



AFTER RECORDING RETURN TO:

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HOMESTEAD
FIRST AMENDMENT TO
MODIFICATION DESIGN GUIDELINES
[RESIDENTIAL]

Declarant: ILF N-T OWNER, LP, a Delaware limited partnership

Cross reference to (i) Homestead Master Covenant [Residential], recorded as Document No. 2016020825 and Document No. 201606035019 in the Official Public Records of Guadalupe County, Texas, and Comal County, Texas, respectively, as amended; and (ii) Homestead Development Area Declaration [Residential], recorded as Document No. 2016020951 and Document No. 201606036397 in the Official Public Records of Guadalupe County, Texas, and Comal County, Texas, respectively, as amended; and (iii) Homestead Modification Design Guidelines [Residential], recorded as Document No. 201899014375 and Document No. 201906021083 in the Official Public Records of Guadalupe County, Texas, and Comal County, Texas, respectively, as amended.

HOMESTEAD
FIRST AMENDMENT TO
MODIFICATION DESIGN GUIDELINES [RESIDENTIAL]

HOMESTEAD
FIRST AMENDMENT TO MODIFICATION DESIGN GUIDELINES
[RESIDENTIAL]

This Homestead First Amendment to Modification Design Guidelines [Residential] (this “**Amendment**”), is hereby made by **ILF N-T OWNER, LP**, a Delaware limited partnership (the “**Declarant**”), as the **HOMESTEAD REVIEWER**, and is as follows:

RECITALS

A. Declarant previously Recorded that certain Homestead Master Covenant [Residential], recorded as Document No. 2016020825 and Document No. 201606035019 in the Official Public Records of Guadalupe County, Texas, and Comal County, Texas, respectively, as amended (collectively, the “**Covenant**”).

B. Pursuant to the Covenant, the Homestead Reviewer may adopt, amend, modify, revoke, or supplement the Design Guidelines which may apply to all or any portion of the Development.

C. Pursuant to the Covenant, the Declarant as the Homestead Reviewer previously executed and recorded those certain Homestead Modification Design Guidelines [Residential], recorded as Document No. 201899014375 and Document No. 201906021083 in the Official Public Records of Guadalupe County, Texas, and Comal County, Texas, respectively, as amended (collectively, the “**Modification Design Guidelines**”). The Modification Design Guidelines apply to the Development Area subject to that certain Homestead Development Area Declaration [Residential], recorded as Document No. 2016020951 and Document No. 201606036397 in the Official Public Records of Guadalupe County, Texas, and Comal County, Texas, respectively, as amended (collectively, the “**Development Area Declaration**”), through one or more Notices of Applicability.

D. The Modification Design Guidelines provide that the Homestead Reviewer may amend the Modification Design Guidelines.

E. Pursuant to the Covenant and the Modification Design Guidelines, Declarant, as the Homestead Reviewer, desires to amend, supplement and modify the Modification Design Guidelines as set forth herein.

NOW, THEREFORE, Declarant, as the Homestead Reviewer, hereby amends, supplements and modifies the Modification Design Guidelines as follows:

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MODIFICATION DESIGN GUIDELINES [RESIDENTIAL]

1. **Accessory Structures.** *Article VI, Section I, of the Modification Design Guidelines* is hereby deleted in its entirety and replaced with the following:

I. Accessory Structures

Accessory structures such as screened enclosures, cabanas, garden buildings, detached garages, storage buildings or guesthouses (which are in compliance with the Development Area Declaration) are permitted if approved in advance by the Homestead Reviewer.

- **Permitted Structures.** Such accessory structures shall be: (i) constructed with colors similar to the primary residence, neutral, or earth tone colors, including the roof (as determined by the Homestead Reviewer); and (ii) no larger than 10' deep x 12' wide x 9' high, unless otherwise approved.
- **Location.** No accessory structures shall be located nearer than five feet (5') to an interior lot line. The location of such structures shall not conflict with any Plat or Applicable Law, or be located closer than ten feet (10') from the primary structure on another Lot. Roof eaves are not to be considered when calculating these distances.
- **Variances.** The Homestead Reviewer may, at its sole discretion, approve variances on an individual basis.

