

Mary Louise Nicholson
MARY LOUISE NICHOLSON
COUNTY CLERK

**NOTICE OF FILING FOR
MIRA LAGOS HOMEOWNERS ASSOCIATION, INC.**

STATE OF TEXAS §
 §
COUNTY OF TARRANT §

Notice is hereby given to all persons with any interest in or claim to any parts of the property within the jurisdiction of Mira Lagos Homeowners Association, Inc. that said property is subject to the Mira Lagos Design Guidelines & Enforcement and Fining Schedule attached hereto as Exhibit A and incorporated herein for all purposes.

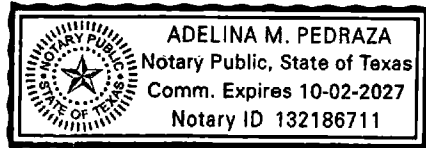
Thus signed and certified this 5th day of December, 2023.

Adrian Coronado

Adrian Coronado, Counsel
Barton Benson Jones PLLC

STATE OF TEXAS §
 §
COUNTY OF TARRANT §

On this 5th day of December, 2023, before me, the undersigned notary public, personally appeared Adrian Coronado, known to me to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes set forth therein.



Adeline M. Pedraza

Notary Public, State of Texas

EXHIBIT A

MIRA LAGOS DESIGN GUIDELINES
&
ENFORCEMENT AND FINING SCHEDULE

[ON FOLLOWING PAGES]



Mira Lagos Homeowners Association Design Guidelines

The following Design Guidelines are provided as clarification and guidance to originally stated and unstated Design Guidelines in the Mira Lagos Covenants, Conditions and Restrictions (CCR’s). For detailed specifications not in this guide, please refer to the Mira Lagos CCR’s and amendments.

As authorized by Article IV and V of the Mira Lagos CCR’s recorded on or about October 29, 2002, if any provision contained in this guide is in conflict with, or inconsistent with any provision of previously stated Use Restrictions or Design Guidelines, the ACC has final interpretation and decision related to Design Guidelines and Modifications of such.

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Appendix F –Enforcement and Fines Error! Bookmark not defined.

Architectural Design Modification Application Process

The ACC has the authority to review and approve modifications to existing architecture, design, and structures for the Mira Lagos Community.

Residents MUST follow the process below to request modification to existing architectural standard, design or structure of any element that is outlined in this document. Submissions can take up to 45 days to approve or deny (Please plan accordingly. You must have approval prior to starting work.)

1. Make sure to familiarize yourself with any use restrictions or design guidelines in the community governing documents or this document. You can access this and other governing documents from the community portal at the following URL - <https://MiraLagos.connectresident.com>
2. Contact the City of Grand Prairie to determine if a permit is required for your project at 206 W. Church St, Grand Prairie, TX 75050 – Phone (972) 237-8230.
3. Complete the ACC Modification Request Form. You can obtain this form from the link above, or from the office located at 3025 S. Camino Lagos, Grand Prairie, TX 75054
4. Submit this form, along with the following support documentation:
 - Copy of your Lot plat diagraming the location of your project
 - Designs
 - Plan details
 - Material specifications, including colors
 - Supporting photos

(Keep in mind, the more information you can provide, the better able the ACC is to make a decision. If you fail to provide adequate documentation, the ACC decision for your project could be delayed.)
Submit to:

Via Email:	ACCRequest@miralagoshoa.com
In Person, or Mail	3025 S. Camino Lagos Grand Prairie, TX 75054



5. A response to your request will be mailed to the address on the form. If you do not receive a response within 45 days, please contact the on-site HOA office for more information at 817-473-6787 or admin@miralagoshoa.com
 - Link to Mira Lagos HOA Website –
 - www.miralagoshoa.com
 - Link to ACC Request Form –
 - <https://static1.squarespace.com/static/5342f4ede4b047d0e070e865/t/5f1073cf7f061958d965bcdd/1594913744041/ACC+REQUEST+FORM+%283%29+Updated+July+2020.pdf>
 - Link to complete the ACC Request form online –
 - <https://office.smartwebs.com/Arc/SWForms/index.cshtml#/forms/23ac60bb-bf96-ed11-812b-000c2903e046/accountNo/254980>
 - Link to Resident Portal –
 - <https://MiraLagos.connectresident.com>

*****The ACC has final approval of all modifications and new additions to existing Lots and Structures. The ACC may from time to time grant a variance from these guidelines on a case by case basis.*****

FAQ's

1.) *Do I need a permit?*

- City building permits are required for certain permanent alterations and improvements such as decks, porches, additions, etc., to ensure construction is within building/safety codes. A detailed discussion of permits and building codes is beyond the scope of this document. Therefore, BEFORE FINALIZING PLANS AND COMPLETING AN APPLICATION, we encourage the homeowner to contact the City of Grand Prairie at 206 W. Church St, Grand Prairie, TX 75050 – Phone (972) 237-8230. They can tell you if you need a permit, will provide reference sheets of design requirements, and can explain exactly what drawings and number of copies you'll need to obtain the permit(s).
- ACC approval means that your proposed alteration or improvement meets the intent of the Mira Lagos CCR's. ACC approval DOES NOT guarantee City acceptance of your design or that your proposal is within City building codes. Likewise, City approval of your design DOES NOT guarantee ACC approval.

2.) *What if I disagree with the ACC decision? Is there an appeal process?*

- You can request an appeal hearing of the ACC's decision by contacting the HOA Manager at manager@miralagoshoa.com. This request must be in writing. Your written appeal will be considered by the Mira Lagos ACC and HOA Board of Directors. You may be asked to present your case in person.

