

**SUPPLEMENT AND AMENDMENT  
TO  
NOTICES OF FILING OF DEDICATORY INSTRUMENTS  
FOR  
HERITAGE RANCH  
[Investment Policy; Design Guidelines (Metal Fences);  
Rules and Regulations (Tennis Courts)]**

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

THIS SUPPLEMENT AND AMENDMENT TO NOTICES OF FILING OF DEDICATORY INSTRUMENTS FOR HERITAGE RANCH (this "Supplement Amendment") is made this 6 day of November, 2018, by The Homeowners Association of Heritage Ranch, Inc. (the "Association").

**WITNESSETH:**

**WHEREAS**, U.S. Home Corporation ("Declarant") prepared and recorded an instrument entitled "First Amended and Restated Declaration of Covenants, Conditions and Restrictions for Heritage Ranch" filed of record on or about March 15, 2001, and refiled on March 20, 2001, as Instrument No. 2001-0029029, at Volume 04879, Page 01570 *et seq.*, of the Real Property Records of Collin County, Texas, as amended and supplemented (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 planned development is located; and

**WHEREAS**, on or about November 13, 2002, the Association filed a Notice of Filing of Dedicatory Instruments for Heritage Ranch at Volume 05296, Page 04427 *et seq.* of the Real Property Records of Collin County, Texas (the "Notice"); and

**WHEREAS**, on or about February 4, 2003, the Association filed a "First Supplement to Notice of Filing of Dedicatory Instruments for Heritage Ranch" in Volume 5349, Page 005817 *et seq.* of the Real Property Records of Collin County, Texas (the "First Supplement"); and

**WHEREAS**, on or about December 23, 2003, the Association filed a Second Supplement to Notice of Filing of Dedicatory Instruments for Heritage Ranch at Volume 5571, Page 000035 *et seq.* of the Real Property Records of Collin County, Texas (the "Second Supplement"); and

**WHEREAS**, on or about October 22, 2004, the Association filed a First Amendment to Notice of Filing of Dedicatory Instruments for Heritage Ranch at Volume 5780, Page 03187 *et seq.* of the Real Property Records of Collin County, Texas (the "First Amendment"); and

**WHEREAS**, on or about August 8, 2005, the Association filed a Corrected First Supplement to Notice of Filing of Dedicatory Instruments for Heritage Ranch at Volume 5976, Page 00016 *et seq.* of the Real Property Records of Collin County, Texas (the "Corrected First Supplement"); and

**WHEREAS**, on or about November 9, 2005, the Association filed a Third Supplement to Notice of Filing of Dedicatory Instruments for Heritage Ranch at Volume 06042, Page 03874 *et seq.* of the Real Property Records of Collin County, Texas (the “Third Supplement”); and

**WHEREAS**, on or about October 28, 2009, the Association filed a Second Amendment to Notice of Filing of Dedicatory Instruments for Heritage Ranch as Document No. 20091028001317340 of the Real Property Records of Collin County, Texas (the “Second Amendment”); and

**WHEREAS**, on or about January 30, 2012, the Association filed a Fourth Supplement to Notice of Filing of Dedicatory Instruments for Heritage Ranch as Document No. 20120130000100000 of the Real Property Records of Collin County, Texas (the “Fourth Supplement”); and

**WHEREAS**, on or about October 16, 2012, the Association filed a Fifth Supplement to Notice of Filing of Dedicatory Instruments for Heritage Ranch as Document No. 20121016001311940 of the Real Property Records of Collin County, Texas (the “Fifth Supplement”) and

**WHEREAS**, on or about March 4, 2014, the Association filed a Supplement and Amendment to Notice of Filing of Dedicatory Instruments for Heritage Ranch as Document No. 2014000304000197150 of the Real Property Records of Collin County, Texas (the “Supplement/Amendment”) and

**WHEREAS**, on or about April 23, 2015, the Association filed a Second Supplement and Amendment to Notice of Filing of Dedicatory Instruments for Heritage Ranch as Document No. 20150423000460620 of the Real Property Records of Collin County, Texas (the “Second Supplement/Amendment”) and

**WHEREAS**, on or about March 16, 2016, the Association filed an Amendment to Notices of Filing of Dedicatory Instruments for Heritage Ranch as Document No. 20160316000311070 of the Real Property Records of Collin County, Texas (the “Amendment”); and