2. **Exterior Lighting.** *Article VI of the Modification Design Guidelines* is hereby supplemented with the following:

S. Exterior Lighting

- Exterior lighting shall be installed in such a way to minimize the amount of spill light on adjacent properties, homes or streets. No exterior lighting shall produce excessive glare to pedestrian or vehicular traffic. All exterior lights must be installed on the rear of the home or garage. The only exception are low voltage landscaping lights or decorative fixtures of an understated design which complements the architectural style of the residence.
- Exterior lighting shall be designed and located to encourage conformance to "Dark Sky" principles. "Dark Sky" principles include avoiding adverse impact of artificial light including sky glow, glare, light trespass, light clutter, decreased visibility at night, and energy waste.
- Landscape lighting must be located at ground level in flowerbeds and must aluminate white.
- All exterior lighting fixtures must be Underwriter Laboratories (UL) approved and may be of the following types: (i) incandescent; (ii) gas; and (iii) LED.

- Patio string lights are allowed in the backyard of a residence only and shall be attached to a non-conductive pole (metal not allowed). In consideration of adjacent properties, patio string lights must be off by 10:00 p.m. on weekdays and midnight on weekends and holidays.
- The height of exterior lighting shall not exceed the height of the roofline of the subject residence.
- Security lighting shall not point towards the windows of adjacent properties in a way that creates a nuisance.
- Prohibited Elements:
 - Use of other than white or color corrected high intensity lamps and exterior lights (except holiday lighting that may not be installed more than twenty-one (21) days before a holiday and must be removed no more than fourteen (14) days after the holiday).
 - Exterior lights the color of which exceeds 3200k.
 - High-Pressure Sodium, mercury vapor, or bare HID yard lights.

3. **Landscape.** *Article VII, Section A,* of the Modification Design Guidelines is hereby supplemented with the following:

Because many homes in Homestead back to natural open spaces, the preservation and restoration of the native landscape within the rear yard is strongly encouraged. The following guidelines and suggested plant materials are intended to provide for a community wide landscape that will foster preservation of the native landscape, conserve resources and create defined and aesthetically pleasing environment. The approved list of plants and turf are set forth on Exhibit "B" attached hereto and incorporated herein by reference. The prohibited list of plants and turf are set forth on Exhibit "C" attached hereto and incorporated herein by reference.

4. **Exhibit "B" - Approved Plant List.** The Modification Design Guidelines are hereby supplemented with Exhibit "B" attached hereto and incorporated herein by reference.

5. **Exhibit "C" - Prohibited Plant List.** The Modification Design Guidelines are hereby supplemented with Exhibit "C" attached hereto and incorporated herein by reference.

6. **Pools, Spas and Hot Tubs.** *Article VII, Section G,* of the Modification Design Guidelines are hereby supplemented with the following:

- **Setbacks.** Swimming pools, spas and/or hot tubs, and associated Improvements, shall be located at a minimum of five feet (5') from any lot line and shall not be located within any building setback.

- Installation. Installation of swimming pools, spas and/or hot tubs, and associated Improvements, shall conform to Applicable Law and local safety requirements.

7. Playscapes, Trampolines and Sport Courts. *Article VII, Section H,* of the Modification Design Guidelines is hereby deleted in its entirety and replaced with the following:

H. Playscapes, Trampolines and Sport Courts

Playscapes, recreational or sport courts and trampolines must be approved in writing by the Homestead Reviewer prior to the commencement of construction or placement. Portable basketball goals are permitted provided they are stored out of view when not in use. All portable basketball goals must be maintained in good condition and repair.

