

SHADY RIVER CIVIC ASSOCIATION

P.O. BOX 662
LA PORTE, TEXAS 77572-0662

August 29, 1998

TO: All Shady River Residents and Property Owners:

FROM: Shady River Civic Association Board of Directors

SUBJECT: RESOLUTION REGARDING EXTERIOR MAINTENANCE
GUIDELINES

The attached resolution is being adopted by the Board of Directors of the Shady River Civic Association, as is authorized by Chapter 204, Section 204.010 of the Texas Property Code, in order to provide clarification and strengthen our Deed Restrictions, with the goal of enhancing our community and maintaining our property values.

This resolution is the result of many and varied inputs received by the Board concerning the appearance of properties in Shady River. We have tried to cover all of the significant items reported to us and those that we have observed. However, as additional and appropriate items come to our attention we will amend this resolution accordingly.

Inputs from Shady River Residents and Property Owners are welcome and will be considered for future amendments to this resolution.

You will note that each guideline is followed by a bracketed reference. The reference is to the Deed Restrictions filed at the Harris County Clerk's Office on October 17, 1990 (File No. M867448) and provides the "short title", the paragraph number and the page number to which that particular guideline relates. Although each guideline is referenced to the 1990 Deed Restrictions, they apply and shall be enforced on *all* Shady River Properties. A copy of the Deed Restrictions referenced above is included herein.

This resolution shall become effective on October 1, 1998.

The procedure we plan to follow in enforcing our Deed Restrictions and these guidelines is as follows:

1. When a violation is noted, a Certified, Return Receipt Letter will be sent to the Resident/Property Owner outlining the violation and requesting abatement of the discrepancy. A reasonable date for abatement completion will also be included. In those cases where City of La Porte Ordinances are being violated, a copy of the letter may be sent to the City Planning Department.
2. If the violation is not abated during the period defined in the first letter, a second Certified, Return Receipt Letter will be sent inviting the Resident/Property Owner to attend the next Board of Directors Meeting to discuss the matter, explain why the discrepancy has not been abated and provide a firm date by which abatement may be expected.
3. If attendance at the next Board of Directors Meeting is ignored and the violation has not been abated at the time of that Meeting, a third Certified, Return Receipt Letter will be sent advising the Resident/Property Owner that the matter is to be turned over to the Association Attorney for resolution and court action if required. This letter will advise the Resident/Property Owner the date on which the matter will be referred to the Attorney. Once the matter is turned over to the Association Attorney, all resulting Attorney Fees and Legal Fees associated with the matter will be collected from the Resident/Property Owner involved.

NOTE: If any of the three aforementioned letters are refused by the addressee, second letters will be sent by regular mail and/or a copy of the letter will be hand delivered to the addressee.

If you have any questions concerning this letter and the attached resolutions, please contact any member of the Board of Directors.

Board of Directors
Shady River Civic Association



SHADY RIVER CIVIC ASSOCIATION

SHADY RIVER CIVIC ASSOCIATION RESOLUTION REGARDING EXTERIOR MAINTENANCE GUIDELINES

August 1998

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

WHEREAS, such rules are necessary to help maintain the attractiveness of the subdivision and thereby support property values of the subdivision;

NOW THEREFORE, BE IT RESOLVED THAT: the following Exterior Maintenance Guidelines are hereby adopted:

EXTERIOR MAINTENANCE GUIDELINES

All improvements on a lot, both original and upgrades, must be maintained in a state of good repair and appearance and shall not be allowed to deteriorate. Repairs and appearance shall include, but not be limited to, the following:

01. All painted surfaces must be clean and smooth with no bare areas or peeling paint, and all surfaces must be free of mildew. This includes all unattached buildings that may exist on the property.
[Annoyance/Nuisance, Paragraph 1(b), Page 2]
02. All rotted and damaged wood must be replaced and any damaged brickwork repaired. [Annoyance/Nuisance, Paragraph 1(b), Page 2]
03. Gutters must be kept in good repair and not allowed to sag or hang down. [Annoyance/Nuisance, Paragraph 1(b), Page 2]
04. Roofs must be maintained in good repair with no missing or curling shingles. They must be kept clear of large quantities of leaves, pine needles, tree branches, etc. [Annoyance/Nuisance, Paragraph 1(b), Page 2]
05. All glass surfaces must be whole with no unsightly cracks or chipping.
[Annoyance/Nuisance, Paragraph 1(b), Page 2]

