22 ZONING DISTRICT FOR THE SUBJECT PROPERTY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A PUBLICATION CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the owner of the tract of land (the "Land"), described as a 74.956 acre tract of land as described in Exhibit "A" attached hereto and incorporated herein, filed an application with the Town Planning and Zoning Commission requesting a change in zoning of the Land into PD Planned Development #22 for Single Family Residential and an amendment to the official Zoning District Map of the Town in accordance with Ordinance No. 2000-06 of the Town (the "Comprehensive Zoning Ordinance"); and

**WHEREAS**, all legal notices, requirements and conditions having been complied with, the case to rezone the Land came on before the Planning and Zoning Commission and Town Council; and

**WHEREAS**, the Town Council further considered among other things the character of the districts and their peculiar suitability for particular uses, with a view of conserving the value of buildings and encouraging the most appropriate use of land in the Town, and does hereby find that the rezoning approved hereby accomplishes such objectives; and

**WHEREAS**, the Town Council finds that the zoning granted herein utilizes innovative land development concepts and is consistent with the Town's Comprehensive Land Use Plan; and

**WHEREAS**, after public notices were given in compliance with State law and public hearings were conducted, and after considering the information submitted at the said public hearings and all other relevant information and materials, the Planning and Zoning Commission of the Town has recommended to the Town Council the adoption of the amendments to the Comprehensive Zoning Ordinance as set forth in this Ordinance; and

**WHEREAS**, the Town Council has determined that there is a necessity and need for the change in zoning and that there has been a change in the conditions of the Land surrounding and in close proximity to the Land since the Land was originally classified and therefore the change in zoning herein made is needed; and

**WHEREAS**, after due deliberations and consideration of the recommendation of the Planning and Zoning Commission and the information and other materials received at the public hearing, the Town Council has concluded that the adoption of this Ordinance is in the best interests of the Town of Trophy Club, Texas and of the public health, safety and welfare.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF TROPHY CLUB, TEXAS:**

**SECTION I.**  
**INCORPORATION OF PREMISES**

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

**SECTION II.**  
**REZONING**

Ordinance No. 2000-06 of the Town of Trophy Club, Texas, the same being the Town's Comprehensive Zoning Ordinance, is hereby amended in the following particulars, and all other articles, chapters, sections, paragraphs, sentences, phrases and words are not amended but are hereby ratified and affirmed:

- A. The zoning on the Land, being a 74.956 acre tract of land described in Exhibit "A" attached hereto and incorporated herein, heretofore zoned R-12 and R-15, is hereby changed to PD Planned Development #22 for Single Family Residential uses in accordance with the requirements of this Ordinance (including Exhibits "B", "C", "D", "E", "F", "G", "H", and "I" each of which Exhibits is incorporated herein for all purposes), all applicable parts of the Comprehensive Zoning Ordinance, and all other applicable ordinances, rules and regulations of the Town.

**SECTION III.**  
**SITE PLAN**

A planned development site plan for the Land or any part thereof which shall be in substantial conformity with Exhibits described in Section 2. A. above, shall be submitted by the Owner of the Land as required by and in accordance with the Comprehensive Zoning Ordinance and shall be attached hereto and incorporated herein as a part of this Ordinance and labeled Exhibit "B".

**SECTION IV.**  
**ZONING MAP**

The Planning and Zoning Administrator is hereby directed to mark and indicate on the official Zoning District Map of the Town to reflect the zoning change herein made.

**SECTION V.**  
**DEVELOPMENT CONDITIONS**

In carrying out the development of the Land in accordance with this Ordinance, the Development Standards set forth in Exhibit "C" shall be conditions precedent to the granting of any certificate of occupancy.

**SECTION VI.**  
**PATHWAY PLANS**

The standards for Pathway Plans for the Planned Development shall be in accordance with the criteria set forth in Exhibit "D".

**SECTION VII.**  
**LANDSCAPE PLANS**

Landscape plans shall comply with the Landscape Plans as set forth in Exhibit "E".

**SECTION VIII.**  
**MAILBOX/STAND**

The standards for Mailbox/Stands shall be in accordance with the criteria set forth in Exhibit "F".

**SECTION IX.**  
**CONSTRUCTION SCHEDULE**

The Construction Schedule shall comply with the standards as set forth in Exhibit "G".

**SECTION X.**  
**SUPPLEMENTAL DECLARATION OF  
COVENANTS AND RESTRICTIONS**

The Supplemental Declaration of Covenants and Restrictions shall be as set forth in Exhibit "H".

**SECTION XI.**  
**DECORATIVE IRON FENCES, GATES  
AND WALLS**

The standards for Decorative Iron Fences, Decorative Iron Gates, and Stone Walls shall be in accordance with the criteria set forth in Exhibit "I", (I, II, and III).

**SECTION XII.**  
**APPLICABLE REGULATIONS**

In all respects the Land shall be subject to the applicable regulations contained in the Comprehensive Zoning Ordinance and all other applicable and pertinent ordinances and regulations of the Town.

**SECTION XIII.**  
**PURPOSE**

The amendment to zoning herein made has been made in accordance with the Comprehensive Plan of the Town for the purpose of promoting the health, safety and welfare of the community, and with consideration of the reasonable suitability for the particular use and with a view of conserving the value of the buildings and encouraging the most appropriate use of land within the community.

**SECTION XIV.**  
**SEVERABILITY**

The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the Town Council hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

**SECTION XV.**  
**REPEALER CLAUSE**

All previously adopted ordinances or resolutions or parts of ordinances or resolutions of the Town of Trophy Club, Texas, which are not consistent with or in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION XVI.**  
**SAVINGS**

This Ordinance shall be cumulative of all other ordinances of the Town affecting the regulation of land and zoning and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those Ordinances are in direct conflict with the provisions of this Ordinance.

**SECTION XVII.**  
**PENALTY**

It shall be unlawful for any person to violate any provision of this Ordinance, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount not more than Two Thousand Dollars (\$2,000.00), and a separate offense shall be deemed committed each day during or on which a violation occurs or continues.

**SECTION XVIII.**  
**PUBLICATION**

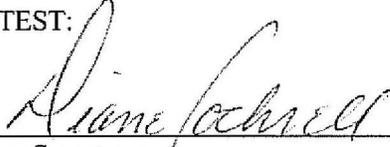
The Town Secretary of the Town of Trophy Club is hereby directed to publish in one issue of the Official newspaper of the Town of Trophy Club, the Caption and Effective Date Clause of this Ordinance as required by Section 52.011 of the Texas Local Government Code.

**SECTION XIX.**  
**ENGROSSMENT AND ENROLLMENT**

The Town Secretary of the Town of Trophy Club is hereby directed to engross and enroll this Ordinance by copying the Caption and Effective Date Clause in the minutes of the Town Council and by filing this Ordinance in the ordinance records of the Town.

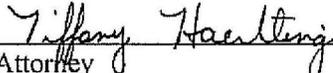
**PASSED AND APPROVED** by the Town Council of the Town of Trophy Club, Texas this 2nd day of May, 2000.

  
\_\_\_\_\_  
Mayor  
Town of Trophy Club, Texas

ATTEST:  
  
\_\_\_\_\_  
Town Secretary  
Town of Trophy Club, Texas

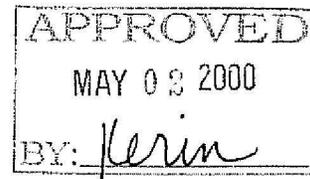
[Seal]

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Town Attorney  
Town of Trophy Club, Texas

SINGLE FAMILY RESIDENTIAL  
PLANNED DEVELOPMENT  
ZONING ORDINANCE  
FOR  
THE 74.956 ACRE TRACT  
KNOWN AS  
WATERS EDGE AT  
HOGAN'S GLEN  
TROPHY CLUB,  
DENTON COUNTY  
TEXAS

PD #22



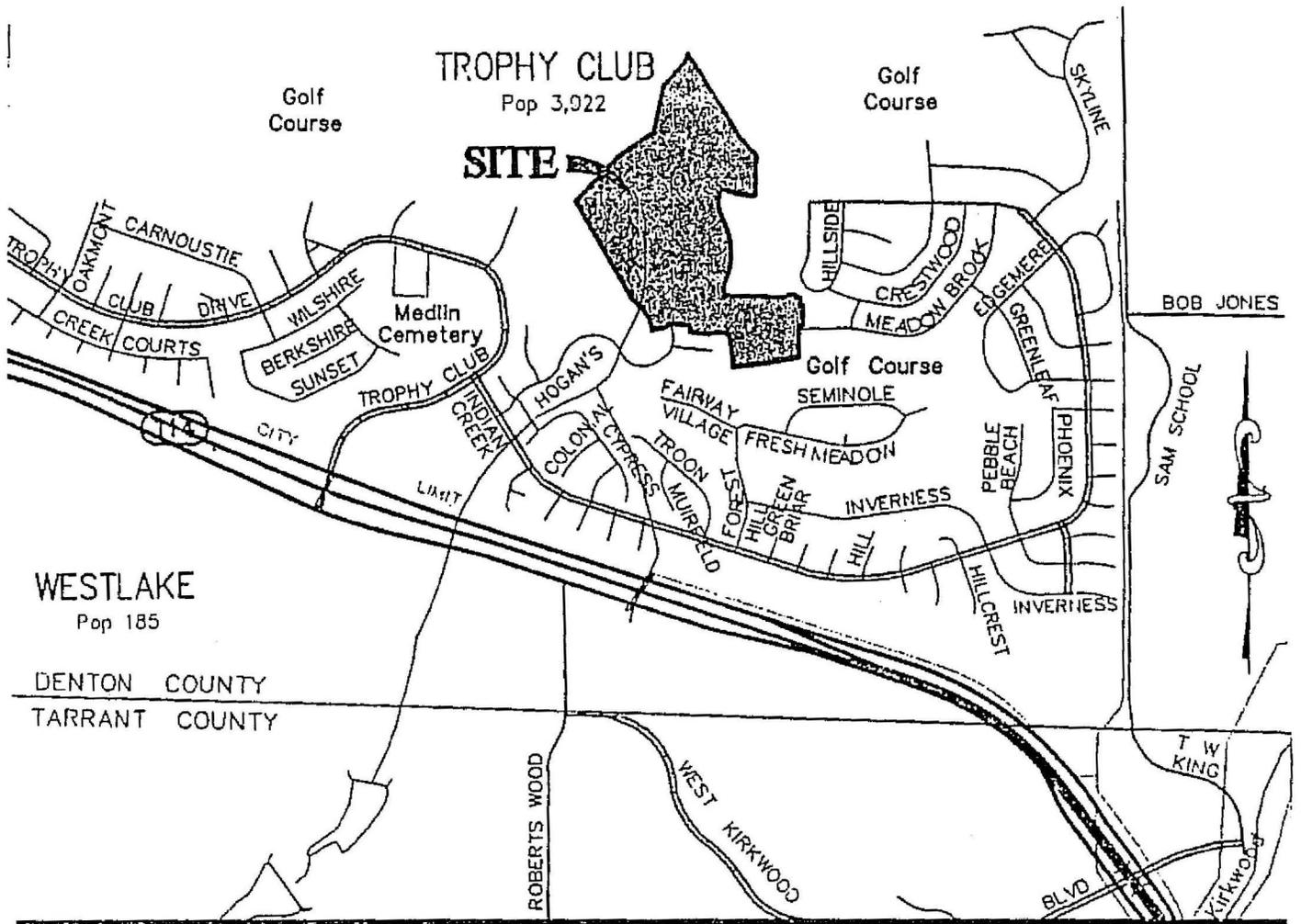
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# LOCATION MAP

TOWN OF  
 TROPHY CLUB



APPLICATION FOR ZONING CHANGE  
 CASE NO. \_\_\_\_\_

PROPOSED AMENDMENT

PRESENT ZONING R-12 - R-15      PRESENT USE VACANT  
 REQUESTED ZONING PD      INTENDED USE SINGLE FAMILY

LEGAL DESCRIPTION OF PROPERTY

PLATTED PROPERTY - LOT \_\_\_\_\_ SECTION \_\_\_\_\_  
 UNPLATTED PROPERTY - SURVEY NAME JR MICHAELS, A- 821-823  
 ACRES 74.956      & MEDLIN

\*NOTE - IF PROPERTY IS NOT PLATTED, ATTACH METES AND BOUNDS DESCRIPTION.

OWNERSHIP/APPLICANT INFORMATION

NAME OF OWNER/APPLICANT BECK PROPERTIES  
 ADDRESS 100 TROPHY CLUB DRIVE      PHONE (817) 430-8992  
TROPHY CLUB TX 76262

[Signature]  
 SIGNATURE OF APPLICANT

.....  
 SUBMISSION OF APPLICATION FEES

\$ \_\_\_\_\_ RECEIPT NO. \_\_\_\_\_ DATE \_\_\_\_\_

<u>EVENTS</u>	<u>DATE ACTION</u>	<u>REMARKS</u>
Preliminary Hearing - P&Z	-----	-----
Public Hearing - P&Z and Council	-----	-----
Effective Date of Ordinance	-----	-----
Recorded on Zoning Map	-----	-----

SITE PLAN REVIEW FEE:

- A) \$400.00 PER SITE PLAN PLUS \$10.00 PER ACRE WHEN THERE ARE LESS THAN 5 ACRES; OR
- B) \$500.00 PER SITE PLAN PLUS \$20.00 PER ACRE WHEN THERE ARE 5 ACRES OR MORE.

