



June 9, 2011

To: Members of the Panther Creek Association of Homeowners

RE: Amended Rules and Regulations

Homeowner,

The Board of Directors saw the need to clarify and revise the existing Rules and Regulations. The purpose of this review was to ensure that homeowners will be in compliance with the Declaration and to provide guidance to the homeowners.

The Board of Directors directed the previously created and appointed Covenants Control Committee to review the Rules and Regulations and recommend changes to the Board of Directors.

Attached, please find the results of this effort. These amended Rules and Regulations have been approved by the Board of Directors and recorded with Collin County. With this notice, the recorded document is now in force.

Thank you,

Board of Directors for Panther Creek Association of Homeowners, Inc.

AFTER RECORDING, PLEASE RETURN TO:

Judd A. Austin, Jr.
Henry Oddo Austin & Fletcher, P.C.
1700 Pacific Avenue
Suite 2700
Dallas, Texas 75201

**SIXTH SUPPLEMENTAL
CERTIFICATE AND MEMORANDUM OF RECORDING
OF ASSOCIATION DOCUMENTS FOR
PANTHER CREEK ASSOCIATION OF HOMEOWNERS, INC.**

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

The undersigned, as attorney for the Panther Creek Association of Homeowners, Inc., for the purpose of complying with Section 202.006 of the Texas Property Code and to provide public notice of the following dedicatory instrument affecting the owners of property described on Exhibit B attached hereto, hereby states that the dedicatory instrument attached hereto is a true and correct copy of the following:

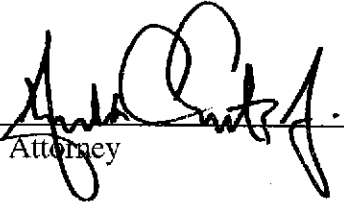
**Rules and Regulations of Panther Creek Association of
Homeowners, Inc. - amended as of 3/16/11
(Exhibit "A").**

All persons or entities holding an interest in and to any portion of property described on Exhibit B attached hereto are subject to the foregoing dedicatory instruments.

IN WITNESS WHEREOF, the Panther Creek Association of Homeowners, Inc. has caused this Sixth Supplemental Certificate and Memorandum of Recording of Association Documents to

be filed with the office of the Collin County Clerk, and supplements that certain Certificate and Memorandum of Recording of Association Documents for Panther Creek Association of Homeowners, Inc., filed on September 6, 2007, and recorded as Instrument Number 20070906001245030 in the Official Public Records of Collin County, Texas; that certain First Supplemental Certificate and Memorandum of Recording of Association Documents for Panther Creek Association of Homeowners, Inc., filed on February 5, 2008, and recorded as Instrument Number 20080205000140080 in the Official Public Records of Collin County, Texas; that certain Second Supplemental Certificate and Memorandum of Recording of Association Documents for Panther Creek Association of Homeowners, Inc., filed on April 18, 2008, and recorded as Instrument Number 20080418000462700 in the Official Public Records of Collin County, Texas; that certain Third Supplemental Certificate and Memorandum of Recording of Association Documents for Panther Creek Association of Homeowners, Inc., filed on October 9, 2008, and recorded as Instrument Number 20081009001208080 in the Official Public Records of Collin County, Texas; that certain Fourth Supplemental Certificate and Memorandum of Recording of Association Documents for Panther Creek Association of Homeowners, Inc., filed on October 15, 2009, and recorded as Instrument Number 20091015001271050 in the Official Public Records of Collin County, Texas; and that certain Fifth Supplemental Certificate and Memorandum of Recording of Association Documents for Panther Creek Association of Homeowners, Inc., filed on January 25, 2010, and recorded as Instrument Number 2010125000076790 in the Official Public Records of Collin County, Texas.

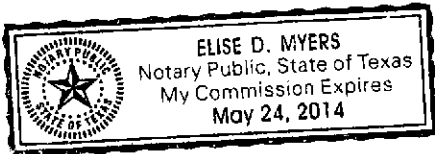
PANTHER CREEK ASSOCIATION
OF HOMEOWNERS, INC.

