APPENDIX A

Proposed Development

Covenants and Restrictions
Protective covenants (also commonly referred to as "deed restrictions" when applied to property titles) are private contracts related to the development and use of land which extend beyond controls enforceable by public authorities. The Research Park should establish such covenants as part of their long-term land lease agreements to assure the high quality of park development.

The following has been drafted to fit the unique circumstances and site character envisioned for the Texas A&M University Research Park. These covenants incorporate selected provisions from a number of other research, office, and industrial parks including: The Woodlands Trade Center; Arizona State University Research Park; Princeton Forrestal Center; Research Triangle Park; Orlando Central Park; the University of Utah Research Park, and the Intercontinental in Houston.

While the following outlined provisions provide the recommended substance for the Park's covenants and restrictions, they should be reviewed and evaluated by an attorney prior to preparation of the actual text.
TEXAS A&M UNIVERSITY RESEARCH PARK
DECLARATION OF COVENANTS & RESTRICTIONS
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ARTICLE I
PURPOSE AND APPLICATION

Section 1.10: The overall goal of the Texas A&M University Research Park covenants and restrictions is to produce high quality, and aesthetically pleasing development that complements the site's rolling topography, significant stands of trees, and major natural drainageways. The following covenants and restrictions will help to preserve and enhance an environment in the completed park that is pleasing to occupants, visitors, and neighbors. The Covenants as presented herein shall be binding on all lessees, tenants, and owners of buildings within the confines of the Texas A&M University Research Park, hereafter referred to as the "Research Park" or the "Park."

ARTICLE II
RESEARCH PARK ADVISORY BOARD

Section 2.10: Function. The function of the Research Park Advisory Board (The Board) is to exercise control over the development of the Research Park in terms of its aesthetic qualities, tenant use within the confines of the covenants, and to maintain the conceptual integrity of the Park. Its purpose is to review all site layout and architectural presentations and approve or disapprove same.

Section 2.20: Board Membership. The eight members of the Board shall include:

1. Vice Chancellor for Research Park and Corporate Relations (Research Park Director, serves as Board Chairman)
2. Provost, Vice President of Academic Affairs, Texas A&M University
3. Vice President for Fiscal Affairs, Texas A&M University
4. Manager, Facilities Planning Division, The Texas A&M University System
5. Chief Architect, Facilities Planning Division, The Texas A&M University System
6. System Mechanical Engineer, Facilities Planning Division, The Texas A&M University System
7. Director of Grounds Maintenance Department, Texas A&M University

8. Director of Physical Plant Department, Texas A&M University

Section 2.30: Board Liability. Neither the Texas A&M University System Board of Regents, Chancellor, Park Director, Research Park Advisory Board, nor any member, employee or agent thereof shall be liable to any owner or tenant or to anyone submitting plans for approval, or to any other party by reason of mistake in judgment, negligence, or non-feasance, arising out of or in connection with the approval, disapproval or failure to approve any such plans or for any other action in connection with its or their duties hereunder. Likewise, anyone so submitting plans to the Board for approval, by submitting such plans, and any person when he becomes an owner or tenant, agrees that he or it will not bring any action or suit to recover any damages against the Board, or any member, employee or agent of said Board.

ARTICLE III
REVIEW & APPROVAL PROCESS

Section 3.10: Required Plans. All plans, specifications, requests for authority to remodel or alter, or otherwise change the leasehold must be submitted to the Board for review and approval. No building, sign, landscaping, lighting or other exterior improvements shall be altered, placed or erected on any building site without such prior approval from the Board.

Section 3.11: Inspection Access. The Park Director or his designated agent(s) shall have full access to the building and site during construction.

Section 3.20: Approval Process. Approvals shall be based upon, among other things, conformity and harmony of external designs with neighboring structures, effect of location and use of improvements on neighboring sites; orientation of main elevation with respect to nearby streets; and conformity of plans and specifications to the intent of these covenants. The Board shall not arbitrarily or unreasonably withhold its action or decision of such plans and specifications. Improvements or alterations to any site shall not be commenced prior to compliance with the following two-part review process.

Section 3.21: Concept Design Review. The objective is to ensure careful site planning with regard to location and size of building, parking, open space and access. The concept design must be approved by the Board in writing prior to final design. Concept design shall include the following:
1. Site plan information such as utility locations and connections, drainage, service areas, outdoor storage, trash receptacle, and mechanical equipment. Other activity or equipment that would alter the natural site must also be shown.

2. Building elevations, floor plans, and sections.

3. Building materials, parking, and open space.

4. Landscaping, signage, and lighting.

5. Construction staging.

Section 3.22: Final Design Review. Submission to include, but not limited to, the following:

1. A topographical and boundary map showing contour grades (with 1 foot intervals), the species, location, and size (measured 12 inches above the ground of all existing trees greater than 6 inch caliper) and the location of all improvements, such as signs, structures, walks, patios, driveways, fences and walls. Existing and finished grades shall be shown at parcel corners and for proposed improvements. Lot drainage provisions shall be included, as well as cut and fill details, if any appreciable change in contours is contemplated.

