

DESIGN REQUIREMENTS (ARC) have been deleted and replaced with the following:

Section 2. Appeal and Variance Procedure.

The Architectural Design/Review Committee (ADC/ARC are one and the same) serves as the review authority for interpretation of the design requirements. The Board has the responsibility for enforcement of the design requirements. Any property owner requesting a variance must submit same to the ARC for approval, providing a drawing, photograph or sketch as appropriate. If the property owner disagrees with the decision of the ARC, the property owner shall have the right to appeal to the Board for a final decision on the variance.

Section 3. Required Submissions to the Design Committee.

- A. Submissions of Plans and Specification. Construction of any structures and landscaping on Lots in Sunstone shall be subject to review by the ADC/ARC and submission of the following:

Section 4. Design Standards. All submissions under Section 3 shall comply with the following:

B. Rock Walls. All rock wall materials used by anyone for the Sunstone Subdivision that may be seen from any street, any lot within the subdivision or any common area in the subdivision must generally be in shades of gray and match the color and texture of the rock used by the developer in the entry gate. In no case shall the rock to be used on any lot that would be exposed to the public view contain shades of red, yellow, green, white, etc. All rock walls will be constructed with a concealed mortar joint in a Dry-Stack manner. The only exception to the concealed mortar joint construction requirement shall be for retaining walls where it is determined that for structural reasons the use of a solid pointed wall would be more appropriate, or if an existing rock wall requires repair due to failure.

C. Street Lighting and Exterior Bracket Type Lighting. The standard exterior light fixture used initially in the subdivision is no longer available. If a property owner has the need to replace their streetlights, a request shall be submitted to the ARC for review and approval. In these cases, all exterior light fixtures at that property must be replaced. Each home shall have at least one of these fixtures, connected to a photo-electric cell fitted with a 9-watts compact fluorescent bulb, or the equivalent LED light, installed at a maximum distance of 20'0" from Sun Point Lane.

D. Address Numbers. Every home within Sunstone will use 4-to-5-inch address numbers made of ceramic or brass that complement the existing colors and design of the house exterior.

H. Fence Hedges, Privacy Garden & Retaining Walls. All property divisions, fences, garden walls, retaining walls, etc. shall be made of stone or rock masonry, CMU covered with stucco, or, for the rear of lots 1-18 and all lot areas adjoining the common area (Lot #37), a combination of stone masonry and wrought iron (See sheet 6 of 10, Sunstone Addition Replat "A" Subdivision Improvement Plans). All stone shall generally be in natural earth/desert tones, such as shades of gray, shades of brown, or a combination of the two. All Stucco walls must match the color and texture of the residence of which they are a part. (See Attachment "B", Sunstone Development – Colors). The wrought iron used for lots 1 thru 18 and adjacent to the common areas Lot #37 must be in the same color, style, size and general dimension for all lots as approved by the Design Committee (See Attachment "B", Sunstone Development – Colors). No wire or chain link fences shall be permitted on any lot except for special situations such as sports courts, dog runs, etc., when approved by Variance of the Design Committee. No fence or garden walls shall be erected, placed or altered on any Lot nearer to any street than the minimum building setback lines, except where allowed or directed by the Design Committee. Wire or chain link fencing shall be used only if each section of fence is strung between columns of masonry; no pipe or metal columns shall be allowed. The fence material itself must be either covered with a vinyl or plastic coating in approved Sunstone Development – Colors. Exposed galvanized metal products shall not be used for fence or gates.

I. Landscape:

(1) Lush Green Landscaping: All front yards and rear yards for lots 1-32 and upper-level Common Areas shall be landscaped in a lush green manner employing the use of lower water use plants. For the purpose of establishing a uniform street appearance, all front yards shall be designed by the Project Landscaper before plans are submitted to the Design Review Committee and installed by the Project Landscaper before any home is occupied. The side & rear yards shall be designed and submitted to the Architectural Design Committee within 30 days of occupancy and installed within 180 days after approval. The appearance of the rear yards of Lots 1-18 as viewed from surrounding streets will be of particular importance to the Design Review Committee so that continuity and uniformity of appearance can be maintained. Any change to front/side yard landscaping or architecture, if visible from the street, other than exact plant replacement, must be submitted to the ARC for review and approval.

(2) Desert Landscaping may be used on Lots 1-32 and within the upper level secured common area under the following conditions:

- a. Desert Landscaping shall be used only for accents, perimeter landscape along Irondale Street and in canyon areas.
- b. Desert Landscaping used for accents on Lots 1-32 shall not exceed more than 20% of the air-conditioned, ground floor area of the Residence.
- c. Each Lot Owner shall be responsible for flooding which may be caused by impermeable materials used on the Lot and the raising of the Lot grade.

(3) Prohibited Plants: Use of the following are prohibited and shall not be planted or allowed to grow on any Lot:

a. Trees

Salt cedars

Cottonwoods, native female

Mulberry, fruiting

Poplars, Carolina, Balm, O'Gilead and Lombardy

Elms

b. Plants

Bamboo: Invasive/Running (Non-invasive or clumping Bamboo is permitted)

Ivy (or similar evergreen climbing plants)

(Note: No new Ivy shall be planted. With one exception, Ivy may be planted for erosion control at the east end embankment across from #14 and #16. Ivy on the Irondale wall was left at the request of the respective homeowners. The rest of Irondale wall Ivy was removed, and wall repairs made by the Sunstone Homeowner's Association as a one-time effort. All future Irondale wall repairs are the responsibility of the respective property owners. If a homeowner has or wants vines, they are not allowed in any area that the Sunstone Homeowner's Association is responsible for.