EXHIBIT "A"  
PROPERTY DESCRIPTION

Being a 74.956 acre tract of land situated in the J.R. MICHAELS SURVEY, ABSTRACT NO. 821 and the M. MEDLIN SURVEY, ABSTRACT NO. 832, and being a portion of that tract of land described in deed to Beck Properties, Trophy Club, LP as recorded in County Clerks File No. 93-R0087516, Real Property Records, Denton County, Texas, said 74.956 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a point for the northwest corner of Lot 13, Block 1, The Estates of Hogan's Glen, Phase II, an addition to the Town of Trophy Club according to the plat recorded in Cabinet P, Page 397 and 398, Plat Records, Denton County, Texas, said point also being in the east line of a tract of land described in deed to Cobblestone Texas, Inc. as recorded in County Clerks File No. 93-R0087511, Real Property Records, Denton County, Texas;

THENCE N17°55'40"W, along a common line between said Beck Properties, Trophy Club, LP tract of land and the Cobblestone Texas, Inc. tract of land, a distance of 145.69 feet to a point for corner;

THENCE N41°34'55"W, continuing along said common line, a distance of 273.83 feet to a point for corner;

THENCE N30°10'10"W, continuing along said common line, a distance of 254.98 feet to a point for corner;

THENCE N31°22'04"W, continuing along said common line, a distance of 856.67 feet to a point for corner;

THENCE N42°11'52"E, continuing along said common line, a distance of 590.04 feet to a point for corner;

THENCE N53°58'48"E, continuing along said common line, a distance of 446.11 feet to a point for corner;

THENCE N10°51'35"E, continuing along said common line, a distance of 487.37 feet to a point for corner;

THENCE N40°12'27"E, continuing along said common line, a distance of 306.20 feet to a point for corner;

THENCE N24°17'30"E, continuing along said common line, a distance of 88.07 feet to a point for corner;

THENCE S37°38'03"E, continuing along said common line, a distance of 172.74 feet to a point for corner;

THENCE S32°34'49"E, continuing along said common line, a distance of 821.35 feet to a point for corner;

THENCE S45°09'21"E, continuing along said common line, a distance of 232.24 feet to a point for corner;

THENCE S00°24'14"E, leaving said common line, a distance of 339.34' to a point for corner;

THENCE S01°15'49"W, a distance of 60.00 feet to a point for corner at the beginning of a non-tangent curve to the right having a radius of 1105.49 feet and whose long chord bears N79°43'11"W, a distance of 346.51 feet;

THENCE along said curve to the right, through a central angle of 18°02'00", an arc length of 347.94 feet to a point for corner at the end of said curve;

THENCE S20°26'36"W, a distance of 38.58 feet to a point at the beginning of a curve to the left having a radius of 258.45 feet and whose long chord bears S00°48'04"E, a distance of 187.30 feet;

THENCE along said curve to the left, through a central angle of 42°29'20", an arc length of 191.66 feet to a point for corner at the end of said curve;

THENCE S22°02'44"E, a distance of 216.58 feet to a point for corner at the beginning of a curve to the right having a radius of 566.44 feet and whose long chord bears S08°16'18"E, a distance of 269.73 feet;

THENCE along said curve to the right, through a central angle of 27°32'52", an arc length of 272.34 feet to a point for corner at the beginning of a curve to the right having a radius of 1096.20 feet and whose long chord bears S13°44'05"W, a distance of 313.93 feet;

THENCE along said curve to the right, through a central angle of 16°27'55", an arc length of 315.02 feet to a point for corner at the end of said curve;

THENCE S15°55'30"E, a distance of 79.98 feet to a point for corner;

**WELCH ENGINEERING, INC.**  
CONSULTING ENGINEERS

THENCE S89°23'54"E, a distance of 597.07 feet to a point for corner;

THENCE N59°12'49"E, a distance of 64.70 feet to a point for corner;

THENCE S89°23'54"E, a distance of 52.75 feet to a point for corner at the beginning of a non-tangent curve to the left having a radius of 50.00 feet and whose long chord bears S66°04'15"E, a distance of 58.89 feet;

THENCE along said curve to the left, through a central angle of 72°09'39", an arc length of 62.97 feet to a point for corner at the end of said curve;

THENCE S00°09'22"W, a distance of 83.84' feet to a point for corner;

THENCE S89°50'38"E, a distance of 27.89 feet to a point for corner;

THENCE S00°09'22"E, a distance of 209.01 feet to a point for corner;

THENCE N89°50'38"W, a distance of 30.00 feet to a point for corner;

THENCE S00°09'22"W, a distance of 210.00 feet to a point for corner;

THENCE S00°43'38"E, a distance of 113.78 feet to a point for corner in a north line of the aforementioned Cobblestone Texas, Inc. tract of land;

THENCE S78°29'12"W, along a common line between said Beck Properties, Trophy Club, LP tract of land and the Cobblestone Texas, Inc. tract of land, a distance of 329.97 feet to a point for corner;

THENCE S81°48'57"W, continuing along said common line, a distance of 339.40 feet to a point for corner, said point being the southeast corner of Lot 5, Block 1, said The Estates of Hogan's Glen, Phase II;

THENCE N08°11'06"W, leaving said common line and along the east line of said Lot 5, a distance of 303.86 feet to a point for corner, said point being the northeast corner of Lot 6, and the most easterly northeast corner of Lot 7, Block 1, said The Estates of Hogan's Glen, Phase II;

THENCE N48°04'59"W, along the north line of said Lot 7, a distance of 50.00 feet to a point for corner;

THENCE N83°56'02"W, continuing along the north line of said Lot 7, a distance of 100.00 feet to a point for corner;

THENCE S69°35'16"W, continuing along the north line of said Lot 7, a distance of 67.82 feet to a point for corner, said point being the northwest corner of said Lot 7 and the northeast corner of Lot 8, Block 1, said The Estates of Hogan's Glen, Phase II;

THENCE N83°51'54"W, along the north line of said Lot 8, a distance of 200.00 feet to a point for corner in the east line of Lot 11, Block 1, said The Estates of Hogan's Glen, Phase II, said point being the northwest corner of Lot 9, Block 1, said The Estates of Hogan's Glen, Phase II;

THENCE N06°08'06"E, along the east line of said Lot 11, a distance of 60.00 feet to a point for corner, said point being the northeast corner of said Lot 11;

THENCE N83°51'54"W, along the north line of said Lot 11, a distance of 189.63 feet to a point in the east right-of-way line of Hogan's Drive (a 50' public right-of-way), said point being the northwest corner of said Lot 11;

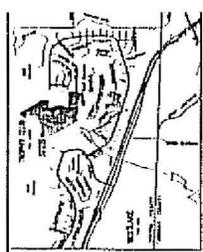
THENCE S72°04'20"W, a distance of 50.00 feet to a point in the west right-of-way line of said Hogan's Drive;

THENCE S17°55'40"E, along the west right-of-way line of said Hogan's Drive, a distance of 17.77 feet to a point for corner, said point being the northeast corner of the aforementioned Lot 13, Block 1;

THENCE 72°04'20"W, along the north line of said Lot 13, a distance of 150.00 feet to the POINT OF BEGINNING and containing 3,265,104 square feet or 74.956 acres of land.

**WELCH ENGINEERING, INC.**  
CONSULTING ENGINEERS

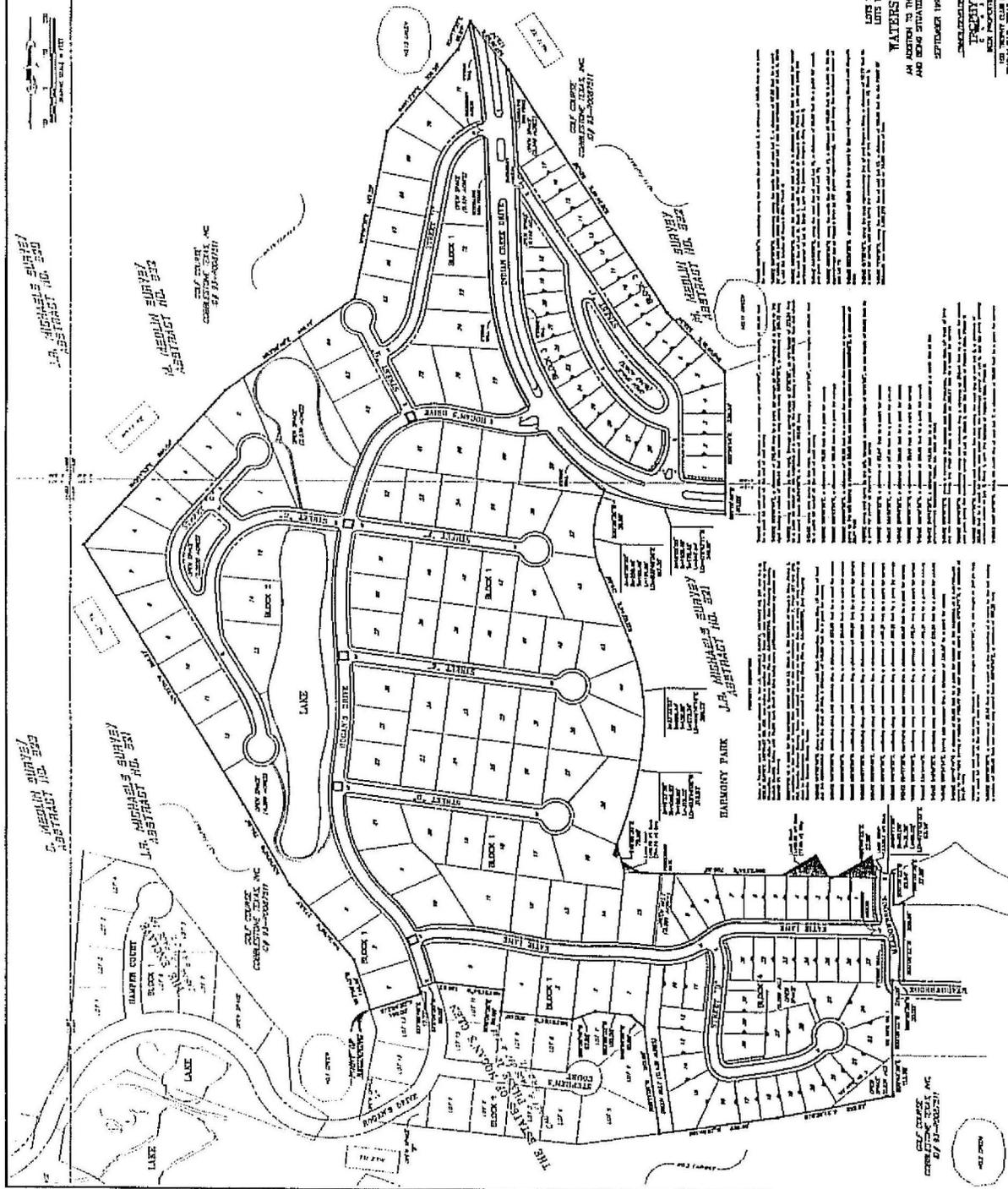
SHEET 2 OF 2



LOCATION MAP

- UNIMPROVED
- IMPROVED
- 1/2" CONC. DRIVE
- 1/2" CONC. DRIVE
- 1/2" CONC. DRIVE
- 1/2" CONC. DRIVE

SECTION 12 AND 13, BLOCK 1 TO BE A 21' WIDE  
 4' HIGH DRIVEWAY TO BE LOCATED AT THE  
 4' FROM THE WEST SIDE OF THE DRIVEWAY.



THESE LOTS ARE TO BE DEVELOPED AS RESIDENTIAL LOTS. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF ALL UTILITIES AND DRIVEWAYS. THE DEVELOPER SHALL ALSO BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF ALL DRIVEWAYS AND DRIVEWAYS. THE DEVELOPER SHALL ALSO BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF ALL DRIVEWAYS AND DRIVEWAYS.

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Exhibit "B"

Page 1

Development Plan

LOT 1-27, BLOCK 1, LOTS 1-25, BLOCK 2

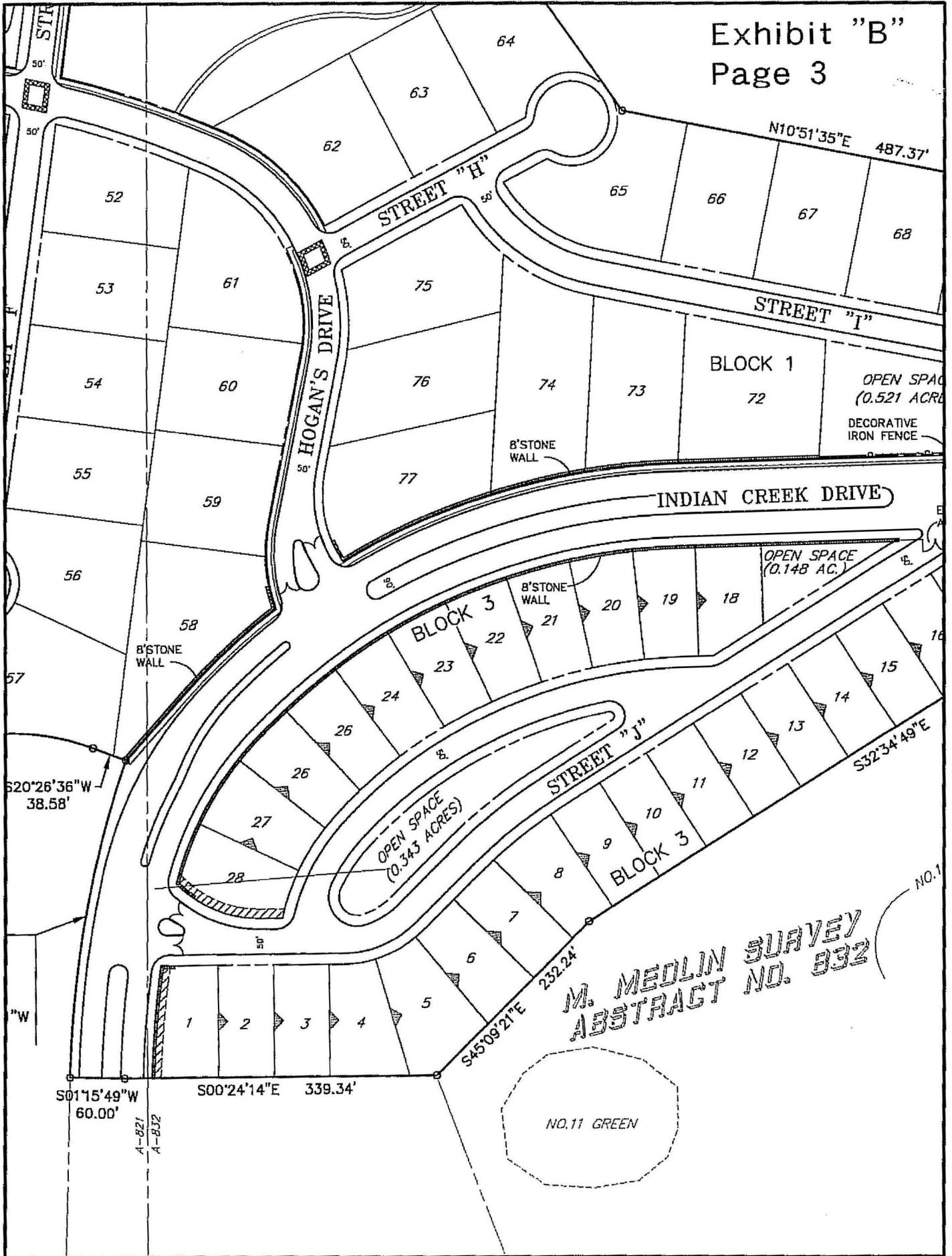
WATERS EDGE AT HOGAN'S GLEN

AN ADDITION TO THE TOWN OF TERRY TOWN COUNTY, TEXAS  
 AND BEING SITUATED IN THE J.C. HOGAN'S SURVEY, ABSTRACT NO. 531  
 SEPTEMBER 1998 197 LOTS 7.487 ACRES