2. Exterior elevations, including screening area.

3. Exterior materials, colors, textures, and shapes.

4. Landscaping plan, including proposed clearing, walkways, fences, walls, elevation changes, irrigation systems, vegetation, and ground cover.

5. Parking area and driveway plan.

6. Screening, including size, location and method.

7. Utility routing and connection points.

8. Exterior illumination, including location, manufacturer's fixture number, and supporting photometric test data.

9. Fire protection system as required by all NFPA Codes.

10. Signs, including copy, size, shape, color, typeface, location, illumination, and materials. Also, elevation and plan view drawings indicating sign and relationship to all other visual elements within 50 feet of the sign.
11. Trash container storage locations and related screening.


13. Clearing plan and tree protection plan, plus measures for environmental protection during construction.

14. Drainage runoff quantities for ten year frequency.

Section 3.23: A copy of all construction documents shall be filed with the Park Director prior to commencing construction.

Section 3.30: Submittal Requirements. Nine sets of all documents are to be included in each submission for review. All buildings must be designed by a registered architect and all landscape plans by a registered landscape architect. The architect(s), assisted by registered engineers, shall be solely responsible for the safety of structural, mechanical, electrical, and other systems in the improvements. The Board does not approve these elements.

The seal of all Texas registrations of the appropriate architect, engineer, and/or landscape architect must appear on the final drawings. The architect must also submit a statement under his signature to the effect that the contract documents have been prepared in accordance with all other applicable codes, ordinances and regulations related to this particular project.

Section 3.40: Letter of Approval. Upon final plan approval, a letter will be issued advising of the Board acceptance of the plans. No construction activities are to be commenced without said letter.

Section 3.50: Limitation of Board Action. The Board shall approve or disapprove the plans or specifications within 30 days after submittal thereof.

Section 3.60: Clearing Approval. A clearing plan must be submitted for approval prior to any site clearing.

The contractor shall ribbon-off the clearing limits and call the Park Director for a site inspection and approval prior to commencement of actual clearing.

Section 3.70: As-Built Drawings. One set of reproducible as-built construction drawings will be filed with the Park Director within 30 days of building occupancy.

ARTICLE IV
VARIANCES

Section 4.10: In those instances where strict compliance with specific covenants would create an undue hardship by depriving the owner or lessee
the reasonable use of its site or where, in the opinion of the Board, there are unusual characteristics which affect the property or use in question and which would make strict compliance with these covenants unfeasible, the Board may grant the owner or lessee a variance from these covenants as long as the general purposes of the covenants are maintained. Any variance granted from the provision of these covenants shall only be applicable to the specific site and conditions for which the variance was granted, and shall in no respect constitute a change in or effect the terms or conditions set out in the standards as same apply to other sites or conditions.

ARTICLE V
ENFORCEMENT, DURATION, AND AMENDMENT

Section 5.10: Enforcement. The conditions, covenants, restrictions and reservations herein contained shall run with the land, and be binding upon and inure to the benefit of the Research Park and its lessees. These conditions, covenants, restrictions and reservations shall be enforced by the Park Director. Violation of any of these provisions shall give the Park Director the right to take appropriate action against the party or parties violating or attempting to violate any of these provisions to prevent them from so doing, to cause any such violation to be remedied, and/or to recover damages resulting from such violation.

In any legal or equitable proceeding to enforce these provisions or to enjoin their violation, the party or parties against whom judgment is entered shall pay the attorney's fees of the party or parties for whom judgment is entered such amount as may be fixed by the court in such proceeding.

Section 5.20: Duration and Amendment. These Protective Covenants may be amended from time to time or terminated by an instrument in writing executed and acknowledged by the Park Director for and in behalf of The Texas A&M University System. Amendments made pursuant to the provision of this section shall inure to the benefit of and be binding upon The Texas A&M University System and building owners or their respective successors and assigns.

Section 5.30: Separability. In the event any of these covenants are invalidated by judgment or court order, all of the remaining provisions shall remain in full force and effect and shall in no way be affected.

ARTICLE VI
PERMITTED USES

Section 6.10: Intent. It is the intent of the provisions of this section to establish a Park in which research facilities, pilot plants, and prototype production facilities, requiring a high degree of scientific input will be permitted.
Section 6.20: The following uses are permitted to locate within the Research Park:

1. Laboratories, offices, and other facilities for research, basic and applied, and consulting, conducted by or for any individual, organization, or concern, whether public or private.

2. Product manufacture or assembly shall be limited to prototype development or to the assembly of high technology products which are clearly related to the on-site research and development activities of the tenant. No tenant exclusively engaged in manufacturing or assembly shall be permitted to occupy space on the Park.