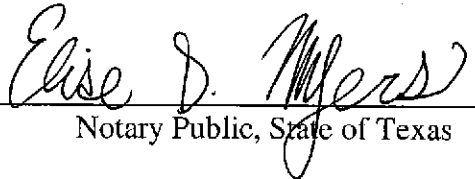
By: 
Its: Attorney

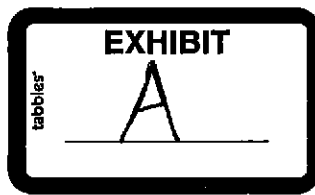
STATE OF TEXAS §
 §
COUNTY OF DALLAS §

BEFORE ME, the undersigned Notary Public, on this day personally appeared Judd A. Austin, Jr., attorney for Panther Creek Association of Homeowners, Inc., known to me to be the person whose name is subscribed on the foregoing instrument and acknowledged to me that he executed the same for the purposes therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND AFFIRMED SEAL OF OFFICE on this 25th day of March, 2011.




Notary Public, State of Texas



Rules & Regulations
Panther Creek Association of Homeowners, Inc.
(Amended as of March 16, 2011)

General: Notice is given to all homeowners that the rules and regulations ("*Rules*") are directed towards individual and/or family homeowners. Special provisions and/or exceptions may apply to or be given to builders/developers working on new home construction. The Rules are intended to provide homeowners guidance to the requirements found within the Declaration of Covenants, Conditions, & Restrictions ("*Declaration*") and the Bylaws ("*Bylaws*") of the Panther Creek Association of Homeowners, Inc. ("*PCE HOA*"), as well as certain city ordinances that apply to single family residences. Enforcement of these provisions will be through the Panther Creek Estate's Enforcement and Fine Policy or in the case of a city ordinance, by the city. Any discrepancies between the Declaration, the Bylaws and the Rules ("*HOA Documents*") shall be resolved as follows: The Declaration takes precedence over both the Bylaws and the Rules. The Bylaws take precedence over the Rules. In the event of a discrepancy between the HOA Documents and City Ordinances, the more restrictive document will govern.

The Covenants Committee (Also called the Covenants Control Committee in the Declaration) ("*CCC*"). has been created and appointed by the Board of Directors of PCE HOA in accordance with and pursuant to Article XIV of the Bylaws. In addition to the hearing and maintenance standards duties granted this committee in the Declaration, the board has given the CCC the duty to review requested changes to existing properties. The Board of Directors shall, in its sole discretion, appoint and remove members from the CCC, with or without cause. The purpose of this review is to ensure homeowners will be in compliance with the Declaration and these Rules, and provide guidance to homeowners with respect to the overall desired appearance of the neighborhood. Approval of requested changes will not be withheld, unless the requested changes are in violation of the Declaration, the Rules or Bylaws. The CCC and Board of Directors may, however, provide recommendations for various items including, but not limited to, color and architecture, etc. The Board of Directors reserves the right to overrule or reverse a decision of the CCC.

Where permits are required by the City, homeowners will be required to post the permit.

Garage Sales: See Declaration, Article VII. Homeowners may have no more than two (2) garage sales of no more than two (2) days duration each during any twelve (12) month period. Garage sales may not be conducted without prior written consent of the Board of Directors. Signs relating to Garage sales will be allowed per city ordinance only, currently limited to one (1) sign located on the home owner property only. No sign may be placed on PCE HOA Common Areas, or city property.

Signs: See Declaration, Article IX Section 23. No sign of any kind shall be displayed to the public view on any lot except the following:

- A. One (1) professional security system sign of not more than one (1) square foot;

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(Amended as of March 16, 2011)

- B. One (1) sign of not more than five (5) square feet advertising the property for rent or sale, or signs used by a builder to advertise the property during the construction and sales period;
- C. No more than one (1) sign per Unit, no larger than one (1) square foot in size, providing public notice of any of the following:
 - i. "No Trespassing",
 - ii. "No Soliciting",
 - iii. "Keep off the Grass";
- D. Political signs as allowed under Section 202.009 of the Texas Property Code and subject to the City's sign ordinance; and
- E. Signs that notify of the arrival of a newborn or the participation of a family member in a school activity or sport. The number of signs shall be limited to the number of newborns and/or immediate family members residing at the location where said signs are displayed.

