

**LAKESIDE IMPROVEMENT ASSOCIATION
SUBDIVISION GUIDELINES**

The undersigned is an Officer of **Lakeside Improvement Association**, a Texas non-profit corporation (the "Association"), who hereby certifies that, at a duly noticed and open meeting of the Board of Directors of the Association ("Board"), held on the 25th day of September, 2023, at which a quorum of the Board was present, not less than a majority of the Board adopted the following **Lakeside Improvement Association Subdivision Guidelines**, which shall become effective as a dedicatory instrument of the Association on the date the instrument is recorded in the Official Public Records of Real Property of Harris County, Texas:

LAKESIDE IMPROVEMENT ASSOCIATION SUBDIVISION GUIDELINES

WHEREAS, pursuant to the dedicatory instruments of the Association, including but not limited to the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Lakeside Estates and Lakeside Forest, recorded under Harris County Clerk's File No. **20150551169** (the "Declaration"), and the Amended and Restated By-Laws of Lakeside Improvement Association, recorded under Harris County Clerk's File No. **RP-2016-136147** (the "Bylaws"), the Association is the authorized governing body for the subdivision(s) described therein (the "Subdivision"), and is responsible for the administration of the Subdivision;

WHEREAS, TEX. PROP. CODE § 204.010(a)(6) provides that, unless otherwise provided by the Declaration or the Association's articles of incorporation or Bylaws, the Association, acting through the Board, may regulate the use, maintenance, repair, replacement, modification, and appearance of the Subdivision;

WHEREAS, Article VII, Section 1 of the Bylaws grants the board of directors of the Association the authority to exercise for the Association all powers, duties and authority vested in or delegated to the Association and not reserved to the membership by other provisions of the Bylaws, the Association's Articles of Incorporation, or the Declaration;

WHEREAS, the Association wishes to establish the guidelines, policies and restrictions set forth herein, in order to protect and preserve the value of the properties within the Subdivision;

NOW, THEREFORE, the Board hereby adopts the following Subdivision Guidelines, applicable to the Subdivision and the members of the Association, and formal notice is hereby given to all existing and future Members, Owners of Lots, and any persons utilizing any Lots for any purpose that these Subdivision Guidelines shall be in full force and effect from the date of recording of this instrument:

Any capitalized term used herein below shall have the same meaning as set forth in the Declaration unless specifically designated otherwise.

I. ARCHITECTURAL REVIEW COMMITTEE

1. The board of directors of the Association selects the Association's Architectural

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Review Committee (the “ARC”), which shall review all applications governed by Declaration as well as these Subdivision Guidelines (the “Guidelines”).

2. Owners are required to obtain the prior written approval of the ARC for any proposed improvement to their Lot, and/or any addition or modification of any nature that will affect the exterior appearance of the Lot. The ARC’s scope of review includes the following with regard to each Lot: (a) any improvements; (b) the yard; (c) any driveways, sidewalks or other paved areas, (d) any landscaping, and (e) any other item that may affect the exterior appearance of the Lot.
3. These Guidelines govern modifications, new construction, additions, and acceptable maintenance standards. The requirements and provisions of the Guidelines shall be in addition to and not in lieu of the requirements and provisions of the Declaration. These Guidelines provide guidance to the members and other occupants and guests in the subdivision, as well as the ARC, for the sole and exclusive purpose of assuring that all structures, landscaping any other exterior items within the Subdivision are in harmony of design in terms of massing, general styling and size, and that all structures and landscaping conform to a high standard of quality construction as established by existing standards of the neighborhood. The Guidelines are written to establish a uniform plan for the redevelopment, maintenance and improvement of property for the benefit of both the present and future members of the Association and residents in the Subdivision.
4. The ARC, in its sole discretion, is permitted to approve deviation from these Guidelines in those areas within its authority in instances where, in its judgment, such deviation will result in a more commonly beneficial use. Issuance of any variance by the ARC shall not establish a precedent so as to preclude the ARC from denying a variance in other similar circumstances.
5. Under no circumstances will the approval of an application for a proposed improvement, addition or modification constitute or be deemed to constitute a warranty or representation by the ARC to the applicant or any other person that the improvement, addition or modification, as proposed or constructed, complies with any or all applicable statutes, ordinances, or building codes. Further, under no circumstances will the approval of a proposed improvement, addition or modification constitute a warranty or representation by the ARC to the applicant or any other person that the improvement, addition or modification, as proposed or constructed, is adequately designed or that it is suitable for use for its intended purpose. It is the obligation of the applicant to assure compliance with all applicable statutes, ordinances and building codes and to assure that the improvement is adequately designed and, if approved, properly constructed.