3.) *What happens if I start work prior to having my Application approval?*

- Work must stop immediately until proper request can be submitted and approval can be obtained.



4.) What happens if the specifications of my modification fail to comply with the Mira Lagos Design Guidelines?

- Your modification request will not be approved.
- You can make modifications and resubmit.
- You can appeal the ACC's decision. See #2.

5.) What are the penalties for violation or non-compliance with use restrictions or design guidelines? Violations of the CCR's (code violations and architectural control non-compliance).

Unfortunately, it is necessary to enforce Use Restrictions and Design Guidelines by assessing fines until the violation(s) are in compliance with the Mira Lagos CCR's.

See Appendix F at the end of this document for the Fine Schedule.

Exterior Accessories and Surfaces

Installation of all exterior items and surfaces, including address numbers, decorative hardware, external ornamentation, lights fixtures, and exterior paint and stain, is subject to the ACC's prior approval, including approval of design, color, materials, and location.

Accessory Structures

Without the prior written approval of the ACC, accessory structures - such as storage sheds, gazebos, dog houses, playhouses, trampolines, swimming pools, greenhouses, pergolas, workshops, backyard kitchens, fire pits, dog runs, dog pens, and tornado shelters are prohibited (not allowed) if (1) they exceed the height of a fence, or (2) are visible from a street or common area, or (3) are visible by a person standing on the surface of an adjoining Lot. Accessory structures may not be located in front yards or in unfenced portions of side yards facing streets. If an accessory structure is installed in violation of this Section, the ACC reserves the right to determine that the accessory structure is unattractive or inappropriate or otherwise unsuitable for the Property and may require the owner to screen it or to remove it. Except for children's playhouses, dog houses, greenhouses, gazebos and buildings for storage of lawn maintenance equipment, no building previously constructed elsewhere shall be moved onto any Lot, it being the intention that only new construction be placed and erected thereon.

See additional information regarding Storage Sheds and Gazebos below.



Storage Sheds

GET ACC APPROVAL BEFORE YOU SHOP FOR A STORAGE SHED.

A completed Application for the installation (or modification) of any storage shed is required. The Application must include a site plan which shows the relationship of the shed to the adjacent house and property lines, as well as a picture and/or detailed drawing of the shed to include dimensions, and a description of materials to be used, including colors, that are commensurate with the dwelling on the same Lot.

A storage shed will generally be approved, provided with the following conditions are met:

- a) No more than one storage shed will be allowed per Lot.
- b) Shed shall be no larger 8' X 10" with commensurate proportions if smaller.
- c) Shed shall be no taller than 8' in height, at the ridge line of the roof, as measured from the ground.
- d) Shed shall not be visible from the street immediately in front of the Lot on which the shed is located. Additional review and consideration will be given to corner Lots to assess visibility of sheds from the side streets.
- e) Shed shall be situated behind the wooden privacy fence.
- f) Shed shall be painted to match the trim color of the house.
- g) Shed roof shall be the same style shingles of the house on the same Lot.
- h) Shed roof shall be the same color as the shingles of the house on the same Lot.
- i) Shed shall have a roof pitch similar to the house on the same Lot.
- j) Shed must be placed and secured on a poured in-place concrete slab.

These conditions are a guide for review by the ACC. The ACC may grant variance from these conditions or impose additional restriction(s) on a case-by-case basis

Gazebos

GET ACC APPROVAL BEFORE YOU SHOP FOR A GAZEBO.

For the addition or modification of an existing structure, a City of Grand Prairie permit is required. In addition, a full Application is required and must include a site plan which shows the relationship of the gazebo to the adjacent house and property lines, a picture and/or detailed drawing of the gazebo, to include dimensions, a description of material to be used, and a description of the color of gazebo and house.

Gazebos must be open on all sides and no privacy screening of the structure will be permitted. Gazebos must be constructed of treated wood and stained to compliment the fence. If the gazebo is constructed as part of a deck, the construction and finish should match the deck. If there is to be a solid roof, roof material must be the same style and color commensurate with the main house on the same Lot.

Gazebos must be located to the rear of the residence.



Gazebos must be placed and secured on a poured in-place concrete slab or an approved engineered pier and beam foundation.

Roofing

Roofing shall be composite shingles material commensurate with the surrounding homes. Roofing material shall be covered by a manufacturer's warranty of at least 30 (thirty) years. All roof ridges are to be installed with articulating ridge caps. The approved colors for roofing shingles are Weathered Wood (Dark Brown) and Weathered Slate (Dark Grey), or as determined by the Association or ACC. If an existing roof has a different color which was not approved by the ACC prior to installation, it is considered a nonconforming color. The next roof installed on this home must comply with one of the two approved colors unless the ACC grants a variance.

Address Plates

Front – Must be unobstructed and visible from the street.

Rear – Must be unobstructed and visible from the alley. If there is a driveway gate installed the numbers need to be placed on the gate so emergency vehicles will still be able to identify the house.

Curb – Curb painting of the address are allowed provided they are of standard formatting.

Color:

Background – Black

Number – Reflective White

Only the address numbers are allowed. No other symbols, letters or colors are permitted.

Athletic & Sports Equipment

All portable and/or permanently installed athletic & sports equipment requires an Application with the ACC. And, depending on the nature of the installation, may require a city permit.

Prior to installing portable and/or permanent athletic & sports equipment, check with the Association.

Permanently installed athletic & sports equipment may not be visible from the street or common areas such as greenbelts.

Any and all portable or permanent athletic & sports equipment must comply with the City of Grand Prairie ordinance pertaining to such installation and use.

