

**FOURTH SUPPLEMENT TO THE  
CERTIFICATE AND MEMORANDUM  
OF  
RECORDING OF ASSOCIATION DOCUMENTS  
FOR THE  
HILLCREST LEBANON HOMEOWNERS ASSOCIATION, INC.  
PURSUANT TO SECTION 202.006 OF THE TEXAS PROPERTY CODE**

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

**THIS FOURTH SUPPLEMENT TO THE CERTIFICATE AND MEMORANDUM OF RECORDING OF ASSOCIATION DOCUMENTS FOR THE HILLCREST LEBANON HOMEOWNERS ASSOCIATION, INC. PURSUANT TO SECTION 202.006 OF THE TEXAS PROPERTY CODE** (this "Fourth Supplement") is made this \_\_\_\_ day of \_\_\_\_\_, 2012, by Hillcrest Lebanon Homeowners Association, Inc. (the "Association").

**WITNESSETH:**

**WHEREAS**, Hillcrest Properties, Ltd., a Texas limited partnership ("Declarant") prepared and recorded an instrument entitled "Declaration of Covenants, Conditions and Restrictions for Hillcrest Meadows" on February 2, 1998 as Instrument No. 98-0009328 at Volume 4092, page 1228 of the Deed Records of Collin County, Texas (the "Declaration"); and

**WHEREAS**, the Association is the property owners' association created by the Declarant to manage or regulate the planned developments subject to the Declaration, which development is more particularly described in the Declaration; and

**WHEREAS**, Section 202.006 of the Texas Property Code provides that a property owners association must file each dedicatory instrument governing the association that has not been previously recorded in the real property records of the county in which the development is located; and

**WHEREAS**, the Association previously recorded a Certificate and Memorandum of Recording of Association Documents for the Hillcrest Lebanon Homeowners Association, Inc. on or about December 30, 1999 as Instrument No. 99-0156061 at Volume 04572, Page 01223 of the Deed Records of Collin County, Texas (the "Notice"); and

**WHEREAS**, the Association previously recorded a First Supplemental Certificate and Memorandum of Recording of Association Documents for the Hillcrest Lebanon Homeowners Association, Inc. (Smith Estates) on or about November 9, 2000 as Instrument No. 2000-0123664 at Volume 04792, Page 02051 of the Deed Records of Collin County, Texas (the "First Supplement"); and

**WHEREAS**, the Association previously recorded a Second Supplemental Certificate and Memorandum of Recording of Association Documents for the Hillcrest Lebanon Homeowners Association, Inc. on or about November 19, 2001 as Instrument No. 2001-0148152 at Volume 05049, Page 04269 of the Deed Records of Collin County, Texas (the "Second Supplement"); and

**WHEREAS**, the Association previously recorded a Third Supplemental Certificate and Memorandum of Recording of Association Documents for the Hillcrest Lebanon Homeowners Association, Inc. on or about February 14, 2012 as Instrument No. 20120214000165400 of the Real Property Records of Collin County, Texas (the "Third Supplement"); and

**WHEREAS**, the Association desires to supplement the Notice with the dedicatory instrument attached as **Exhibit "A"**, pursuant to and in accordance with Section 202.006 of the Texas Property Code.

**NOW, THEREFORE**, the dedicatory instrument attached hereto as **Exhibit "A"** is a true and correct copy of the original and is hereby filed of record in the Real Property Records of Collin County, Texas, in accordance with the requirements of Section 202.006 of the Texas Property Code.

**IN WITNESS WHEREOF**, the Association has caused this Fourth Supplement to the Certificate and Memorandum of Recording of Association Documents for the Hillcrest Lebanon Homeowners Association, Inc. to be executed by its duly authorized agent as of the date first above written.

**HILLCREST LEBANON HOMEOWNERS  
ASSOCIATION, INC., a Texas non-profit corporation**

**By:** \_\_\_\_\_

**Its:** \_\_\_\_\_

**ACKNOWLEDGMENT**

STATE OF TEXAS       §  
                                  §  
COUNTY OF COLLIN   §

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_, \_\_\_\_\_ of Hillcrest Lebanon Homeowners Association, Inc. known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that (s)he executed the same for the purposes and consideration therein expressed on behalf of said corporation.

SUBSCRIBED AND SWORN TO BEFORE ME on this \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Notary Public, State of Texas

\_\_\_\_\_  
My Commission Expires

**HILLCREST LEBANON HOMEOWNERS ASSOCIATION, INC.**

**ROOFING MATERIALS GUIDELINES**

**WHEREAS**, the Texas Legislature passed House Bill 362 which amends Chapter 202 of the Texas Property Code by adding Section 202.011 which precludes associations from adopting or enforcing a prohibition or restriction on certain roofing materials; and

**WHEREAS**, pursuant to Section 202.011 of the Texas Property Code, the Board of Directors of Hillcrest Lebanon Homeowners Association, Inc. (the "Association") is permitted to adopt specific limitations on certain roofing materials.

**WHEREAS**, Article IX, Section 27 the Declaration of Covenants, Conditions and Restrictions for Hillcrest Meadows (the "Declaration") contains restrictions related to roofing materials which are inconsistent with 202.011 of the Texas Property Code.

**NOW, THEREFORE, IT IS RESOLVED**, in order to comply with Section 202.011 of the Texas Property Code, the Board of Directors of the Association adopts the following guidelines for certain roofing materials.