3. Pilot plants in which processes planned for use in production elsewhere can be tested.

4. Professional service and select uses incidental to and in support of any uses permitted in paragraphs 1 through 3 above, such as conference centers, food services, banking facilities, personal services, post office, communications centers, day care centers, training institutes, supply and storage facilities, etc.

5. Operations required to maintain or support any use permitted in paragraphs 1 through 3 above, on the same tract as the permitted use, such as maintenance shops, parking garages, keeping of animals, machine shops, and communications or computer facilities.

6. Recreational facilities predominantly for Park tenant use.

ARTICLE VII
GENERAL SITE DEVELOPMENT

Section 7.10: Intent. It is the intent of the provisions in this section to develop a Park of a relatively low building density within a spacious park-like setting.

Section 7.20: Total Lot Area. Tenant site area not committed to streets or pathways and included within the lot lease boundaries.

Section 7.30: Floor Area. The aggregate square feet of floor space located entirely within a major building and/or accessory building.

Section 7.40: Maximum Building Area. The total aggregate floor area of all buildings and/or accessory buildings shall not exceed 50 percent of the total lot area.
Section 7.50: Maximum Impervious Lot Coverage. The total impervious area of all building footprints, parking and driveways shall not exceed 60 percent of the total lot area.

Section 7.51: Maximum Building Area Versus Maximum Impervious Lot Coverage. The most restrictive of these two criteria shall take precedence.

Section 7.60: Minimum Lot Size. The minimum lot size shall be three acres.

Section 7.70: Setbacks. The minimum setback lines from highways, public street property lines and interior property lines are described below. Unless otherwise specified, no structure of any kind and no part thereof, nor any paving area shall be placed within these setback lines. Dimensions are from the legal lot line.

All setbacks apply to both structure and paving (except access driveway) unless otherwise noted.

Section 7.71: Street Setbacks. (Minimums)

<table>
<thead>
<tr>
<th>STREET SETBACKS</th>
<th>SETBACK</th>
</tr>
</thead>
<tbody>
<tr>
<td>Research Parkway</td>
<td>50' from ROW Both Sides</td>
</tr>
<tr>
<td>Loop Road</td>
<td>50' from ROW Both Sides (Lease Lots Only)</td>
</tr>
<tr>
<td>Loop Road</td>
<td>10' from ROW West Side At Park Administration Area</td>
</tr>
<tr>
<td>Horticulture Road</td>
<td>50' from ROW Both Sides</td>
</tr>
<tr>
<td>AODP Drive</td>
<td>50' from ROW Both Sides</td>
</tr>
<tr>
<td>Poultry Science Road</td>
<td>50' from ROW Both Sides</td>
</tr>
<tr>
<td>Cul-de-Sacs</td>
<td>50' from ROW Both Sides</td>
</tr>
<tr>
<td>Special - Events Drive</td>
<td>50' from ROW West Side</td>
</tr>
</tbody>
</table>

Section 7.72: Side Setbacks. All side setbacks shall be 30 feet for any structure and for any paving, except:

When the lot line adjoins that portion of the Texas A&M University Research Park boundary line, the setback shall be 50 feet.

Section 7.73: Rear Setbacks. All interior rear setbacks will be 30 feet for any structure except:

When the rear lot line adjoins that portion of the Texas A&M University Research Park boundary line, the setback shall be 50 feet.

Section 7.74: Exceptions. The following improvements are permitted within the setbacks:

Steps, walks, driveway access to site.
Landscaping, including landscaped earthen berm.
Illumination (not including floodlights for buildings).
Identification graphics. (As provided in Article X.)
ARTICLE VIII
LANDSCAPING

Section 8.10: Intent. It is the intent of these regulations to recognize, utilize, and supplement the existing landscape resources by retaining the character of the native woodlands and oak/meadow. It is the further intent to provide a landscape image of continuity and diversity by providing color and textural variety.

Section 8.15: Landscape Plans and Standards. Detailed landscape and irrigation plans, prepared by a registered landscape architect, shall be submitted to and approved by the Board prior to issuance of a letter of approval. Such improvements shall be installed prior to issuance of a certificate of use and occupancy. Adjustments in time of planting may be made in consideration of availability of materials and weather conditions. Landscape in the public way shall be installed per plans and specifications approved by the Texas A&M University Research Park and in accordance with the Landscape Standards.

Section 8.20: Landscape Types. The landscape at the Park is divided into two major categories: native vegetation and introduced landscape elements.

"Native Vegetation" is comprised of two subcategories:
Woodland Ravines: Mixed hardwoods, midgrowth, understory and Oak/Meadow: Post oaks, grasses, wild flowers.

"Introduced Landscape Elements" includes all plant materials and earthforms which are introduced to the Park.