Portable pole style basketball hoops and other (unattached, non-permanent) athletic & sports equipment will be allowed, provided they comply with the following requirements:

- Equipment shall not be placed in the street
- Equipment shall not be placed in a location that causes play to occur in the street
- Equipment shall not block the sidewalk
- Equipment must be maintained in good condition, meaning:
 - Nets replaced when tattered



- Poles painted black (not rusted or faded)
- Backboards must be clear, and not broken or cracked
- Portable athletic equipment must be stored out of view when not in use.

If at any time the equipment becomes unsightly, or creates a danger, or does not comply with the above-mentioned guidelines, you will be required by the ACC to make the necessary adjustments or remove the equipment from your property.

The ACC reserves the right to make the final determination regarding the acceptance of portable athletic equipment. The ACC may impose additional restrictions on a case by case basis.

Carpports

Carpports are not permitted.

Clothes Lines and Poles

Clothes lines and poles are not permitted.

Drainage

No person may interfere with the established drainage pattern over any part of the Property unless an adequate alternative provision for proper drainage has been approved by the Association and the City of Grand Prairie. Further, each owner covenants to honor any drainage easement affecting his Lot, as shown on the plat or as required by any master drainage plan enacted by the city. Specifically, each owner Agrees:

1. To maintain the integrity of the drainage design of his Lot by not filling or altering drainage swales that are constructed on the Lot as required by the city or by the ACC;
2. To not construct fences that impede or deflect the flow of water across his Lot;
3. To not impede or deflect the flow of water in drainage areas by placing objects or by planting excessive landscaping in those areas;
4. To conform the design and construction of sidewalks, driveways, and foundations in drainage areas to the city's drainage requirements.

Driveways

No Application is required to replace an existing driveway, unless the material, size, shape, or color is changed. ACC written approval is required for any new driveway construction, including expansion. The completed Application must include a site plan with dimensions, showing the location in relation to existing structures, trees, and property lines, and a description of the material to be used, including color and texture. No changes in grade will be permitted. All driveways must be maintained and free of grease stains, trash, and newspapers. Sunken, cracked or deteriorated driveways must be replaced at the cost



of the homeowner. Driveways may not be used for storage of anything other than mechanically operational and properly licensed, registered and inspected vehicles, except in a temporary situation that has been pre-approved by the Association such as temporary loading and unloading of moving containers, and maintenance of recreational vehicles of 48 hours or less. Other special situations must be approved by the Association manager. No person shall live or sleep in any vehicle in a driveway at any time.

Fences

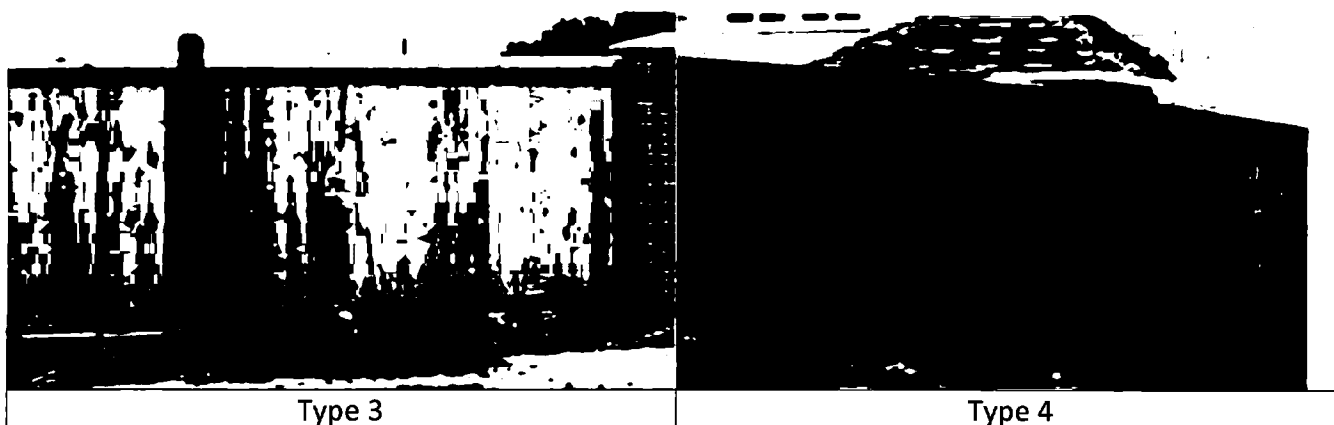
Any change to current fencing requires an Application with the ACC prior to work being done.

In addition, all fence replacements require an approved City of Grand Prairie building permit. This includes replacements from old to new, panel sections and newly erected fences. All city ordinances and building codes will apply to the condition and construction of fences.

Unless approved in writing by the ACC, every back yard of every residential Lot is required to be completely enclosed by a fence.

Fences adjoining or facing a linear trail, greenbelt, pond, or other common area will be a 4 foot (4') wrought iron, metal fence consistent with existing design and approved by the ACC. See additional information in the Iron Fences section below.

Fences between adjoining Lots (sides and back) shall be of Type 3 as defined in the Grand Prairie Unified Development Code (See sample photo below). Fences facing street right-of-way, common areas or school yard must be of Type 4 as defined by the Grand Prairie Unified Development Code (Section 8 – Landscaping and Screening), with a minimum 6 ft. in height and constructed of wood consistent with the City of Grand Prairie Fence Code as noted below.



No fence will be taller than 8 feet.



