

**LAKES ON ELDRIDGE COMMUNITY ASSOCIATION, INC.**  
**RESOLUTION ADOPTING LANDSCAPING, SIDEWALKS, AND DRIVEWAY REQUIREMENTS**

STATE OF TEXAS           §  
  §  
COUNTY OF HARRIS       §

**WHEREAS**, Lakes on Eldridge Community Association, Inc. (the “Association”) is the governing entity for the Lakes on Eldridge Subdivision, a subdivision in Harris County, Texas, according to the maps or plats thereof recorded in the Map Records of Harris County, Texas, under Film Code Nos. 363140, 363143, 363146, 363149, 364002 and 364005, along with any amendments, supplements or replats thereto (collectively referred to as the “Subdivision”); and

**WHEREAS**, the Association, through its Board of Directors and the Architectural Control Committee (“ACC”), has the authority to regulate the use, maintenance, repair, replacement, modification, and appearance of the Subdivision; and

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

**WHEREAS**, the Association has previously adopted Architectural Guidelines and Residential Design Guidelines (hereafter collectively referred to as “Guidelines”) which include restrictions pertaining to landscaping, lawn decorations, yard signs, irrigation, equipment enclosures, landscape lighting, and walkway, sidewalk, and driveway maintenance and modifications upon a Lot; and

**WHEREAS**, it is the desire of the Board of Directors of the Association to supplement and update the Guidelines as they pertain to landscaping, lawn decorations, yard signs, irrigation, equipment enclosures, landscape lighting, and walkway, sidewalk, and driveway maintenance and modifications; and

**WHEREAS**, all other provisions of the Guidelines not amended by this Resolution remain in full force and effect; and

**WHEREAS**, it is the desire of the Board of Directors to adopt this Resolution pertaining to Landscaping, Sidewalks, and Driveways.

**NOW THEREFORE, BE IT RESOLVED THAT**, in consideration of the above factors and others, the Lakes on Eldridge Community Association, Inc., acting through the Board of Directors and ACC, hereby adopts the following Resolution Adopting Landscape, Sidewalk, and Driveway Requirements:

RP-2020-525476

## **1.0 SCOPE OF THIS RESOLUTION**

This Resolution clarifies Lakes On Eldridge (LOE) homeowner responsibilities as administered by the Board of Directors and Architectural Control Committee ("ACC") for maintaining landscaping, sidewalks and driveways visible from any streets or common areas adjacent to their home. This includes all front and side yard areas extending all the way to the curb. Homeowners are required to obtain approval from the ACC prior to making any modifications to their landscaping, sidewalks and driveways.

## **2.0 LANDSCAPING REQUIREMENTS**

The focus of the original Architectural Guidelines was the creation of new and attractive landscapes on bare ground. The focus of this Resolution is maintenance of these previously approved landscapes.

### **A. Lawns/Grass:**

- 1) Sod Selection:** St. Augustine sod is the original and preferred grass replacement. For lawn problem areas, it's acceptable to use more draught, sun or shade tolerant sod. Palmetto St. Augustine, Palisades Zoysia, Empire Zoysia, Zeon Zoysia native Buffalo and Bermuda are candidates to be considered. Artificial turf is not allowed in front or side yards. Wintertime rye seeding is acceptable.
- 2) Lawn Maintenance:** Mowing & edging the lawn must be done routinely to maintain the grass at less than 5" tall with no grass extending into flower beds or on to the sidewalks, driveway or street curb. Fertilization, insect control and disease control are important recurring activities to maintain the appearance and life of the lawn. If any part of the lawn becomes overrun by weeds or dies, the sod must be replaced. All trimmings, leaves, and other debris must be cleaned off the sidewalks, driveway and adjacent curb areas routinely. All debris must be bagged or placed in a trash can and must not be blown or swept into storm sewers or culverts.

### **B. Flower Beds:**

- 1) Front yard beds** must contain a mixture of medium and large sized shrubs that cover a large portion of the front elevation. It's generally preferred to position the larger/taller shrubs closest to the front elevation, but variations are allowed. Beds must contain a minimum of two different shrubs that provide some variation in appearance such as height, shape, leaf colors and/or seasonal blooms or berries. Integration of additional shrub species or a few large accent

plants such as crape myrtles are encouraged for large, curvilinear beds which are wide enough to attractively accommodate these plants. Smaller border plants and seasonal color are also encouraged. Invasive plants should be avoided, as well as large, expanding plants such as sago palms in areas that cannot accommodate such growth. Potted plants or vases can be used sparingly for accent pieces in or adjacent to flower beds, but they cannot be used to satisfy the flower bed requirements.

