PROPOSED DCCR QUESTIONS & RESPONSES

Cordova Bend / Alto Lago

The proposed DCCRs remain in the owner-review and revision stage. The Board and DCCR Committee are reviewing submitted questions and comments and making appropriate revisions. Once those revisions are completed, the updated document will be shared with property owners for another review and comment period before it is presented for a vote.

The responses below address questions reviewed to date. The Board and DCCR Committee are continuing to work through the remaining submitted questions, and additional questions and responses will be added as the review continues.

DOCUMENT REVIEW AND PROCESS

Highlighting | How should owners interpret the highlighting in the proposed DCCRs?

RESPONSE: The highlighting was intended to help owners distinguish between two types of proposed changes:

- Yellow highlighting identifies proposed revisions or clarifications to provisions contained in the current recorded DCCRs.
- Green highlighting identifies proposed provisions or requirements that are new to the DCCRs.

The proposed document consolidates the existing Declaration and approximately 15 recorded amendments into one document. During that process, provisions were also reorganized, relocated, combined, renumbered, and reformatted. These administrative changes were not necessarily highlighted.

The highlighting was prepared by community volunteers as a review aid and was not intended to be a complete, word-for-word comparison with every recorded document. Although significant changes and additions were highlighted, some language may have been overlooked during the drafting and consolidation process.

Any missed or inconsistent highlighting was unintentional and was not an effort to conceal a proposed change or mislead property owners. The purpose of sharing the draft before a vote is to give owners an opportunity to review the document, identify concerns, ask questions, and help improve its accuracy and clarity.

Consolidation-only document | When will owners receive a separate consolidation-only version?

RESPONSE: The Covenants Committee did not create a separate consolidation-only DCCR document. The written email sent to all property owners on May 12, 2022, requested volunteers for a Covenants and By-Laws Committee responsible for completing a full review of the current governing documents and recommending changes, corrections, or clarifications to the Board.

Consistent with that written assignment, the committee prepared a combined document containing consolidations, clarifications, revisions, and new additions. An initial draft was submitted to the Board in 2023. The document remained under review and development, was reviewed again by the Board in 2025, and underwent additional Board and legal review in 2026.

At no point did the committee receive direction to prepare a separate consolidation-only version. Therefore, no such document was created.

Section 8.03(a) | Why was the amendment-approval threshold changed from 50% to 51%?

RESPONSE: The original DCCRs required approval by owners entitled to cast at least 80% of all votes. On May 31, 2019, that threshold was reduced to 50% for both communities. Comal County Clerk's Document No. 201906018694 changed the threshold for Cordova Bend Units One, One-R, and Two, and Document No. 201906018695 made the same change for Alto Lago Unit One.

During legal review of the proposed DCCRs, the attorney changed the threshold from 50% to 51%. The apparent purpose was to require approval by more than one-half of all votes allocated to the lots.

It is important to understand that the requirement is not 51% of the owners who choose to vote. Approval would require affirmative votes representing at least 51% of all votes allocated to all lots, including lots whose owners do not participate. Owners who do not vote do not reduce the number of affirmative votes required. Therefore, for purposes of reaching the required threshold, a non-vote has the same practical effect as a "no" vote.

ARTICLE II — CONSTRUCTION AND IMPROVEMENTS

Section 2.01(b)(ii) | Why did the proposal reduce the maximum number of outbuildings and add a building-line restriction?

RESPONSE: This was one of the concerns raised most frequently during the owner-review process. After reviewing the feedback and the current DCCRs, we agree that the proposed two-outbuilding limit was unnecessarily restrictive and that the building-line provision created confusion.

The next draft will apply the original Cordova Bend standard to both Cordova Bend and Alto Lago: no more than two outbuildings per acre, with a maximum of three outbuildings on any tract. This preserves the current Cordova Bend allowance and permits an additional outbuilding on qualifying Alto Lago lots. The proposed building-line provision will also be removed.

We appreciate the owner feedback on this section and have adjusted the proposed language accordingly.

Section 2.01(c) | Why regulate garage-door design when the doors must face 90 degrees away from the street?

