

**CERTIFICATE OF CORPORATE RESOLUTION  
OF THE BOARD OF DIRECTORS OF  
TERRACES ON MEMORIAL HOMEOWNERS ASSOCIATION, INC.**

**PERIMETER BRICK WALL & TREX WALL  
MAINTENANCE GUIDELINES**

**WHEREAS**, the Board of Directors (the "Board") of Terraces on Memorial Homeowners Association, Inc., a Texas non-profit corporation (the "Association") is the governing entity for the Terraces on Memorial Subdivision (the "Subdivision") and is authorized to enforce the Declaration of Covenants, Conditions and Restrictions of Terraces on Memorial dated November 10, 2005, and recorded in the Real Property Records of Harris County, Texas, under Clerk's File No. Y900968 (as supplemented and amended from time to time, the "Declaration"); and

**WHEREAS**, Article II, 1(a) of the Declaration provides, in part, that the Association may create rules and regulations applicable to the Common Area (as defined in the Declaration and herein so called); and

**WHEREAS**, due to the deterioration of the previous concrete perimeter wall located upon the Common Area caused by age, weathering, trees and other vegetation, the Association has demolished and replaced the previous concrete perimeter wall and the Board desires to establish standards and guidelines for maintenance of the newly constructed brick wall and the newly installed TREX wall which has been constructed upon the Common Area ("Perimeter Wall"); and

**WHEREAS**, Pursuant to Article XI, Section 4 of the Declaration, a five (5') foot wide easement located upon lots located adjacent to the Perimeter Wall was granted to the Association in connection with constructing, maintaining, operating, repairing, removing and reconstructing the Perimeter Wall; and

**WHEREAS**, Article VII, Section 7.10 of the Bylaws of the Association provides that all duly convened meetings of the Board, a majority of the then acting directors must be present to constitute a quorum and that the acts of a majority of the directors present at the meeting at which a quorum is present shall be the acts of the Board; and

**WHEREAS**, the Board has determined that it is appropriate for the Association to adopt guidelines regarding the maintenance of the Perimeter Wall; and

**WHEREAS**, the Board held a meeting on December 3, 2019 (the "Adoption Date"), at which a quorum was present, and at which a majority of the directors present, passed the resolution described below regarding the adoption of perimeter brick wall and TREX wall maintenance guidelines (the "Perimeter Brick Wall and TREX Wall Maintenance Guidelines").

**NOW THEREFORE**, in consideration of the recitals set forth above, and in furtherance of my duties as an officer of the Association, the undersigned as the President of the Association, does hereby certify that on a duly constituted meeting of the Board held on the Adoption Date, a majority of the directors present adopted the following guidelines to be effective upon the recording of this Certificate in the Real Property Records of Harris County, Texas.,

**PERIMETER BRICK WALL AND TREX WALL MAINTENANCE GUIDELINES:**

1. To preserve the integrity of the Perimeter Wall, all Owners (as defined in the Declaration and herein so called) whose lots are adjacent to the Perimeter Wall must take the following actions:
  - a. There shall be nothing mounted on or hung from the Perimeter Wall, including but not limited to any wall-type garden décor, yard ornaments, mosquito spray systems, planters, planter boxes, shelves, electric lighting, electric outlets or wiring;
  - b. No holes may be drilled into the Perimeter Wall, and nails, screws, bolts or clips of any kind may not be used to affix any items, whether decorative or otherwise, to the Perimeter Wall;
  - c. Vegetation must be kept off the Perimeter Wall at all times;
  - d. Trees or tree roots that are causing damage to the Perimeter Wall must be removed;
  - e. ~~Small~~ Any and all landscaping, whether shrubs or trees, ~~plants~~ must be planted away from the Perimeter Wall and kept trimmed in such a manner as to not contact, exert pressure on or damage the structural integrity of the Perimeter Wall;
  - f. Any and all landscaping, whether shrubs or trees, cannot be planted any closer to the Perimeter Wall than the expected mature width of that shrub or tree;
  - g. Any planters or bedding materials may not be built up against the Perimeter Wall. Soils and mulch are not to be piled onto the base of the Perimeter Wall; nor shall the gap under the Perimeter Wall be backfilled with soil or other materials; and
  - h. Sprinkler systems must not be allowed to spray directly onto the Perimeter Wall; all spray should be directed away from the Perimeter Wall.
2. Owners will be notified of any pending repair to the Perimeter Wall and to the extent the Owner has allowed vegetation to grow on the Perimeter Wall in violation of these Perimeter Brick Wall and Trex Wall Maintenance Guidelines, the Owner must remove all vegetation, including tree roots, from the Perimeter Wall in advance of the any Perimeter Wall repair. Prior to repairs, the vegetation must be cut back by a minimum of 24" from the Perimeter Wall to facilitate access to the Perimeter Wall.