PREPARED BY:  
 J.C. HOGAN SURVEY  
 J.C. HOGAN SURVEY  
 J.C. HOGAN SURVEY  
 J.C. HOGAN SURVEY

DATE: APR. 23, 2002





M. MEDLIN SURVEY  
ABSTRACT NO. 832

NO.11 GREEN

# EXHIBIT "C"

## DEVELOPMENT STANDARDS AND SINGLE HOUSING FAMILY REGULATIONS

- A. GENERAL PURPOSE:** The purpose of this PD Ordinance is to allow single family detached dwellings on lots not less than fifteen thousand (15,000) square feet for the Estate Lots of Waters Edge at Hogan's Glen (Block 1 & 2) and lots not less than seven thousand two hundred (7,200) square feet for The Villa Lots of Waters Edge at Hogan's Glen (Block 3 & 4) together with allowed incidental and accessory uses, in order to provide a viable and compatible neighborhood for the Town of Trophy Club.

The Estate Lots (Block 1 & 2) and The Villa Lots (Block 3 & 4) are a continuation of an existing private, gated, residential neighborhood adjacent to the golf course which blends a heavily wooded site with a unique land plan to create a lasting and quality environment.

The existing vegetation, topography and adjoining creek and lake are integrated into a unified residential plan, which maximizes the existing natural amenities of the site.

The purpose for the PD Ordinance is to establish a framework for development which provides for the protection of the existing site characteristics. Enforcement of the design guidelines will ensure the protection of the design intent and will optimize the preservation of the site.

- B. NON SPECIFIED REGULATIONS:** Any regulations not specifically addressed herein shall be governed by the zoning laws of the Town of Trophy Club or all other ordinances amending or replacing the zoning laws and all other ordinances of the Town.
- C. USES:** No land shall be used and no building shall be installed, erected for or converted to any use other than as hereinafter provided.

- 1. Permitted Uses:** The following uses shall be permitted as principal uses:

- (a) Single Family Detached Dwellings.
- (b) Private Roadways constructed to Town standards.
- (c) Private Common Areas owned by an authorized Homeowner's Association.
- (d) Public and Private Utilities.

2. **Accessory Uses:** Accessory uses shall be permitted in accordance with the regulations provided in the Accessory Uses section for residential development of the Comprehensive Zoning Ordinance as may be amended thereof.
3. **Limitation of Uses:**
  - (a) All applicable ordinances of the Town of Trophy Club shall govern any uses allowed unless otherwise expressed herein.
  - (b) Any use not expressly permitted, or allowed by permit, or as provided by this district, is prohibited.

**D. BUILDING PERMIT REQUIREMENTS:** No application for a building permit for the construction of any structure shall be approved unless a plat, meeting all requirements of the Town of Trophy Club has been approved by the Town Council and recorded in the official records of Denton County, Texas.

**E. HEIGHT REGULATIONS:** No building shall exceed two and a half (2 ½) stories. The building height shall be determined by the pitch of the roof.

**F. AREA REGULATIONS:**

**SITE:** Density – Proposed density is 2.09 UPA. No reconfiguration of lots shall exceed a cumulative density of three (3) dwelling units per acre.

**LOTS:**

The following minimum standards shall be measured from property lines:

**1. Lot Size:**

**Estate Lots:** Lots for any permitted single family use shall have a minimum area of fifteen thousand (15,000) square feet.

**Villa Lots (Block 3 & 4):** Lots for any permitted single family use shall have a minimum area of seven thousand two hundred (7,200) square feet.

**2. Minimum Open Space:** All areas not devoted to buildings, paving or swimming pools shall be devoted to turf or landscaping.

**3. Maximum Building Coverage:** The combined first floor area covered by all principal and accessory buildings or structures shall not exceed forty-five (45) percent in the Estate Lots and sixty-five (65%) percent in The Villa Lots of Hogan's Glen (Block 3 & 4) of the total lot area. Swimming pools and spas are not included in determining maximum building coverage.

**4. Minimum Floor Area:** The minimum square footage of a dwelling unit, exclusive of garages, breezeways and porches, shall be:

**Estate Lots:** Three thousand five hundred (3,500) square feet.

**Villa Lots (Block 3 & 4):** Two thousand five hundred (2,500) square feet.

5. **Depth of Front Yard:**  
Estate Lots: Twenty-five (25) foot minimum.  
Villa Lots (Block 3 & 4): Fifteen (15) foot minimum.
6. **Depth of Rear Yard:**  
Estate Lots: Twenty (20) foot minimum, except as noted on approved plat.  
Villa Lots (Block 3 & 4): Ten (10) foot minimum.
7. **Width of Side Yard:**  
Estate Lots: Five (5) foot minimum. Must maintain a minimum of twenty (20') feet between buildings of adjacent houses.  
Villa Lots (Block 3 & 4): Zero (0) foot minimum on one side and ten (10) foot minimum on the other side. A ten (10) foot minimum must be maintained between houses.
8. **Width of Side Yard Adjacent To Street:**  
Estate Lots: Fifteen (15) foot minimum.  
Villa Lots (Block 3 & 4): Ten (10) foot minimum.
9. **Width of Lot: (At building line)**  
Estate Lots: Ninety (90) foot minimum.  
Villa Lots (Block 3 & 4): Sixty (60) foot minimum.
10. **Depth of Lot:**  
Estate Lots: One hundred fifteen (115) foot minimum.  
Villa Lots (Block 3 & 4): One hundred (100) foot minimum.
11. **Zero ("0") Lot Side:** Placement of zero lot lines shall be established as shown on PD Site Plan, Exhibit "B" and Final Plat.

**G. GARAGES:** A two (2) car garage is required and may not face the street. Additional garages may face the street if the garage door sits back at least fifty (50) feet from the property line, which the garage door faces. Two (2) car garages shall have a minimum interior dimension of twenty-one (21) feet side to side by twenty-two (22) feet front to back. Any garage structure, provided in addition to the required two (2) car garage, shall have a minimum interior dimension of 10 ½' x 22' per vehicle space. No garage may be placed closer to the street than the building line of the adjacent lot, if the garage doors face the adjacent lot.

**H. CONSTRUCTION REGULATIONS:**

1. **Roofing Material:** Three hundred-fifty (350) pounds per square, forty (40) year warranty, Timberline or equal composition roofing is the minimum standard of quality for roofing material to be used in the Properties.
2. Each residential structure shall have installed on the outside wall thereof a service riser conduit. No such conduit shall be visible from the street, or Common Properties.

3. No above ground-level swimming pools shall be installed on any Lot.
  4. **Time of Completion.** Approved final inspection shall be not later than one (1) year following the commencement of construction. For the purposes hereof, the term “commencement of construction” shall be deemed to mean the date on which the building permit is issued by the Town of Trophy Club.
  5. No projections of any type visible from the street or golf course shall be placed or permitted to remain above the roof of any residential building with the exception of chimneys and vent stacks. Vent stacks shall be painted to match the color of the roof. Turbine vents are prohibited.
  6. **Wall Surface Above Garage Doors:** All wall surfaces above garage doors shall be masonry to match the residence.
  7. Exterior fascia shall be nominal 1x cedar.
- I. **DRIVEWAYS AND WALKWAYS:** All driveways and walkways shall be constructed of seeded aggregate concrete, stamped and colored concrete or paverstone acceptable to the Architectural Control Committee of the Homeowner’s Association. Seeded Aggregate Concrete shall consist of a minimum four (4) inch thick section with the surface to be floated with seeding of rocks of 1/4” – 3/8” in diameter to cover the entire plan surface (less any accent trim). Minimum concrete strength shall be of 2,500 psi with steel reinforcement of #3 rebar @ 24” o.c. and dummy joints shall be installed every ten linear feet.
- J. **SPECIAL PAVING:** Those paved areas identified on Exhibit B: PD Site Plan as “Enhanced Paving” shall be patterned and colored concrete or paverstone as constructed to the requirements of the Town of Trophy Club and shall be installed at the time of construction of the streets.
- K. **FENCES / WALLS / RETAINING WALLS:**
1. **Front Yard Fencing.** Fencing will be allowed to extend from the front face of the building to the side property lines. All fencing shall be masonry, identical to the type of material used on the residence located on such Lot or ornamental iron. All gates shall be ornamental iron. Fencing shall not exceed 8’ in height.
  2. **Side Yard Fencing.** Fencing between Lots shall not exceed 8’ feet in height of masonry (brick, stone or stucco over masonry) or ornamental iron only.  
  
**Corner Lot.** No fence shall be installed closer to the street than the building line of the adjacent lot. (See Plat for fence building line.)
  3. **Side or Rear Yard Fencing Visible from the Street.** Fencing shall be constructed as noted in K1. above.

4. **Perimeter Fence.**

- (a) **Adjacent to Indian Creek Drive and Meadowbrook Lane.** Shall be installed by the Developer at the time of development and shall match the eight (8) foot stone wall at the entry at Guard House.
- (b) **Facing Golf Course, Park or Open Space.** Perimeter fences, if installed, shall be constructed of decorative iron with native stone columns at each property corner as shown in Exhibit "T". Maximum height eight (8) feet. Columns to be centered on side property line.

- 5. **Retaining Walls.** All retaining walls shall be constructed or veneered with brick or stone compatible to the residence.
- 6. **Fencing.** No fencing, screening walls (excluding a/c condensing unit), or combination thereof shall be located in any required front yard or side yard adjacent to a street.
- 7. **A/C Condensing Unit.** Shall not be visible from the street. Screening of a/c unit shall be constructed of the same material as the residence. The minimum height shall totally obscure the a/c unit.

L. **COMMON AREAS:**

- 1. All open space, as identified on Exhibit B: PD Site Plan, shall be constructed and landscaped by the Developer in accordance with the attached Landscape Plan shown on Exhibit "E".
- 2. Open space area maintenance shall be by "The Homeowners Association of Hogan's Glen, Inc."

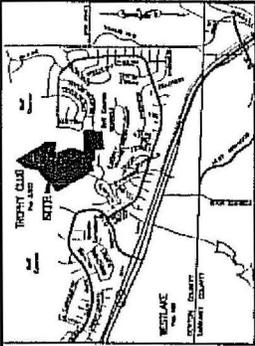
M. **LANDSCAPING:**

- 1. **Landscaping and Sprinkler System.** Each Lot on which a residential dwelling is constructed shall have and contain an underground water sprinkler system for the purpose of providing sufficient water to all front yards, side and rear yards. Each Lot shall be planted with a least twelve (12) caliper inches of trees; provided, however, any tree used to satisfy this requirement shall contain at least four (4) caliper inches measured 12" above ground. Preservations of existing trees is encouraged and credit may be given toward the planting requirements for trees preserved in a healthy condition.
- 2. **Open Space.** To be installed by the Developer at time of construction.

- N. **PATHWAY PLAN:** Pathways shall be five (5) feet wide of seeded aggregate concrete. See Exhibit "D" for location. Seeded Aggregate Concrete shall consist of a minimum four (4) inch thick section with the surface to be floated with seeding of rocks of 1/4" – 3/8" in diameter to cover the entire plan surface (less any accent trim). Minimum concrete strength shall be of 2,500 psi with steel reinforcement of #3 rebar @ 24" o.c. and dummy joints shall be installed every ten linear feet.
- O. **UTILITIES:** All utilities shall be underground. Electric transformers shall be pad-mounted and located at rear of Lots. Any above ground utility structure visible to public view or the golf course shall be permanently screened by masonry (brick, stone or stucco over masonry). If gate is required, gate to be solid-backed ornamental iron installed at the time of construction by the developer. A living screen alone is not acceptable to satisfy this requirement.
- P. **SIGNS:** Developer may erect and maintain a sign or signs for the construction, development, operation, promotion and sale of the Lots. Holiday or patriotic flags may be displayed by Developer and Owners. All signs shall be in accordance with the ordinances and laws of the Town of Trophy Club.
- Q. **PRIVATE STREETS:**
1. **Maintenance Cost:** The Homeowners Association of Hogan's Glen, Inc. is responsible for the cost of maintenance of private streets. The Town shall have no responsibility for and shall not pay for any portion of the cost of maintaining a private street.
  2. **Maintenance Standards:** Maintenance, amenities, and landscaping of private streets shall conform to the same standards regulating the maintenance, amenities, and landscaping of public streets.
  3. **Retention of Easements:** A utility, drainage, and emergency access easement shall be retained in private streets by the Town and other utility companies:
    - (a) providing unrestricted use of the property for utilities and their maintenance;
    - (b) extending easement rights to all utility providers including telecable companies operating within the Town;
    - (c) providing the Town with the right of access for any purpose related to the exercise of a governmental service or function, including but not limited to fire and police protection, emergency vehicles, public and private utility maintenance and service personnel, solid waste collection services, the U.S. Postal Service and governmental employees in pursuit of their official duties, including but not limited to inspection and code enforcement.