Laundry: See Declaration, Article IX Section 24. The drying of clothes in full view of the public is prohibited.

Fires: See Declaration, Article IX Section 25. Except within fireplaces in the main residential dwelling and except for outdoor cooking, no burning of anything shall be permitted anywhere in PCE HOA.

Single Family Use: See Declaration, Article IX Sections 2 and 19. Each residence will be occupied by only one (1) family consisting of persons related by blood, adoption, or marriage, or no more than two (2) unrelated persons living together. No residence shall be used for business, professional, commercial, or manufacturing purposes of any kind. Owners may use a residence for quiet inoffensive activities such as tutoring or giving art lessons so long as such activities do not materially increase the number of cars parked on the street or interfere with adjoining homeowner's use and enjoyment of their residence or yards.

Exception: Builders may use a residence as a temporary sales office.

Driveways: See Declaration, Article IX Section 5. All driveways will be surfaced with concrete or similar substance acceptable to the City. Changes to any existing driveway must be permitted by the City.

Boats, Aircraft, and Recreational Vehicles: See Declaration, Article IX Section 7. No boat, aircraft, or RV, camper or other similar vehicle may be parked for storage in the driveway or front yard of a dwelling. Additionally no such vehicle will be stored in the rear yard of any residence unless completely concealed from view. No such vehicle will be used as a residence or office temporarily or permanently. Storage shall mean any such vehicle parked for more than twenty four (24) hours.

Trucks/explosive cargo: See Declaration, Article IX Section 8 and 9. No truck in excess of one (1) ton or any vehicle with painted advertisement shall be permitted to park

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overnight within PCE. Additionally, no vehicle of any size which transports flammable or explosive cargo shall be permitted.

Trailers. Other business trailers may be allowed subject to city ordinance.

Animals: See Declaration, Article IX Section 12. No livestock, other than household pets such as dogs, cats, birds, etc, shall be allowed to be raised or kept within PCE. No more than four (4) household pets will be allowed.

Fences, Walls & Gates: See Declaration, Article IX: Sections 30, 30.1 & 30.2

General.

Fences are to be maintained in a good condition. Fences deemed to be in a state of disrepair including those with chipping paint, rotting wood, missing or broken slats or leaning portions will be subject to fines as detailed in the Enforcement Policy.

Requirements for fences abutting Eldorado, Hillcrest, and Panther Creek Parkway (see Declaration Article IX, Section 30.1)

Fences are to be 6' Cedar board on board. See Exhibit B of Declaration for specific structural guidelines. Color required for the portion of the fence that faces Eldorado Parkway, Hillcrest or Panther Creek Parkway is to be Behr Deck Plus Semi-Transparent DP326 (Taupe).

Requirements for Fences adjoining Contiguous Open spaces (also known as Green belts)

Fences are to be 6' wrought iron fence painted black.

See City of Frisco Ordinance 08-04-40

This section of the rules and regulations highlights and incorporates other provisions of the City's fence ordinance. Homeowners who fail to comply with these provisions, or other provisions in the ordinance not detailed here, will be subject to fines detailed in the PCE HOA fine policy, and may also be subject to city penalties.

New or replacement fencing. Permits are required for replacement of more than 16 feet of fencing. Permits must be posted during the construction of any replacement fence.

Fences may NOT contain and/or be:

1. Continuous electrical current, although single strand wires designed to conduct electricity through an approved low voltage regulator shall be allowed along the fence's interior base line.
2. constructed to contain barbed wire
3. plywood
4. fiberglass or fiberglass panels
5. corrugated steel or sheet iron
6. razor wire
7. any materials not deemed for use as fencing in the opinion of the City Building Official, or his/her designee

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Repairs of any nature shall be made with materials of comparable color, size, shape, and quality of the original fence to which the repair is being made.

Temporary Structures:

Gazebos- See Declaration, Article IX; Sections 1, 6, and 21. Allowed in places which are not visible from any street contiguous with the Lot with approval of the CCC.