Section 8.21: Native Vegetation Standards. The following landscape treatments should be applied to the various existing types of landscape:

1. Heavily Wooded: All elements remain in their natural state creating a continuous landscape screen/barrier from ground to canopy. This type of vegetation can be used as an effective screen and must remain in all undeveloped areas.

2. Moderately Wooded: Where the midgrowth of the native woods is of poor quality, selective removal of midgrowth and careful pruning of canopy allows visual penetration through the natural vegetation.

3. Native Vegetation Preservation: It is understood that some clearing will occur for development construction purposes; however, the layout of building types and settings shall minimize the need for clearing.

Wherever possible, the native vegetation should be preserved in groves rather than in lineal forms. Where linear areas are utilized, adequate buffer strips during construction must be applied to prevent damage to the trees.
Such buffer must be a minimum of 15 feet and identified by a temporary fence to prohibit encroachment of building construction activities. Buffer may be deleted to accommodate paving only after completion of all building construction activities. See the Landscape Standards for additional tree protection requirements.

Modification to soil make-up, drainage or root structure of preserved native vegetation shall be avoided.

4. Where new structured planting meets the woodland ravine or oak/meadow, a sensitive transition zone of sufficient size must occur.

Section 8.22: Introduced Landscape Elements Standards. All open, unpaved space, including but not limited to front, side and rear setback areas, shall be planted and landscaped according to a plan approved in writing by the Board. Landscaping in accordance with the approved plans must be installed prior to the occupancy of a building. New landscape elements should complement the adjacent native vegetation and physical development and include:

1. Landscaped Earthen Berms:

   Earthen Berms can be used as an effective screening element where the native vegetation is not of sufficient density to provide adequate screening.

   Berms must be landscaped and contoured for a natural look with varying slopes and heights -- Maximum slope is 6:1, desired slopes are 12:1 and greater.

   Access to utility lines shall be preserved in the design and construction of the berms.

2. Trees:

   Newly planted trees can either be of native variety to blend with the existing vegetation system or of an introduced, decorative variety to provide contrast through color and texture.

   To insure the health of newly planted trees, a detailed outline of planting specifications and types of permitted plants can be found in "The Landscape Standards."

3. Ground Cover:

   All sites shall contain ground cover consisting of adaptive grasses, wildflowers, or other plant materials listed in the "Landscape Standards."
Section 8.30: Landscape Applications. The following additional design principles shall guide landscaping in these locations:

Within Setbacks: Generally, within all required setback areas the native vegetative character is to be preserved as follows:

1. Heavily Wooded - to remain on all undeveloped property to be used to screen objectionable uses from view.

2. Moderately Wooded - Removal of midgrowth and pruning of canopy trees may occur where views to the site or identification graphics are desired.

3. Where the native vegetation is damaged or of poor quality and immediate screening is required, landscaped earthen berms with decorative trees and ground cover may be substituted for the native woods.

4. In all other cases where the native vegetation is damaged due to development, or of poor quality, it shall be replaced using new, healthy plantings of the same variety or of those types found in the "Landscape Standards" list.

5. Planting within the setbacks shall comply with a landscape plan prepared for and approved by the Board.

Street R.O.W./Setback: The transition from the plantings within setback areas to the planting within a public street R.O.W. must be carefully designed to interface harmoniously.

Within parking areas: All required medians and islands within parking areas are to be planted with wildflowers, ground covers, shrubs, grasses and trees from the "Landscape Standards" list of approved plant material. (See Article XI)

Within drainage easement: The native vegetation is to be preserved within all drainage easements except that portion to be used specifically for water conveyance and ditch maintenance. Adequate ground cover plantings to prevent soil erosion shall be used to supplement native vegetation.

Section 8.40: Irrigation. All landscape areas shall be irrigated as specified in "The Landscape Standards."

The Texas A&M University Research Park will have a "master" irrigation system with the operation of all landscape irrigation controlled by one master controller. Individual tenant sites will be connected to this system with a specific program designed for each site. Operation and maintenance of the master controller shall be the responsibility of the Research Park.
Installation and maintenance of all components on the tenant sites and associated street frontages will be paid for by the individual tenants. The purpose of the master system is to achieve a balanced water usage and consistent level of irrigation throughout the Research Park.

Section 8.50: Grading and Trenching.

Near Existing Trees: No cutting, filling or trenching shall occur within the drip line of any existing trees. Existing trees shall be protected from construction activities as specified in "The Landscape Standards." Landscape features shall be returned to original conditions after construction.

Landscape Areas: Site grading shall be in compliance to Article IX, herein. Landscape areas shall not exceed a slope greater than 6:1. Planting in retention areas shall be as identified in the recommended plant list.

Section 8.60: Fencing. The placement of all fences and the design and materials utilized shall be subject to the approval of the Park Director. It should be noted that at no time shall a company utilize an open mesh chain link fence.