- Features. If allowed, these facilities must be properly sited and screened so as to minimize the visual and audio impact of the facility on adjacent properties. Special attention will be placed on color schemes and on the visibility of the equipment from the street and neighboring Lots.
- Plans. Plans for playscapes and sport courts must be drawn on an accurate copy of the site plan and must include proposed screening.
- Prohibited Elements.
 - Direct or indirect lighting of the playscape, trampoline or sport court.
 - Netting enclosures (except safety netting around a trampoline). Playscapes and sport courts may not be lighted or enclosed with netting.
 - Playscapes that exceed ten feet (10') in height.

8. Miscellaneous. Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Covenant or the Modification Design Guidelines. Unless expressly modified by this Amendment, all other terms and provisions of the Modification Design Guidelines remain in full force and effect as written, and are hereby ratified and confirmed. If any terms and provisions of this Amendment are in conflict with the Modification Design Guidelines, the terms and provisions of this Amendment will control.

EXECUTED TO BE EFFECTIVE on this 2nd day of February, 2022.

**DECLARANT AS THE
HOMESTEAD REVIEWER:**

ILF N-T Owner, LP,
a Delaware limited partnership

By: I N-T GP, LLC,LF
a Delaware limited liability company,
its General Partner

By: I N-T Holdings, LLC,
a Delaware limited liability company,
its Sole Member

By: FCA Nor-Tex, LLC
a Delaware limited liability company,
its Administrative Member

By: [Signature]
Name: Jesse R. Baker
Title: Authorized Signatory

STATE OF MASSACHUSETTS

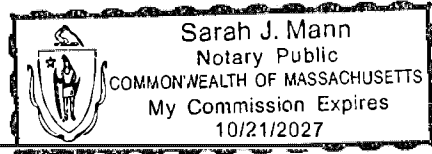
KNOW ALL MEN BY THESE PRESENTS

COUNTY OF SUFFOLK

Before me, the undersigned authority, on this day personally appeared Jesse R. Baker known to me to be the Authorized Signatory of FCA Nor-Tex, LLC, Administrative Member of I N-T Holdings, LLC, Sole Member of I N-T GP, LLC, General Partner of I N-T Owner, LP on behalf of said limited partnership and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated.

GI UNDER MY HAND AND SEAL of office this 2nd day of February, 2022

[Signature]
Notary Public in and for the State of Massachusetts
My Commission expires on: 10/21/27



HOMESTEAD
FIRST AMENDMENT TO
MODIFICATION DESIGN GUIDELINES [RESIDENTIAL]

EXHIBIT "B"

APPROVED PLANT LIST

The following list of plants is composed of selected native and adaptive plant material suitable for plant material in the Development. This list is recommended but is not all-inclusive. All plants selected for installation must be approved by the Homestead Reviewer.

CANOPY TREES

COMMON NAME	BOTANICAL NAME
Pecan	<i>Carya illinoensis</i>
Leyland Cypress	<i>Cupressocyparis leylandii</i>
Mexican Sycamore	<i>Platanus mexicana</i>
Bur Oak	<i>Quercus macrocarpa</i>
Chinquapin Oak	<i>Quercus muhlenbergii</i>
Red Oak	<i>Quercus shumardii</i>
Texas Red Oak	<i>Quercus texana</i>
Live Oak	<i>Quercus virginiana</i>
Bald Cypress	<i>Taxodium distichum</i>
Montezuma Cypress	<i>Taxodium mucronatum</i>
Cedar Elm	<i>Ulmus crassifolia</i>
Lace Bark Elm	<i>Ulmus parvifolia</i>