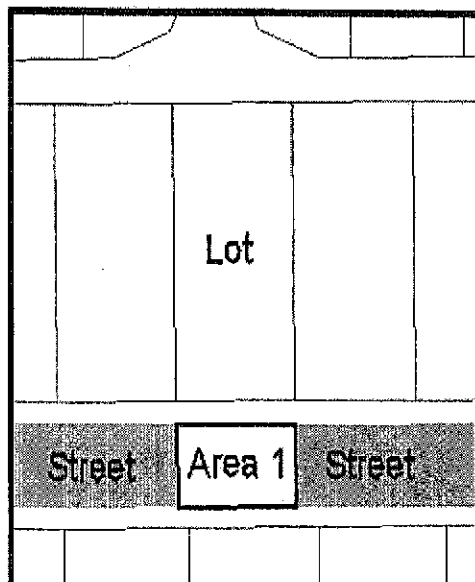
Temporary Patio Covers (i.e. canvas, or other moveable structures). See CC&Rs, Article IX; Section 6 - NOT Allowed..

Other Temporary Structures: See Declaration, Article IX; Section 1, 6, 10, & 21. Not allowed per Section 1. Additionally no temporary structure shall be used as a dwelling.

Permanent Storage Buildings and Sheds: (Declaration, Article IX; Sections 1 and 6): May be no larger than 8' by 10' in floor area, no taller than 8' in height. May not be visible from any street contiguous with the lot.

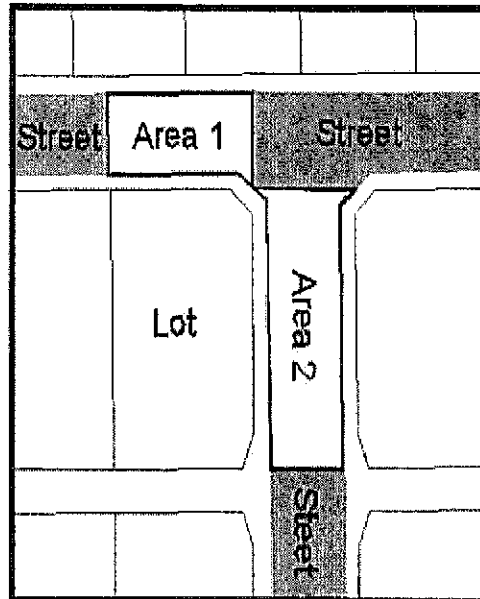
Clarification of the term “visible from any street contiguous with the Lot” found in Article IX Sections 1, 6 and 21 of the Declaration:

“Visible from any street contiguous with the Lot” shall mean viewable from the street in front of the Lot (curb to curb, but not standing on the curb) at a (six) 6 foot sight-line within the property lines of the Lot in question. The box labeled “Area 1” below illustrates the area considered contiguous with the center Lot.



In the case of a corner Lot, the above definition would apply from the street in front of the Lot and the contiguous side street. The boxes labeled “Area 1” and “Area 2” below illustrates the areas considered contiguous with the Lot.

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Arbors/Permanent Patio Covers: See City Ordinance 02-08-081

Residential Accessory buildings in Excess of 160 square feet must be of exterior materials similar to the main structure, and must meet the masonry requirements of section 36.9 of Frisco Comprehensive Zoning Ordinance.

Landscape Requirement: See Declaration, Article IX: Section 33(b). All lots shall maintain at minimum 2 trees within the front yard. Trees shall be a minimum of 3 and ½ inch caliper at the time of planting. Dead trees are required to be replaced. (PCE Board of Directors reserves the right to not enforce the replacement requirement for trees during times of drought)

Lawn Maintenance Standards:

The following lawn maintenance standards have been written by the CCC and approved by the Board:

Trees and Shrubs: Two or more 3.5 inch caliper or greater trees must be maintained in each front yard. All trees, hedges and shrubs should be pruned and trimmed to present a neat appearance. If one of the required trees dies, it must be replaced with a tree of the required minimum size as soon as practicably possible. Dead shrubs and hedges must be replaced with a similar item as soon as practicably possible.

Vegetation or Grass: Seeding, mowing and watering of all lawns and weed control must be maintained for all sections of property (front, sides and back) viewable from any street, alley or green belt contiguous with the Lot. Lawns (including any weeds) should be maintained at a uniform height, not to exceed 8 inches. Lawns should be neatly edged and all grass clippings should be removed and disposed of properly.

