

LAKES ON ELDRIDGE COMMUNITY ASSOCIATION, INC.
RESOLUTION ADOPTING AMENDED AND RESTATED FENCING
GUIDELINES FOR LAKES ON ELDRIDGE

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

WHEREAS, Lakes on Eldridge Community Association, Inc. a Texas nonprofit corporation (the "Association") is the governing entity for Lakes on Eldridge, a Subdivision in Harris County, Texas (the "Subdivision"); and

WHEREAS, the Association is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declaration for the Subdivision; and

WHEREAS, Chapter 204, Section 204.010 of the Texas Property Code authorizes the Association, acting through the Board, to adopt and amend rules regulating the use, maintenance, repair, replacement, modification and appearance of the subdivision; and

WHEREAS, the Board of Directors of the Association (the "Board") has determined that in connection with maintaining the aesthetics and architectural harmony of the Subdivision, and to provide clear and definitive guidance regarding the installation and maintenance of fencing it is appropriate for the Association to adopt guidelines regarding fencing; and

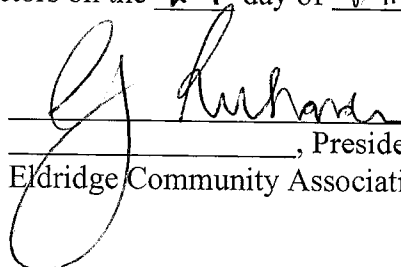
WHEREAS, it is the desire of the Board to supplement the Fencing Guidelines for the Association previously recorded on December 7, 2012 under Clerk's File No. 20120565573 in the Official Public Records of Harris County, Texas, including any subsequent relevant amended documents with regard to fencing requirements.

NOW THEREFORE, BE IT RESOLVED THAT, in light of the foregoing and in compliance with the Texas Property Code, the Association hereby adopts and imposes on the Subdivision and the Association the *Amended and Restated Fencing Guidelines* attached hereto as Exhibit "A" and incorporated herein for all purposes.

CERTIFICATION

I, the undersigned, being the President of the Lakes on Eldridge Community Association, Inc. hereby certify that the foregoing Resolution and attached Guidelines were adopted by at least a majority of the Lakes on Eldridge Community Association, Inc.'s Board of Directors at a properly noticed, open Board meeting, at which a quorum of the Board was present.

Approved and adopted by the Board of Directors on the 27 day of APRIL 2022.



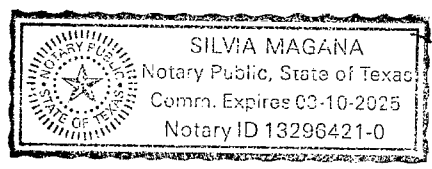
_____, President of Lakes on
Eldridge Community Association, Inc.

RP-2022-292550

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

Before me, the undersigned authority, on this day personally appeared Gaynor Richardson, President of Lakes on Eldridge Community Association, Inc., a Texas corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he/she had executed the same as the act of said corporation for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 27 day of April 2022.



Silvia Magana
Notary Public, State of Texas

AFTER RECORDING, RETURN TO:



6548 GREATWOOD PKWY.
SUGAR LAND, TEXAS 77479

RP-2022-292550

SUPPLEMENTAL FENCING GUIDELINES

1. DEFINITIONS

“Fence & Fencing” refers to all residential fencing for Lakes on Eldridge subdivision (“LOE”).

2. GOVERNING DOCUMENTS FOR FENCING AND COMPLIANCE

These Guidelines supplement the previous Fencing Resolution adopted in 2012. As per our governing documents, the Architectural Control Committee (ACC) will be responsible for ensuring that homeowners are complying with the requirements in this Resolution. Any failure to comply with this Resolution may subject homeowners to repair or replace any non-compliant materials and/or restoration of any damages to common areas or LOE property.

3. SECURING APPROVAL OF FENCING PLANS PRIOR TO CONSTRUCTION

To ensure compatibility of fence design throughout the community, all fences that depart from the guidelines herein must receive approval from the Architectural Control Committee (ACC) before construction. Replacement of in-kind fencing that is fully in compliance with this Resolution does not require preapproval unless the location of the fencing is changed. If a replacement does not comply or if it is not fully clear if fencing complies with this Resolution, an ACC application must be submitted for consideration and approval. The application is available on Lake on Eldridge website in the Residents section under Forms.

4. GENERAL FENCING STANDARDS APPLICABLE TO ALL LOE PROPERTIES

The minimum fencing requirements for all LOE properties are described below except for properties in Section 5 which may have special circumstances.

