

**POLICY RESOLUTION  
OF THE  
BOARD OF DIRECTORS  
OF  
CYPRESSWOOD COMMUNITY ASSOCIATION  
(Relating to Nuisances)**

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THE STATE OF TEXAS     §  
  §  
COUNTY OF HARRIS     §

This Policy Resolution was adopted by the Board of Directors of Cypresswood Community Association (the “Association”) at a meeting duly called and held on the 24<sup>TH</sup> day of November, 2008.

**RECITALS:**

1. The Declaration applicable to each section in Cypresswood provides for the prohibition of nuisances within the subdivision and is substantially similar in context, form and substance;
2. For purposes hereof, a nuisance shall be an activity or condition on a lot which is reasonably considered by the Board of Directors to be offensive or an annoyance to surrounding residents of ordinary sensibilities and/or which is reasonably determined to reduce desirability of either the lot on which the activity or condition exists or an adjacent lot;

Therefore, the Board of Directors of the Association has deemed it necessary to adopt and implement a policy regarding what type(s) of activity/behavior shall be considered a nuisance within the subdivision.

**POLICY:**

1. Yard Maintenance

The upkeep of grass and landscaping around residences impacts the look and the property values of the entire community. It is considered to be a nuisance for any of the following conditions to persist:

- a) Grass and/or weeds allowed to grow to a height greater than 6 (six) inches;
- b) Any plantings, including grass, allowed to grow more than 6 (six) inches beyond the edge of the grass onto an adjacent sidewalk, including all parkways, or allowed to grow over a curb.
- c) Failure to maintain and weed flower beds or to remove dead shrubs, trees, or tree limbs; or
- d) Failure to water during the growing season to the extent that the front yard browns and dies.

- e) No hedge or shrubbery planting which obstructs the line of site of streets and roadways shall be placed or permitted to remain on any lot where such hedge or shrubbery interferes with the line of sight of oncoming traffic. The determination of whether any such obstruction exists shall be made by the Board of Directors, whose determination shall be final, conclusive and binding on all owners.
- f) No landscaping shall be installed so that drainage from the lot is altered or directed onto adjacent lots or property unless an easement exists for such purpose.

## 2. Exterior Maintenance

The upkeep of the exterior of the residence and of its garage or other appurtenances impacts the look and the property values of the entire community. It is considered to be a nuisance for any of the following conditions to persist:

- a) Sagging or falling rain gutters, shutters, fascia board, window screens, window trim, garage doors, patio covers, fences or decks;
- b) Severely broken concrete sidewalks or driveways;
- c) Broken windows, privacy fences, gas lights, and basketball goals;
- d) Windows and coverings not maintained in a neat and attractive manner; this shall include but not be limited to: tape or foil coverings, broken blinds or torn/ripped curtains.
- e) The accumulation of excessive mildew on any structure in public view;
- f) Failure to restore weathered, faded, or peeling exterior paint.
- g) Storage of unsightly items in public view, in front of the residence, in front of the garage, or on the driveway. The determination of whether any such items are “unsightly” shall be made by the Board of Directors, whose determination shall be final, conclusive and binding on all owners.

## 3. Parking on Grass

Using any portion of a residential lot other than a driveway for the parking of any vehicle negatively impacts the look and the property values of the entire community. It is considered to be a nuisance for vehicles to be parked at any time on residential lots in areas other than a driveway.

## 4. Firearms

The discharge of any type of firearm within the subdivision, including a pellet or BB gun, creates an unreasonable risk of personal injury or property damage and generally interferes with owners’ use and enjoyment of their properties. Accordingly, the discharge of any firearm, pellet gun, or BB gun within the subdivision, in a manner that either intentionally threatens, or unintentionally creates the risk of personal injury or property damage, shall be considered a nuisance.

## 5. Satellite Antennas

Whereas, pursuant to the Federal Telecommunications Act of 1996, the Association will not place unreasonable restrictions on the installation of satellite antennas, nonetheless, it is clear that the installation of satellite antennas in certain areas of residential properties negatively impacts the look and the property values of the entire community. It shall be considered a visual nuisance for any satellite antenna to be installed on the front face of any building or forward of the front building line of any residence when any other location is available for line-of-sight reception.

## 6. Playground/Sports Equipment

All playground equipment such as play houses and swing sets shall be situated, concealed and shielded so as not to be visible from any street.

## 7. Portable Basketball Goals

Leaving a portable basketball goal unattended in the street in front of any residence creates a traffic hazard and negatively impacts the look and property values of the entire community. It is considered to be a nuisance for any resident to leave a portable basketball goal or other sports equipment unattended on any street or within twelve 12 feet of the curb. All basketball goals are to be maintained in operable condition, with nets, and no broken parts.

## 8. Decorations and Lighting

No decorative appurtenances such as sculptures, birdbaths and birdhouses, fountains, or other decorative embellishments shall be placed on a residence or on the front yard or on any other portion of a lot which is visible from any street, unless such specific items have been approved in writing by the Architectural Control Committee. Customary seasonal decorations for holidays are permitted without approval by the Association. All seasonal decorations will be removed from public view after 15 days of that holiday. Outside lighting fixtures shall be placed so as to illuminate only the yard of the applicable lot and so as not to affect or reflect into surrounding residences or yards. No mercury vapor, sodium or halogen light shall be installed on any lot which is visible from any street unless otherwise approved by the Architectural Control Committee.

## 9. Air conditioners

No window or wall type air conditioners shall be permitted in any improvements within the properties.

## 10. Pets

Unrestrained pets should be confined to the property of the pet owner or maintained on a leash. In accordance with the Harris County Public Health regulations, it shall be considered a nuisance for any owner failing to: 1) confine his/her pet to the owner's property, 2) keep the pet on a leash when not on the owner's property, or 3) leashed in the front yard while unattended. Owners who wish to register complaints are asked to contact the Harris County Public Health department, rather than the Cypresswood Community Association Board of Directors.

#### 11. Noise

Excessive noise is deemed detrimental to the enjoyment of a residence in the community. Owners who wish to issue complaints regarding excessive noise created by other owners will be asked to involve the local law enforcement to try to settle the dispute prior to any action being taken through deed restriction enforcement. Excessive noise is deemed to include barking dogs, when such annoyance is documented by complaints from neighboring residents.

#### 12. Trash Cans in Public View

The storage of trash receptacles in public view negatively impacts the look and the property values of the community. It shall be considered a nuisance for trash bags and/or trash cans to be stored in public view or placed at curbside at any residence on days other than trash pickup days (or the evening before).

#### 13. Swimming Pools

Each swimming pool, lap pool, outdoor hot tub, on a lot must be regularly cleaned, maintained, and treated with chemicals so that the water amenity is at all times usable and the water is at all times clear.

#### 14. Garage Sales

Garage sales shall be limited to 2 (two) sales per calendar year and limited to household items only. Garage sales shall not be used for commercial sales.

EXECUTED on this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

CYPRESSWOOD COMMUNITY ASSOCIATION

By: \_\_\_\_\_

Print Name: \_\_\_\_\_  
Title: \_\_\_\_\_

THE STATE OF TEXAS    §  
                                  §  
COUNTY OF HARRIS    §

BEFORE ME, the undersigned notary public, on this day personally appeared \_\_\_\_\_, President of Cypresswood Community Association, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purpose and in the capacity therein expressed.

SUBSCRIBED AND SWORN TO BEFORE ME on this the \_\_\_\_\_ day of \_\_\_\_\_, 2008, to certify which witness my hand and official seal.

\_\_\_\_\_  
Notary Public – State of Texas