ORNAMENTAL TREES

COMMON NAME	BOTANICAL NAME
Big Tooth Maple	<i>Acer grandidentatum</i>
Red Buckeye	<i>Aesculus pavia</i>
Eastern Red Bud	<i>Cercis canadensis</i>
Mexican Red Bud	<i>Cercis canadensis 'mexicana'</i>
Desert Willow	<i>Chilopsis linearis</i>
Smoke Tree	<i>Cotinus obovatus</i>
Texas Persimmon	<i>Diospyros texana</i>
Possumhaw Holly	<i>Ilex decidua</i>
Yaupon Holly	<i>Ilex vomitoria</i>
Crepe Myrtle Varieties	<i>Lagerstroemia indica</i>
Mexican Buckeye	<i>Sapindaceae ungnadia</i>
Mexican Plum	<i>Prunus mexicana</i>
Pomegranate	<i>Punica granatum</i>
Carolina Buckthorn	<i>Rhamnus caroliniana</i>
Flame Leaf Sumac	<i>Rhus lanceolata</i>
Texas Mountain Laurel	<i>Sophora secundiflora</i>

SHRUBS

COMMON NAME	BOTANICAL NAME
Glossy Abelia	Abelia grandiflora
Agave - Cold tolerant species	Agave species
Variegated Ginger	Alpinia sanderae
Cast Iron Plant	Aspidistra elatior
Japanese Barberry	Berberis thunbergii 'Atropurpurea'
Agarita	Berberis trifoliata
Butterfly Bush	Buddleja davidii
American Beautyberry	Callicarpa americana
Flowering Senna	Cassia corymbosa
Poinciana/Red Bird of Paradise	Caesalpinia pulcherrima
Cotoneaster	Cotoneaster glaucophyllus
Texas Sotol	Dasyilirion texanum
Eleagnus	Eleagnus pungens
Texas Fire Bush	Hamelia 'Patens'
Red Yucca	Hesperaloe parviflora
Rose-of-Sharon Hibiscus	Hibiscus syriacus
Carissa Holly	Ilex cornuta 'Carissa'
Dwarf Yaupon Holly	Illex vomitoria nana
Will Fleming	Ilex vomitoria 'Will Fleming'
Primrose Jasmine	Jasminum mesnyi
Texas Sage	Leucophyllum frutescens
Southern Wax Myrtle	Myrica certfera
Dwarf Wax Myrtle	Myrica pusilla
Sacahuistia	Nolina texana
Cactus	Opuntia species
Russian Sage	Perovskia atriplicifolia
Wheeler's Dwarf Pittosporum	Pittosporum tobira 'Wheeler's Dwarf'
Plumbago	Plumbago auriculata 'alba'
Japanese Yew	Podocarpus macrophylla
Fragrant Sumac	Rhus aromatica
Evergreen Sumac	Rhus virens
Rock Rose	Pavonia lasiopetala var lindheimeri
Rose	Rosa species
Rosemary	Rosmarinus officinalis
Texas Palmetto	Sabal texana
Rusty Blackhaw	Viburnum rufidulum
Yucca - Cold tolerant species	Yucca species

PERENNIALS

COMMON NAME	BOTANICAL NAME
Yarrow	<i>Achillea millefolium</i>
Variegated Ginger	<i>Alpinia sanderae</i>
Yellow Columbine	<i>Aquilegia chrysantha</i>
Red Columbine	<i>Aquilegia canadensis</i>
Flame Acanthus	<i>Anisacanthus quadrifidus</i> var. <i>wrightii</i>
Artemesia	<i>Artemisia ludoviciana</i> 'Powis Castle'
Fall Aster	<i>Aster oblongifolius</i>
Gregg Dalea	<i>Dalea greggii</i>
Fortnight Lilly	<i>Diets bicolor</i>
Daylilly	<i>Hemerocallis</i> species
Bearded Iris	<i>Iris germanica</i>
Turks Cap	<i>Malvaviscus arboreus</i>
Butterfly Iris	<i>Moraea iriodes</i>
Mexican Oregano	<i>Poliomintha longiflora</i>
Rudbeckia	<i>Redbeckia fulgida</i>
Autumn Sage 'Big Pink'	<i>Salvia gregii</i>
Mexican Bush Sage	<i>Salvia leucantha</i>
Mealy Blue Sage	<i>Salvia farinacea</i>
Indigo Spires Sage	<i>Salvia indigo spires</i>
Copper Canyon Daisy	<i>Tagetes lemmonii</i>
Esperanza Yellow Bells	<i>Tecoma stans</i>