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II. DESIGN GUIDELINES

1. **Carports**. Construction of carports must be approved by the ARC. Carports must be designed and built so that the materials, workmanship, and over-all appearance are in harmony with that of the house. Exposed metal supports, corrugated fiberglass, aluminum siding or similar materials are not permitted, however, metal and aluminum used for gutters and downspouts are allowed. Carports may not extend beyond the front elevation of the house closest to the driveway and must fit within the designated setbacks. In addition to carports of suitable quality, incorporation of a porte-cochere treatment in the design of the home is acceptable, provided that the porte-cochere shall be an integral part of the architectural design of the improvements and shall be constructed of materials, which the ARC deems compatible with the overall character and aesthetics of the home.
2. **Exterior Lighting**. Outdoor lighting shall not be of wattage or be aimed in a direction to negatively affect neighboring properties. Permanent outdoor lighting shall be functional and enhance the overall appearance of the home. Hoods on floodlights to shield glare may be required. Soffit mounted down lighting and building mounted lighting shall be subtle. Exterior lights visible from the street must be clear and warm in color. No mercury vapor lights or single light bulb exceeding 150 Watts with a rating of 1400 Lumens or any single exterior light fixture exceeding 300 Watts with a rating of 2800 Lumens will be allowed except for homes bordering on the bayou when used for security purposes and they shall not be offensive to the neighbors. Colored lights are not permitted except as part of temporary holiday decorations.

Holiday lights shall be allowed thirty-five (35) days prior to official U.S. holidays and fourteen (14) days after the holidays after which time they must be removed.

3. **Fountains/Statuary/Topiary/Yard Furniture/Grills**. To promote interaction, activity, socializing and health within the neighborhood, front yard and corner-lot side yard appurtenances are addressed in this section. All front and side yard appurtenances shall have a collective and unified appearance that is in harmony with the neighborhood. Colors of outdoor furniture should complement the color and design of the neighborhood, and while accent colors are permitted within reason, fluorescent colors and/or excessively bright colors are not allowed. Front and side yard appurtenances shall not glow, sparkle, illuminate, or be electrified, motorized, or plumbed. The placement, location and use of front and side-yard appurtenances must not create a hazard or nuisance to others or property of others. The ARC, at its sole discretion, shall have the responsibility of enforcing front and side-yard appurtenances to ensure such appurtenances are in harmony with the overall neighborhood aesthetics.

a) **Outdoor Yard Furniture**: Quality, functional, durable, properly maintained, in continual use, outdoor yard furniture (including chairs, benches, and small tables) shall be allowed to be placed in front and side yards. Outdoor yard furniture shall be small in scale, movable, and constructed for use as outdoor yard furniture.

Outdoor yard furniture must be movable and shall not be fixed, mounted, or anchored, chained, secured, or tethered to the ground or building structure; illuminated, electrified, or plumbed. No more than one outdoor yard furniture set in total shall be allowed to be placed in front or side-yards and shall be located no farther than twelve (12) feet of the exterior front or side wall of the home. The following outdoor yard furniture is not allowed: folding lawn chairs, umbrellas, large dining tables, and picnic tables except when used temporarily in front yards or driveways during the day if they are completely removed from the front yard or driveways at the end of the day including weekends and stored completely out of sight.

b) Exterior Porch Furniture: High-quality, usable, durable, properly maintained, in continual use, outdoor furniture (including chairs, benches, and small tables) shall be allowed to be placed on porches in front and side-yards. One hanging porch swing mounted to the porch ceiling structure shall be allowed. All other exterior porch furniture must be movable and shall not be fixed, mounted, or anchored, chained, secured, or tethered to the ground or building structure, illuminated, electrified, or plumbed. Exterior porch furniture shall be small in scale, and constructed as outdoor furniture, and shall not include folding lawn chairs, umbrellas, large dining tables, or furnishings for interior spaces including but not limited to recliners, couches, large chairs, love seats, "lazy-boy" chairs, daybeds, beds, cots, futons, or other indoor furniture.