Section 8.70: Maintenance. All landscaping shall be properly maintained in accordance with Maintenance Standards to be developed by Park Director. Periodic inspections will be made as directed by the Park Director and reports submitted with regard to the condition of maintenance. If suggestions for improvements are made and which are in the realm of the maintenance standards, the work shall be corrected within 30 days of receipt of the report.

Section 8.80: Miscellaneous. Landscape treatment shall not interfere with sight line requirements as specified in Article XI Parking, Drives, Loading, and Outdoor Storage at street or driveway intersections.

Leased property held for future development shall be properly maintained by the tenant.

Park tenants are encouraged to preserve specimen trees and seldom found plants.

Procedures during construction related to protecting the environment shall be as outlined in "The Landscape Standards."

ARTICLE IX
SITE GRADING & DRAINAGE

Section 9.10: Intent. It is the intent of the provisions of this section to establish controls on the grading and drainage of lots within the park for the mutual benefit of the Park and individual tenants. In general, site grading shall be kept to a minimum and drainage
designed to minimize erosion and any adverse effects on the environment.

Section 9.20: Effect on Adjacent Tracts. Each lot shall be drained such that no runoff drains onto another lot. All runoff shall drain into Park storm water systems by methods specifically established in subsequent sections of this article.

Section 9.30: Storm Water Discharge. Storm water shall be collected on-site into an underground storm drain system and discharged into the Park storm water systems by one of the following methods:

1. By connection of a storm drain to the back of a curbside storm sewer inlet or to a storm sewer stub-out. All such connections shall be at points acceptable to the Board.

2. By construction of an approved outfall pipe to the existing ravines in the Park. Requests for permission to construct such outfall pipes shall be submitted in writing to the Board for approval and shall address the aesthetic and environmental aspects of the outfall as well as engineering and construction information.

Section 9.40: Landscaped Areas. Landscaped areas adjacent to Park streets or existing ravines may drain by sheet flow to the adjacent street or ravine.

Section 9.50: Roof Drains. All structures shall be equipped with interior roof drains or gutters and downspouts. Downspouts shall be connected to the underground storm drain system via underground pipes. No downspout water shall be permitted to be deposited onto landscaped areas or open ditches.

Section 9.60: Building and Floor Drains. Building and floor drains shall not be connected to the underground storm drain systems. Such drains shall be connected by underground piping to a sanitary sewer within the lot boundaries.

Section 9.70: Oil and Grease Traps. Storm water drained from paved areas under tenant control shall be routed through an oil and grease trap system design acceptable to the Board prior to discharge into a Park storm sewer system. Such traps shall be maintained and emptied by the tenant.

Section 9.80: Storm Drains and Appurtenances. All elements of the underground storm drainage system shall be designed and constructed in accordance with established design criteria, materials, and construction standards.

Section 9.90: Drainage During Construction. Tenants shall take special care to minimize the adverse effects of construction on adjacent tenants and on Park streets and ravines. Specifically, tenants shall take action to prevent sedimentation of adjacent ravines and shall
promptly remove sedimentation and clean up any mud or other debris or residue deposited on Park and streets during construction. If so directed by the Board, the tenant shall comply with designated points and routes of access and egress to be used during construction to minimize adverse effects on the property of the Park and other tenants.

ARTICLE X
SIGNAGE

Section 10.10: Intent. It is the intent of the provisions of this article to encourage attractive signage, lighting, and other private visual media which aid in the orientation and/or identification of uses and activities. These provisions further intend to enhance a park-like environment by controlling the number, placement, and size of signs while allowing design flexibility.

Section 10.11: Definition. A sign shall be defined as lettering, symbols or other graphic display used to identify or advertise an event, location or business. These Standards include the supporting structure and devices used to display the sign.

Section 10.20: Building Identification Signs. Each site may have one identification sign, oriented to each street on which the premises have frontage, identifying the building as a whole and/or its predominant use. Any lot with a street frontage in excess of 1,000 feet may have two signs oriented to that street.

For all buildings the street address (number only) must be legible from the street.

Section 10.30: Sign Location. Building Identification Signs: May be attached to the building or ground-mounted with the following restrictions:

1. Building-mounted: Installed so as to be parallel to and contiguous with the building wall and not project more than 12 inches from the wall surface. No sign shall project above the building roof line.

2. Ground-mounted signs will be allowed in lieu of building-mounted signs. Such sign shall be set back from the front lot line a minimum distance of 20 feet and shall be no less than 150 feet from street intersections.

Ground-mounted signs placed within the front setback where the native vegetation is being preserved, should be located near the drives where the natural vegetation system has already been disturbed.
Location of the ground-mounted sign must be sensitive to and compatible with the landscape system within which it is located. Ground mounted signs shall use Park standard mounting devices as illustrated in the Landscaping Standards.

Section 10.40: Sign Area. Building identification signs for lots up to 1000 feet in width shall have a maximum area of 64 square feet.