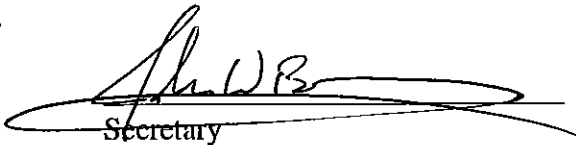
- A. The Association shall not prohibit an owner who is otherwise authorized to install shingles on the roof of the owner's property from installing shingles that:
  1. are designed to:
    - (a) be wind and hail resistant;
    - (b) provide heating and cooling efficiencies greater than those provided by customary composite shingles, including metal roofing shingles;
    - (c) provide solar generation capabilities; and
  2. when installed:
    - (a) resemble the shingles used or otherwise authorized for use on property in the subdivision;
    - (b) are more durable than and are of equal or superior quality to the shingles described by subsection (a) above; and
    - (c) match the aesthetics of the property surrounding the owner's property.
- B. An owner seeking to replace the roof on the owner's property, including replacement with the types of singles states above, must still obtain approval from the Architectural Review Committee as to the color of the roof pursuant to Article IX, Section 37 of the Declaration.

- C. The definitions contained in the Association's dedicatory instruments are hereby incorporated herein by reference.
- D. In the event of any conflict between these provisions and any roofing material restrictions contained in any governing document of the Association, including design guidelines, policies and the Declaration, this Roofing Materials Policy controls.

**IT IS FURTHER RESOLVED** that these Roofing Materials Guidelines are effective upon adoption hereof, to remain in force and effect until revoked, modified or amended.

This is to certify that the foregoing resolution was adopted by the Board of Directors at a meeting of same on 16 JANUARY 2012, and has not been modified, rescinded or revoked.

DATE: 20 FEB 2012

  
Secretary

## **Exhibit "A"**

### Roofing Materials Guidelines

**HILLCREST LEBANON HOMEOWNERS ASSOCIATION, INC.**

**FLAG DISPLAY GUIDELINES**

**WHEREAS**, the Texas Legislature passed House Bill 2779 which amends Chapter 202 of the Texas Property Code by adding Section 202.011 which precludes associations from adopting or enforcing a prohibition or restriction on certain flag displays; and

**WHEREAS**, pursuant to Section 202.011 of the Texas Property Code, Hillcrest Lebanon Homeowners Association, Inc. (the "Association") is permitted to adopt specific limitations on certain flag displays.

**WHEREAS**, Article IX, Section 23 of the Second Amendment to the Declaration of Covenants, Conditions and Restrictions for Hillcrest Meadows contains flag display provisions which conflict with Section 202.011.

**NOW, THEREFORE, IT IS RESOLVED**, in order to comply with Section 202.011 of the Texas Property Code, the Board of Directors of the Association adopts the following guidelines for flag displays.

**A. An owner or resident may display:**

1. the flag of the United States of America;
2. the flag of the State of Texas;
3. an official or replica flag of any branch of the United States armed force;
4. a seasonal or holiday decorative flag; or
5. a collegiate/team flag.

**B. An owner may only display a flag described in A(1) through A(3) above if such display meets the following criteria:**

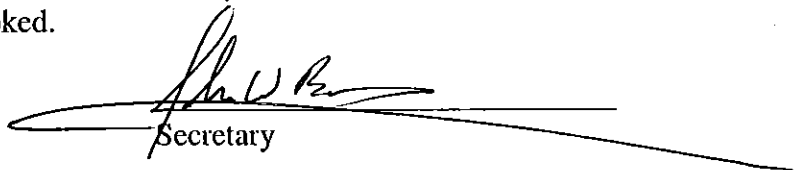
1. a flag of the United States must be displayed in accordance with 4 U.S. C. Sections 5-10;
2. a flag of the State of Texas must be displayed in accordance with Chapter 3100 of the Texas Government Code;
3. a flagpole attached to a dwelling or a freestanding flagpole must be constructed of permanent, long-lasting materials, with a finish appropriate to the materials used in the construction of the flagpole and harmonious with the dwelling;
4. the display of a flag or the location and construction of the supporting flagpole must comply with applicable zoning ordinances, easements and setbacks of record;

5. a displayed flag and the flagpole on which it is flown must be maintained in good condition and any deteriorated flag or deteriorated or structurally unsafe flagpole must be repaired, replaced or removed;
- C. An owner may only display a flag described in A(4) or A(5) above if such flag is displayed as an attachment to the primary residence on the owner's lot and not on a freestanding flag pole.
- D. The Association hereby adopts the following additional restrictions on the display of flags on an owner's lot:
1. an owner may not install a flagpole which is greater than twenty feet (20') in height;
  2. an owner may not install more than one flagpole on the owner's property;
  3. any flag displayed must not be greater than 3' x 5' in size;
  4. an owner may not install lights to illuminate a displayed flag which, due to their size, location or intensity, constitute a nuisance;
  5. an owner may not locate a displayed flag or flagpole on property that is:
    - (a) owned or maintained by the Association; or
    - (b) owned in common by the members of the Association.
- E. Prior to erecting or installing a flag and/or flag pole, an owner must first submit plans and specifications to and receive the written approval of the Board or architectural control/review committee. The plans and specifications must show the proposed location, material, size and type of such flag and flagpole (and all parts thereof, including any lights to illuminate a displayed flag).
- F. The definitions contained in the Association's dedicatory instruments are hereby incorporated herein by reference.

**IT IS FURTHER RESOLVED** that these Flag Display Guidelines are effective upon adoption hereof, to remain in force and effect until revoked, modified or amended.

This is to certify that the foregoing resolution was adopted by the Board of Directors at a meeting of same on 16 JANUARY 2012, and has not been modified, rescinded or revoked.

DATE: 20 Feb 2012

  
Secretary