- (d) permitting the Town to remove any vehicle or obstacle within the private street that impairs emergency access.
  - 4. **Access Gates:** The type of gate or controlled access mechanism is subject to the approval of the Town of Trophy Club's Fire Marshall. The Town of Trophy Club shall bear no responsibility or liability in connection with the removal or destruction of any gate or other controlled access while engaged in emergency action.
  - 5. **Town Assumption of Maintenance:** The Town shall be the sole judge of whether repairs to a private street are needed. If the Homeowner's Association, its successors, or assigns, fail or refuse to adequately maintain private streets and related appurtenances, the Town shall have the right, but not the obligation, to assume temporarily the duty of performing the association's maintenance obligations at any time after the expiration of sixty (60) days after receipt by the association, its successors or assigns of written notice from the Town specifying the nature and extent of the failure to maintain.
    - (a) Upon assuming such maintenance obligations, the Town shall have the right to collect from the Homeowner, when they become due, the assessments levied by the Homeowner's Association for the purpose of repairing and maintaining the private streets and related appurtenances, and if necessary, the Town shall have the right to enforce the payment of delinquent assessments in the manner set forth in the association's documents.
    - (b) The Town shall also have the right to levy an assessment upon each lot on a pro rata basis for the cost of such maintenance, which assessment shall constitute an assessment lien upon the lot against which each assessment is made.
    - (c) Under no circumstances shall the Town be liable to the association or any lot owner or their respective heirs, successors or assigns for negligent acts or omissions relating in any manner to maintaining, improving and preserving the private streets and related appurtenances.
- R. **TRAFFIC STUDY:** Shall be submitted at time of plating for Phase 7 to determine necessity for left turn lane on Indian Creek Drive.





LOCATION MAP

GOLF COURSE  
CORRELATING TEXAS, INC.  
BY 93-00057311

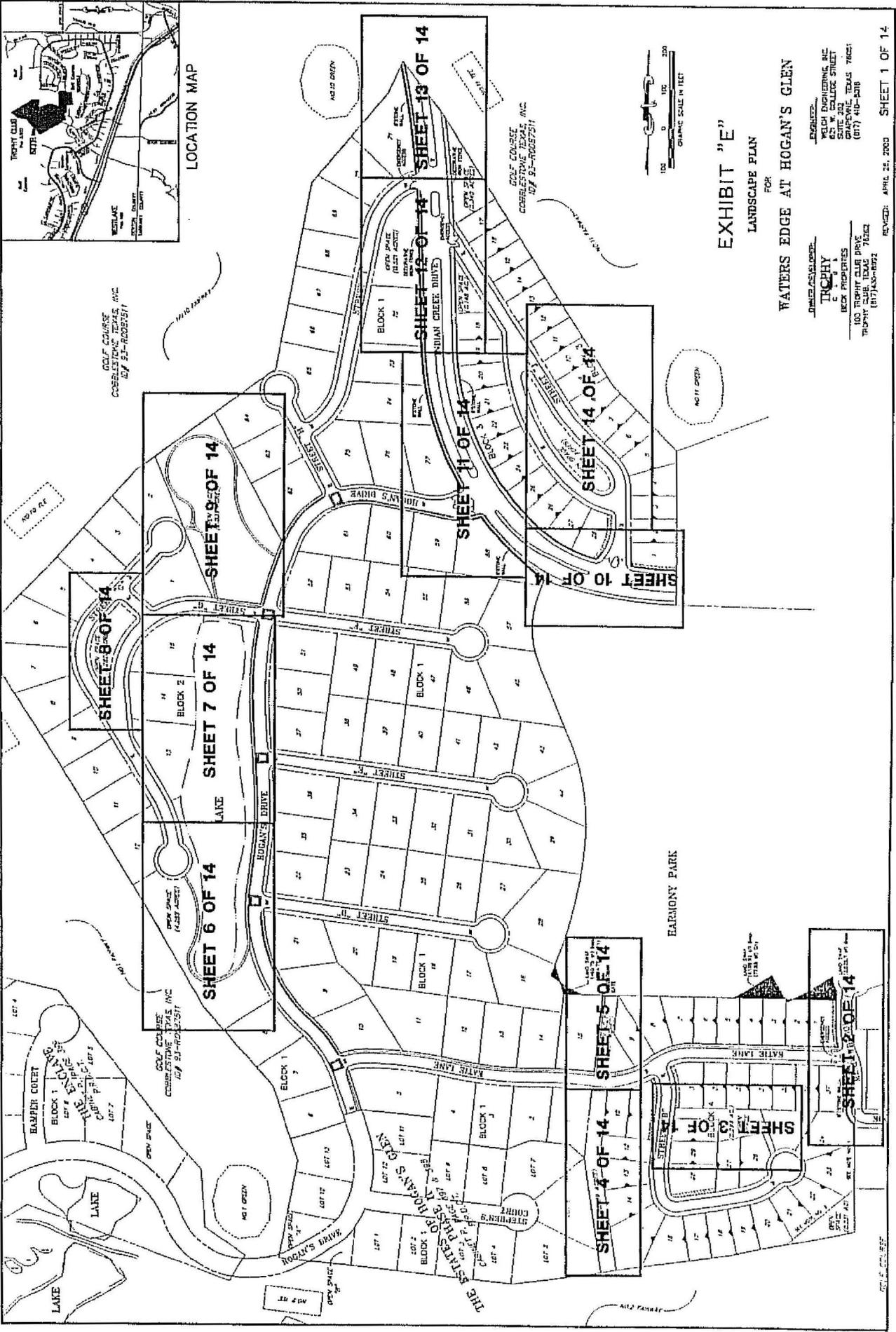


EXHIBIT "E"

LANDSCAPE PLAN  
FOR

WATERS EDGE AT HOGAN'S GLEN

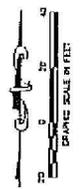
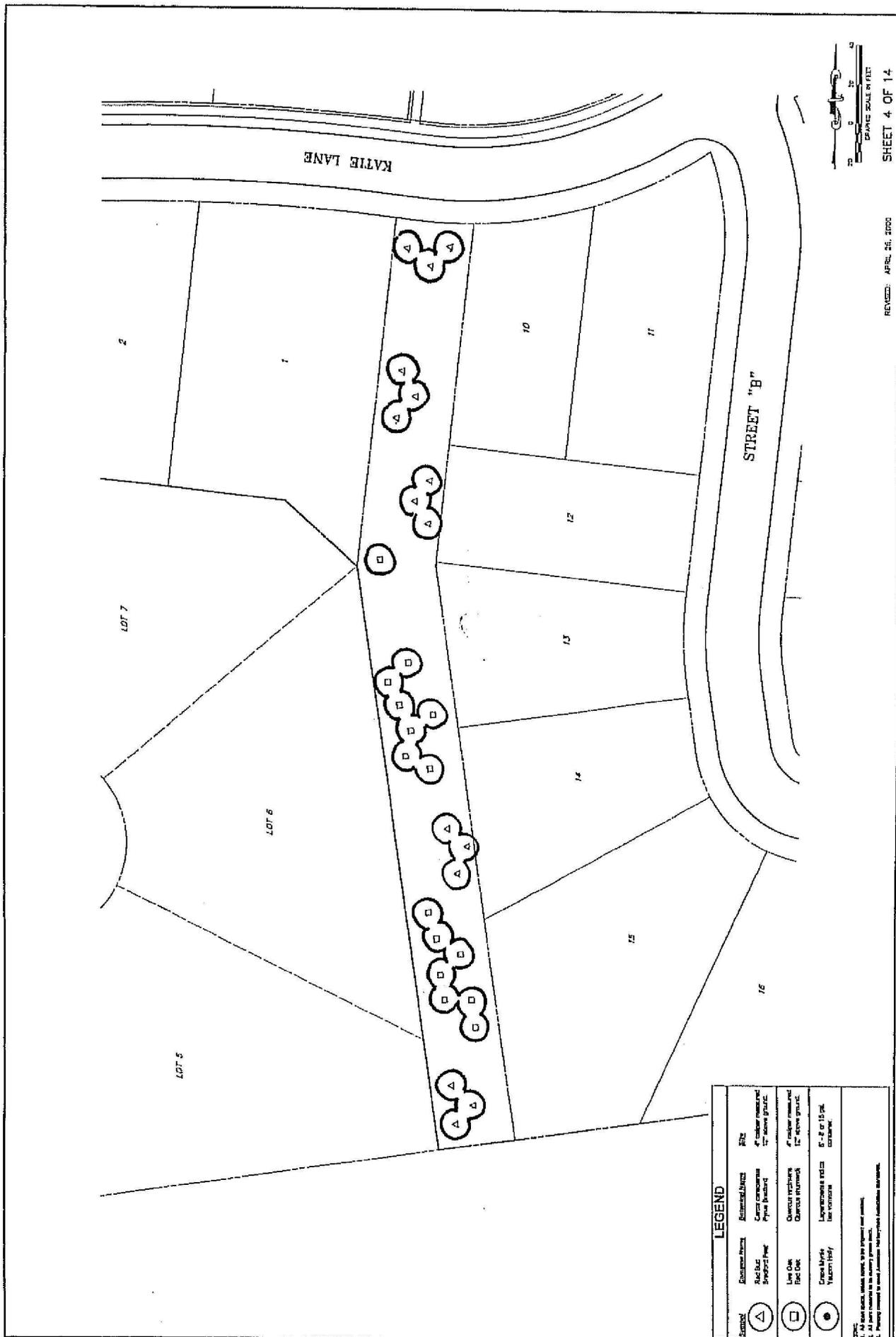
DESIGNED BY:  
**TRICCHY**  
BECK PROPERTIES  
100 TRUMP CLUB DRIVE  
TRUMP CLUB, TEXAS 75043  
(817) 419-2300  
(817) 450-8972

ENGINEER:  
WELCH ENGINEERING, INC.  
621 W. COLLIER STREET  
SUITE 202  
DALLAS, TEXAS 75201  
(817) 419-2300

REVISION: APRIL 25, 2000 SHEET 1 OF 14





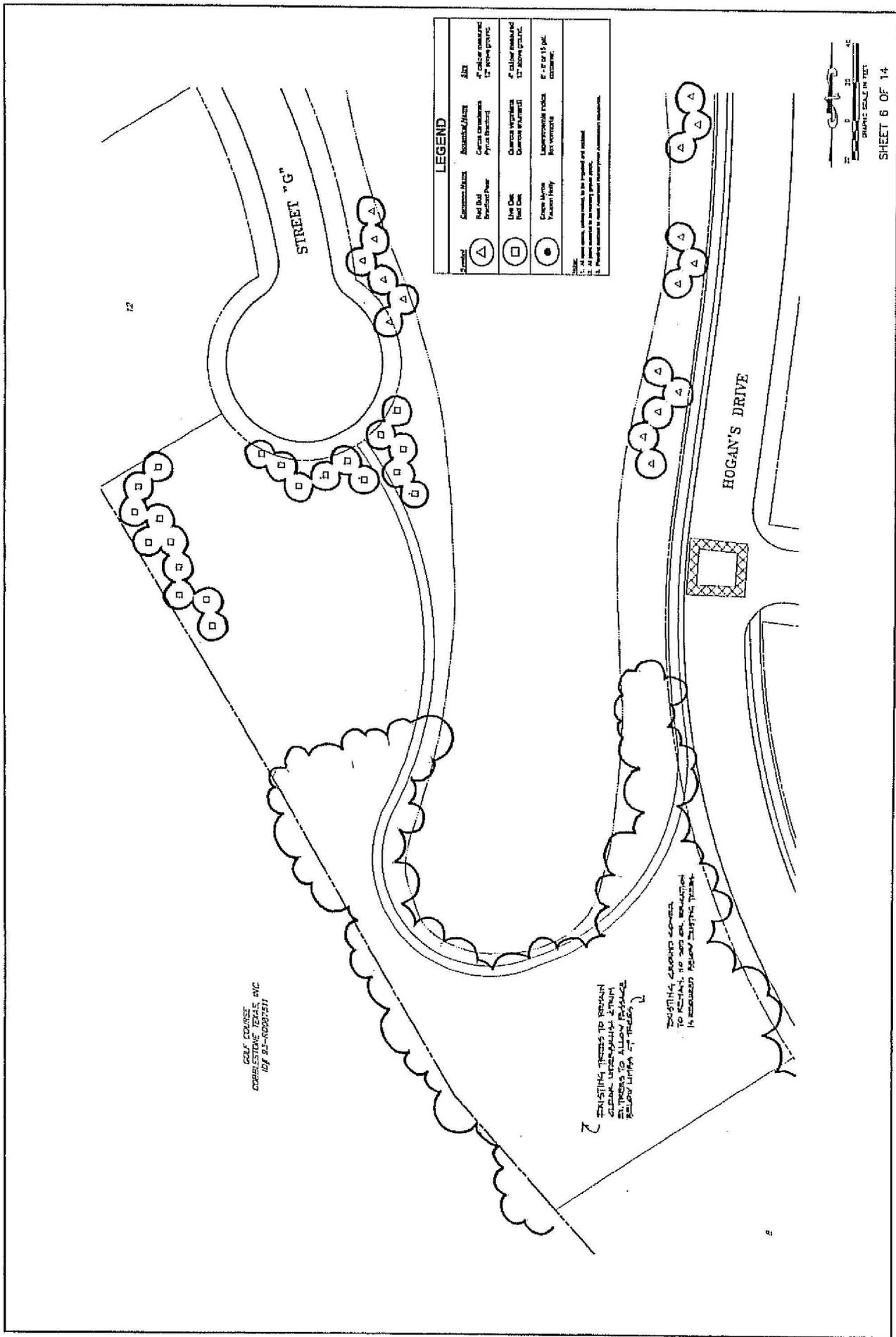


SHEET 4 OF 14

REVISED: APRIL 24, 2000

LEGEND			
Symbol	Description	Reference/Notes	Size
△	Electrical Meter	4" meter measured to house ground	4"
□	Water Meter	4" meter measured to house ground	4"
○	Gas Meter	4" meter measured to house ground	4"
○	Water Main	4" or 6" or 8" or 10" or 12" or 15" or 18" or 24" or 30" or 36" or 42" or 48" or 54" or 60" or 66" or 72" or 78" or 84" or 90" or 96" or 102" or 108" or 114" or 120" or 126" or 132" or 138" or 144" or 150" or 156" or 162" or 168" or 174" or 180" or 186" or 192" or 198" or 204" or 210" or 216" or 222" or 228" or 234" or 240" or 246" or 252" or 258" or 264" or 270" or 276" or 282" or 288" or 294" or 300" or 306" or 312" or 318" or 324" or 330" or 336" or 342" or 348" or 354" or 360" or 366" or 372" or 378" or 384" or 390" or 396" or 402" or 408" or 414" or 420" or 426" or 432" or 438" or 444" or 450" or 456" or 462" or 468" or 474" or 480" or 486" or 492" or 498" or 504" or 510" or 516" or 522" or 528" or 534" or 540" or 546" or 552" or 558" or 564" or 570" or 576" or 582" or 588" or 594" or 600" or 606" or 612" or 618" or 624" or 630" or 636" or 642" or 648" or 654" or 660" or 666" or 672" or 678" or 684" or 690" or 696" or 702" or 708" or 714" or 720" or 726" or 732" or 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**LEGEND**