4.1 Front Facing Fences

These are the fences that face the street and connect the side property line fences to the home and/or a garage. Wood fences must be 6’-7’ tall or wrought iron fences must be 6’ tall. In addition, a 4’-7’ tall wood fence or a 4’- 6’ tall wrought iron fence between the home and a detached garage to fully enclose the back yard is strongly recommended, but not required. Any yards with pools must be fully enclosed with at least 4’ tall wood or wrought iron fencing and less than a 4” gap below the fencing and no more than 4” between pickets if wrought iron fencing and in compliance with all local and state regulations and laws. The finished side of all of wood fences must have vertical pickets which face the front and supporting fence posts and rails hidden on the back side. Wrought iron fences must also have vertical pickets. See photos in the *Appendix Sections 1 & 2* for examples of fencing designs.

A hedge row or other types of shrubbery screening on either side of the front facing fences is required for front facing wrought iron fences. Regardless of the fencing type, all mechanical equipment (e.g., air conditioner units, swimming pool equipment, water softeners, water barrels), as well as garbage cans, excess building materials, and RVs, must be screened from the

street or public areas. A three foot (3') wide gate constructed of the same material and the same height as the front facing fence may be installed on both sides of the property. At least one single side hinged gate must be installed to provide access to the back yard. It's recommended that front facing fences be setback at least 10' behind the front elevation of the house, but in any case, must not project beyond the front elevation of the house and must be coordinated to avoid height offsets with side fencing or front facing fences for adjacent lots. See *Figure 1.2 in Appendix*.

4.2 Back and Side Yard Fencing for Interior Lots

All lots must have a 6'-7' tall vertical picketed wood or 6' tall wrought iron fence along the rear and side property lines of each residence unless there is an existing Association owned brick wall. The last panel of all fences exceeding the height of adjoining brick walls must be tapered to match the height of the brick wall where they meet. Wood fences must be installed between back/side yards for adjacent homes. Typically, these wood fences are installed with alternating 7' wide finished and exposed rail panels along the common interior lot lines to provide a uniform, attractive fence for both properties. These fences are called Good Neighbor Fences. See the Appendix for an example. It's also acceptable for neighbors to agree to alternatively install fencing with the finished side all on one side of the fence. Conflicting ideas about what design to use and how to share construction costs must be resolved by adjacent neighbors. The side fences should extend from the rear property line to the front facing fence described in Section 4.1.

4.3 Optional Driveway Gates

These are gates that go across a driveway to enclose a portion of the driveway in front of a garage. Plans for installation of a driveway gate, except for replacement of an existing driveway gate previously approved with the same design and in the same location, must be submitted to the Architectural Control Committee for review and approval prior to commencement of construction. All such requests must include a lot plan showing the drive way and sidewalks, with the location and length of the gate in proposed closed and fully open positions as well as dimensions from the front elevation of the house. See photos in the *Appendix Section 3* for examples of acceptable fencing designs. Driveway gates must not project beyond the front elevation of the house, that of the adjacent house, or extend over the sidewalk. They are not allowed on lots with attached garages on the front of the house and must be installed parallel to the front elevation of the house. All driveway gates and adjacent fencing should be constructed of wrought iron.

4.4 Other General Fencing Restrictions

Any repairs or replacement fencing on shared homeowner property lines must be mutually agreed upon by both homeowners. No chain link fence, country style picket fence, 2/3/4 open rail fence, or any other type of fence other than the wood and wrought iron specified above is permitted to be installed anywhere on residential property where it is visible to the public. Screening or netting on wrought iron fences is not allowed. All brick walls in and around LOE are owned by the Association and must not be altered or damaged by the homeowners. Any changes or damage may be repaired or replaced by the Association at homeowner's expense. All wood and wrought iron fencing visible from the street or Association common areas must

have vertical pickets. Any proposed variations must be submitted to the ACC for review before construction is started. Any security perimeter fence must be 4'-6' wrought iron and receive approval from the ACC prior to installation.

5. SPECIAL STANDARDS FOR UNIQUE LOT LOCATIONS

The following Special Standards take precedence over the General Fencing Standards specified above. All lots covered under Section 5 must comply with the standards set forth in Section 4 except as otherwise set forth below.

5.1 Typical Corner Lot

The fencing located on the lot side abutting the public street or common area must be 6'-7' tall vertical picketed wood fence with a trim cap and finished side of pickets facing the street, or a 6' tall wrought iron fence. For those homes with a driveway entrance from the adjacent side street, a vehicle entrance gate can be added to the allowable design. No change to the design or location of this side fencing is allowed without approval from the ACC prior to construction.