c) Outdoor Tree Swings: A maximum of one (1) tree swing designed for use by a baby and/or toddler and one (1) tree swing designed and constructed for use by children may be located on a front or side-yard and must be tethered to a tree branch located in the front or side-yard in a semi-permanent manner. A tree swing shall not be larger than 48" in diameter. Outdoor tree swings that are not allowed as part of this section include but are not limited to: free standing swings, free standing or tree-attached structures supporting a swing, covered swings, swing sets, play structures with swings, face-to-face glider swings, hammock chairs, tire swings or swings made from tires, swing couches, hanging benches, hanging beds, enclosed hanging basket swings or excessively large swings are not allowed as part of this section.

d) Play equipment: Certain play equipment items like pitching nets, batting cages, soccer goals, play forts, sand boxes, climbing straps are allowed to be used temporarily in front yards or driveways during the day if they are completely removed from the front yard or driveways at the end of the day including weekends and stored completely out of sight. Trampolines are not allowed within view of the street.

e) Grills: Outdoor grills cannot be permanently placed where visible from the street and must be removed from view of the street when not actively in use.

f) Fountains, statuary, and topiary: Fountains, statuary and topiary must comply with building setbacks. Any fountains, statuary and topiary permitted in a front yard

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or side yard must be less than 5 feet tall and within 12 feet from building front set back and are in harmony with the overall neighborhood aesthetics as determined by the ARC. Bright and/or fluorescent colors are not allowed. All permanent fountains, statuary, topiary are subject to ARC approval before installation if located in the front or side yard if within view of the street. Fountains, statuary, and topiary shall be considered permanent if in place for a period of more than two weeks.

g) Disallowed Items: The following items are not allowed:

- Above ground swimming pools – except portable children pools less than 18” tall that must be removed from view of street when not actively in use.
 - Chain link or wire mesh fencing.
 - Window unit, wall mounted air conditioners and outdoor fans except where not visible from the street.
4. **Basketball Goals**. A permanent basketball goal must be mounted either on the garage wall or on the garage roof with the backboard parallel to the street accessed by the driveway, or on a rigid steel or aluminum pole. No basketball goal (permanently installed or portable) shall be located on a Lot nearer to the front property line of the Lot than the front building setback or, in the case of a corner Lot, nearer to the side property line adjacent to the side street than the side building setback. Portable basketball goals are allowed in cul-de-sacs. Basketball goals must not be in a state of disrepair.
5. **Window Treatments - Awnings**. An awning requires the prior written approval of the ARC as to location, design, size, materials, and color. An awning on the front of a dwelling is discouraged and will be permitted only with the prior written approval of the ARC based upon the proposed design, size, materials, and color of the awning.

III. FENCES AND WALL GUIDELINES

1. **EXISTING STRUCTURES**. Any existing structure that pertains to the subject of this Fences and Walls Guidelines, which was approved by the Architectural Review Committee (“ARC”), met all requirements/restrictions when installed, and does not pose any line-of-sight issues or obstruction of public thoroughfare issues, may be maintained and repaired with approval of and to the extent allowed by the ARC without being in violation of this Fences and Walls Guidelines. During any twelve (12) month period, a maximum of twenty-five percent (25%) of the total wooden pickets facing any lot line side (including front, rear and/or side) of a fence may be replaced without need for approval of the ARC, as long as above requirements are met and with the understanding that any such work does not imply that the ARC waives any current or future rights to deny approval for such work and/or to require the removal of such work at the lot owner’s expense; nor does it waive the duty of the lot owner to adhere to any and all applicable Deed Restrictions and Lakeside

Improvement Association (“LIA”) policies and guidelines. Any and all liability for such work shall be solely and completely that of the lot owner.

2. **SPECIFICS for FENCES & WALLS**

a. Fencing within permitted location of residence as defined in LIA Deed Restrictions.