Symbol	Common Name	Scientific Name	Size
△	Red Oak	Quercus rubra	4" caliper measured 12' above ground
□	Live Oak	Quercus virginiana	4" caliper measured 12' above ground
●	Crape Myrtle	Lagerflora indica	6" - 12" or 15 gal container

1. All trees shown, unless noted, to be planted and watered.  
 2. All plant materials to be nursery grade stock.  
 3. Planting schedule to meet customer requirements.

GOLF COURSE  
COMPLETION TESTS, INC.  
BY B.S.-ROBERTSON

EXISTING TREES TO REMAIN  
TO BE MAINTAINED TO ALLOW  
PASSAGE BELOW LIMITS OF TREES

EXISTING GRASSY AREAS  
TO REMAIN TO BE MAINTAINED  
TO ALLOW PASSAGE BELOW  
LIMITS OF TREES





GOLF COURSE  
COBBLESTONE TEXAS, INC.  
BY 93-AR022511

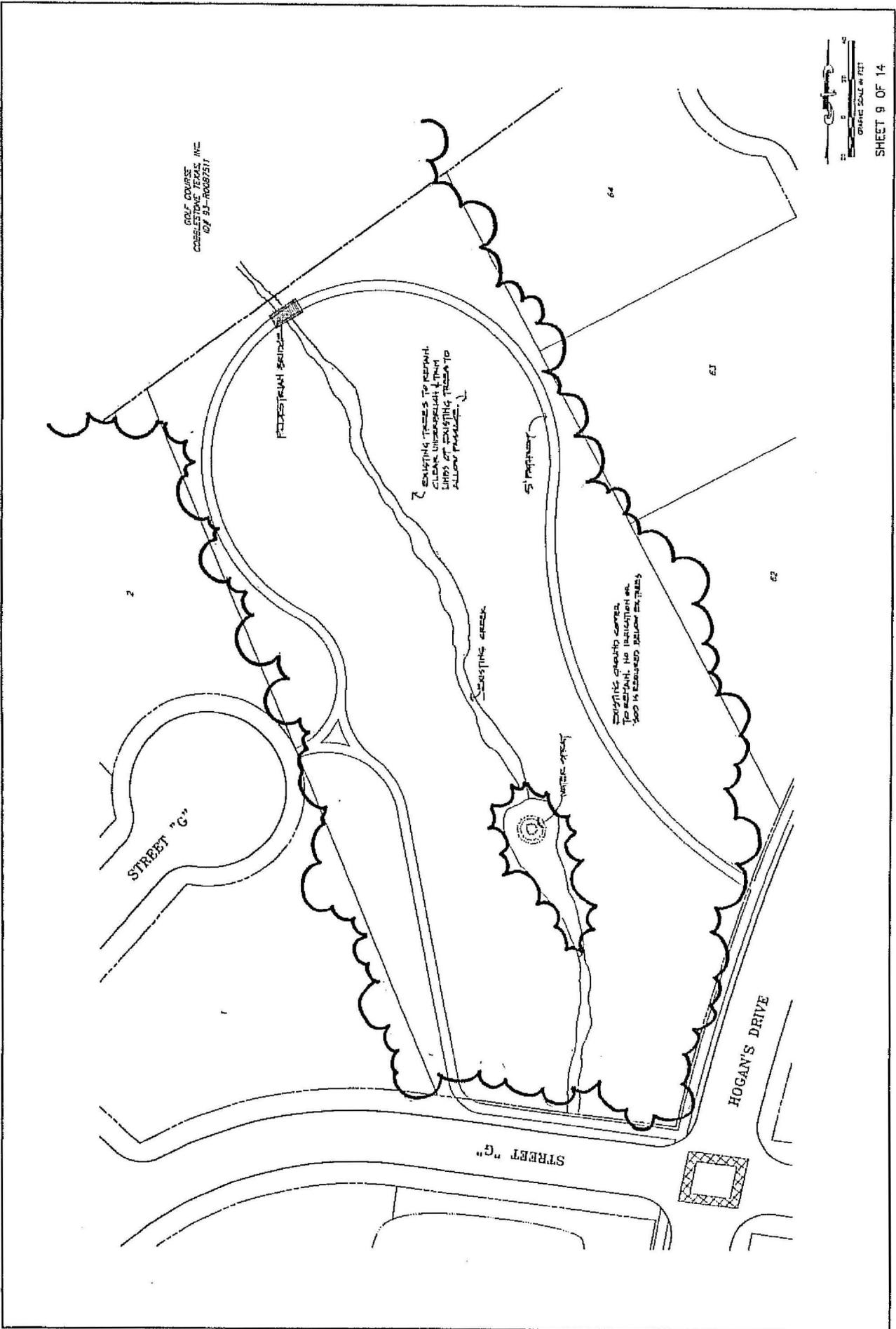
GOLF COURSE  
COBBLESTONE TEXAS, INC.  
BY 93-AR022511



LEGEND		
Symbol	Description/Notes	Material/Thickness
(Triangle)	Red Bud	4" Ash
(Square)	Blackberry Pear	4" Cedar mulch 1" above ground
(Circle)	Live Oak	4" Cedar mulch 1" above ground
(Circle)	Red Oak	4" Cedar mulch 1" above ground
(Circle)	Cooper Maple	4" Cedar mulch 1" above ground
(Circle)	Flowering Dogwood	4" Cedar mulch 1" above ground
(Circle)	Large tree	6" - 8" or 15 gal container
(Circle)	Small tree	6" - 8" or 15 gal container
(Circle)	Planting	Planting



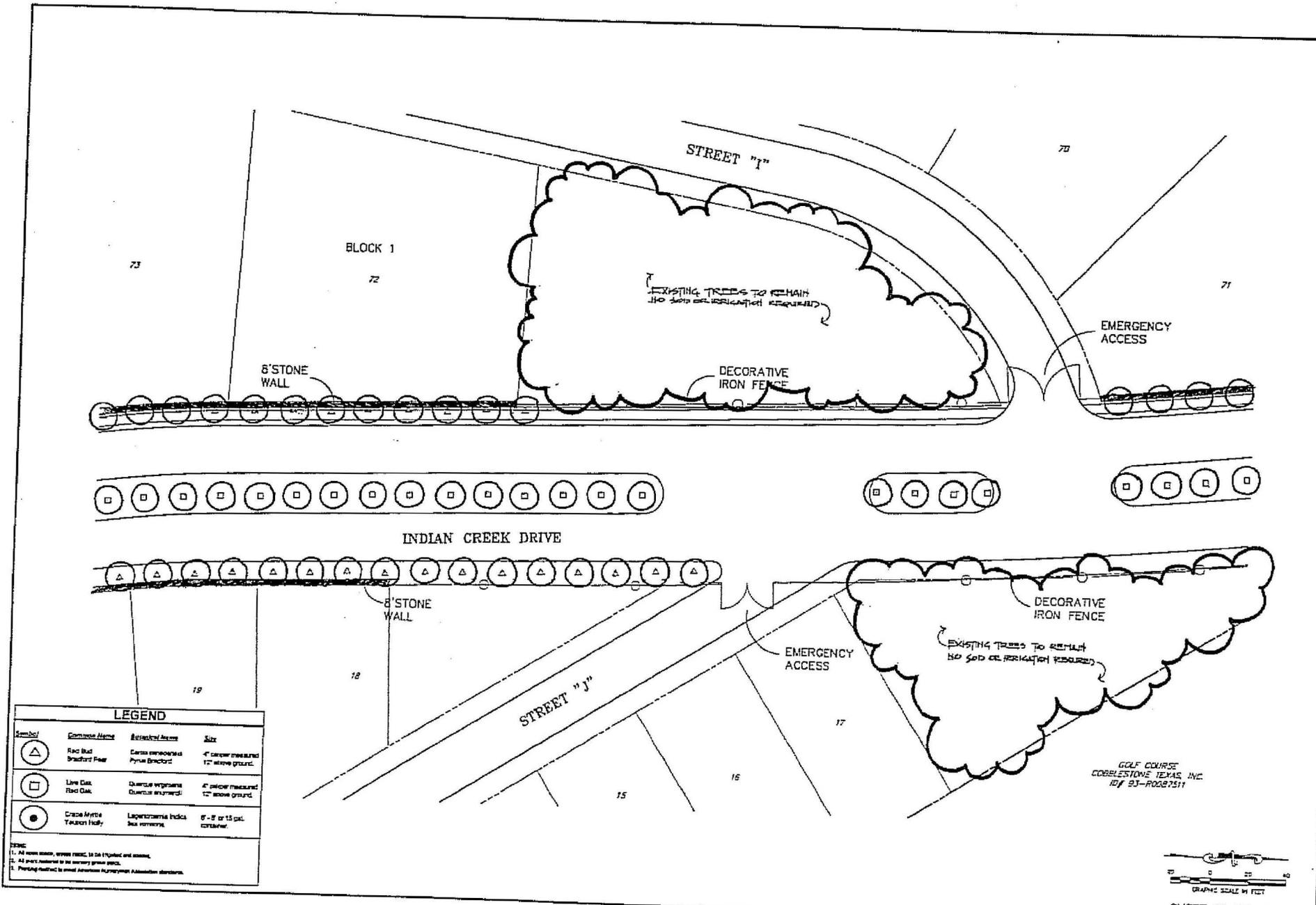
GRAPHIC SCALE IN FEET  
SHEET 8 OF 14







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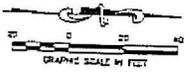


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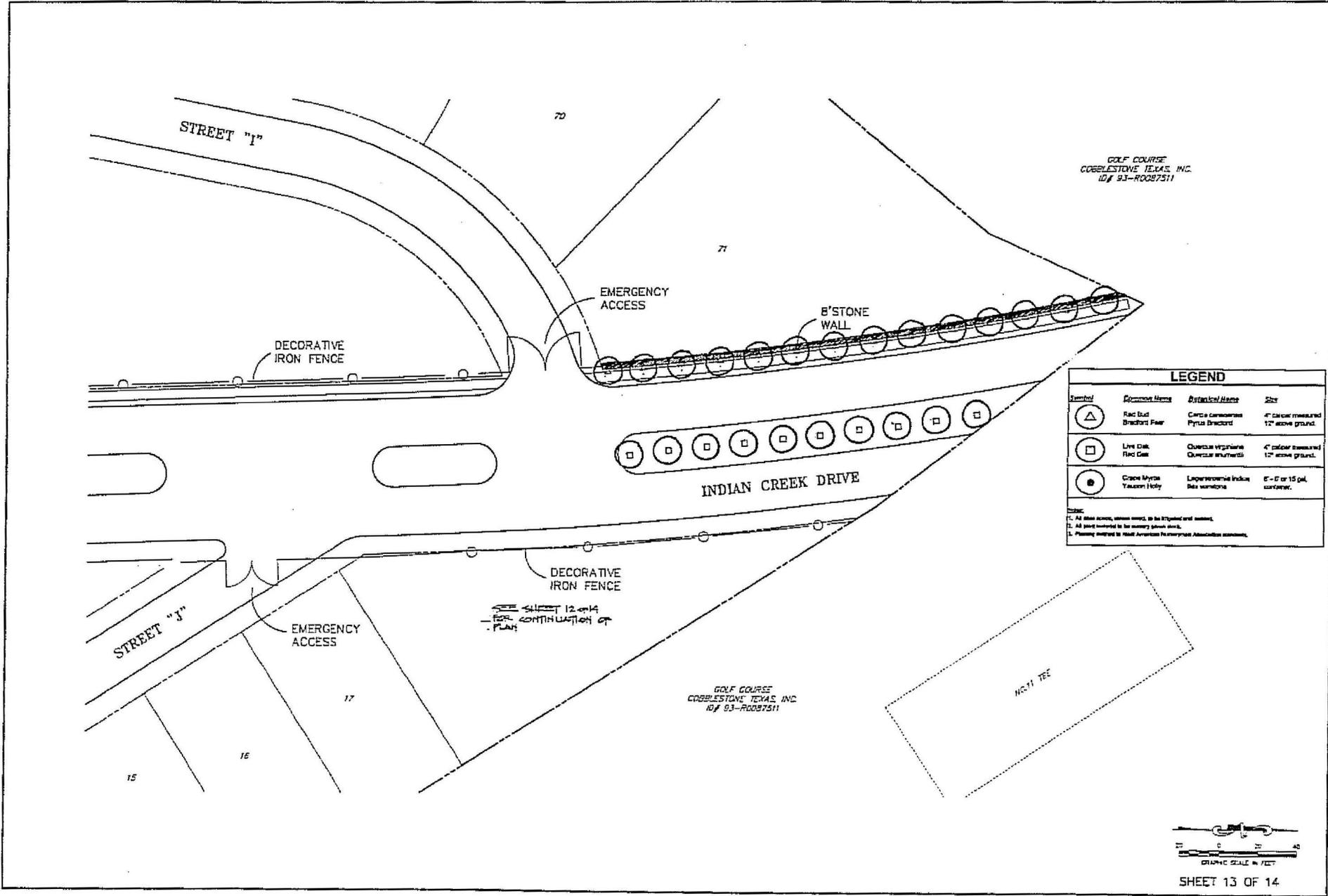
Symbol	Common Name	Botanical Name	Size
△	Red Bud Bradford Pear	Cornus amomifolia Pyrus Bradford	4" caliper measured 12" above ground
□	Live Oak Red Oak	Quercus virginiana Quercus emarginata	4" caliper measured 12" above ground
●	Crane Myrtle Yucca Holly	Laportea lucida Ilex verticillata	8" - 12" or 15 gal. container