**WHEREAS**, on or about March 3, 2017, the Association filed a Supplement and Amendment to Notices of Filing of Dedicatory Instruments for Heritage Ranch as Document No. 20170303000279520 of the Real Property Records of Collin County, Texas (the “Amendment”); and

**WHEREAS**, on or about March 16, 2018, the Association filed an Amendment to Notices of Filing of Dedicatory Instruments for Heritage Ranch as Document No. 20180316000325960 of the Real Property Records of Collin County, Texas (the “Amendment”); and

**WHEREAS**, the Association desires to supplement the Notice and file the Association’s Investment Policy attached hereto as *Exhibit “A”* in the Real Property Records of Collin County, Texas; and

**WHEREAS**, the Association desires to amend the Residential Design Guidelines originally recorded by the Third Supplement by recording the Design Guidelines Amendment (Approved Metal

Fences) attached hereto as *Exhibit "B"* and incorporated herein by reference; and

**WHEREAS**, the Association desires to amend the Rules and Regulations attached to the Fourth Supplement by recording the Update (Tennis Courts) attached hereto as *Exhibit "C"* and incorporated herein by reference.

**NOW, THEREFORE**, the dedicatory instruments attached hereto as *Exhibits "A, B and C"* are true and correct copies of the originals and are 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 Supplement and Amendment to be executed by its duly authorized agent as of the date first above written.

**THE HOMEOWNERS ASSOCIATION OF HERITAGE RANCH, INC., a Texas non-profit corporation**

By: *Tony Trevino*

Printed Name: Tony Trevino

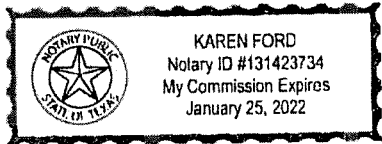
Title: General Manager

**ACKNOWLEDGMENT**

STATE OF TEXAS       §  
                                  §  
COUNTY OF COLLIN   §

**BEFORE ME**, the undersigned authority, on this day personally appeared Tony Trevino, General Manager of The Homeowners Association of Heritage Ranch, 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 6 day of Nov. 2018.



*Karen Ford*  
Notary Public - State of Texas  
1-25-22  
My Commission Expires

### **Dedictory Instruments**

Exhibit "A" Investment Policy

Exhibit "B" Design Guidelines Amendment (Metal Fences)

Exhibit "C" Update to Rules and Regulations (Tennis Courts)

## **Heritage Ranch Homeowners' Association Investment Policy**

**Purpose:**

To implement an investment policy that will be used by the Board of Directors (BOD) of Heritage Ranch Homeowner's Association (HRHOA) for the purpose of investing Reserve, Operating and Other Appropriate funds in a safe and sound manner.

**Responsibility:**

The BOD of HRHOA is charged with general supervision of all investment activities. This will include, but not be limited to, the responsibility for the formulation, modification and implementation of investment policies and strategies. The BOD may delegate formulation of investment strategies, selection of institutions, internal investment procedures, and investment decision making as to specific purchases and sales of investments. Any investment activity that would constitute an exception to the approved investment policy shall be approved in advance by the BOD of HRHOA. The BOD may review the investment policies as needed.

The Finance Committee may serve as a financial advisor to the BOD and HOA Management and may provide research and recommendations regarding investment policies, strategies, institutions, and procedures.

The HRHOA Management Company may utilize the services of an investment broker to facilitate investment transactions subject to approval by the Treasurer.

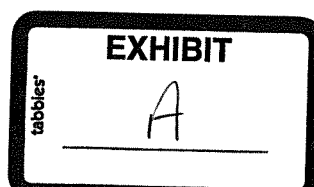
**Objectives:**

Because of the HRHOA's unique structure, a not-for-profit legal entity, investment programs and policies must be maintained that ensure all funds are invested in a safe and sound manner. Investment activities shall be in accordance with applicable state and federal laws and regulations. Safety is the primary objective. Secondary objectives are as follows:

- To maximize earnings and generate income on invested funds within the safety and liquidity constraints established by the BOD of HRHOA.
- To diversify the investment of funds, so as to limit credit risk.
- To develop investment alternatives and strategies that enable HRHOA to have a broad range of investment options.

**Reserve Funds:**

Reserve Funds are restricted HRHOA funds to be used in the future to refurbish or replace HRHOA assets. These funds are available for longer term investments since



they are not needed to meet day-to day operations.