- i. Fences/walls/gates shall comply with the following:
- ii. Height – shall be a maximum of eight feet (8’) in height.
- iii. Material – fences/walls/gates are to be constructed of wood (plywood is not a suitable material), composite materials that simulates real wood pickets, masonry material, and/or decorative metal, as defined and approved by ARC. No permanent installation of wire or chain-link (i.e. chicken wire or metal mesh) or welded wire (i.e. hog panel or similar material) will be allowed or permitted.
- iv. Masonry may be used for fence posts.
- v. These fences and walls may extend to the side lot line but shall not be forward of the front or street side building line as specified.

b. Fencing outside permitted placement for main residence on front of the lot.

- i. Shall be allowed as and if required to be allowed by Texas state law and/or judicial decision.
- ii. Where forward of the permitted placement of the residence, shall be a maximum of six feet, six inches (6’-6”) in height.
- iii. Fences are to be constructed of non-solid decorative/ornamental metal, such as fencing with metal rails, pickets, and posts, and as additionally or further defined, allowed, and approved by the ARC. No permanent installation of wire or chain-link (i.e. chicken wire or metal mesh) or welded wire (i.e. hog panel or similar material) will be allowed or permitted.

Additionally,

1. Gate posts must be metal as approved by ARC.
 2. Line posts must be metal as approved by ARC.
 3. An at or near grade (as determined by the ARC in its sole discretion) masonry footer may run under any fencing.
 4. Masonry pony/foundation walls are not allowed if forward of front building line nor forward of forward most portion of building even it topped with a metal fence.
- iv. Color – all metal fencing forward of front building line must be black in color.

- v. No fence shall be closer to the street or side street than the applicable utility/drainage easement as per the recorded plat for all sections of the subdivision.

c. Fences facing Wilcrest Drive

- i. Height – 7’ pickets with 2”x12” Rot Board on the bottom.
- ii. Material – fences/walls/gates are to be constructed of wood (plywood is not a suitable material), composite materials that simulate real wood pickets, as defined and approved by ARC No permanent installation of wire or chain-link (i.e. chicken wire or metal mesh) or welded wire (i.e. hog panel or similar material) will be allowed or permitted.
- iii. 4”x4” Fence Posts should be used
- iv. 1”x2” Trim board may be used on the top of the fence
- v. There may be a 2”x6” top board.
- vi. Smooth side of fence must face Wilcrest.

- d. **Exceptions to A and B above.** Any fence of homes on Wickersham or Holly Springs may have a 10’ fence facing the shopping centers and apartments.

3. GENERAL for FENCES & WALLS

- a. Fence, wall, and gate materials may be disallowed by the ARC for purely aesthetic reasons, even if a similar structure already exists or is allowed in similar circumstances, so long as not arbitrary and capricious.
- b. Fencing may not encroach on an adjacent lot or into a public right-of-way. Gates, including driveway gates, may swing outward towards the street. However, at no time may the driveway gates cross any lot line or impede a public right-of-way including, but not limited to, streets and sidewalks. If a driveway gate swings outward towards the street, it shall not remain in the open position for more than 24 hours at a time.
- c. Any fence/wall/gate facing the street shall be constructed in such a manner that the most aesthetically pleasing side as decided by the ARC, faces the street.
- d. The color/stain/tint of all fences, walls, gates, and other similar structures requires ARC approval before installation and application of product.
- e. Exceptions to the height of construction may be made at the discretion of the ARC for fences abutting commercial property, major thoroughfares, for minor deviations in the topography and for transitions between fences but in no case shall the maximum height exceed ten (10) feet.
- f. Line of Sight – On corner lots, fences/walls/gates may be placed along the street side setback lines so long as said fences/walls/gates:
 - i. Do not impede the view of traffic. In such instances, the fences/walls/gates, may be required to be a greater distance from the easement line should the ARC or appropriate governmental authority find such necessary.
 - ii. In all circumstances, obstruction of public thoroughfares and off-lot line

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of sight issues, as referenced in applicable LIA Deed Restrictions, this Fences and Walls Guideline, by the City of Houston Code of Ordinances, and appropriate governmental agencies, shall not be violated. Additionally, and notwithstanding the above, the ARC shall have full discretion to restrict any fencing further than the listed location requirements above, if the proposed fence location presents potential line of sight blockage or other safety concern in the ARC's sole and absolute discretion.