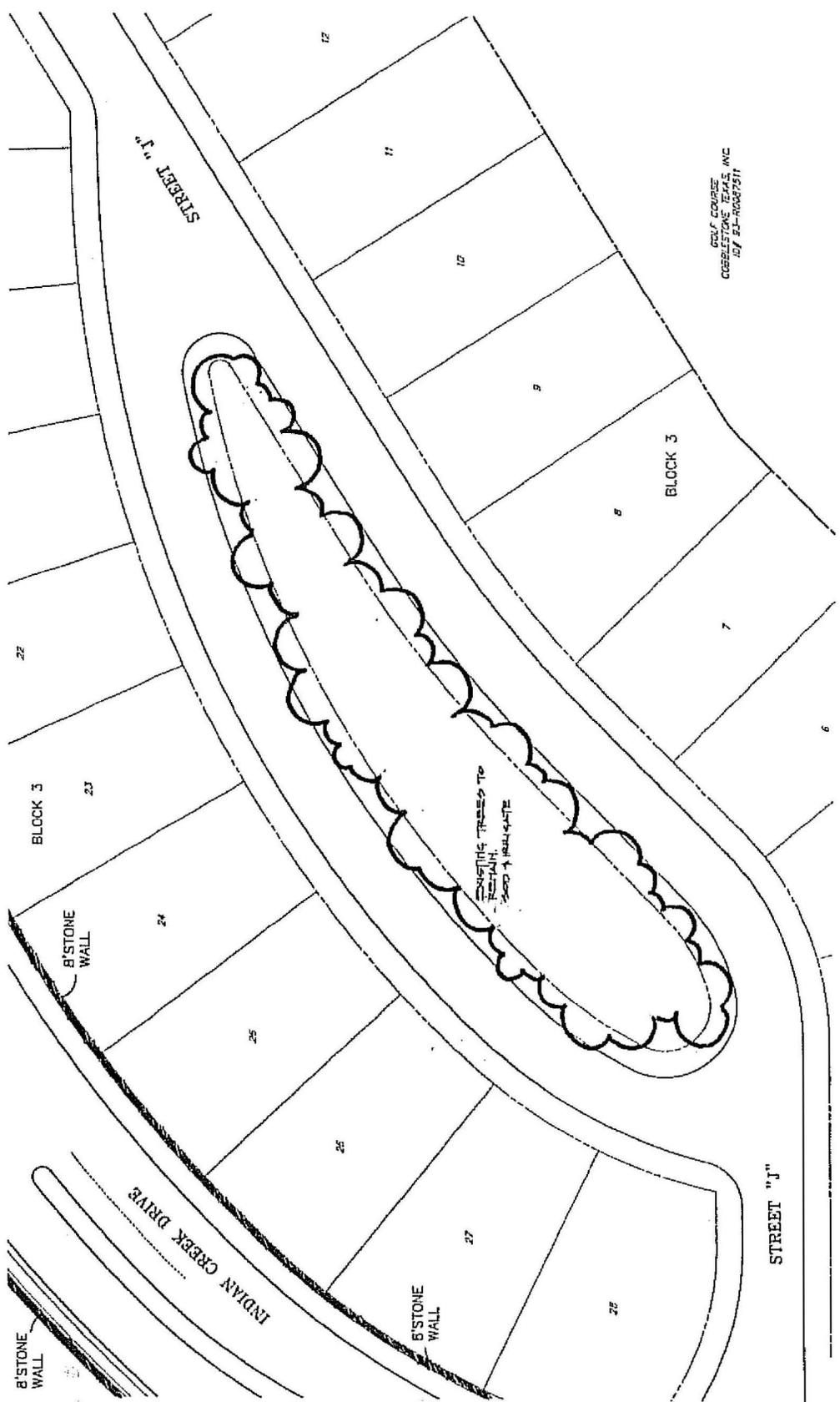
NOTES:  
 1. All trees shown, unless noted, are to be planted and staked.  
 2. All plants assumed to be nursery grade stock.  
 3. Planting method to meet American Nurseryman Association standards.

GOLF COURSE  
 COBLESTONE TEXAS, INC.  
 12/ 93-RO287511

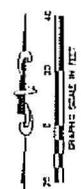


10/25/2010 10:45:00 AM (GMT-5) 10/25/2010 10:45:00 AM (GMT-5)





GOLF COURSE  
 COOPERSTONE TEXAS INC  
 107 51-ROBERTS



# EXHIBIT "F"

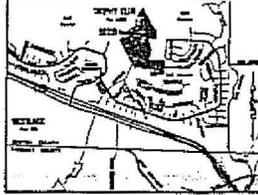
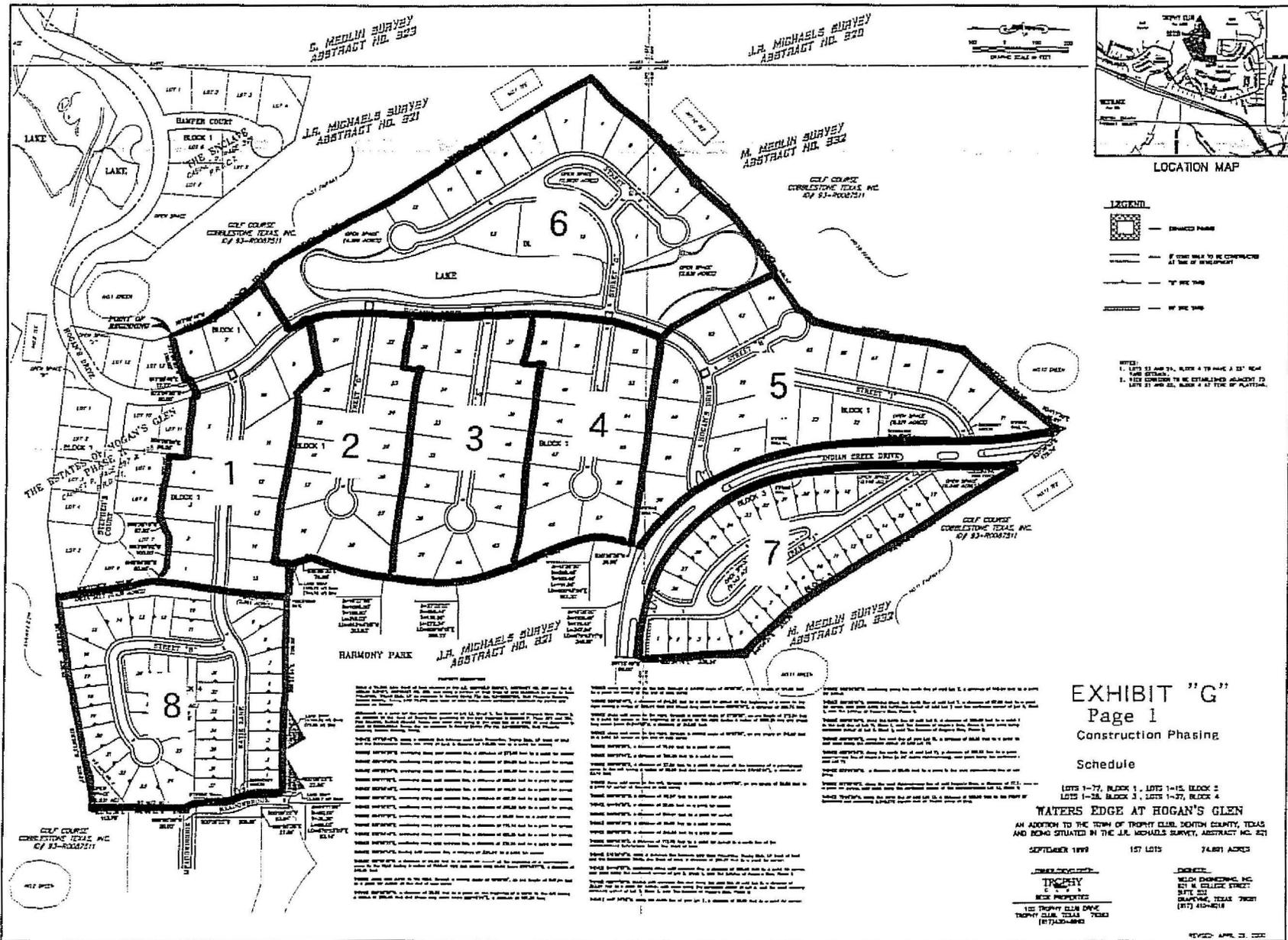
## Mailbox/Stand

### Order Information:

Mailbox: Custom Home Accessories  
Contact: Richard Phelps  
8514 Madison Avenue  
Fair Oaks, CA 95628  
(916) 961-9725 – office

Stand: Aaron Ornamental Iron, Inc.  
Contact: Todd Brock  
3501 Locke  
Fort Worth, TX 76107  
(817) 731-9281





- LEGEND**
- PHASED AREA
  - IF THIS AREA TO BE CONSTRUCTED AT TIME OF INTEREST
  - 1<sup>ST</sup> PHASE
  - 2<sup>ND</sup> PHASE

- NOTES:**
1. LOTS 21 AND 22, BLOCK 4 TO HAVE A 12' NEAR TOWN SETBACK.
  2. VIEW CONSIDER TO BE ESTABLISHED ACCORDING TO LOTS 21 AND 22, BLOCK 4 AT TIME OF PLATTING.

**EXHIBIT "G"**  
**Page 1**  
**Construction Phasing**  
**Schedule**

LOTS 1-77, BLOCK 1, LOTS 1-15, BLOCK 2  
 LOTS 1-28, BLOCK 3, LOTS 1-27, BLOCK 4

**WATERS EDGE AT HOGAN'S GLEN**  
 AN ADDITION TO THE TOWN OF TROPHY CLUB, DENTON COUNTY, TEXAS  
 AND BEING SITUATED IN THE J.L. MICHAELS SURVEY, ABSTRACT NO. 321

SEPTEMBER 1999      157 LOTS      74,681 ACRES

**DEVELOPER:**  
 TROPHY CLUB PROPERTIES  
 100 TROPHY CLUB DRIVE  
 TROPHY CLUB, TEXAS 76260  
 (817) 410-8888

**CONTRACTOR:**  
 WELCH ENGINEERING, INC.  
 221 N. COLLIER STREET  
 SUITE 202  
 DENTON, TEXAS 76201  
 (817) 410-8818

REVISED: APRIL 21, 2002

## **"WATERS EDGE AT HOGAN'S GLEN"**

### **CONSTRUCTION PHASING SCHEDULE**

1. **Lots 1 thru 15, Block 1:**

Time: May 2000 – August 2000  
Event: All utilities, street paving, street signage and entry paving.

2. **Lots 16 thru 28, Block 1:**

Time: June 2001 – October 2001  
Event: All utilities, street paving, street signage and entry paving.

3. **Lots 29 thru 44, Block 1:**

Time: May 2002 – August 2002  
Event: All utilities, street paving, street signage and entry paving.

4. **Lots 45 thru 57, Block 1**

Time: May 2003 – August 2003  
Event: All utilities, street paving, street signage and entry paving.

5. **Lots 58 thru 77, Block 1**

Time: May 2004 – November 2004  
Event: All utilities, street paving, street signage and entry paving.

6. **Lots 1 thru 15, Block 2**

Time: May 2005 – September 2005  
Event: All utilities, street paving, street signage and entry paving.

EXHIBIT "G"  
Page 3

7. **Lots 1 thru 28, Block 3**

Time: June 2001 – November 2001  
Event: All utilities, street paving, street signage and entry paving.

8. **Lots 1 thru 37, Block 4**

Time: June 2003 – November 2003  
Event: All utilities, street paving, street signage and entry paving.

Each phase requires 4 to 6 months construction.

*Note: Construction Schedule is contingent upon City approvals of zoning, platting and construction permitting.*

**EXHIBIT "H"**

**SUPPLEMENTAL DECLARATION**

**OF**

**COVENANTS AND RESTRICTIONS**

**FOR**

**"WATER'S EDGE AT HOGAN'S GLEN"**

**(A Residential Subdivision)**

STATE OF TEXAS  
COUNTY OF DENTON  
TOWN OF TROPHY CLUB

THIS SUPPLEMENTAL DECLARATION OF COVENANTS AND RESTRICTIONS FOR WATER'S EDGE AT HOGAN'S GLEN, is made on the date hereinafter set forth by BECK PROPERTIES TROPHY CLUB DEVELOPMENT I, L.P. a Texas limited partnership (hereinafter referred to as "TCD1").