J. Street Access. Lots shall have access only from Sun Point Lane.

K. Grading, Storm Water and Irrigation. Each lot shall be designed to the following criteria:

(1) Positive grade shall move water away from each home, garage, walk and driveway to small, shallow depressions on the Lot.

(2) Each lot shall be required to have two shallow depressions, one in the front yard and one in the rear or side yard, designed to retain normal irrigation water run-off and moderate amounts of rainfall before any excess water runs onto the street.

(3) Each Lot Owner and contractor is encouraged to use culverts under drives and walks to keep water from ponding on or flowing across walks and drives.

(4) Each Lot Owner shall be responsible for any water damage to other Lots caused by water moving from his Lot. (See ATTACHMENT "C", Minimum Recommended Retaining Wall Moisture Proofing & Drainage Cross-Section)

Q. Trash Receptacles and Collection. Trash, garbage and other waste shall be kept in sanitary containers. Trash containers shall be enclosed in a closet or other architecturally compatible enclosure, if provided. Each Owner shall make or cause to be made appropriate arrangements with the City of El Paso, for collection and removal of garbage and trash on a regular basis. Each Lot Owner shall observe and comply with

all reasonable regulations or requirements promulgated by the City of El Paso or the Association, or both, in connection with storage and removal of garbage.

S. Mechanical Equipment, Vents, Skylights, Solar Equipment, Chimneys, Etc.

1. General. No mechanical equipment shall be visible from the street, or any lot, or common area. Any property owner wishing to install solar equipment must submit a written application to the ARC for review and approval. No solar equipment shall be installed without the prior written approval of the ARC.

T. Color Coordination. All exterior finish materials shall be color coordinated with each individual Structure and as to the effect on other structures in the neighborhood. An approved color selection list has been made by the Project Architect. All exterior colors and finishes shall be approved by Architectural Design Committee. (See ATTACHMENT "B" SUNSTONE DEVELOPMENT COLORS") All fences visible from the front of homeowners' property, that were not in compliance with the previously approved colors (or painted in several color tones), shall be repainted and brought into compliance with the new colors specified in attachment B.

Attachment B, Sun Stone Development Colors

Note: The colors listed below are outdated and are no longer available. If a property owner wishes to repaint or re-roof their house, paints or roofing material that match the existing color/texture/design shall be used. If a different color/texture/design is desired, a variance request must be submitted to the ARC for review and approval.

The following fence/gate colors or a color matched equivalent have been approved and must be used when repainting fences:

Green Color selected is Sherwin Williams SW7742 Agate Green

Tan color selected is Sherwin Williams SW9103 Farro

Except as amended by this Fourth Amendment to The First Amended and Restated Declaration of Covenants, and Restrictions For Sunstone Homeowners Association, the First Amended and Restated Declaration Of Covenants, and Restrictions For Sunstone Homeowners Association continue in full force and effect under its original terms.

Terms not otherwise defined herein shall have the same meaning as in the First Amended and Restated Declaration Of Covenants, and Conditions and Restrictions.

All amendments stated herein shall be made effective as of Nov 7 2022.

EXECUTED AFTER PROPER ADOPTION by no less than Sixty Seven Percent (67%) of the members by its duly elected President, and attested by the Secretary and Board of Directors of Sunstone Homeowners Association, Inc. on the 7 day of Nov., 2022.

SIGNATURE LINE TO FOLLOW

Kenneth P. Cruse

Kenneth Cruse
President
Sunstone Homeowners'
Association, Inc.

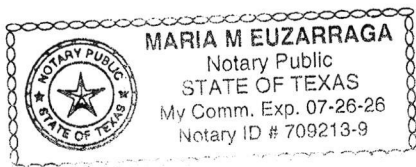
Edward Missirian

Edward Missirian
Secretary
Sunstone Homeowners'
Association, Inc.

STATE OF TEXAS §
 §
COUNTY OF EL PASO §

BEFORE ME, the undersigned authority, on this day personally appeared Kenneth Cruse, President of Sunstone Homeowners' Association, Inc. known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, as the act and deed of said entity.

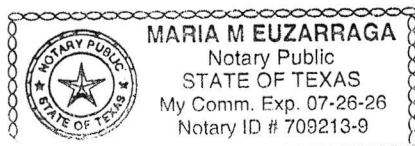
GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 7th day of November, 2022.



Maria M. Euzarraga
Notary Public in and for the State of Texas

BEFORE ME, the undersigned authority, on this day personally appeared Edward Missirian, Secretary of Sunstone Homeowners Association, Inc. known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed, as the act and deed of said entity.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 7th day of November, 2022.



Maria M. Euzarraga
Notary Public in and for the State of Texas

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12/19/2022 10:09 AM
Filed & Recorded in
Official Records of
El Paso County
Delia Briones
County Clerk
Fees \$62.00

eRecorded

I hereby certify that this instrument was filed on the date and time stamped
heron by me and was duly recorded by document number in the Official
Public Records of real Property in El Paso County.



Delia Briones

EL PASO COUNTY, TEXAS