IV. FRONT YARD LANDSCAPING

1. All front and side yards of each Lot shall be sodded with grass, unless otherwise approved by the ARC as a natural area or unless the same is landscaped in accordance with plans approved by the ARC. All other disturbed areas must be seeded or have an approved ground cover or landscape treatment.
2. No hedge or shrubbery planting which obstructs sight-lines of the streets and roadways shall be placed or permitted to remain on any Lot where such hedge of shrubbery interferes with traffic, sight-lines for any of the public or private roadways within the Property. The determination of whether any such obstruction exists shall be made by the ARC, whose determination shall be final, conclusive, and binding on all Owners.
3. All mulch that is to be placed in any landscaped area of flower beds shall be limited to naturally colored pine bark, or any brown, tan, or black natural mulch.
4. Landscape Ratio: No more than 33% of the front or side-yard shall be non-organic material. The use of decorative, multi-colored gravel or synthetic turf is not allowed. Natural boulders, cobblestones, or gravel may be an attractive supplement to the landscape but should be limited. Boulders and rock groupings should be buried at least 30% so as to appear as natural rock outcroppings. Gravel mulch shall be earth tone in color. Owners shall provide calculations on plan submittals that show square footage of hardscape and softscape and percentage of each.
5. No synthetic turf allowed when visible from the street.
6. **Maintenance**. All dwellings, landscaping and other improvements upon individual Lots shall be continuously maintained by the Owner thereof to preserve a well-kept appearance. Minor landscaping may be completed without ARC approval and is defined as planting small plants, bushes etc. such as can be purchased from a local nursery or building material store in existing flower beds. Any addition of new flower beds that are not directly adjacent to the house or any major landscaping (i.e. hiring a landscaper (or job typically handled by a professional landscaper), planting large trees etc.) require ARC approval. The ARC reserves the right to require an Owner to remove any landscaping that significantly alters the appearance of the home or where material do not match the

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coloring of the dwelling if ARC approval was not obtained in advance.

V. GENERAL CONSTRUCTION PROCEDURES

1. **Vehicle Parking**. Under no circumstances may vehicles be parked in the driveway of another Lot or on any sidewalk of any Lot or in a manner that impedes or prevents access to other driveways or the street during demolition and/or construction.
2. **Construction Debris**. Owners will keep, or cause their contractors to keep, the job site on the Lot and all surrounding areas clean during the progress of demolition and/or construction. Trash and debris must be contained to prevent items from being windblown into a street or onto another Lot. The street(s) adjacent to the Lot must be kept clean of dirt, mud, gravel, excess concrete (including spillage from concrete trucks), and other materials generated from the construction site. Any concrete which spills on pavements or curbs must be removed before it has set. Only one (1) dumpster may be placed on a Lot during the period of demolition and/or construction of a new dwelling or addition. The dumpster and any trash container(s) must be located on a Lot within the applicable property lines. No dumpster or trash container(s) will be placed on a Lot more than seven (7) days prior to the date the demolition or construction work begins and must be removed from the Lot as soon as practicable, but in no event later than fifteen (15) days after substantial completion of the new dwelling or addition. The dumpster and trash container(s) must be serviced (emptied) when full or when the dumpster contents are visible from the street. Upon completion of the construction, any unused materials and all construction equipment must be immediately removed from the Lot.
3. **Emergency Contact Number**. Prior to the commencement of demolition or construction, contractors (i) must provide the Association office with the contractor's name, telephone number, mailing address, email address and name of a contact person and (ii) prominently display on the front part of the Lot one (1) sign identifying an emergency contact telephone number stating, "In Case of Emergency Call (xxx)-xxx-xxxx".

Certified by the Secretary of the Association:

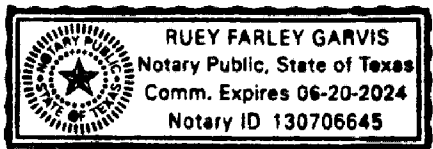
LAKESIDE IMPROVEMENT ASSOCIATION,
a Texas non-profit corporation

Alan Day
Alan Day, Secretary

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on this 25 day of September, 2023, by Alan Day, the Secretary of Lakeside Improvement Association, a Texas non-profit corporation, on behalf of such corporation.

Ruey Farley Garvis
Notary Public – State of Texas



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e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
TENESHIA HUDSPETH
COUNTY CLERK
Fees \$54.00

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

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