WITNESSTH:

WHEREAS, Beck Properties Development-I, L.P. ("Declarant") has heretofore executed that certain Declaration of Covenants and Restrictions for The Villas of Hogan's Glen (A Residential Subdivision) (the "Declaration"), filed for record as Instrument Number R0025071 in the Deed Records of Denton County, Texas, imposing on property in the Town of Trophy Club, Texas described therein, those certain covenants, restrictions and easements therein set forth for the benefit The Villas of Hogan's Glen; and

WHEREAS, said Declaration contains provisions granting the owner of any property who desires to add it to the scheme of the Declaration and to subject it to the jurisdiction of the Association, if formed, the right, upon the satisfaction of the conditions specified in Article III, Section 3, subsections (a) and (b) of the Declaration, to file of record a Supplemental Declaration of Covenants and Restrictions, bringing within the plan of the Declaration, such additional property(ies); and

WHEREAS, TCD1 is the owner of the real property described in Article III, Section 1 of this Supplemental Declaration, and desires to provide for the preservation of the values and amenities in such property, and to this end, desires to bring such property within the plan of the Declaration, by subjecting such property to the scheme of the Declaration and the jurisdiction of the Association (if formed); and

NOW, THEREFORE, TCD 1 declares that the real property described in Article III, Section 1 hereof is and shall be held, transferred, sold, conveyed, occupied and enjoyed subject to the covenants, restrictions and easements set forth in the Declaration, subject only to the following changes, as authorized by Article III, Section 3(a) of the Declaration:

## AGREEMENTS

1. Article I, Definitions: The term "Subdivision Plats", for purposes of this Supplemental Declaration only, shall also include the map or plat of Water's Edge at Hogan's Glen, recorded in Cabinet \_\_\_\_\_, Page \_\_\_\_\_ of the Plat Records of Denton County as Instrument No. \_\_\_\_\_, Texas, or any subsequently recorded replat(s) thereof."

2. Article III, Properties Subject to this Declaration, Section 1 shall read as follows, for purposes of this Supplemental Declaration only:

"Description. The real property which is, and shall be, held, transferred, sold, conveyed and occupied pursuant to this Supplemental Declaration is all of Water's Edge at of Hogan's Glen, being 74.956 acres, approximately, out of the J.R. Michaels Survey, Abstract 821 & the M. Medlin Survey, Abstract 832, according to the Subdivision Plat thereof recorded in Cabinet \_\_\_\_\_, Page \_\_\_\_\_ of the Plat Records of Denton County, Texas as Instrument No. \_\_\_\_\_ (or any subsequently recorded plat thereof)."

3. Article IV, The Association, Section 4(c) shall read as follows, for purposes of this Supplemental Declaration only:

"(c) Should the Board so elect, maintenance of exterior grounds, drives, parkways, private streets and access areas, including care of trees, shrubs and grass, the exact scope of which shall be further specified by the Board from time to time. In particular, the Board shall be empowered to contract with persons or entities who shall be responsible for the maintenance of landscaping, trees, shrubs, grass and like improvements which are located on the Common Properties. The Lots, and all landscaping, trees, shrubs, grass and like improvements thereon, shall be maintained by the individual Lot Owner."

4. Article IV, The Association, Section 4(d), for purposes of this Supplemental Declaration only, shall be deemed to also include the following statement:

"The Board of Directors reserves the right to allow access through The Subdivision to individuals who may not be members of the Association."

5. The first paragraph of Article VI, Assessments and Charges, Section 2 shall read as follows, for the purposes of this Supplemental Declaration only:

"Subject to the provisions set forth in Article VI, Sections 3 and 4 relating to the rate at which the maintenance charge and assessment imposed herein shall be paid on unimproved Lots, each and every Lot in the Properties is hereby severally subjected to and impressed with a regular monthly maintenance charge or assessment (herein sometimes referred to as the "full maintenance charge") in the amount of (i) ONE HUNDRED TWENTY FIVE AND NO/100 DOLLARS (\$125.00) per month with respect to a "Villa Lot" (being 7,200 sq. ft.), and (ii) SEVENTY FIVE AND NO/100 DOLLARS (\$75.00) per month with respect to an "Estate Lot" (being 15,000 sq. ft.), which assessment shall affect and run with the land, subject to increase and decrease, and payable as provided in Article VI, Section 5 below."

6. Article VIII, Building and Use Restrictions, Section 3 shall read as follows, for purposes of this Supplemental Declaration only:

“Minimum Lot Area: Lots may be resubdivided if, and only if, such subdivision results in each resubdivided “Estate Lot” containing not less than fifteen thousand (15,000) square feet of land and each resubdivided “Villa Lot” containing not less than seven thousand two hundred (7,200) square feet of land; provided, however, that Declarant shall have and reserves the right, at any time, to file a replat of the Subdivision Plat or Plats to affect a resubdivision or configuration of any Lots in the Properties then owned by Declarant, so long as such results in each resubdivided Lot containing not less than fifteen thousand (15,000) square feet of land for an Estate Lot and seven thousand two hundred (7,200) square feet of land for a Villa Lot. The privilege to replat Lots in the Properties owned by Declarant reserved in this Article VIII, Section 3, shall be exercisable by Declarant or any successor to Declarant’s ownership of such Lots, who acquires such ownership other than by purchase, and such privilege shall not be exercisable by, inure to the benefit of, or be assignable to any purchaser from Declarant or from any successor or assign of Declarant of any Lot in the Properties.”

7. Article VIII, Building and Use Restrictions, Section 5 shall read as follows, for purposes of this Supplemental Declaration only:

“Minimum Floor Space: All floor areas referenced below are for air-conditioned floor areas, exclusive of porches, garages, or breezeways attached to the main dwelling. Each dwelling containing one-story constructed on any Lot shall contain a minimum of three thousand five hundred (3,500) square feet for any Estate Lot and a minimum of two thousand five hundred (2,500) square feet for any Villa Lot. Each dwelling containing more than 1-story constructed on any Estate Lot shall contain a minimum of three thousand five hundred (3,500) square feet, of which not less than two thousand two hundred fifty (2,250) square feet shall be covered ground floor area.”

8. The third sentence of Article VIII, Building and Use Restrictions, Section 6 shall read as follows, for purposes of this Supplemental Declaration only:

“No main residential structure shall be located on any Estate Lot nearer than twenty-five (25) feet to any front Lot line nor twenty (20) feet to any rear Lot line (except as may be otherwise noted on the Subdivision Plat), and no main residential structure shall be located on any Villa Lot nearer than fifteen (15) feet to any front Lot line nor ten (10) feet to any rear Lot line.”

9. The final paragraph of Article VIII, Building and Use Restrictions, Section 6 shall read as follows, for purposes of this Supplemental Declaration only:

“Unless otherwise approved in writing by the Committee, each main residence building will face the front of the Lot. A two-car garage is be required, and said two-car garage may not face the street. Additional garages may face the street if, and only if, the garage door thereof is located at least fifty (50) feet from the property line which it faces.”

10. With respect to Properties covered under the original Declaration, the terms and provisions of the Declaration shall remain unchanged and in full force and effect as originally stated (and as amended from time to time) with respect to those Properties.

11. With respect to Properties covered under the Supplemental Declaration for The Estates of Hogan's Glen Phase II, the terms and provisions of the Declaration shall remain unchanged and in full force and effect, except to the extent amended and/or modified by said Supplemental Declaration (as amended from time to time).

12. With respect to The Water's Edge at Hogan's Glen, the terms and provisions of the Declaration shall remain unchanged and in full force and effect, except to the extent amended and/or modified by this Supplemental Declaration.

IN WITNESS WHEREOF, the undersigned has caused the execution on this Supplemental Declaration on the day and year first above written.

**BECK PROPERTIES TROPHY CLUB  
DEVELOPMENT I, L.P.,  
a Texas limited partnership**

By: Beck Properties Communities, Inc.,  
a Texas corporation, its general partner

By: \_\_\_\_\_  
Name: Jeffrey L. Beck  
Title: President

**CONSENT AND ACKNOWLEDGMENT  
OF DECLARANT:**

**BECK PROPERTIES DEVELOPMENT - I, L.P.,**

By: Beck Management, Inc.,  
a Texas corporation, its general partner

By: \_\_\_\_\_  
Name: Jeffrey L. Beck  
Title: President

THE STATE OF TEXAS           §  
  §  
COUNTY OF \_\_\_\_\_       §

Before me \_\_\_\_\_ on this day personally appeared Jeffrey L. Beck, President of Beck Properties Communities, Inc., a Texas corporation, general partner of Beck Properties Trophy Club Development I, L.P., a Texas limited partnership, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

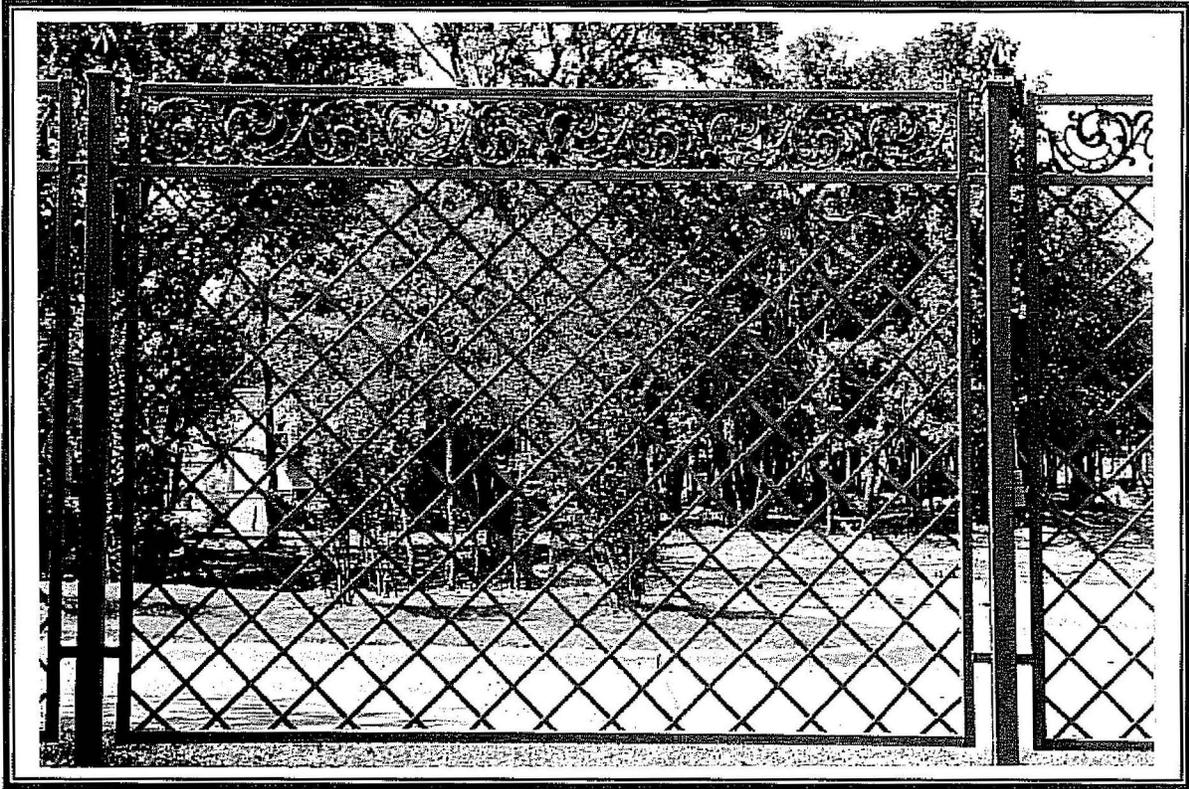
Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

THE STATE OF TEXAS           §  
  §  
COUNTY OF \_\_\_\_\_       §

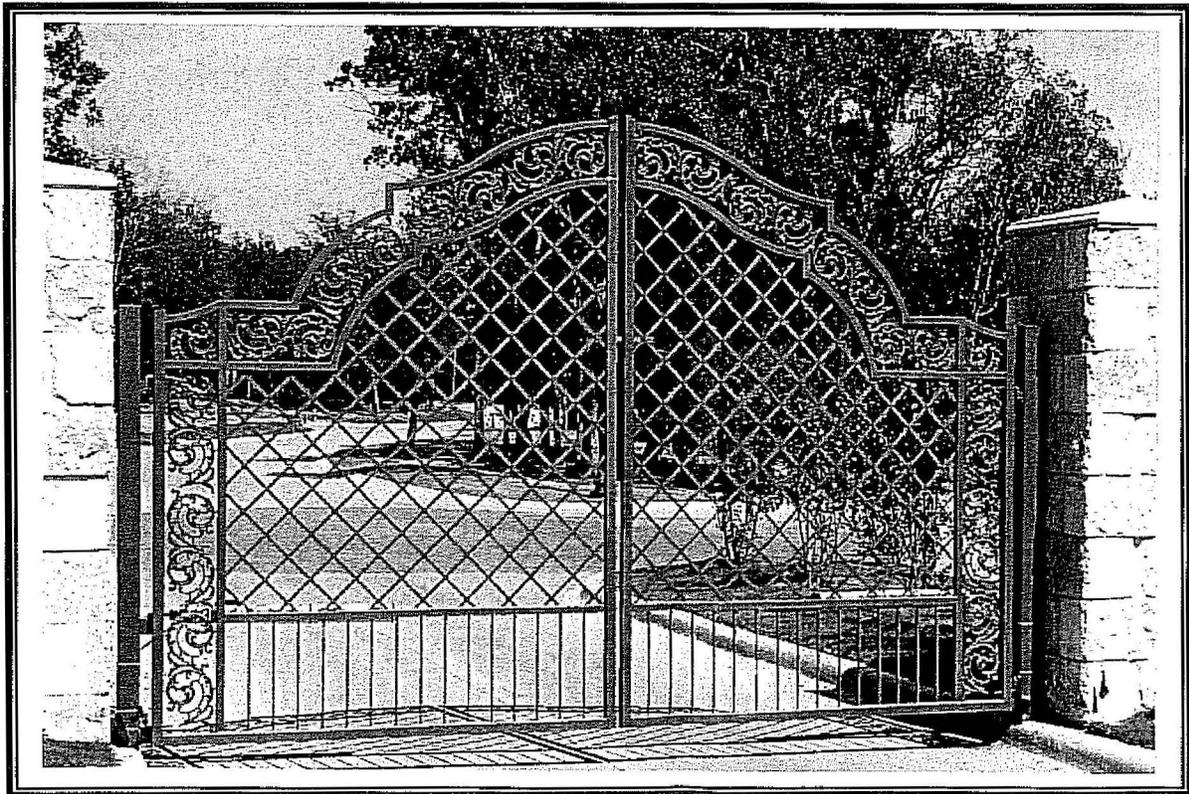
Before me \_\_\_\_\_ on this day personally appeared Jeffrey L. Beck, President of Beck Management, Inc., a Texas corporation, general partner of Beck Properties Development - I, L.P., a Texas limited partnership, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