5.2 Lots that Back Up to Turkey Creek

The rear fence of all yards backing onto Turkey Creek and any side lots visible from Turkey Creek must be a 6' wrought iron fence as shown in the *Appendix Section 2*. Any side yards along Turkey Creek shall have a 6' wrought iron fence from the rear property line to a point ten feet (10') behind the front elevation of the house. A 3' wide by 6' tall wrought iron gate with matching the fence design is allowed.

5.3 Pipeline Lots

These are lots that with a side yard or back yard adjacent to the gas pipeline.

5.3.A Lots abutting the pipeline north of Auburn Shores Street: The fencing facing the pipeline must be 6'-7' tall vertical picketed wood with finished side facing the pipeline or 6' tall wrought iron.

5.3.B Lots abutting the pipeline south of Auburn Shores Street: The fencing facing the pipeline must be 6' tall wrought iron.

5.4 Lots Backing Up to Lakes

The entire rear yard of all lots backing onto a lake must have a 4' tall wrought iron fence that conforms to the standards shown in the *Appendix Section 2*. Lots that side on to a lake, there must be a four 4' tall wrought iron fence along the common property line between the lake and such side lots that extends from the rear property line to a point ten feet (10') behind the front elevation of the house.

5.5 Patio Homes in Pelican Point

Patio Homes in Pelican Point with a front property line of 60' or less must have 6'-7' tall masonry or stucco fences to match the house. A 3' wide by 6' tall wrought iron gate may be installed in these

masonry or stucco walls. A masonry or stucco fence might also be allowed for wider lots subject to pre-approval by the ACC.

5.6 Lots on Boundary with Addicks Reservoir

This encompasses all residential properties along LOE's south and east borders. These lots must have a 6' tall wrought iron or wood fence. Gates are permitted along the reservoir.

5.7 Lots Which Abut Kirk Elementary School

These lots require a 6'-7' tall wood fence. The finished side of these fences must face Kirk Elementary School.

6. FENCING DESIGN SPECIFICATIONS

This section describes minimum standards and options for building wood and wrought iron fences in LOE. See the *Appendix* for examples. Any variations should be submitted to the ACC for approval.

6.1 Wood Fencing

All wood fences must have vertical pickets and be constructed from a series of 7' wide panels running between 4"x4" treated pine posts and supported by 2"x4" treated pine horizontal rails at near the top, middle and bottom of the pickets. Visible fencing with horizontal pickets are not allowed. Shorter panels are allowed as necessary to terminate the fence at a corner or building. All pickets must be new typical 1" x 6" good quality red western cedar or golden treated pine. Treated pine has a greater tendency to warp than cedar and for this reason must include a 2' x 6" treated pine cap for all sections facing public areas. Capping is also recommended for cedar facing public areas, as well as other areas where the finished side of the fence is on the same side for all panels. Capping does not work as well for Good Neighbor Fences which are fences between adjacent homeowners where the fence panels alternative between the finished and unfinished sides. See Appendix Section 1 for an example. Capping is required for 80' -100' wide lots in all areas except where a good neighbor fence may exist. Another strongly recommended feature to extend the life of the fence is a 2" x 6" treated pine base board to reduce warping and decaying of pickets. Wood fencing should preferentially be built level corner to corner. Sloped or stair stepped configurations are acceptable where needed. See photos in Appendix Section 1 for examples of fencing designs. All of the examples visible to the public show the required vertical picket design. Good Neighbor Fence examples in the Appendix also show the preferred vertical picket design. Alternative picket designs for fences not visible to the public must be approved by the ACC **before** construction.

6.2 Wrought Iron Fencing

All wrought iron fences must be constructed from a series of 8' wide and 4'-6' tall panels, supported by 2"x 2" steel tube posts and two 1.25" square steel tube rails/frame. Shorter panels, less than 8', are allowed as necessary to terminate the fence at the corner or building. Steel tube pickets, 3/4" square, on 4" spacing must be butt-welded to the rails. All wrought iron panels are to be stair stepped down slopes. The tops of these panels are to be level. Height levels should be

changed at normal column spacing if possible. Panels can be shortened if the step down exceeds 6" per 8' of length. Fences running parallel to the slope are not acceptable. Fencing can have decorative 4" circles in the gap between pickets, just below the top rail, if desired to be consistent with standard wrought iron fencing in common areas. See the *Appendix Section 2* for examples of fencing designs. Fencing capped with "spears" is not recommended but is allowed. Any other types of adornments are not allowed. Fencing must be painted black. A three foot (3') wide wrought iron hinged pedestrian gate of the same height and design as the adjacent fence is permitted for wholly owned sections of the fence.