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Planter Beds/Flower Beds: Should be well maintained and kept free of grass and weeds.

Lawns not complying with above standards are subject to enforcement by the PCE HOA Enforcement and Fine Policy.

Pools/Spas:

New pools/spas are to be approved and permitted by the City.

Garage conversions- See Declaration, Article IX; Section 3. NOT permitted

Carports- See Declaration, Article IX; Section 3. NOT permitted

Basketball Goals: Basketball goals are not to infringe upon any public street, sidewalk or alleyway.

Mailboxes- See Declaration Article IX, Section 32- any changes or planters added to be approved by FHA, VA, City, or US Postal Service as Applicable. Mailboxes are expected to be a brick structure as is common throughout the community.

Building materials: See Declaration, Article IX, Section 6.

Building Materials may not be stored on any property until Owner of property is ready to begin construction.

Window Air Conditioners: See Declaration, Article IX, Section 17. Not allowed.

Antennas: Declaration, Article IX, Section 18. See the following clarification.

In recognition of availability of new radio services not foreseen by the authors of the declaration and the FCC's over the air reception devices (OTARD) Rule, 47 C.F.R. Section 1.4000, the Board of Director's issues these clarifications for Article IX Section 18 of the Declaration.

1. The board recognizes that satellite radio is a new service available and that the antenna's required are very small and are not obtrusive. These antennas will be permitted on the roof in the development. No advanced notice is required to the association.
2. The FCC's OTARD rule allows satellite dishes less than one (1) meter (39.37 inches) across. These dishes are allowed in the development. No advance notice is required to the association. The association requests that the mounting location be chosen to minimize the viewing of the dish from the streets and the neighbor's property.
3. The FCC's OTARD rule allows VHF/UHF television antennas that are no higher than twelve (12) feet above the roof of the home. These antennas are permitted in the development. No advanced notice is required. The association requests that these antennas be placed in the attic of the main residential structure unless acceptable reception is not possible and as long as the home owner perceives that

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this location is not burdensome. Some examples that would preclude adequate reception of TV signals in the attic are the presence of a radiant barrier or an attic area with inadequate height or access.

4. The FCC's OTARD rule allows for fixed wireless service antenna to receive internet access. These antennas will be permitted on the roof in the development. No advanced notice is required to the association.
5. The FCC's OTARD rule does not apply to antennas for AM/FM Radio. Per our covenants these antennas are permitted only inside the attic or residence.
6. The FCC's OTARD rule does not apply to antennas for the amateur (HAM) or citizens band radio services. No outside antennas for these services are permitted. The association will allow antennas of any type inside the main residential structure.

Community Pool Usage Rules:

1. **NO LIFEGUARD** on duty. Use these facilities at your own risk.
2. **NO DIVING** is allowed.
3. **Pool hours** are: 9:00 AM until 10:00 PM, Sunday through Thursday
9:00 AM until 11:00 PM, Friday and Saturday
4. Only 4 (**FOUR**) guests allowed per household. A resident **MUST** accompany guests.
5. A valid key or access card must be used to access the pool area.
TRESSPASSING WILL NOT be tolerated.
6. Glass objects of any kind are prohibited in the pool area.
7. **NO ALCOHOL or TOBACCO products** allowed in pool area.
8. **NO PETS**, bikes, scooters, roller blades or roller shoes allowed in the pool area.
9. Emergency equipment is to be used for emergencies only.
10. Access to the equipment area is restricted to authorized personnel.
11. Proper swimwear required. No jeans or cut-offs allowed.
12. No running, roughhousing or general horseplay that will endanger the safety of others.
13. Radios and other noise should be maintained at a low level at all times.
14. No air mattresses, large pool floats or lounges in the pool. Swim vests and small flotation aids are allowed. No sliding down pool hand rails.
15. Persons with skin diseases, open sores or wounds, inflamed eyes, nasal or ear infections or any communicable diseases are not allowed to use the pool.
16. For the health and safety of the residents, children not potty-trained must wear swim diapers while in the pool. Accidents in the pool require that the pool be closed for 24 hours, per the Texas State Health Department.
17. **CHILDREN UNDER THE AGE OF 15 MUST BE ACCOMPANIED BY AN ADULT 18 YEARS OF AGE OR OLDER.**

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These rules are subject to enforcement by the PCE HOA Enforcement and Fine Policy.