- 2) **Side yard beds** for Corner Lots are required. A hedge along the fence line is preferred, but attractive well-maintained plantings are acceptable.
- 3) **Routine Maintenance:** Flower beds and hedges must be kept trimmed in order to maintain attractive shape and height relative to neighboring plants in the bed, as well as making sure not to unnecessarily cover the windows. Beds must also be weed free, not overhang neighbor's property or Common Areas and not hide the stone house number which is important for Emergency Responders. Dying plants need to be nurtured back to health or promptly replaced. A plant is considered dead and must be removed if at least 50% of its growth is dead. Replacement of dead plants with similar plants does not require ACC approval. Other significant changes to bed size/shape/plant species requires pre-approval by the ACC.
- 4) **Yard Art:** Yard art and exterior objects are prohibited from public view except with prior ACC approval. All requests shall specify size, color, material and proposed location. Pictures must be provided for large objects such as fountains or vases. Approval will not be granted for any items with offensively bright colors or containing moving parts or producing noise, other than flowing water.
- 5) **Signs:** Any signs posted for safety on a fence or in a yard such as "Beware of Dog" should be no larger than 10" x 14 and if possible, not be visible from the street. For additional guidance please refer to Yard Sign Rules on the Lakes on Eldridge website under Home Improvement References in the Resources. For guidelines on seasonal signs see 2.F.5 of this document.
- 6) **Mulch:** All flower beds for front and side yards must be mulched with natural shredded pine bark, cedar bark or hard wood. Colored bark is acceptable, but not recommended. Pine needles are also acceptable if enough is available to completely cover all of the beds. The same mulch treatment should be applied to all beds visible from the street. It's best to keep mulch away from the foundation. Gravel, bull rock, rubber, or stones are not acceptable substitutes for bed mulching.
- 7) **Bed edging** is not required, but is encouraged for maintenance purposes and to clearly define the shape of the bed. Preferred edging materials which greatly

improve the attractiveness of the beds include: moss rock/other stone, stacked or mortared bricks, flagstone, stacked pavers or other similar, highly visible, low maintenance, bed defining material. Bender Board is also acceptable. Plastic, corrugated metal, wire wickets, vertical timbers, horizontal treated 4"x4" timbers, and railroad ties are not allowed.

- 8) **Bed Drainage:** Ensure that flower beds do not impede necessary drainage, particularly from gutters. In addition, homeowner's beds must not cause additional drainage into neighboring home sites or Common Areas.

**C. Irrigation for Beds and Lawns**

Lawns and beds must have permanent, fully automated irrigation systems with underground water supply piping. Heads should be directed selectively to beds and lawn without overthrow on to driveways and minimal overthrow on sidewalks, neighbor lots or Common Areas. These installations must comply with Texas Commission on Environmental Quality ("TECQ") and be designed by a registered irrigation designer, including a backflow preventer at the source of water.

**D. Lakefront Lots & Lots Visible to Common Areas**

- 1) **Rear and side yards facing Common Areas** must also provide attractive, well maintained landscaping which includes trimming any plants, bushes, or trees overhanging the Common Areas.
- 2) **All lake front lots** are required to landscape their back and side yards. A hedge row inside the wrought iron fence is preferred, but less view-blocking plantings are acceptable. If a hedge row is installed it should be maintained both inside and outside of the fence.
- 3) **All lots backing up to Turkey Creek** are required to regularly maintain any visible landscape both inside and outside the fencing.
- 4) **Privacy Plantings:** Shrubs and plantings are preferred along fences. Covering fencing with fabric is not recommended.

**E. Mechanical Equipment and Trash Containers**

- 1) **Mechanical Equipment**, including AC Compressors, transformers, water softeners, swimming pool equipment, and/or generators should be screened if this can be reasonably done behind back/side yard fencing or shrubs so they are not visible from the street. When practical, homeowners should consider extending their fences toward the front elevation of the home or landscaping to hide any mechanical equipment.
- 2) **Trash** containers or bags of leaf/lawn/tree trimmings, and all other items for Monday or Thursday Trash Pickup Day, should be kept from street view until

6:00 pm the night before trash pickup. Trash cans should be removed from street view as soon practical after trash pickup.