RESPONSE: The garage-door orientation requirement and the garage-door design requirement address different issues. The 90-degree requirement governs the direction the garage doors face, while this provision is intended to prohibit commercial or storage-unit-style doors that are inconsistent with a residential home.

We agree that the phrase 'appropriate for residential use' may be subjective. We will consider revising the provision to use objective language.

Section 2.02(e)(iv) | Why is cement siding, including HardiePlank, excluded?

RESPONSE: The exclusion of cement siding, including HardiePlank, was based primarily on the community's established architectural style, which is characterized by stone and stucco exteriors. It was not intended to suggest that cement siding is unsafe, inferior, or difficult to maintain. Rather, siding creates a different exterior appearance from the stone-and-stucco character historically required and maintained throughout Cordova Bend and Alto Lago.

However, vertical board-and-batten with a stucco finish is frequently used as an accent with stone or stucco in modern farmhouse and other custom-home designs. The draft therefore allows limited board-and-batten accents without permitting cement siding as the primary exterior material. Fiber-cement products, including HardiePlank-type materials, may also be used for fascia and soffits.

Section 2.02(h) | Why should the ARC approve an owner's exterior paint-color choice?

RESPONSE: The current recorded DCCRs already require exterior colors to be natural or earth tones that complement the surrounding landscape. They also authorize the Architectural Control Committee to approve other color schemes and require exterior color samples to be submitted with new-home construction plans.

The proposed language does not create ARC authority over exterior colors. It carries forward the existing color standards and adds a requirement for prior approval only when an existing home undergoes a substantial color change, such as an extreme shift from a light color scheme to a dark color scheme or vice versa. Routine repainting in the same or a substantially similar color would not require approval.

ARTICLE III — PROPERTY USE

Section 3.15 | What flags, sizes, and flagpole configurations will be permitted?

RESPONSE: Thank you for your comments regarding Section 3.15. Based on the feedback received, we will revise the provision to permit the following categories of flags:

- United States and Texas flags
- Official U.S. armed-forces flags
- Blue Star, Gold Star, and POW/MIA flags
- The traditional Gadsden flag
- Official college and university flags
- Official professional, collegiate, high-school, and youth sports-team flags
- Seasonal or holiday decorative flags

To avoid subjective decisions about whether a flag is controversial or offensive, only the categories specifically identified in the DCCRs would be permitted.

An owner would be allowed to select one of the following display configurations:

1. Freestanding flagpole: One pole not exceeding 20 feet in height, displaying no more than two flags. The primary flag could be no larger than 4 × 6 feet, and a second flag could be no larger than 3 × 5 feet.
2. House-mounted flagpoles: Up to two poles mounted to the dwelling, displaying no more than one flag per pole. Each flag could be no larger than 3 × 5 feet.

A freestanding flagpole and house-mounted flagpoles could not be used at the same time without prior written ARC approval. The next draft will clarify the permitted flags, sizes, number, placement, and flagpole configurations.

ARTICLE IV — ARCHITECTURAL REVIEW

Section 4.01(c) | Should steep lake-facing lots be required to use a split-level design?

RESPONSE: Thank you for your suggestion concerning homes constructed on steeply sloping lots along San Jose Way. We understand the concern about tall exposed foundation walls facing the lake.

The proposed DCCRs already limit exposed or unfinished concrete and allow the ARC to disapprove large, plain exterior walls lacking architectural variation. However, requiring every affected home to use a split-level design may be unnecessarily restrictive because other properly engineered designs could address the same concern.

Because topography and site conditions vary from lot to lot, proposed foundation-wall heights on steeply sloping properties will be reviewed by the ARC on a case-by-case basis. The review will consider the lot's topography, finished grade, visibility from surrounding properties and the lake, drainage, architectural treatment, and the overall design of the home.

SUBMITTING ADDITIONAL QUESTIONS

Owners are encouraged to continue submitting questions through the DCCR Questions process at cordovabend.com. Please identify the applicable article, section, or subsection whenever possible. Questions and proposed revisions will continue to be reviewed before the updated DCCRs are shared with owners again.