For lots over 1000 feet in width two signs are permitted, which in the aggregate do not exceed 150 square feet in area.

Maximum sign height of ground-mounted signs to be five feet from the natural ground plane on which they are mounted.

If the graphic is enclosed by a box or outline, or if the sign background differs from the wall on which it is mounted, the total area of the graphic, including background is counted as part of the allowable sign area.

If the graphic consists of individual letters, the area of the letters contained by a simple geometric outline is counted as the allowable area.

Section 10.50: Materials and Reproduction. Illumination: Signs shall be illuminated only by a steady, stationary, shielded light source, directed solely at the sign or internal to it, without causing glare for motorists, pedestrians or neighboring premises.

Illuminated signs, including neon signs, may produce up to one foot-candle of illumination four feet from the sign.

Prohibited Devices: No sign shall move, make noise or employ blinking, flashing, or strobe lights or exposed fluorescent lamps.

Colored lights and illuminated signs employing colors used in traffic signal lights are prohibited within 500 feet of any signalized intersection.

Any imitation of official traffic signs or signals is prohibited.

Section 10.60: Internal Directional Signs. Directional signs indicating loading or delivery areas, employment office, various building entries, parking lots, etc., shall not exceed eight square feet in size nor employ lettering larger than eight inches in height. The design of these signs shall be in compliance with the Landscape Standards.

Section 10.70: Temporary Signs. During the construction phase of a project, one unlighted construction sign is permitted with the dimensions of eight by eight feet. On this sign may be the name of the project, a short description of the project, the owner, contractor, architect, engineer, financing information, as well as, completion date. (See "Landscape Standards" for detailed guidelines.)
These signs will be removed within 14 days after substantial completion.

No existing vegetation shall be disturbed or removed solely for the display of this sign.

Section 10.75: Directional and Public Information Signs. Graphic continuity for displaying public information shall be achieved by:

- Use of the Texas A&M University Research Park logotype on all temporary signs. (See "Landscape Standards")

- Use of a consistent project typeface, symbol and color system for directional signs. (See "Landscape Standards")

- Minimizing the amount of copy wording.

- Minimizing visual clutter by integrating signage with landscape, lighting and other site elements.

Section 10.80: Directional and Information Symbols. The graphics/signage systems shall incorporate graphic representations from the Department of Transportation's study, Symbol Signs 2, prepared by the Institute of Graphic Arts in 1979. The information and direction symbols, included in the Landscape Standards, have been selected as representations of the symbol set for the Park.

Section 10.85: Copy Wording. To minimize confusion of messages, certain copy wording has been standardized (See Landscape Standards).

Section 10.95: Sign Review. All signs shall be approved by the Board prior to construction and in accord with the provisions of "Article III, Review and Approval Process" of these Covenants and Restrictions. Traffic control signs shall conform to Texas State Highway Department Standards.

ARTICLE XI
PARKING DRIVES, LOADING, AND OUTDOOR STORAGE

Section 11.10: Intent. The intent of this section is to provide guidelines for the management of the flow of vehicular traffic in a manner that maintains natural area aesthetics and the safety of park tenants.

Section 11.20: General Parking Requirements. Parking will not be permitted on any public street or access drive.

All parking areas shall be paved with an all-weather surface, shall have appropriate bumper guards where needed and, except for driveways and other entrances, shall be visually screened (See "Landscape Standards").
Parking areas shall not be located within any required setback area (See Article VII, Section 7.40).

All parking areas and driveways shall have concrete or brick curbing.

Tenant's parking requirements shall be based on the standard of 3.8 spaces/1000 gross square feet of building. Variances to these parking requirements may be granted by the Board if the building tenant can illustrate the need for fewer parking space than the specified number due to tenant programs such as employee van pool or car pool programs, staggered work shifts, or other unusual circumstances (i.e., a building with a high percentage of storage area on the site). Site space however, shall be reserved to meet the full parking requirements in the event of changes in building use or commuting patterns.

All parking areas shall be designed and landscaped to include a 15 feet minimum width landscaping median running the length of the aisle for every three contiguous double-loaded parking aisles, and a ten foot minimum width landscaping island space for every 20 parking spaces.

Parking area aisles shall not normally exceed 40 cars in a row.

Section 11.30: Drives. No driveway approach shall be permitted within 100 feet (curb to curb) of a street intersection.

One curb cut may be allowed for every 150 feet of street pavement frontage, but it may not be located closer than 120 feet from an adjacent curb cut. A minimum number of curb cuts is encouraged and all curb cuts are subject to Park Director approval.

Driveway width shall be a minimum of 22 feet and a maximum of 30 feet with a minimum curb return radius of 30 feet.

Access drives may cross building setback areas; however, drives may not traverse parallel to setback areas.

Landscape treatment at driveway and street intersections shall not interfere with sight line requirements.