All structural supports shall be orientated inside the fence and not facing any street right-of-way, common area, or school yard. If 2 fences of differing height intersect, the higher fence shall be decreased in height, at a steady rate, over the last 10 feet in length so that there is a smooth transition from the higher level down to the lower level of the adjoining fence. Wooden fences must be stained in an approved stain color and must be free of rotted wood and missing pickets. Fence must not be leaning or wobbling.

The City of Grand Prairie code requires metal poles for all newly constructed or replaced wooden fences.

The following standards further clarify the City of Grand Prairie Fence Code.

1. Said fence shall be a minimum of six feet in height.
2. All vertical posts shall be two and three eighths (2-3/8) inch minimum outside diameter standard pipe gauge, or two and one half (2-1/2) inch square by one-eighth (1/8) inch wall gauge galvanized steel.
3. All wood materials shall be decay resistant, such as redwood, cedar or wolmanized pine exterior grade.
4. Nail the vertical slats to three horizontal bracing stringers (bottom), middle, and top nailer boards) running from vertical post to post. The size of the stringers shall be no less than two inch by three inch.
5. All nails or fasteners shall be of non-rusting, non-corrosive metal such as hot dipped galvanized steel. All nails or fasteners shall be of the type (such as screw shank, ring shank, or divergent point staples) that when properly driven, will not work free due to wind, vibration, or shrinkage of members.
6. All materials shall be securely fastened, vertical boards to horizontal stringers, stringers to vertical posts, top rail, to ensure an ongoing attractive appearance and safe condition, free from rust, rot, vandalism, and other sources of decay.
7. All "Type 4" fences shall be constructed such that the stringers are not visible along public street or public park facility (stringers will be on the inside, facing inward to the private Lots, of all required fences).
8. All "Type 4" fences running perpendicular to and being visible from a public street, and that face a vacant Lot greater than one-acre in size that has frontage on same public street, shall be constructed such that stringers are not visible along the public street or vacant Lot (stringers will be on the inside, facing inward to the private Lots, of all required fences).



No fence or wall shall be permitted to extend nearer to any street than five feet (5') back from the front of any residence. However, all side yard fencing on corner Lots shall run parallel to the curb and may be placed up to the side Lot line and shall not extend beyond a point of five feet (5') back behind the front of the residence on that side. Any fence or portion thereof that faces a public street shall be so constructed so that all structural members and posts will be on the side of the fence away from the street so that they are not visible from any public right -of-way. No portion of any fence shall extend more than eight feet.

Retaining walls must be constructed and stained entirely with ACC-approved materials and colors.

Mira Lagos Approved Fence Stains:

- Wood Defender - Rustic Oak
- Ready Seal - Natural Cedar
- Sherwin Williams Woodscapes - Cedar Bark

Railroad ties may not be used for retaining walls.

All fences and walls must be maintained in good condition. Each owner, at owner's expense, must maintain the fence to a standard, and with the appearance that is commensurate with the neighborhood. Specifically, each fence must not have:

- a. Rotting fence posts causing fence to lean
- b. Missing or broken fence panels or boards
- c. Boards that are not secured to main fence structure.

Maintenance, repair, and replacement of boundary line fences between adjoining Lots will be the shared financial responsibility of the homeowners, whose front or side fence (in the case of shared back fence) abuts or intersects the boundary fence, constituting use by both parties.

Maintenance of fences and walls located on Lot lines between two Owners' Lots are the responsibility of such Owners, to be apportioned between such Owners as they see fit or in accordance with Texas law.

The Association shall not involve itself in disputes between Owners regarding maintenance of fences and walls. The Association will not be responsible for the failure of homeowners to reach agreement on fence maintenance or replacement costs. Association fees and fines for fences that are out of compliance will apply.



Iron Fences

On Lots opening onto an open space, public park, common area and/or greenbelt, the Owner is required to maintain a wrought iron fence on that portion of the Lot that is adjacent to the open space, public park, common area and/or greenbelt. The wrought iron fence must be four (4) feet tall. The wrought iron fence must be uniform throughout any Section of the subdivision and any changes to detail for the wrought iron fence must be approved in writing by the ACC.

Maintenance, and /or replacement of 4-foot decorative metal fences adjoining or facing a common area or linear trail is the responsibility of the homeowner whose yard is enclosed by the fence. All metal fences must be painted black, and maintained free of rust at all times.

Garages and Garage Conversions

All attached garages on all residential Lots are intended to be used for storage of automobiles and/or lawn and power equipment and recreational vehicles. No alterations, additions, or improvements may be made to any garage that would defeat the purpose for which it was intended. Garage space may not be converted to any type of living area (i.e.; media room, family room, bedroom, bathroom) under any circumstances. Garage Doors must be painted (metal) or stained (wooden) in an approved neutral color. Garage doors must be kept in good repair and capable of opening and closing completely and must have no dents, creases, or missing or broken parts.

Gardens (Vegetable)

Written approval is not necessary for vegetable gardens, provided the garden is located between the rear line of the house and rear property line in the enclosed fence area, its size does not exceed 1/4 of the area described above, and it is not placed on a grade which will cause damage to the property below it, through the flow of water. No plants or vines are permitted intrude into adjacent Lots above the fence. Any vegetable gardens must be maintained as to not attract pests or vermin. An ACC Request Application must be submitted for all other situations. The ACC has the final determination regarding the acceptable appearance or maintenance of vegetable gardens.

Grills

Outdoor kitchens or permanent barbecue grills require a City Permit and approval of the ACC.

Outdoor kitchens or permanent barbecue grills should be placed behind the rear line of the house and should not be placed within ten (10) feet of the side and rear property lines. An Application is required and must include the dimensions of the permanent grill, and a site plan showing the location of the permanent grill.