ORNAMENTAL GRASSES

COMMON NAME	BOTANICAL NAME
Big Bluestem	<i>Andropogon gerardii</i>
Sideoats Grama	<i>Bouteloua curtipendula</i>
Blue Grama	<i>Bouteloua gracilis</i> 'Blond Ambition'
Gulf Muhly	<i>Muhlenbergia capillaris</i>
Bamboo Muhly	<i>Muhlenbergia dumosa</i>
Lindheimer Muhly/Big Muhly	<i>Muhlenbergia lindheimeri</i>
Pink Flamingo	<i>Muhlenbergia</i> x <i>Pink Flamingo</i>
Mexican Feathergrass	<i>Nassella tenuissima</i>
Dwarf Fountain Grass	<i>Pennisetum alopecuroides</i>

VINES

COMMON NAME	BOTANICAL NAME
Coral Vine	Antigonon leptopus
Crossvine 'Tangerine Beauty'	Bignonia capreolata
Trumpet Vine	Campsis radicans
Carolina Jessamine	Gelsemium sempervirens
Fig Vine	Ficus pumila
Coral Honeysuckle	Lonicera sempervirens
Virginia Creeper	Parthenocissus quinquefolia
Lady Banks Rose	Rosa banksiae

GROUNDCOVERS

COMMON NAME	BOTANICAL NAME
Silver Ponyfoot	Dichondra argentea 'silver falls'
Trailing Lantana	Lantana montevidensis
Monkey Grass	Ophiopogon japonicus
Oregano	Organum vulgare
Frogfruit	Phyla incisa
Prostrate Rosemary	Rosmarinus officinalis 'prostratus'
Sedum	Sedum species
River Fern	Thelypteris kunthii
Prairie Verbena	Verbena bipinnatifolia

EXHIBIT "C"

PROHIBITED PLANT LIST

TREES

COMMON NAME	BOTANICAL NAME
Tree of Heaven	Ailanthus altissima
Mimosa, Silk Tree	Albizia julibrissin
Paper Mulberry	Broussonetia papyrifera
Chinese Parasol Tree	Firmiana simplex
Large Leaf Privets	Ligustrum japonicum/ lucidum/vulgare
Chinaberry	Melia azedarach
Chinese Pistache	Pistacia chinensis
Chinese Tallow	Triadica sebifera

SHURBS

COMMON NAME	BOTANICAL NAME
Small Leaf Privets	Ligustrum quihoui/sinense
Heavenly/Sacred Bamboo	Nandina domestica
Photinia (red tip/Tawainese)	Photinia serratifolia/frazeri
Scarlet Firethorn	Pyracantha coccinea
Salt Cedar or Tamarisk	Tamarix spp.
Lilac Chasete-tree	Vitex agnus-castus

VINES

COMMON NAME	BOTANICAL NAME
Japanese Honeysuckle	Lonicera japonica
Catclaw Vine	Macfadyena unguis-cati
Kudzu	Pueraria Montana var. lobata
Chinese Wisteria	Wisteria sinensis

HERBS

COMMON NAME	BOTANICAL NAME
Maltese Star Thistle	Centaurea melitensis
Elephant Ear	Colocasia esculenta
Japanese Hollyfern	Cyrtomium falcatum
Annual Bastard Cabbage or Tall Mustard Weed	Rapistrum rugosm
Brazilian Verbain	Verbena brasiliensis

GRASSES

Giant Cane/Reed	Arundo donax
King Ranch Bluestem	Bothriachloa ischaemum var. songarica
Golden Bamboo	Phyllostachys aurea
Johnsongrass	Sorghum halepense

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Bobbie Koepf