Section 11.40: Loading Facilities. Loading docks and other loading facilities will not be permitted to face on any street. Provisions must be made for handling all freight on those sides of a building which do not face a street. Written exceptions to these Covenants and Restrictions concerning the placement of freight facilities may be permitted by the Board in those cases where two or more sides of a building site face a street. All loading docks and garbage collection facilities must be screened from public view in a manner approved by the Board.
Section 11.50: Outside Storage. No park tenant shall have the right to keep articles, goods, materials, incinerators, trash bins, storage tanks or like equipment in the open or exposed to public view or to view from adjacent buildings, except at the locations, to the extent and in the manner approved by the Board. If it shall be necessary to store or keep such materials or equipment in the open, these shall be screened from view in a manner approved by the Board. Said screen shall be in height at least equal to that of the materials or equipment being stored but in no event less than six feet in height and said screen shall fully shield said materials and equipment from both public view and view from adjacent buildings.

All storage shall be limited to the rear two-thirds of any building site and under no circumstances shall any material or equipment be stored within 50 feet of any street, except at the locations, to the extent and in the manner approved by the Board.

ARTICLE XII
EXTERIOR LIGHTING

Section 12.10: Intent. It is the intent of the following provisions to encourage park tenant to provide exterior lighting for the safety of Park users and to complement the natural setting and man-made improvements in the Park.

Section 12.20: Exterior lighting shall be provided to meet the following guidelines:

1. All wiring for exterior lighting, including but not limited to driveway, walkway, area, parking, and decorative lighting, shall be underground.

2. All light fixtures shall be oriented such that glare directed onto adjacent properties, including streets and neighboring tenant lots, is minimized.

3. Light standards shall be restricted to a maximum height of 40 feet.

4. All lighting installations shall conform to the latest edition of the National Fire Protection Association National Electrical Code.

5. Each tenant shall maintain all light fixtures in proper operating condition.

6. Parking and driveway lights shall be of a style and color consistent with that specified in the Landscaping Standards.
ARTICLE XIII
BUILDING DESIGN

Section 13.10: Intent. To produce an orderly and aesthetically pleasing environment that is compatible with the natural aspects of the park site as well as the existing University facilities on the West Campus. The aesthetic appearance of the exterior of the buildings and other structures is of paramount concern to the Board. Therefore, building design will weigh heavily in the Board's decision to either accept or reject a proposed design. Innovative architectural designs which harmonize with the environment and express individuality are encouraged.

Section 13.20: Materials. Durable materials such as masonry are preferred for all structures. Innovative quality materials are encouraged and their use is subject to Board approval.

Section 13.30: All construction shall conform to the requirements of the Standard Building Code, latest edition as amended, the Standard Plumbing Code and the National Electrical Code. Construction shall also conform to the requirements of OSHA and NFPA with regard to life/safety provisions.

Section 13.40: Building Height. All structures shall be limited to a height of six stories or 75 feet.

Section 13.50: Expansion. All controls delineated in these covenants refer to ultimate development of any site. All site plans shall identify initial and ultimate improvements including buildings, paving, grading, and landscaping.

Section 13.60: Barrier Free Design. All site improvements shall be fully accessible to the handicapped in accordance with the Handicapped Accessibility Act of Texas, as codified in Section 7, Article 601b, Vernon's Civil Statutes.

Section 13.70: Construction Criteria. Once commenced, construction shall be diligently pursued to the end. Such construction may not be left in a partially finished condition any longer than is reasonably necessary. No excavation shall be made except in conjunction with construction of an improvement. When such an improvement is completed, all exposed excavations shall be backfilled, graded and returned, as nearly as possible, to its natural state or to the approved landscape plan for the site.

ARTICLE XIV
WATER, SEWERAGE & SOLID WASTE

Section 14.10: Intent. It is the intent of the following provisions to establish controls governing the installation of tenant water and sewer systems, and the collection and disposal of solid waste.
Section 14.20: Location of Utility Lines. Whenever possible, water and sewer service lines shall be located adjacent to access drives to minimize disruption of landscaping during installation and maintenance of the lines.

Section 14.30: Water Service. Water will be provided via connections to the Park water distribution system. Such connections will be constructed at the tenant's expense and will normally be limited to one connection per tenant for normal uses and one optional connection for fire protection purposes. Connection will be made as follows:

1. Meters will be installed on all connections for normal uses. Meters will be installed in below ground meter vaults. Meter vaults shall be located on tenant property inside the property line immediately downstream of the connection to the Park system. Tenants shall insure access of Park personnel to tenant meters at all times.

2. Connections made solely for fire protection purposes shall not be metered.

3. All connections to the Park water distribution system shall be made at locations acceptable to the Park Director.

Section 14.40: Wastewater Disposal. Wastewater generated on tenant sites and containing prohibited substances or material will be pretreated (if necessary in accordance with the criteria described below) then discharged into the Park wastewater collection system. Connections shall be constructed at tenant expense and will normally be limited to one connection per tenant.