Portable barbecue Grills do not require an Application, but cannot be stored in public view. They must be stored within the fenced back yard.



Gutters and Downspouts

An Application with the ACC is required for the addition or replacement of gutters and downspouts. Gutters and downspouts must have a color that matches the color of the house or trim. Gutters and downspouts must be professionally installed. Gutters and downspouts must be installed to conform with the Lot drainage design. Drainage may not drain to an adjacent Lot. Gutters and downspouts must be maintained in good condition and color and may not hang or become detached at any time. In the event a gutter or downspout becomes detached, it must be repaired immediately.

Flowerbed and Tree Well Borders

An Application with the ACC is required for the new installation or modification of landscape borders for landscape beds, flowerbeds, and tree wells. The new installation or modification of landscape borders, for landscape beds, flowerbeds, and tree wells shall be in a location and of a material approved by the ACC.

Landscape borders for landscape beds, flowerbeds, and tree wells must be professionally installed in a manner with the holes not facing the street.

Brick, stone, masonry, or contoured masonry must match or compliment the house color. Landscape borders for landscape beds, flowerbeds, and tree wells, consisting of brick or masonry must also be installed using mortar to permanently affix the brick, stone or masonry, as to avoid sinking, sagging, misalignment, etc.

Materials such as plastic, rubber or wood borders may not be used.

Metal borders are only allowed if the top of the metal cannot be seen from the street (It must be placed in the ground where the top of the metal is not higher than the top of the grass level it borders).

Lawn Ornaments and Lawn Embellishments

Lawn ornaments and embellishments must be submitted for approval if placed in the front or side yard. All lawn ornaments and embellishments must be in keeping with the architectural and aesthetic character of the neighborhood and include ornamentation on the patio, porch, and outside steps. Embellishments include statuary, birdbaths, wishing wells, fountains, trellises, wind chimes, wind catchers, and anything else of a decorative nature.

Temporary decorations for holidays and special occasions do not require a formal Application. They may be displayed for a period not to exceed six weeks. After the period of use, all temporary decorations shall be removed. See residential lighting below.



Lighting (Residential)

The replacement of an existing outdoor light fixture, if accomplished with a realistic match to the old fixture, does not require approval from the ACC. If a change in style, size, shape, color, or positioning is desired, or if additional light fixtures are to be installed on existing or new structures, an Application is required.

Permanent lighting and wiring require a full Application. Exterior lighting may not shine on adjacent properties or public spaces and should be aesthetically planned for each location.

Solar “path” lights require a full Application including color of bulbs. In general, fluorescent lights and bulbs and colored lights (except for holiday lights) used outdoors will not be approved.

Floodlights and various types of high output lights fall under the category of security lighting. While aesthetically pleasing and an asset to your home value, exterior lighting of this type must be considered more carefully because of the impact on neighboring properties. Light fixtures of this type should be carefully aimed so that they illuminate only a specific area, such as a doorway or home front. Some high output light fixtures may have to be shielded in a manner similar to some streetlight installations to prevent light from spilling over from one property to another.

Seasonal Lighting and Decorations

Temporary lighting and decorations, for holiday use, does not require a formal Application. Holiday lighting and decorations may not be installed more than 45 days prior to the holiday for which the lighting and decoration represents. After the period of use, all temporary or holiday lighting and decorations shall be removed within 30 days of the holiday for which the lighting and /or decoration represents.

Mailboxes

Mailboxes must be affixed to the standard mailbox stand, commensurate with the neighborhood standard stand. Replacement mailboxes must be the same design and be of the standard “Traditional Mailbox” design. The color of the stand and mailbox must be Black. The mailbox will adhere to height and distance from pavement guidelines as detailed in publication “[SPUSPS-STD-7B01](#)”. Ornamental statues, fixtures, and/or display, or other embellishments atop the structure is not permitted.

Any exception requires approval from the Association. The only exception that will be approved will be the replacement of the Traditional Mailbox design with that of the Traditional Mailbox design with a lock and slot – Traditional: Gibraltar Mailboxes Elite Medium Galvanized Steel Post-Mount Mailbox, Black Model # E1100B00 Locking: [Gibraltar Mailboxes](#) Marshall Black Post Mount Large Locking Mailbox.

Patios, Decks, and Walkways

This guideline refers to any new patios, decks, or walkways, as well as any material changes to existing patios, decks, and walkways.



Both a City permit and an Application with the Association is required for any additions or changes to patios, decks or walkways.

The Application must include a site plan with dimensions, showing new and existing patios, decks or walkways in relation to existing houses, trees, Lot boundaries, and drainage. The Application must also include a description of materials to be used, with color samples showing the relation to existing color Applications.

In addition, the Project plans shall show elevations and dimensions, and a description of proposed lawn contour changes, plantings, screening, rails, benches, new exterior lighting, etc.

Generally, new patios, decks, or walkways shall not change existing land or drainage contours.

All new materials should be of a simple material of a neutral color, such as natural concrete, stone, clay brick, or treated wood. Patios, decks and walkways may be constructed of treated wood, masonry, stone, or concrete provided that the color and texture of the materials is in harmony with the adjacent structures.

Decks should have a preservative stain applied to them. All hardware must be galvanized. Decks and patios must be located to the rear of the residence.

Patios, decks, or walkways must be located to provide reasonable visual and acoustical privacy for both applicants and their neighbors. Screening or plantings should be considered where it is necessary to preserve privacy.

Any new or changes to patios, decks or walkways shall not encroach on city easements or modify the drainage contours that would cause runoff water to drain to an adjacent Lot or fail to drain properly.