**Operating Funds:**

Operating Funds are non-restricted funds to be used in the conduct of HOA business. These funds are generally needed for short term liquidity and are held in checking or interest-bearing accounts at financial institutions selected by HOA Management and approved by the Treasurer.

**Other Appropriate Funds:**

Other Appropriate Funds are non-restricted funds which are placed in checking or interest-bearing accounts and designated for a specific purpose. Examples are capital expenditures, erosion and drought related expenditures, Performing Arts and the like.

**Authorized Investment Instruments for Reserve Funds, Operating Funds and Other Appropriate Funds:**

HRHOA may only invest in those instruments which are specifically authorized in this Investment Policy:

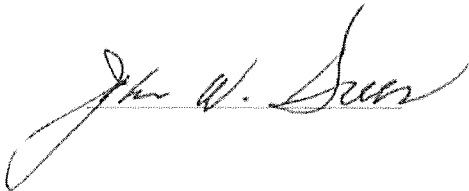
- HRHOA may invest in debt obligations guaranteed by the full faith and credit of the United States Government, United States Government-sponsored agencies and United States Government-sponsored corporate enterprises.
- HRHOA may invest in accounts in financial institutions which are insured by FDIC or SIPC to a maximum of the then current applicable insurance limits. The BOD acknowledges that fund amounts in the HRHOA primary bank may exceed FDIC limits from time to time and encourages the Management Company to utilize reasonable methods of oversight and actions to minimize any potential exposure.
- HRHOA may invest in money market funds to meet current liquidity needs.

Approved by the Finance Committee on July 26, 2018.

Approved by:

HOA Board of Directors

Date



9/4/18

**RECOMMENDED DESIGN GUIDELINES AMENDMENT – Approved Metal Fences**

An Amendment to modify the Design Guidelines for Fences to include the Graphic of the approved fence.

**Design Guidelines to be amended:**

Section III, Article D, Landscaping, Subparagraph 11, **Fences**, Page 18 – 19 to include the Seventh Amendment to the CCR'S and Design Guidelines as related to Section III, Article D, Landscaping, Subparagraph 11, Fences.

**Amendments to existing Guidelines:**

The following amendment to the Residential Design Guidelines for Heritage Ranch is hereby adopted:

Section III, Article D, subparagraph 11 Fences, is rescinded in its entirety and replaced with new provisions as follows.

Whereas fences may be necessary to enclose areas for safety or security reasons, extensive installation of fences in Heritage Ranch is discouraged except as provided for in these Design Guidelines. All fences require ARC approval. (Reference attached Graphic for approved fence design.)

In order to maintain and foster consistency with the architectural concept of Heritage Ranch and maintain harmony with architectural improvements within the community, the following fence and gate design requirements and specifications shall be followed.

The fence and gate materials may consist of the following:

- Rolled steel tubes, channels and bars
- Wrought iron (malleable iron) bars and channels

The fence components shall comply with the following dimensions:

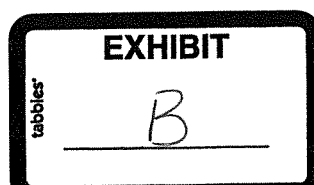
Vertical support members shall be 2" x 2" square imbedded into concrete.

The top and bottom rails shall be a 1" x 1" square bar or tube.

The intermediate rails shall be a 1" x 1/2" channel.

The intermediate pickets shall be 1/2" square tubes or bars.

Puppy bars shall match the intermediate pickets.



The "X" components at the top of the fence shall be 1/2" x 1/8" stock of the same material as the fence components.

The fence panels shall be a minimum of 46" to a maximum 48" high to comply with the Town of Fairview Fence ordinance.

The steel and wrought iron fences shall be either powder coated or painted black.

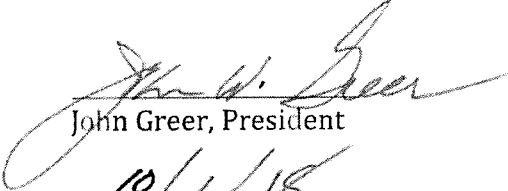
The steel components shall be fabricated of 16 gauge material except for the pickets and Pappy bars which shall be fabricated of 14 gauge material.

The wrought iron components shall be solid material.