The delivery of all industrial wastes shall be at a reasonably uniform rate except where storage is necessary in the pretreatment operations of the producer. No wastewater shall consist of any discharges from subsurface drainage, storm or ground water, downspout or roof runoff, yard sprinklers, drains, fountains or pools.

Wastewater shall not contain materials or substances in suspension or solutions in violation of the limits established by the Board in accordance to procedure as described in the most current edition of Standard Methods for the Examination of Water and Wastewater published by the American Health Association, or the most current edition of Manual of Methods for Chemical Analysis of Water and Wastes published by the U.S. Environmental Protection Agency.

Prohibited wastewater substances or materials include, but are not limited to the following:

1. Any liquid or vapor having temperature higher than 113° F.
2. Any waste containing wax, grease, oil, plastic, or other substances that will solidify or become discernibly viscous at temperature between 60 to 70 F.

3. Flammable or explosive liquids, solids or gas.

4. Solid or viscous substances.

5. Wastes from garbage grinders in excess of 3/16 inches in diameter.

6. Any noxious or malodorous substance which can form a gas.

7. Free or emulsified oil and grease in excess of 200 mg/l.

8. Acids or alkalies.

9. Any salt with heavy metals, in solution or suspension, exceeding the concentration specified by the Board.

10. Cyanides or Cyanogen Compounds capable of liberating hydrocyanic gas or acidification in excess of two mg/l.


12. Any waste containing phenols in excess of ten mg/l.

13. Discharges which exert excessive discoloration, unusual BOD, or an immediate oxygen demand, such as substances oxidizable by molecular oxygen, i.e., ferrous iron, sulfide, sulfite and aldehyde, unusual concentrations of solids or composition, or unusual flow and concentration.

14. Any substance which is not amenable to treatment or reduction by the existing Texas A&M wastewater treatment process.

15. Sulfides in concentrations greater than five mg/l.

Tenants will be required to provide and operate pretreatment facilities if wastewater discharge does not meet these standards.

Sampling wells will be constructed on tenant property inside the property line immediately upstream from the connection to the Park system. Tenant shall insure access of Park personnel to the sampling well at all times.

All connections to the Park wastewater collection system shall be made at locations acceptable to the Park Director.

Section 14.50: Solid Wastes. All solid wastes will be collected, stored, and disposed of in accordance with all appropriate laws, rules and regulations of the State of Texas.
1. Solid wastes shall not be disposed of within the Park.

2. Common refuse shall be collected on site and placed in dumpsters for removal. Removal or emptying of dumpsters shall be at Tenant expense by the Park or by a contractor approved by the Board. Tenants shall ensure that dumpster areas are kept clean, sanitary, and free of loose refuse. Dumpsters shall be located and screened in accordance with other provisions of these covenants.

3. Hazardous wastes shall be stored and disposed of at Tenant expense in accordance with the laws, rules, and regulations of the United States and the State of Texas.

ARTICLE XV
ELECTRICITY & TELECOMMUNICATIONS

Section 15.10: Electrical Service. Electric service shall be provided by the Tenant in accordance with the following:

1. The Tenant shall be required to install electric service underground from the main line located at the perimeter of his lot to the building(s) located theron. (Note: Park Owner will provide main service lines underground in roadway easements or along property lines for direct access from each lot.)

2. The Tenant shall connect to the main service line at points acceptable to the Park Director. No cutting, opening, or alteration of Owner's roadways will be permitted for this purpose.

3. The Tenant shall be responsible for determining his particular service needs and for furnishing and installing his transformer(s). (Note: Park Owner's system is three-phase, three-wire primary electric service at 12,470 volts, 60 Herz.)

4. Above-ground electrical equipment, including transformers and terminal equipment, must not be visible from the street.

5. Electric service meters shall be located such that they may be easily accessible and read by University personnel.

6. The Park Owner will provide electric service for all Tenants, however, Texas A&M University will not be liable for damage or loss incurred by Tenant as a result of system failure or malfunction.

7. Each Tenant shall regularly maintain transformer(s) owned by Tenant to ensure safe, efficient, and proper operation thereof.
ARTICLE XVI
ENVIRONMENTAL & OTHER EXTERNALITIES

Section 16.10: Electromagnetic Emissions. The tenant shall not operate any device that will cause electromagnetic influence with other park tenant's communication systems.

Section 16.20: Nuisance Factors and Hazards. In order to protect the interests of all tenants, no operation may be conducted which emits offensive or objectionable noise, vibration, smoke, odors, dust or gases. Precautions should be taken in all operations against radiation, radioactivity, fire, and explosion hazards. Acceptable limits and standards may be established by the Park Director. These standards shall at a minimum meet the requirements of Federal, State and local laws and any regulations thereunder applicable to the property.