06. Garage doors must be undamaged and in good repair. In addition, if the **interior of a garage is unsightly or unkempt**, the garage doors shall remain closed at all times, except when access is required for short periods of time. It shall be at the discretion of the Board of Directors to determine what constitutes "unsightly or unkempt". [Annoyance/Nuisance, Paragraph 1(b), Page 2]
07. Fences and gates must be kept in good repair. In addition, any unfinished fences and/or gates must be completed and kept in good repair. [Annoyance/Nuisance, Paragraph 1(b), Page 2]
08. Sidewalks (both public and private), driveways and curbs must be clean and undamaged. **The homeowner is responsible for repair of damaged sidewalks.** The City of La Porte allocates funds each year for the repair of sidewalks on a "most needed" basis. In cases where a sidewalk is considered a **safety hazard**, such conditions may be reported to the City of La Porte Planning Department and *may* be considered for repair as funds become available. However, this in no way relieves the home owner of his obligation to maintain sidewalks in a clean and undamaged condition. Seams must be kept free of weeds. [Annoyance/Nuisance, Paragraph 1(b), Page 2]
09. Lawns must be kept mowed, edged and weed free, flower beds must be kept free of weeds and shrubs and trees must be kept trimmed. This shall include mowing, edging and weeding of culverts and drainage ditches which exist on the front and side of some homes and shall include the "semi-circle" areas on Shady River Road. [Grass/Weeds, Paragraph 6(e), Page 6]
10. There shall be no storage of toys, equipment, clutter and/or debris in public view. This shall include: Bar-b-que grills, lawn maintenance equipment, tools, vehicles undergoing restoration and/or extensive repairs, vehicle parts and building materials (except for the short time an improvement is in process) including lumber, bricks, piles of dirt or sand, scrap material, etc. [Trash/Rubbish/Debris, Paragraph 6(b), Page 6]
11. Mail boxes must be maintained in good repair. [Annoyance/Nuisance, Paragraph 1(b), Page 2]
12. Parking of vehicles shall be limited to driveways and at curbside. Where curbs do not exist (Fairfield Avenue, Green Leaf Road and Shady River Road), parking shall be at the road edge where a curb would normally exist and not on grassed areas. [Annoyance/Nuisance, Paragraph 1(b), Page 2]

13. Parking of vehicles is not allowed on vacant lots, lawns, on or across sidewalks nor on the "semi-circle" areas of Shady River Road except for short periods of time (i.e., visitor or guest parking). [Annoyance/Nuisance, Paragraph 1(b), Page 2]
14. There shall be no parking of large commercial vehicles on Shady River Streets except for pick-up, delivery and maintenance vehicles (i.e., delivery vans, moving vans, utility trucks, tree removal trucks, etc.), but only while providing service(s) at the residence. [Annoyance/Nuisance, Paragraph 1(b), Page 2]
15. Overnight parking of small commercial vehicles or small commercial trailers at curbside is prohibited. Such vehicles which may be owned and/or operated by Shady River Residents and are parked over night in Shady River shall be parked in the driveway of the resident, inside the set back line as defined in the Deed Restrictions, and such that they will in no way obstruct sidewalk traffic. [Annoyance/Nuisance, Paragraph 1(b), Page 2]
16. Residents are expected to adhere to City of La Porte Ordinance 2139 concerning garbage and trash. Violations of this ordinance, when observed, will be brought to the attention of the homeowner. Chronic or repeat offenders will be reported to the City. [Trash/Rubbish/Debris, Paragraph 6(b), Page 6]
17. An exception shall be made to the Deed Restrictions concerning the display of Political Signs. Such signs may be displayed on the property of Shady River Residents/Owners, but no earlier than 15 days prior to an election and for no more than 3 days after an election. [Signs/Posters, Paragraph 6(d), Page 6]

Adopted this 25th day of AUGUST, 1998.

Gene Holloway
Gene Holloway, President

8/20/98
Date

Viky Shaul
Viky Shaul, Vice President

8-25-98
Date

Susan Price
Susan Price, Secretary

8/22/98
Date

Phil Craigie
Phil Craigie, Treasurer

8/21/98
Date

Jim Fitzlaff
Jim Fitzlaff, Board Member

8/25/98
Date

Jessie McCulley
Jessie McCulley, Board Member

8-25-98
Date

Jean Tomerlin
Jean Tomerlin, Board Member

8-25-98
Date

**Shady River Civic Association
P.O. Box 662
LaPorte, Texas 77571-0662**

September 9, 2002

To: All Shady River residents and property owners

From: Shady River Civic Association Board of Directors

Subject: Exterior Maintenance Guidelines

RE: Posting of signs or advertisements

The listed addendum is being adopted as rule #18 of the Shady River Civic Association Exterior Maintenance Guidelines. Adoption is through the Board of Directors of the Shady River Civic Association under the authorization of existing Deed Restriction sub-chapter 5(b) and chapter 204, section 204.010 of the Texas Property Code.

Addendum to read...*Use of Association Property for the purpose of posting any sign, billboard, poster, or advertisement device (including, but not limited to real estate, private home sales, contract or private services, etc.) is prohibited without consent and approval of the Shady River Civic Association Board of Directors. In the event of Association approval, posted signs will require the listing of a contact phone number for individuals wishing to direct inquiries concerning the posting. Specifically regarding yard or garage sales, residents are authorized to post signs for a period of two calendar days. Posting resident is then responsible for sign removal. If listed rules regarding signs are not adhered to, any and all Shady River residents are authorized to remove posted signs and upon removal will contact the community deed restriction representative to inform the representative of the details surrounding the removal. Removed signs will be disposed of by the deed restrictions representative and any person/persons who disregard this addendum shall understand that their conscious violation shall result in the loss of their posted sign. Rules regarding signs do not apply to political signs, as political signs are addressed in rule #17 of the Exterior Maintenance Guidelines. [Use of Association property, paragraph 5(b), page 5]*

* "Association Property" as identified in this addendum is defined as *Common areas of Subdivision; Not referring to residential lots.*

Board of Directors
Shady River Civic Association