The Association reserves the final approval of all proposed new or changes to patios, decks and walkways. The Association also reserves the right to grant variance from these guidelines on a case by case basis.

Plantings and Trees

An Application is not required for seasonal color plantings (annuals). In addition, provided the replacement of like or similar plantings, and the overall design stays the same, the replacement of dead, dying, or diseased plants does not require an Application with the ACC.

An Application IS REQUIRED to add new, replace, or remove trees, shrubs, hedges, bushes, climbing vines, or groundcovers.

In the event of an emergency, involving water, sewer lines, downed, or damaged trees, the homeowner may take steps necessary to minimize property damage and / or to prevent or correct hazardous conditions. However, once the emergency is resolved, an Application must be submitted to the ACC within 30 days of the change.



The City of Grand Prairie requires, at the time of occupancy, that each residential Lot must have the following minimums for Tree planting requirements:

- a. *For Lots containing 5,000 square feet or less: One three-inch caliper tree planted in the front of each residence. Tree species shall be in accordance with the City of Grand Prairie approved tree list. Large and medium trees may NOT be planted beneath utility lines.*
- b. *For Lots greater than 5,000 square feet in area (most of Mira Lagos): One three-inch caliper tree shall be planted in the front of each house with a second three-inch caliper tree to be located per Developer/Owner preference. Tree species shall be in accordance with the city of Grand Prairie approved tree list. Large and medium trees may NOT be planted beneath utility lines.*

The ACC requires at least one (1) tree be maintained in the front yard of all Lots.

The following trees have been approved for installation.

(Alternate types of trees submitted to the ACC will be considered for approval. Cottonwood, Bald Cypress, and Weeping Willow Trees, as well as Trees not on the City of Grand Prairie approved tree list will not be approved.)

Mira Lagos Approved Tree List

Large Canopy Trees

*Recommended for Lots
with more than 70'
street frontage*

- Bur Oak
- Caddo Maple
- Canaert Juniper
- Cedar Elm
- Chinese Pistache
- Chinauapin Oak
- Live Oak
- Post Oak
- Texas Ash
- Red Oak
- Walnut
- Magnolia

Medium and Small Trees

*Recommended for Lots
with less than 70'
street frontage*

- Crepe Myrtle
- Redbud (Texas, Eastern, Oklahoma)
- Forest Pansy Redbud
- American Smoketree
- Vitex (Chaste Tree)
- Mexican Buckeye
- Flowering Crabapple
- Purple Leaf Plum
- Saucer Magnolia
- Texas Mountain Laurel
- Mexican Olive
- Rusty Blackhaw Viburnum



Private Pools and Hot Tubs

Apart from portable children's wading pools, not more than five (5) feet in diameter, above ground pools are not permitted.

Private in-ground pools and hot tubs are generally acceptable. However, a complete Application, is required for new or modification of existing private pools and hot tubs. A City of Grand Prairie permit is also required.

Private pools and/or hot tubs shall be sized to allow for appropriate privacy screening. The size of the pool or hot tub will be subject to the size of the maximum area of enclosure permitted for privacy screening. Fences must be of an approved type (see Fences). Applications must include a site plan showing the location and dimensions of the pool or hot tub, and other related equipment, fences, etc., in relation to the applicant's house, property lines, and adjacent homes. Plans must also include detail drawings and plans of the pool or hot tub, deck area, lighting arrangements, walkways, fences, etc., and any other pertinent information.

Any new or private pools and hot tubs shall not encroach on city easements or modify the drainage contours that would cause runoff water to drain to an adjacent Lot or fail to drain properly.

The Association reserves the final approval of all proposed new or changes to private pools and hot tubs. The Association also reserves the right to grant variance from these guidelines on a case by case basis.

Repainting

An Application is required when a house, siding, doors, shutters, or trim is to be painted a different color. An Application is not required when the new paint is the same color as the original. Applications must include samples of all color changes, as well as a description of where on the house changes will occur. Glossy exterior paint is not allowed. Colors should be consistent with the neighborhood and natural environment, i.e. day-glow colors, night-glow or glitter paints are not permitted.

Painting of exterior brick is not allowed. Brick must remain the original color and material. Exterior painting should be limited to wood, wood or hardboard siding, trim, doors, shutters, and other materials that are commensurate with the other houses of the neighborhood.

Signs and Flags

Except for Declarant's signs, no signs shall be placed on any common area.

Signage on resident Lots is restricted to the following:

- "Home for Sale" signs of tasteful design that do not exceed 6 square feet. Only one (1) realtor sign may be posted in the front yard.



- “Spirit” signs that announce the involvement of teenagers in athletics or school programs may be posted near the front of the home in the flowerbeds.
- “Political” signs of tasteful design that do not exceed 6 square feet may be posted 30 days before an election and must be removed within 48 hours after. No more than 3 political signs will be permitted.
- “Company advertisement” signs for businesses that provided work for the resident, i.e., fence company, painter, pool company, etc. may be posted while the work is being done and up to 15 days after completion.

Provided the sign is professionally printed and not more than one square foot each, one (1) Security, one (1) No-Soliciting, or one (1) Beware of Dog sign will be permitted.

Special occasion signs and/or decorations (i.e. Birth announcements) do not require a formal Application. All special occasion signs and decorations shall be removed within 48 hours of the event.

Holiday signage is considered seasonal decoration. See “Seasonal Lighting and Decorations”.

The display of flags must comply with the following guidelines.