6.3 Driveway Gates

Wrought iron gates must match the style of the adjacent 6' tall wrought iron fencing which extends to the residence on one side and the side fence on the other side. These extensions must meet the required design for 6' tall wrought iron fencing as set forth in section 6.2 above. Gates must have a 2' tall single decorative arch on the top of the 6' fencing below. Homeowners are allowed to provide additional horizontal rails for the gates as specified by the gate supplier/installer for structural support. Gates should be 10'-12' wide. All gates must be painted black to match the adjoining wrought iron fencing. Wrought iron fencing with the 4" diameter decorative circles between the top two rails on the 6' tall sections is recommended, but not required.

7. MAINTENANCE REQUIREMENTS FOR FENCES

Homeowners are responsible for maintaining all the fences surrounding their property including their sides of shared fences.

7.1 Wood Fencing

All wood fences referenced above should be routinely maintained to ensure the following: all posts are vertical, cracked/broken pickets are replaced, and noticeable rotting at the bottom of pickets is eliminated or replaced. Rotting pickets can be fixed by cutting off the bottom 6" and installing a 2"x6" baseboard. Alternatively, panels with excessive picket decay should be replaced. Periodically, wood fences should be stained with a transparent or semi-transparent stain or sealant in order to restore their original cedar color and extend the life of the fence. Wood fences must not be painted or stained with solid color stain. Fences should be thoroughly cleaned in order to remove all color irregularities on the pickets before applying an approved sealant or stain. Moderate power washing is effective, but care must be taken not to overdo it and damage the wood pickets.

7.2 Wrought Iron Fencing

All wrought iron fences should be routinely maintained to ensure the following: rusted areas, chipped paint, and discoloration are restored and repainted, or completely replaced. Fencing should stand vertically and, if not, faulty fence posts must be replaced. The entire fence should be repainted periodically to extend its life and maintain a clean appearance. Eliminating rusting areas and touching-up these areas with a rust preventative paint will greatly extend the life of the fence.

7.3 Common Area Brick Walls Abutting Residential Properties

Residents are required to prevent damage to Association owned brick walls, including the following: 1) trim and maintain plants and trees so they are not touching the wall, 2) do not stack or lean objects against the wall, 3) prevent irrigation systems from spraying the wall, and 4) nothing may be attached or placed on the brick walls. New plants should be planted at least 3' from these brick walls. All plants and bushes must be trimmed so that they are at least 18" from brick wall. It's not necessary to relocate or remove existing plants if these plants can be kept clear of these walls. Ivy or similar plants which cling to these brick walls or substantially prevent required ventilation are not allowed and must be removed if present.

If any of the provisions of these amended guidelines is determined to be invalid, the remainder of the Resolution shall remain in full force and effect.

These Guidelines are effective upon recordation in the Public Records of Harris County, Texas. Except as affected herein, all other provisions contained in the Declaration or any other dedicatory instruments of the Association shall remain in full force and effect.

FENCING RESOLUTION **APPENDIX**

- 1. Wood Fences**
- 2. Wrought Iron Fences**
- 3. Wrought Iron Driveway Gates**
- 4. Brick Fences For Patio Homes in Pelican Pointe**

1. Wood Fences



Figure 1.1

Cedar fences must be 6'-7' tall with vertical pickets facing public areas.

Three 2"x4" treated horizontal pine rails are required to maintain alignment of pickets.

The fence and gates may be reinforced with 2"x6" treated pine cap and 2"x6" treated pine base board which are strongly recommended life extenders.

Posts are 4"x4" treated pine.



Figure 1.2

Aligning neighboring cedar fences vertically and horizontally is recommended. Offsets are allowed if necessary.

This example includes the strongly recommended 2"x6" treated pine cap to prevent broken or warped pickets.

This example does not include the recommended 2"x6" treated pine base board

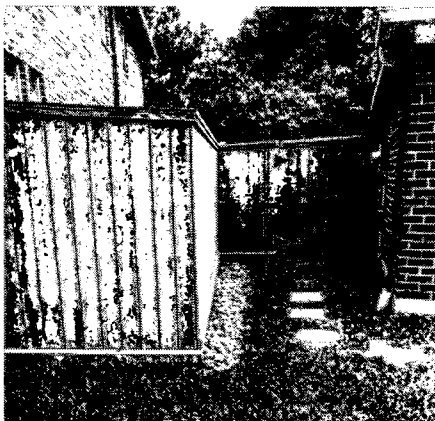


Figure 1.3

An example of an offset fence that is not preferred but accepted if necessary.

