

# Whiffletree I-IV Declaration of Covenants and Deed Restrictions

When you purchased your home in the Whiffletree I-IV neighborhood, you received an official copy of the covenants and restrictions, which each homeowner is expected to follow. Enforcement is now the responsibility of the City of Plano; however, at the time these restrictions were published, the Architectural Control Committee had this responsibility. A copy is included here for your convenience and ease in referencing this material.

NOR-TEX DEVELOPMENT CORPORATION, acting herein by and through its duly authorized officer, being the owner of the following described property in Whiffletree, an Addition to the City of Plano, Texas, as recorded in Volume 12, Page 29, Map Records of Collin County, Texas, hereby place the following restrictions on said property, being fully described as follows:

These restrictions shall apply to all lots in Whiffletree, an Addition to the City of Plano, Texas, as recorded in the County of Collin, State of Texas, and more particularly described as follows:

Block A	Lots 1 through 21
Block B	Lots 1 through 5
Block C	Lots 1 through 43
Block D	Lots 1 through 5
Block E	Lots 1 through 16
Block F	Lots 1 through 30
Block G	Lots 1 through 10

- A. No dwelling shall be permitted on any lot described in the above paragraph containing less than 2,200 square footage of floor area, exclusive of porches and stoops open or closed, car ports and garages. Such square footage is meant to be only that amount of area contained in the dwelling space.

Any residence erected on the above described lots shall provide garage space for a minimum of two cars. Entrance to garages shall be from the alley unless otherwise approved in writing by the Architectural Control Committee.

All of the lots described above shall be known and described as residential lots. No structures shall be erected on any residential lot, other than one detached single family dwelling, not to exceed two stories in height; and garage, attached or detached; and servants house for the use of bonafide servants. No building shall be erected, altered, placed or permitted to remain on any lot other than for the purpose set out in this paragraph.

- B. Temporary sales offices or construction offices shall not be allowed except by written approval of the Architectural Control Committee.
- C. Free standing radio towers and antennas shall not be allowed except by written approval of the Architectural Control Committee.
- D. The exterior of the dwelling erected on any lot described in the above paragraph shall be brick, brick veneer, stone or stone veneer. A minimum of 75% of the total exterior wall area, lower than the top of the windows, will be considered as meeting the brick, brick veneer, stone or stone veneer requirements. Other exterior wall areas shall be of wood or other building materials.
- E. The roof of the main building and garages shall be of wood shingle or approved rigid tile material as approved by the Architectural Control Committee. [Note: This directive was overridden by the City of Plano a few years ago due to a fire hazard involving wood shingles.]

- F. No building shall be located on any lot nearer to front lot line nor nearer to side street line than the minimum set-back lines shown on the recorded plat. Detached garages and accessory building may not be located nearer than three (3) feet to any lot lines except the front lot line from which any detached garage or accessory building must not be located nearer than seventy-five (75) feet; detached and attached garages and accessory buildings shall not be nearer to a side street line than the set-back indicated on the recorded plat.
- G. No dwelling shall be erected or placed on any lot described herein, having a width of less than seventy-five (75) feet at any minimum set-back line, nor shall any building be erected nor placed on any lot with an area of less than 9,000 square feet.
- H. No building shall be erected, placed or altered on any lot until the construction plans and specifications and a plan showing the location of the structure have been approved by the Architectural Control Committee as to quality of workmanship and materials, harmony of external design with existing structures and as to location with respect to topography and finish grade elevation. No fence or wall shall be erected, placed or altered on any lot nearer to any street than the minimum set-back lines unless similarly approved. Approval shall be as provided in Paragraph "I".
- I. The Architectural Control Committee is composed of Joe Marchman and Ken Lambert, any one of which may act on any matter coming before it. In the event of death or resignation or refusal, inability, or failure to act of any member of the Committee, the remaining members shall have full authority to designate a successor. Neither the members of the Committee nor its designated representative shall be entitled to any compensation for services performed pursuant to this covenant. At anytime the then record owner of a majority of the lots shall have the power through a duly recorded instrument to change the membership of the committee or to withdraw from the committee, or to restore to its powers and duties.

The Committee's approval or disapproval as required in these covenants shall be in writing. In the event the Committee or its designated representative fails to approve or disapprove within 30 days after plans and specifications have been submitted to it, or in the event no suit to enjoin the construction has been commenced prior to the completion thereof, approval will not be required and the related covenants shall be deemed to have been fully complied with.

- J. No sign of any kind shall be displayed to the public view on any lot, except one professional sign of not more than one square foot, one sign of not more than five square feet advertising the property for sale or rent or signs used by a builder to advertise the property during the construction and sales period.
- K. No animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot, except that dogs and cats or other household pets may be kept provided that they are not kept, bred or maintained for any commercial purpose.
- L. No lot shall be used or maintained as a dumping ground for rubbish, trash, garbage or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage of or disposal of such material shall be kept in a clean and sanitary condition.
- M. No fence, wall, hedge or shrub planting which obstructs sight lines at elevations between 2 and 6 feet above the roadways shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting them at points twenty-five (25) feet from the intersection of the street lines, or in the case of a rounded property corner, from the intersection of the street property line within the edge of a driveway or alley pavement. No tree shall be permitted to remain within such distances of such intersection unless the foliage line is maintained at sufficient height to prevent obstruction of sight lines.

- N. No fence or wall shall be erected, placed or altered on any lot nearer to any street than the minimum set-back line.
- O. Fences or walls shall be of wood construction unless otherwise approved in writing by the Architectural Control Committee.
- P. Easements and alleys for the installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat.
- Q. No noxious or offensive activity shall be carried on upon any lot, nor anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.
- R. No structure of a temporary character, tent, shack, garage, barn or other out-building shall be used on any lot at any time as a residence, either temporary or permanent.

EXECUTED ON THIS 10th day of May, 1976 by Joe Marcham, President, Nor-Tex Development Corp.

THE STATE OF TEXAS

COUNTY OF COLLIN

Before me, the undersigned, a Notary Public in and for said County, Texas, on this day personally appeared Joe Marchman of Nor-Tex Development Corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and as an act of said corporation, and in the capacity therein stated.

Given under my hand and seal of office, this 10th day of May, 1976.

Signed Mollie Lambert, Notary Public, Collin County, Texas.