



AFTER RECORDING RETURN TO:  
David Teague  
PO Box 16326  
Lubbock, Texas 79490

CERTIFIED RESOLUTIONS OF THE BOARD OF DIRECTORS  
OF THE SPANISH BIT RANCH HOMEOWNERS ASSOCIATION, INC.

(the "Association")

ADOPTION OF XERISCAPE STANDARDS

The undersigned, Kathy Teague, as the duly elected, qualified, and acting Secretary of The Spanish Bit Ranch Homeowners Association, Inc., a Texas nonprofit corporation (the "Association"), hereby certifies on behalf of the Association that the following resolutions were duly adopted by the Board of Directors of the Association (the "Board") at a meeting of the Board held on October 1<sup>st</sup>, 2023, and that the resolutions attached hereto as Exhibit "A" has not been amended or rescinded and is in full force and effect on the date hereof.

WHEREAS, Article V, Section 7 of the Declarations of Covenants, Conditions and Restrictions, as amended by that certain Amended Declarations of Covenants, Conditions and Restrictions recorded in/under Clerk's File No, 2016018577, Official Public Records of Lubbock County, Texas, authorizes the Board, by unanimous consent, to adopt standards and guidelines relating to Improvements, which includes landscaping;

NOW, THEREFORE, BE IT RESOLVED, that the Board adopted the regulations set forth on Exhibit "A" attached hereto and incorporated herein by reference. These regulations apply to the Real Property set forth on Exhibit "B" attached hereto.

BE IT RESOLVED, FURTHER, that, the Secretary of the Association is hereby authorized and empowered, in the name and on behalf of the Association, from time to time to do and perform all such further acts and things and to execute and deliver all such further instruments as he or she may deem necessary or advisable to carry out and effectuate the intent and purposes of the foregoing resolutions and the actions referred to therein.

BE IT RESOLVED, FURTHER, that any actions taken by the officers or directors of the Association prior to the date of this action or hereafter that are within the authority conferred hereby are hereby ratified, confirmed and approved as the act and deed of the Association.

[SIGNATURE PAGE FOLLOWS]

SECRETARY'S CERTIFICATE

IN WITNESS WHEREOF, the undersigned has executed this Certificate as Secretary on behalf of the Association to be effective upon the recording of this document in the Official Public Records of Lubbock County, Texas.

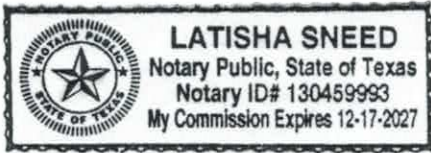


By: Kathy Teague

Title: Secretary

STATE OF TEXAS  
COUNTY OF LUBBOCK

This instrument was acknowledged before me on April 26<sup>th</sup> 2024, by Kathy Teague, Secretary of The Spanish Bit Ranch Homeowners Association, Inc., a Texas non-profit corporation, on behalf of said non-profit corporation.



Notary Public

RESOLUTION ADOPTING XERISCAPE STANDARDS

FOR

THE SPANISH BIT RANCH HOMEOWNERS ASSOCIATION, INC.

(the "Association")

**PURSUANT TO THE AUTHORITY TO ALTER STANDARDS WHEN GOVERNMENTAL CODE CHANGE OCCURS as set forth in Article V, Section 7 of the Declarations of Covenants, Conditions and Restrictions, as amended by that certain Amended Declarations of Covenants, Conditions and Restrictions recorded in/under Clerk's File No, 2016018577, Official Public Records of Lubbock County, Texas, upon recommendation of the Architectural Committee of the Association, the Board of Directors of the Association unanimously adopts the following standards and guidelines:**

**Preamble:**

WHEREAS, in the best interest of the Association in light of frequent and persistent drought conditions in the area, the Association desires to adopt the following resolution in the interest of conservation.

AND, WHEREAS, the Legislature of the State of Texas has enacted certain laws with respect to landscaping encouraging xeriscape practices.

**Resolution:**

BE IT RESOLVED, that the Association's supplementary guidelines, effective October 1<sup>st</sup>, 2023, for Owners and Members are as follows:

Homeowners are allowed to install Drought Resistant Landscape and Turf if they meet the following guidelines.

Homeowners must submit a written request for variance to the Architectural Committee. The request must include an outline of the project and a design plan, as well as details of the types of plants, the ground covers, border materials, and hardscape materials to be used. Allow 30 days for approval of the request; the Architectural Committee may request additional information or changes to the plan that may cause final approval to take longer. Installation of the new landscaping cannot begin until the variance has been approved.

Up to 75% of the homeowners' front yard may be put in Drought Resistant Landscaping, with a minimum of 25% devoted to turf grass. The easement strip between the public sidewalk and the curb does not count toward the 25% turf area. Low-water turf grass such as Buffalo and Zoysia grass may be used.

If a variance is granted, any areas not planted in turf grass must be covered in landscape fabric. The landscape fabric must then be covered in crushed rock to be approved by the Committee. The

ground cover must be maintained to prevent weed growth. Paver stones may be used to create walkways. Concrete surfaces are limited to driveways and sidewalks only.