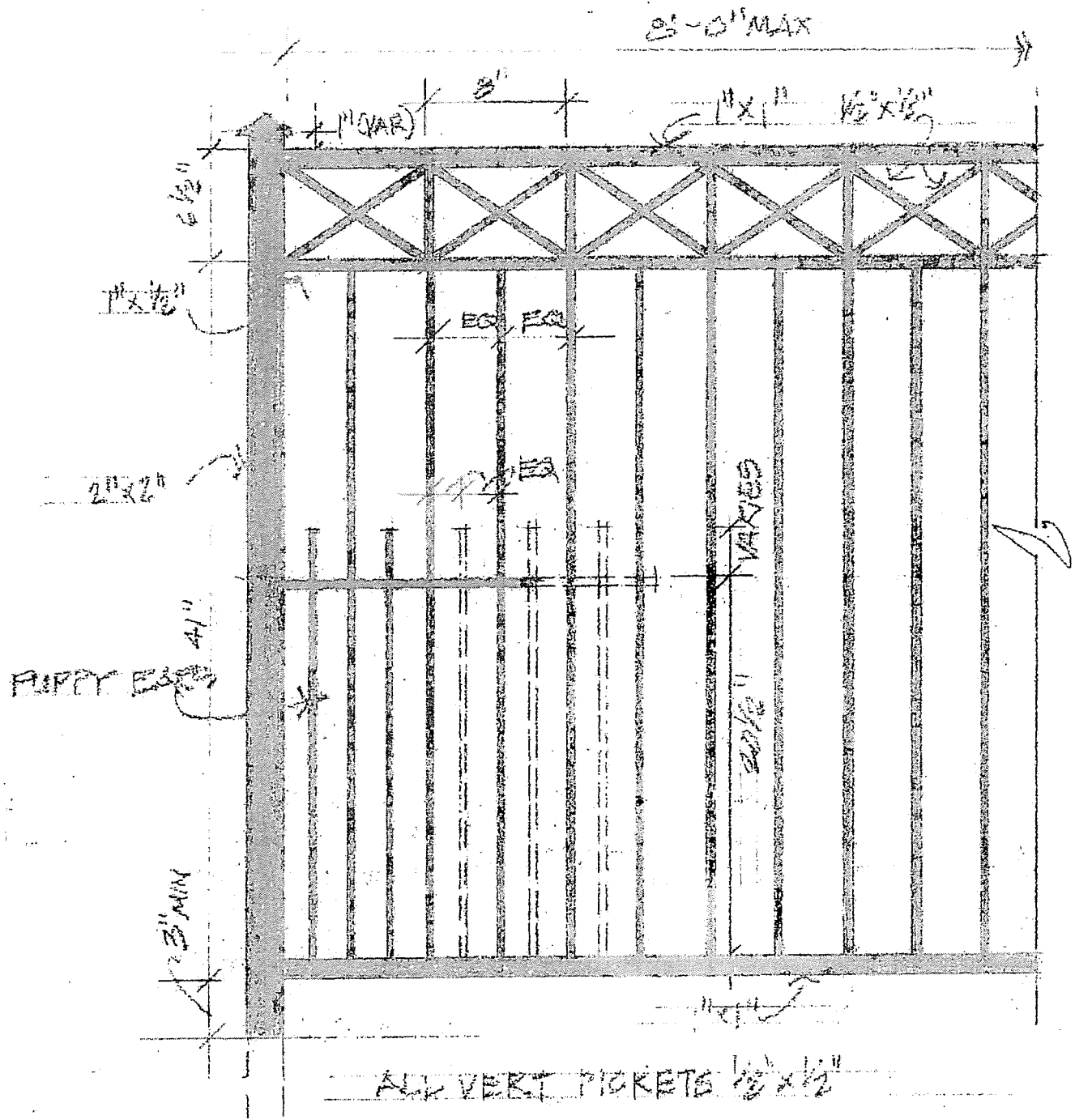
Fencing shall extend along the rear lot line and the side lot lines from the rear line to the front of the house structure. Double fences along common lot lines are prohibited except where topography may require as approved by the ARC. Fences shall not extend beyond the front of the exterior wall that contains the residence primary front entrance, except as approved by the ARC.

All fences shall be maintained by the owner consistent with the community-wide standard. In the event a fence is damaged or destroyed, the owner shall repair or replace the same at the owner's expense within two (2) weeks of the damage, or within such time as the ARC shall determine.