#### **F. Landscape Lighting**

- 1) **Front Yard lighting** may be installed for safety, security and aesthetics. Front walk lighting from the side walk to the front door is allowed. Solar lighting and hardwired lighting are allowed with any wiring being buried. Lighting sidewalks along streets is not allowed. Colored lighting is prohibited. All lighting must be routinely maintained so the equipment is attractive, well-spaced and in good working condition.
- 2) **Back Yard Lighting** must be focused on own yard and not illuminate other homeowner's yards. Light sources should be directed downward or upward toward the house and not onto adjacent property or into vision of pedestrians or drivers.
- 3) **Motion activated spot lights** which turn off automatically are allowed. These lights are good for security, are recommended, and may temporarily spill over into the street or adjacent properties if this cannot be reasonably avoided.
- 4) **Lamp Posts** are not permitted in front yards or along sidewalks.
- 5) **Seasonal lighting, holiday art, and signs** must not be installed more than 30 days prior to the associated event and must be removed no later than 15 days after the event. No items producing noise that extends past the boundaries of your property are permitted. The ACC reserves the right to require immediate removal or modification of any seasonal lighting and/or signs which it reasonably determines to be unsuitable.

### **3.0 WALKWAYS AND DRIVEWAY MAINTENANCE**

The intent of this provision is a restatement and clarification of existing requirements for homeowners to maintain their sidewalks and driveways. Every property is mandated to have a 4' wide sidewalk running parallel to the street, at least 2' from the curb, whether or not this is shown on any property survey. Maintenance of the sidewalks and driveways is the sole responsibility of the homeowner.

#### **A. Walkway and Driveway Maintenance**

- 1) **Maintaining a clear path:** Lawns must be edged to remove grass growing along walkways, curbs, and driveways. Shrubs must be trimmed so they don't overhang the sidewalk and trees must be trimmed to maintain a minimum 8' clearance over the sidewalks.

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- 2) **Dirt accumulation and discoloration removal:** Homeowners must clean and/or powerwash their sidewalks and driveway to remove dirt, mold, and discoloration as often as is necessary to keep them clean and safe.
- 3) **Uneven or cracked walkways and driveways:** Uneven and cracked walkways or driveways are safety hazards which must be prevented or corrected. The homeowner may be liable for injuries that may occur on any walkways in front of their home, or on the side of their home for corner lots. The Board of Directors, ACC, or agent of the Association may periodically inspect homeowner walkways and notify the homeowner of any noticed deficiencies when a misalignment of at least 1" is observed, but assumes no risk or responsibility for failing to identify these or any other sidewalk or driveway safety issues.
- 4) **Expansion Joint Maintenance:** If a homeowner chooses to fill the expansion joints with mastic or a similar product the color must be a light gray or light tan color.


**B. Modifications to Sidewalks or Driveways**

- 1) **Expansions of Existing Concrete:** Altering the width of the sidewalk running parallel to the street is not allowed. Increasing the width of the front walk leading to the front door or the driveway is allowed, but must be approved by the ACC in advance. Replacing existing concrete surfaces with other materials requires pre-approval by the ACC.
- 2) **Color and Overlay Modifications:** Pre-approval by ACC is also required for any modification to the appearance of the sidewalk or driveway, including tile or other overlays and all color changes with paint or stain.

**CERTIFICATION**

I, the undersigned, being the President of the Lakes on Eldridge Community Association, Inc., hereby certify that the foregoing Resolution and attached Exhibit were adopted by at least a majority of the Lakes on Eldridge Community Association, Inc.'s Board of Directors.

Approved and adopted by the Board of Directors on the 19th day of ~~August~~ OCTOBER 2020.

  
 \_\_\_\_\_, President of Lakes on  
 Eldridge  
 Community Association Inc.

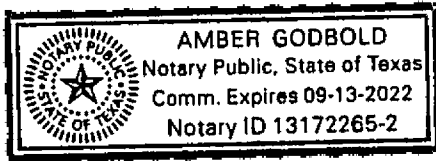
STATE OF TEXAS

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COUNTY OF HARRIS §

Before me, the undersigned authority, on this day personally appeared David Westphal 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 19<sup>th</sup> day of ~~August~~ <sup>October</sup> 2020.



Amber Godbold  
Notary Public, State of Texas

RECORDED BY:

**ESG** | SEARS  
BENNETT  
& GERDES, LLP

6548 GREATWOOD PKWY.  
SUGAR LAND, TX 77479

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Official Public Records of  
HARRIS COUNTY  
CHRIS HOLLINS  
COUNTY CLERK  
Fees \$42.00

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.



COUNTY CLERK  
HARRIS COUNTY, TEXAS

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