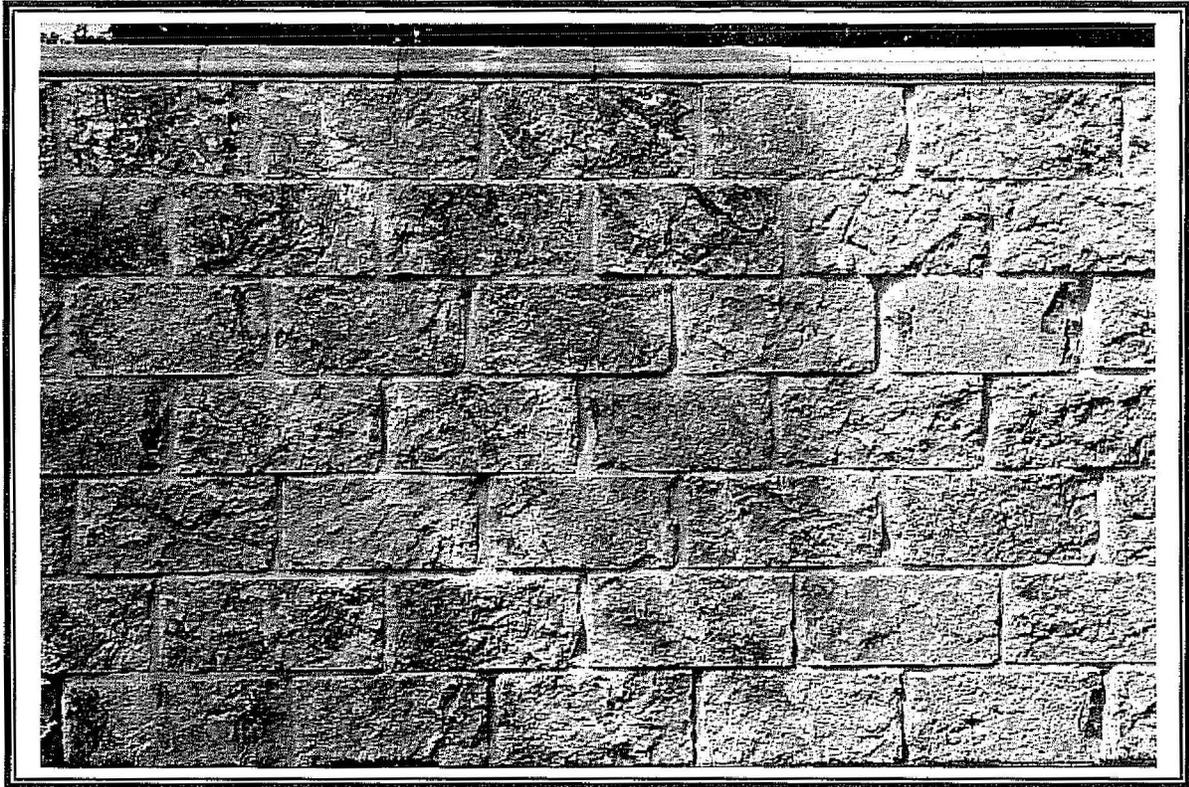
( I ) Decorative Iron Fence



( II ) Decorative Iron Fence with Stone Columns



(III) Stone Wall



TOWN OF TROPHY CLUB, TEXAS

ORDINANCE NO. 2003 - 26 P&Z

— Removes 10+ ac tract  
from PD22

2nd

AN ORDINANCE OF THE TOWN OF TROPHY CLUB, TEXAS AMENDING ORDINANCE NO. 2000-09 P&Z ESTABLISHING PD PLANNED DEVELOPMENT NO. 22 FOR SINGLE FAMILY RESIDENTIAL, BY AMENDING ORDINANCE NO. 2000-09 P&Z TO REDEFINE THE BOUNDARIES OF PD PLANNED DEVELOPMENT NO. 22 BY REMOVING AN APPROXIMATE 10.897 ACRE TRACT OF LAND FROM PD PLANNED DEVELOPMENT NO. 22, SUCH 10.897 ACRE TRACT BEING LOCATED NORTH NORTHWEST OF HARMONY PARK WITHIN THE TOWN AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" A COPY OF WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN; BY LEAVING THE REMAINING 64.04 ACRE TRACT OF LAND ORIGINALLY REZONED THROUGH THE ENACTMENT OF ORDINANCE NO. 2000-09 P&Z AMENDING ORDINANCE NO. 2000-06 P&Z OF THE TOWN, THE SAME BEING THE COMPREHENSIVE ZONING ORDINANCE, WITHIN PD PLANNED DEVELOPMENT NO. 22, WATERS EDGE AT HOGAN'S GLEN; BY AMENDING THE ZONING MAP TO REFLECT THE PD PLANNED DEVELOPMENT NO. 22 ZONING DISTRICT FOR THE 64.04 ACRE TRACT OF LAND FOR SINGLE FAMILY RESIDENTIAL; PROVIDING THAT ALL OTHER TERMS AND REQUIREMENTS OF PD PLANNED DEVELOPMENT NO. 22 CONTAINED WITHIN ORDINANCE NO. 2000-09 P&Z SHALL REMAIN IN FULL FORCE AND EFFECT AND SHALL BE APPLICABLE TO THE 64.04 ACRE TRACT OF LAND ZONED PD PLANNED DEVELOPMENT NO. 22 AND REMAINING WITHIN PD PLANNED DEVELOPMENT NO. 22; PROVIDING THAT SUCH TRACT OF LAND SHALL BE USED IN ACCORDANCE WITH ALL OTHER REQUIREMENTS OF THE COMPREHENSIVE ZONING ORDINANCE AND ALL OTHER APPLICABLE ORDINANCES OF THE TOWN NOT IN CONFLICT WITH THIS ORDINANCE OR ORDINANCE NO. 2000-09 P&Z; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A PUBLICATION CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.

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WHEREAS, the Town Council of the Town of Trophy Club, Texas (the "Town"), is authorized and empowered by law, in accordance with Chapter 212 of the Texas Local Government Code, to regulate the subdivision of land and property development within the Town;

WHEREAS, the owner of the tract of land (the "Land"), described as a 10.897 acre tract of land currently zoned PD Planned Development No. 22 (PD-22), said tract being more specifically described in Exhibit "A" attached hereto and incorporated herein, filed an

application with the Town Planning and Zoning Commission requesting to redefine the boundaries of PD-22 by removing an approximate 10.897 acre tract of land from PD-22; and

**WHEREAS**, all legal notices, requirements and conditions having been complied with, the case to rezone the Land came before the Planning and Zoning Commission; and

**WHEREAS**, after public notices were given in compliance with State law and public hearings were conducted, and after considering the information submitted at those public hearings and all other relevant information and materials, the Planning and Zoning Commission of the Town has recommended to the Town Council the adoption of the amendments to Comprehensive Zoning Ordinance No. 2000-06 P&Z as set forth in this Ordinance; and

**WHEREAS**, after complying with all legal notices, requirements, and conditions, a public hearing was held before Town Council at which the Town Council considered, among other things, the character of the land and its suitability for particular uses, with a view of encouraging the most appropriate use of land in the Town, and does hereby find that the rezoning approved hereby accomplishes such objectives; and

**WHEREAS**, the Town Council has determined that there is a necessity and need for the change in zoning and that the proposed change is consistent with the Comprehensive Land Use Plan.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF TROPHY CLUB, TEXAS:**

**SECTION 1.**  
**INCORPORATION OF PREMISES**

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

**SECTION 2.**  
**FINDINGS**

After due deliberations and consideration of the recommendation of the Planning and Zoning Commission and the information and other materials received at the public hearing, the Town Council has concluded that the adoption of this Ordinance is in the best interests of the Town of Trophy Club, Texas, and of the public health, safety and welfare.

**SECTION 3.**  
**AMENDMENT**

Ordinance No. 2000-09 P&Z of the Town of Trophy Club, Texas, the same being the Town's PD Planned Development No. 22 and an amendment to Comprehensive Zoning Ordinance 2000-06 P&Z of the Town, is hereby amended by replacing in their entirety the Location Map and Exhibit's "A", "B", "C", "D", "E" and "G" adopted by Ordinance No. 2000-09 P&Z and to adopt new provisions for the Location Map and Exhibits "A", "B", "C", "D", "E" and "G", attached hereto and incorporated herein, and furthermore is hereby changed to redefine

the boundaries of PD-22 to reflect approximately 64.04 acres of land, for use in accordance with the requirements of this Ordinance and all other applicable ordinances, rules, and regulations of the Town. All other terms and requirements of PD Planned Development No. 22 contained within Ordinance No. 2000-09 P&Z shall remain in full force and effect and shall be applicable to the 64.04 acres remaining within PD Planned Development No. 22, providing that such tract of land shall be used in accordance with all other requirements of the Comprehensive Zoning Ordinance and all other applicable ordinances of the Town. In the event of any ambiguities or conflicts between the written word in the Development Standards and the illustrations provided in the Exhibits to this ordinance, the written text shall control.

- A. Location Map. The location map for the Land, and all parts thereof, is attached hereto as "Location Map" and incorporated herein as if copied in its entirety. Such location map shall reflect the redefined boundaries of PD-22.
- B. Exhibit "A", Property Description. A Property description for the Land, and all parts thereof, is attached hereto as Exhibit "A", "Property Description" and incorporated herein as if copied in its entirety. Such Property Description shall reflect the accurate boundaries of the development.
- C. Exhibit "C", Development Standards and Single Family Housing Regulations. The development standards for this PD Planned Development are attached hereto as Exhibit "C", "Development Standards", and are incorporated herein as if copied in their entirety. Such standards and regulations include, but are not limited to, a general purpose; non specified regulations; uses, as specified for; accessory uses and limitation of uses; building permit requirements; height regulations; area regulations; garages; construction regulations; driveways and walkways; special paving; fences/walls/retaining walls; common areas; landscaping; pathway plan; utilities; signs; private streets and traffic study. Such Development Standards shall be adhered to in carrying out the development of the land in accordance with this Ordinance, and shall individually and collectively constitute conditions precedent to the granting of any Certificate of Occupancy for all structures within PD Planned Development No. 22.
- D. Exhibit "D", Pathway Plan. The pathway plan for this PD Planned Development is attached hereto as Exhibit "D", Pathway Plan, and are incorporated herein as if copied in their entirety.
- E. Exhibit "E", Landscape Plan. The landscape plan for this PD Planned Development is attached hereto as Exhibit "E", "Landscape Plan", and is incorporated herein as if copied in its entirety.
- F. Exhibit "G", Construction Phasing Schedule. The construction phasing schedule for this PD Planned Development is attached hereto as Exhibit "G", Construction Phasing Schedule", and is incorporated herein as if copied in its entirety.

**SECTION 4.**  
**ZONING MAP**

The Planning and Zoning Coordinator is hereby directed to mark and indicate on the official Zoning District Map of the Town the zoning change herein made.

**SECTION 5.**  
**SEVERABILITY**

If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the Town Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

**SECTION 6.**  
**CUMULATIVE REPEALER**

That this Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance.

**SECTION 7.**  
**SAVINGS**

All rights and remedies of the Town of Trophy Club, Texas, are expressly saved as to any and all violations of the provisions of any other Ordinance affecting regulations governing and regulating the zoning, platting, and subdivision of land which have secured at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 9.**  
**PENALTY**

It shall be unlawful for any person to violate any provision of this Ordinance, and any person violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount not more than Two Thousand Dollars (\$2,000.00), and a separate offense shall be deemed committed each day during or on which a violation occurs or continues.

**SECTION 10.**  
**PUBLICATION**

The Town Secretary of the Town of Trophy Club is hereby directed to publish the Caption, Penalty and Effective Date of this Ordinance as required by Section 52.011 of the Texas Local Government Code.

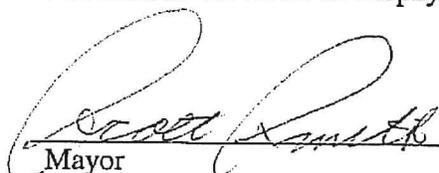
**SECTION 11.**  
**ENGROSSMENT AND ENROLLMENT**

The Town Secretary of the Town of Trophy Club is hereby directed to engross and enroll this Ordinance by copying the exact Caption, Penalty and Effective Date in the minutes of the Town Council and by filing this Ordinance in the ordinance records of the Town.

**SECTION 12.**  
**EFFECTIVE DATE.**

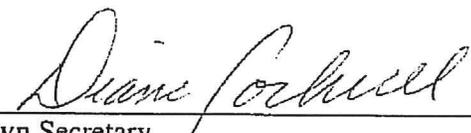
This Ordinance shall become effective from and after its date of adoption and publication as provided by law, and it is so ordained.

**PASSED AND APPROVED** by the Town Council of the Town of Trophy Club, Texas, this 1<sup>st</sup> day of December, 2003.

  
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Mayor  
Town of Trophy Club, Texas

Effective Date: DECEMBER 6, 2003

ATTEST:

  
\_\_\_\_\_  
Town Secretary  
Town of Trophy Club, Texas



APPROVED TO AS FORM:

  
\_\_\_\_\_  
Town Attorney  
Town of Trophy Club, Texas