For public safety, no plants with thorns, spines, or sharp edges can be used within 6 feet of public sidewalks. Also, no plants taller than 12 inches may be planted in the sidewalk strip, as this constitutes a visual hazard to pedestrians and drivers.

Xeriscape areas must be surrounded by a border to clearly define the xeriscape areas from turfed areas. Borders may consist of mortared masonry units. Masonry products include stone, clay brick pavers or concrete masonry units manufactured as edging shapes. All masonry products must be properly mortared in place to avoid displacement and weed encroachment or growth between masonry units. All masonry must be approved for color and type; if brick units are to be used they must be solid units, not those with holes. No "common" concrete blocks are permitted.

Borders must be maintained as part of the landscaping, must be kept in attractive condition, and must be edged.

To the extent practicable, maximum aesthetic compatibility with other landscaping in the subdivision is required.

Hardscapes can include large boulders or other natural materials that are used as part of xeriscape landscaping design. Urns, pots, and other man-made ornamentation can add variety, but are not to exceed four items in public view. Any proposed landscape "decorative items" such as birdbaths, statuary, or other similar non-vegetative items must be approved in advance. No boulders or large rocks exceeding six inches may be used on the easement strips between the public sidewalks and the street curb.

#### Summary

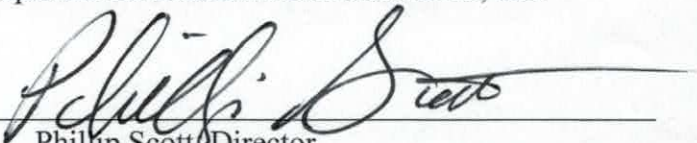
- The Architectural Committee is empowered to grant variances for xeriscaping as long as 25% of the publicly visible area is turfed and all other guidelines are met.
- Homeowners must submit a request for variance to the Architectural Committee. The request must include details of the project and a design plan with the Architectural Committee 30 having days from the submission of the design plan to review and approve or deny and provide written objection to the design plan. Installation of the new xeriscaping cannot begin until a variance has been approved.
- Non-turf planted areas must be covered with landscape fabric and crushed rock and must be bordered to define the xeriscape areas clearly from turfed areas.
- Xeriscape areas must be maintained at all times to ensure an attractive appearance. This includes trimming plants, keeping the area weed free, and edging along borders.
- No boulders or large rocks may be used on the narrow strips between public sidewalks and the street curb.
- No plants may encroach onto or over public sidewalks.
- No plants with thorns, spines, or sharp edges can be used within 6 feet of the public sidewalks.
- No plants greater the 12 inches in height should be planted in the sidewalk strip area.

- Sickly and dying plants must be removed and replaced.
- Perennials and ornamental grasses that die back in winter must be cut back to remove dead material.

To the extent these guidelines contradict with any previous guidelines, rules, covenants, or restrictions, these guidelines shall control. These guidelines are supplementary and are in addition to any and all other covenants, conditions, restrictions, rules, and guidelines in effect for the Association.

This resolution was adopted unanimously by the Board of Directors of the Association on the date set forth below to be effective October 1<sup>st</sup>, 2023.

The Spanish Bit Homeowners Association, Inc.

By:   
Phillip Scott, Director

By:   
David Teague, Director

By:   
Shawn Wade, Director

By:   
Jerry Pharr, Director

By:   
Caleb Sallee, Director

Exhibit "B"

Lots 1-18, 17-A, 18-A, 19-24 and 25-A and Lots 27, 28, 30, 32-55, Spanish Bit Court, an Addition to the City of Lubbock, Lubbock County, Texas,; together with Lots 26-A, 26-B, 26-C, 26-D, 26-E, 26-F, 26-G, 26-H, 26-I, 26-J, 29-A, 31-A, 56-A, 57-A, 57-B, 58-A, and 59 through 90, Spanish Bit Court, an Addition to the City of Lubbock, Lubbock County, Texas, according to the Map, Plat and/or Dedication Deed thereof, recorded in/under Clerk's File No. 2022045880, corrected in Clerk's File No. 2023036891, of the Official Public Records of Lubbock County, Texas; together with certain unplatted acreage (the "**Acreage**") out of the following described Parent Tract owned by Princess Land Company, L.P (the "**Parent Tract**"):

A 140.24 acre tract of land, more or less, located in Section 7, Block JS of the E.L. & R.R. Railroad and Company Survey, Lubbock County, Texas, and described in Volume 5362, Page 328 of the Real Property Records of Lubbock County, Texas, portions of which are now known as the Spanish Bit Court Addition to Lubbock County, Texas, being the same property as set out in the Original Plats recorded in, Volume 7853, Page 263, Volume 9564, Page 344, and Instrument No. 2011003222, Official Public Records of Lubbock County, Texas, and including that land conveyed to Princess Land Company, L.P by instrument recorded in/under Clerk's File No. 2014034033, Official Public Records of Lubbock County, Texas, less and except that portion of the 140.24 acre tract of land that lies north of the South Plains Electric Cooperative right-of-way which was hereby excluded from the covenants, conditions and restrictions imposed on the property by prior Dedication Deeds or Amendments and the covenants, conditions and restrictions imposed on the property herein.