Heritage Ranch Board of Directors:


  
John Greer, President  
10/1/18  
Date adopted

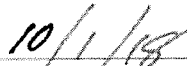


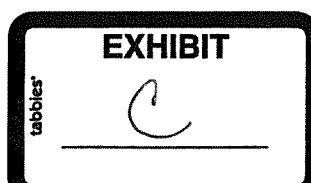


Update to Heritage Ranch Rules and Regulations, Page 23, Tennis Courts. Change from Tennis Courts to Sport Courts and modify rules to include Pickle Ball Courts.

Approved by the Heritage Ranch Board of Directors on October 1, 2018.

  
John Greer, President

  
Date



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## **ARTICLE VIII SPORTS COURTS RULES & REGULATIONS**

The following rules, regulations, and etiquette should be observed by residents and their guests at all times for the maximum enjoyment of everyone.

The General Manager shall have full charge of the sports courts facility and shall be the final onsite authority as to interpretation of enforcement of the following rules.

### **8.1 GENERAL**

- (a) Court times may be reserved for HR Residents and their guests up to one (1) week in advance.
- (b) Court time usage will be booked in up to three (3) hour time slots. Members may book court times in person in the scheduling binder in the Golf Shop.
- (c) Nonresident court playing guests must be accompanied by a member when on the courts.
- (d) The member will be responsible for the observation of court etiquette by their guest as well as themselves.
- (e) Sports Court Play will only be allowed during the following times:
  - 1. Pickle Ball - 8:00a.m. to 8:00p.m.
  - 2. Tennis - 7:00a.m. to 10:00p.m

### **8.2 COURT USAGE ETIQUETTE**

- (a) Courts will be used by HR Residents and their accompanied guests for pickle ball or tennis activities only.
- (b) The HOA Board may approve other activities for court usage at their discretion.
- (c) No food or beverages other than water or sports drinks are permitted on the courts.
- (d) Trash should be placed in proper receptacles on or around the courts.
- (e) No smoking on the courts.
- (f) Dress Code: Appropriate pickle ball or tennis attire must be worn at all times. (appropriate tops & bottoms)
- (g) Only non-scuff sports court shoes are permitted on court surfaces.
- (h) All players should leave the courts promptly, after completion of the point being played, when their reserved court time expires if others are waiting for the courts.
- (i) Courtesy and consideration should be observed at all times. Players and spectators should not walk behind the baseline while play is in progress.

Violations of the above rules and etiquette should be brought to the attention of the General Manager.

### **8.3 RULES FOR RESERVING COURT TIME**

Scheduling preference will be given to court time in the following order:

Special events approved by the Heritage Ranch Board or Activities Committee, Heritage Ranch Club Play, Heritage Ranch Scheduled Open Play, Resident Reserved Play.

All players must observe the rules for reserving court times.

#### **8.4 RESIDENT RESERVED PLAY TIME**

Defined as: any time the courts are not reserved for special events, or scheduled open play.

- (a) Reservations take preference over non-reservation participants.
- (b) No court will be reserved for more than three (3) hours, except for special events.
- (c) Courts may be reserved up to one week in advance for resident reserved play, with the exception of the scheduled open play which may be booked over a week in advance in accordance with Section 8.1. Special events may be booked up to 6 months in advance with approval of the Activities Committee.
- (d) Any court not in use within 15 minutes of the scheduled start time will be deemed available.

#### **8.5 SCHEDULED OPEN PLAY TIME**

Defined as: a three (3) hour period designed for all Heritage Ranch men and/or women to play pickle ball or tennis in a doubles format with equal opportunity for playing time for all participants.

- (a) Times reserved for scheduled open play will be approved by the HOA Director of Community Events and published in the Heritage Ranch Newsletter or via email blasts from the HOA Director of Community Events.
- (b) Should any court reserved for “scheduled open play” not be occupied by the “scheduled open” players within 15 minutes after the beginning of the designated “scheduled open” time, the court shall be deemed available.

The HOA Board adopted the above rules to safeguard the use of the sports court assets of the HOA. Penalty for violation of these rules will be determined by the HOA Board.

All Rules are subject to change at any time, as events dictate, at the sole discretion of the General Manager with approval of the HOA Board. A complete set of Heritage Ranch Golf & Country Club Rules and Regulations, as revised from time to time, will be available for inspection at the Club Reception Desk and on the HOA Website.

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Official Public Records  
Stacey Kemp, County Clerk  
Collin County, TEXAS  
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\$78.00 DFOSTER  
20181107001386440

*Stacey Kemp*