1. Any flag displayed must be either the official flag representing the United States of America, or the State of Texas.
2. The maximum size of the flag must be no larger than four (4’) feet wide by six (6’) feet long.
3. A flag may be flown for a flag holder mounted on the front façade of the residence.
4. Installation of flagpoles must be approved by the ACC. Flagpoles must be no higher than twenty (20’) feet high, and no further away from the residence than eight (8’) feet.

Athletic & Sports Equipment (And Other Outdoor Play Equipment)

This section pertains to all portable and/or permanently installed athletic & sports equipment, swing sets, trampolines, basketball hoops and other outdoor play equipment.

Prior to installing portable and/or permanent outdoor play equipment, check with the Association.

All portable and/or permanently installed outdoor play equipment requires an Application with the ACC. Depending on the nature of the installation, the installation of certain equipment may also require a city permit.



The installation of outdoor play equipment must include the secure attachment to the ground. The attachment must be such to avoid the equipment from becoming dislodged and blowing away in high winds.

Portable and/or permanently installed outdoor play equipment must comply with the City of Grand Prairie ordinance pertaining to such installation and use.

Portable and/or permanently installed outdoor play equipment may not be visible from the street or common areas such as greenbelts.

Portable and/or permanently installed outdoor play equipment will be allowed, provided they comply with the following requirements:

- Equipment shall not be placed in the street
- Equipment shall not be placed in a location that causes play to occur in the street
- Equipment shall not block the sidewalk
- Equipment must be maintained in good condition, meaning:
 - Nets replaced when tattered
 - Poles painted black (not rusted or faded)
 - Backboards must be clear, and not broken or cracked
- Portable athletic equipment must be stored out of view when not in use

Metal swing sets are not allowed at any time.

If at any time the equipment becomes unsightly, or creates a danger, or does not comply with the above-mentioned guidelines, you will be required by the ACC to make the necessary adjustments or remove the equipment from your property.

The ACC reserves the right to make the final determination regarding the acceptance of outdoor play equipment. The ACC may impose additional restrictions on a case-by-case basis.

The use of outdoor play equipment shall not create noise disturbances.

Television Antennas & Satellite Dishes

A satellite dish can represent a large visual impact on a structure due to its size. Therefore, it is important to properly integrate the dish into the design of the house to properly conceal it. A satellite dish should not be placed on the front side (street side) of the roof. All Applications must include a site plan and elevations of house showing where you would like to install the dish. Details must show how the dish is mounted on the roof.



Window Treatments

The color of all interior window treatments within the dwelling that are visible from the street or another Lot or dwelling must appear to be white or a light neutral color, such as cream, beige, or gray.

*****Window air conditioning units are not permitted at any time.*****

*****Burglar bars are not permitted at any time.*****

Screens, Storm Windows, and Doors

An Application is required for the installation or replacement any window treatments visible to the exterior of the dwelling. This includes screens, storm windows, storm doors, and solar screens.

All Applications must include a picture and descriptions of the material, color, and style to be used.

Solar screens must have a black, brown, cream or white appearance from the exterior of the home.

Full view storm doors must match front door color or trim color of doorframe.

Religious Items

A homeowner or resident may display or attach one or more religious items. These items include anything related to any faith that is motivated by the resident's sincere religious belief or tradition.

To the extent allowed by Texas State Constitution, and the United States Constitution, any such displayed or affixed religious items may not:

1. threaten public health or safety; or
2. violate any law; or
3. contain language, graphics, or any display, that is patently offensive to a passerby; or
4. be installed in a common area; or
5. violate a right of way, setback, or easement; or
6. be attached to a traffic control device, streetlamp, fire hydrant, or utility sign, pole, or fixture.

Approval from the ACC is not required for displaying religious items that fall in compliance with these guidelines.



Rainwater Recovery Systems

Rainwater Recovery Systems (Systems) may be installed, provided the Systems comply with the following guidelines:

1. **Advance approval** of the ACC is required.
2. All rainwater recovery Systems must be installed on land owned by the property owner. No portion of the System may encroach on adjacent properties or common areas.
3. Other than gutters and downspouts normally attached to the residence, all components of the Systems, such as tanks, barrels, filters, pumps, motors, pressure tanks, pipes, and / or hoses, must be screened from public view from any street or common area. Screening may be accomplished by:
 - a. Placing behind a solid fence, a structure or vegetation; or
 - b. by burying the tanks or barrel; or
 - c. by placing equipment in an outbuilding that has been approved by the ACC.
4. A rain barrel may be placed in a location visible to public view from any street or common area, only if the configuration of the guttering System on the structure precludes screening as described above with the following restrictions:
 - a. the barrel must not exceed 55 gallons in size; and
 - b. the barrel must be installed in close proximity to the primary residence structure on a level base with the guttering downspout leading directly to the barrel inlet at a substantial vertical angle; and
 - c. the barrel must be fully painted in a single color to match or blend with the adjacent home or vegetation; and
 - d. any hose attached to the barrel discharge must be neatly coiled and stored behind or beside the rain barrel in the least visible position when not in use.
5. Overflow lines from the System must not be directed onto or adversely affect adjacent properties or common areas.
6. Inlets, ports, vents and other openings must be sealed or protected with mesh to prevent children, animals, insects, or debris from entering the barrels, tanks and other storage devices.
7. Open top storage containers are not allowed. However, where space allows, and where appropriate, ponds may be used for water storage.
8. Harvested water must be used and not allowed to become stagnant, or a threat to health.
9. All Systems must be maintained, and in good repair. Unused Systems should be drained and disconnected from gutters. Any unused System in public view must be removed if they can be seen from any street or common area.



Solar Panels/Collectors

The installation of solar panels requires the advance approval of the ACC.