1. Wood Fences Continued



Figure 1.4

Good Neighbor Fence is normally installed along shared property lines. The finished side of the fence should alternate to opposite side after each 7' long panel.

Cedar pickets are 6'-7' tall for all perimeter fencing and must be vertical. Three 2"x4" horizontal rails on each panel keep the pickets aligned.

Optional 2"x6" treated pine base board is strongly recommended to prevent warping and rotting.

This also demonstrates how the closest section has been tapered to connect to the neighbor's different height fence.



Figure 1.5

Here's an example of a good way to hide air conditioners or other mechanical equipment.

These cedar picket boxed in areas can be used for homes with wrought iron yard fences. It's a recognized conflict, but much better than looking a mechanical equipment.

2. Wrought Iron Fences



Figure 2.1

This is the preferred design for a wrought iron fence, including circle accents across the top.

The front facing section of the fence is 6' tall. The side fence shows the required stair step design to a shorter 4' rear fence.

This same stair step design is required a continuous 6' tall fence running up or down hill.

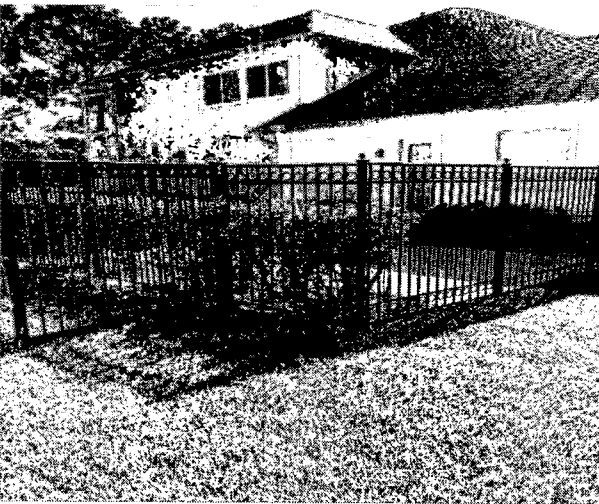


Figure 2.2

This is an example of neighbors both installing wrought iron fencing.

It's preferred that the two fences are aligned, but an offset as shown is acceptable.

It's also preferred that the fencing construction match. In this case, the circles are a different thickness.



Figure 2.3

Cedar or wrought iron fencing between the garage and the home is recommended but optional.

This fence can be 4'-6' tall, but otherwise must meet all other specs for wrought iron fencing.

2. Wrought Iron Fences Continued



Figure 2.4

An example of wrought iron fence may be stair stepped down a hill.

This is also a nice example of the preferred design for all 6' tall wrought iron fence, including the circles across the top.



Figure 2.5

Another example of wrought iron fencing between the house and garage.

4'-6' tall wrought iron is allowed and optional.

However, a 4'-6' tall fence may be necessary to meet pool fencing requirements.



Figure 2.6

This fence is topped with spears. While this is not preferred it is allowed.

3. Wrought Iron Driveway Gates



Figure 3.1

Classical double wrought iron driveway gates connecting with 6' tall wrought iron fencing to the home on one side and property line on the other side. This side fencing must match lower section of the driveway gate.

Required arch on top of wrought iron fence should be 2' tall. This can be extended over two gates as shown, or shortened to provide the same look over one gate.

Circles between pickets are optional.



Figure 3.2

Classical single wrought iron arched driveway gate trimmed with brick support columns.

Neighbor on left installed gate matching the base of the driveway gate and the gate on the right.

Normal convention is for driveway gates to swing toward the garage. Exceptions are allowed if the gate does not overhang.



Figure 3.3

This arch design is not recommended but allowed provided the gate design and the adjacent fencing design matches.

4. Brick Walls for Patio Homes in Pelican Point



Figure 4.1

6' tall brick wall with required line of vertical bricks and cap stones across the top.

Wrought iron gates embedded in the brick wall must also be 6' tall.

One wrought iron gate is required to allow entry to the fenced area. This is normally located to provide easy access to the front door. A second wrought iron gate is allowed for the opposite side if desired.



Figure 4.2

Here's an example the brick wall connection between adjacent neighbors. In this case, the vertical height is aligned, but the horizontal direction is a big offset.

Vertical alignment is required and horizontal alignment is recommended.

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e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
TENESHIA HUDSPETH
COUNTY CLERK
Fees \$70.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



Teneshia Hudspeth
COUNTY CLERK
HARRIS COUNTY, TEXAS

RP-2022-292550