Violation Procedures: See By Laws Article 10.

The following is a summary of procedures required under the PCE Bylaws. This does not supersede or replace the required notification or rights of either homeowner or the PCE HOA. The following serves only to provide general information in a concise format to homeowners. For complete details, please refer to the Enforcement Policy. In the event of discrepancy between these Rules and the CC&R's or Bylaws or the Enforcement Policy, the Declaration and/or Bylaws and/or the Enforcement Policy will govern.

Homeowners will be notified in writing of the following:

1. The nature of the violation.
2. Required remedies, or abatements.
3. Time period in which to remedy without further sanctions.

If a homeowner is cited for the same violation within a 6 month period the board may impose further sanctions without the notice required above.

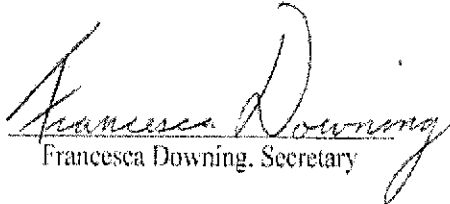
Should the Board choose to pursue sanctions against a homeowner for non compliance of the initial notice, or a second violation within a 6 month time frame the Board will provide the following:

1. Notice of the violation and proposed sanction.
2. Notice of homeowner right to a hearing and appeal of the sanction before the Covenants Committee.
3. Notice to homeowner that they may request an appeal to the Board in writing.

Rules & Regulations
Panther Creek Association of Homeowners, Inc.
(Amended as of March 16, 2011)

EXECUTED to be effective as of the 16th day of March, 2011.

PANTHER CREEK ASSOCIATION
OF HOMEOWNERS, INC.

By: 
Francesca Downing, Secretary

CERTIFICATION

I, William R. Milford, the duly elected President of the Panther Creek Association of Homeowners, Inc. hereby certify:

These Rules & Regulations were approved at the regularly scheduled board meeting held on the 16th day of March, 2011 with quorum present.

By: 
William R. Milford, President

EXHIBIT B

Those tracts and parcels of real property located in the City of Frisco, Collin County, Texas and more particularly described as follows:

- (a) All lots and tracts of land situated in **Panther Creek Estates, Phase 1, an Addition to the City of Frisco, Collin County, Texas, according to the Plat thereof recorded in Cabinet O, Page 407, of the Plat Records, Collin County, Texas; and**
- (b) All lots and tracts of land situated in **Panther Creek Estates, Phase II, an Addition to the City of Frisco, Collin County, Texas, according to the Map thereof recorded in Volume P, Page 585, of the Map Records, Collin County, Texas; and**
- (c) All lots and tracts of land situated in **Panther Creek Estates, Phase III, an Addition to the City of Frisco, Collin County, Texas, according to the Map/Plat thereof recorded in Volume P, Page 279, of the Map/Plat Records, Collin County, Texas; and**
- (d) All lots and tracts of land situation in **Panther Creek Estates, Phase IV, an Addition to the City of Frisco, Collin County, Texas, according to the Map/Plat thereof recorded in Volume P, Page 747, of the Map/Plat Records, Collin County, Texas, Texas; and**
- (e) All lots and tracts of land situated in **Panther Creek Estates, Phase V, an Addition to the City of Frisco, Collin County, Texas, according to the Map/Plat thereof recorded in Volume R, Page 149, of the Map/Plat Records, Collin County, Texas; and**
- (f) All lots and tracts of land situated in **Panther Creek Estates, Phase VI, an Addition to the City of Frisco, Collin County, Texas, according to the Map/Plat thereof recorded as Instrument No. 20060724010003150 of the Map/Plat Records, Collin County, Texas.**



Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
03/28/2011 10:47:04 AM
\$64.00 DLAIRD *Stacey Kemp*
20110328000318800