A solar energy Device means a system or series of mechanisms designed primarily to provide heating or cooling, or to provided electrical or mechanical power by collecting and transferring solar-generating energy. The term includes a mechanical or chemical Device that has the ability to store solar-generated energy for use in the heating or cooling, or in the production or electrical power.

Such Devices may be installed with the **advanced approval** of the ACC, subject to the following guidelines:

1. Solar energy Devices must be installed on land or structures owned by the property owner. No portion of the Devices may encroach on adjacent properties or common areas.
2. Solar energy Devices may only be installed in the following locations:
 - a. on the roof of the main residential dwelling; or
 - b. on the roof of any other approved structure; or
 - c. within a fenced yard or patio.
3. For Devices mounted on a roof, the Device must:
 - a. have no portion of the Device higher than the roof of the section to which it is attached; and
 - b. have not portion of the Device extend beyond the perimeter boundary of the roof section to which it is attached; and
 - c. conform to the slope of the roof; and
 - d. be aligned so that the top edge of the Device is parallel to the roof ridge line for the roof section to which it is attached; and
 - e. have a frame, brackets, visible piping, and wiring that is a color that matches the roof shingles or a silver, bronze or black tone commonly available in the marketplace; and
 - f. be located in a position on the roof which is least visible from any street or common area which does not reduce the estimated annual energy productions by more than ten percent (10%), as determined by a publicly available modeling tool provided by the National Renewable Energy Laboratory (www.nrel.gov) or equivalent entity over alternative roof locations.



4. For Devices located in a fenced yard or patio, no portion of the Device may extend above the fence. If the fence is not a solid fence which blocks the view of the Device, the ACC may require the Device be placed in a location behind a structure or otherwise require visual screening. The ACC may consider installation of Devices on properties without a fenced yard if there is adequate screening from public view from any street or common area.
5. All Devices must be installed in compliance with the manufacturer's instruction, and in a manner, which does not void material warranties. Licensed craftsmen must be used where required by law. Permits must be obtained where required by law.
6. Installed Devices may not:
 - a. threaten public health or safety, or
 - b. violate any law; or
 - c. substantially interfere with the use and enjoyment of land by causing discomfort or annoyance to any adjoining property owner of ordinary sensibilities.
7. All Devices must be maintained in good repair and appearance. Unused or inoperable Devices must be removed if they can be seen from any street or common area.



Appendix F – Enforcement and Fining Schedule

ACC Violation Enforcement and Fines

Authorized by Article IV and V of the Mira Lagos Declaration of Covenants, Conditions and Restrictions (CCR's) recorded on or about October 29, 2002, the Architectural Control Committee (ACC) is charged with enforcing Design Guidelines and has final interpretation and decisions related to Design Guidelines.

In the event a Homeowner comes into violation of Design Guidelines, the Association will notify Homeowners via United States Postal Service (USPS) at the address with the violation.

Should the Homeowner fail to correct a violation, it may be necessary to levy fines or other to compel compliance with Design Guidelines.

Not all violations are created equal. Therefore, based on type of violation, you may or may not receive Courtesy or Violation notices below. Should you have any questions, please contact the on-site management office.

- **Courtesy Notice (Optional)** – Upon report or initial discovery of violation, depending on the severity of the violation, an initial courtesy notice may be sent to the Homeowner. The Homeowner will be given **15 days to cure** the violation. This notice is not required.
- **Violation Notice (Optional)** – If an initial notice was sent, upon the expiration of 15 days, if the violation has not been cured, a violation notice may be sent to the Homeowner. This notice is optional depending on the severity of the issue. Depending on the severity of the violation, and/or history of prior violations on the Lot, the Violation Notice may be the initial notification. The Association is not required to send the Violation Notice. If a Violation Notice is sent, the Homeowner will be given **15 days to cure** the violation.
- **Demand Letter** – The Demand Letter is the official notice requirement of the Association. Upon report or initial discovery of violation, or upon the expiration of the period stated in the Courtesy or Violation notice or both, depending on the severity of the violation, the Demand Letter will be sent to the Homeowner. The Demand Letter will give the Homeowner (via specific date and time) **30 days to cure** the violation.

Should the violation not be cured fines may be levied based on the schedule below.

In addition to a fine, the Association may suspend use of common area or facilities such as the pools, clubhouse, or fitness center until the violation is brought into compliance.

Fine Schedule. The imposition of fines for Violations will be on the following basis:

- a. **Violations Relating to Property Maintenance:**
 - i. First fine – \$25.00 – After the expiration of the cure period noted in the final notice.
 - ii. Additional Fines – \$50.00 – Every thirty (30) days after the first fine is levied, until the Violation is cured.
- b. **Violations Relating to ACC Applications/ Violations**
 - i. First Fine – \$50.00 – After the expiration of the cure period noted in the final notice.
 - ii. Second fine – \$100.00 – Thirty (30) days after the first fine is levied.



- iii. Additional Fines – \$250.00 – Every thirty (30) days after the second fine is levied, until Violation is cured.
- c. **All Other Violations:**
 - i. First Fine – \$25.00 – After the expiration of the cure period noted in the final notice.
 - ii. Additional Fines – \$50.00 – Every thirty (30) days after the first fine is levied, until the Violation is cured.
- d. **Aggregate Monthly Limit** – there is not a limit to the amount in fines that may be levied for each Violation.
- e. Notwithstanding the foregoing, the Board expressly reserves the right to set fine amounts on a case-by-case basis, provided the fine is reasonable in light of the nature, frequency, and effects of the Violation.

Under no circumstance shall this Fine Schedule be understood to limit any additional damages that the Association may otherwise be entitled to under, Texas law.