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- 3. Owners may be notified of damage to the Perimeter Wall that is caused by the Owner's vegetation, and the Owner may be requested to remove the offending vegetation to prevent future problems such as those caused by trees, vines or shrubbery situated too close to, or directly on, the Perimeter Wall.
- 4. Owners will be required to complete the aforementioned vegetation modifications and/or removal or future Perimeter Wall repairs may be delayed.
- 5. Future damage and repairs may be prevented by maintaining vegetation clearance from the Perimeter Wall. If future Perimeter Wall repairs are determined to be necessary as a result of an Owner not complying with these requirements, the Owner will bear all costs of repairs, including any damages that occur as a result of said repairs, included but not limited to damage to underground utilities.

EXECUTED on the date of the acknowledgement set forth below.

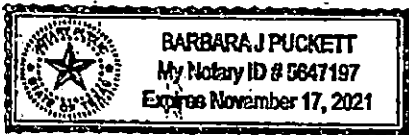
TERRACES ON MEMORIAL  
HOMEOWNERS ASSOCIATION, INC.,  
a Texas non-profit corporation

By: *Nick Kornuta*  
Nick Kornuta, President

THE STATE OF TEXAS

COUNTY OF HARRIS

This instrument was acknowledged before me on December 3, 2019,  
by Nick Kornuta, President of Terraces on Memorial Homeowners Association, Inc., a Texas  
non-profit corporation, on behalf of said corporation.



*Barbara J. Puckett*  
Notary Public, State of Texas

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e-Filed & e-Recorded in the  
Official Public Records of

HARRIS COUNTY

DIANE TRAUTMAN

COUNTY CLERK

Fees \$24.00

**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.



*Diane Trautman*

COUNTY CLERK  
HARRIS COUNTY, TEXAS

**HOOVER SLOVACEK LLP**

A REGISTERED LIMITED LIABILITY PARTNERSHIP

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MARK K. KNOP

BOARD CERTIFIED-COMMERCIAL REAL ESTATE LAW  
BOARD CERTIFIED-RESIDENTIAL REAL ESTATE LAW  
BOARD CERTIFIED-PROPERTY OWNERS ASSOCIATION LAW  
TEXAS BOARD OF LEGAL SPECIALIZATION  
knop@hooverslovacek.com

December 5, 2019

Ms. Cindy Boje, CMCA  
Crest Management Company  
17171 Park Row, Suite 310  
Houston, Texas 77084

Re: Terraces on Memorial Homeowners Association, Inc. (the "Association")

Dear Cindy:

Enclosed is a copy of the recorded Certificate of corporate Resolution of the Association placing the Perimeter Brick Wall & Trex Wall Maintenance Guidelines of record. As you can see, this document was recorded on December 4, 2019, in the Real Property Records of Harris County, Texas, under Clerk's File Number RP-2019-536111.

If you have any questions, please contact me.

Sincerely yours,

**HOOVER SLOVACEK LLP**

*Mark K. Knop*

Mark K. Knop

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RECEIVED  
DEC 09 2019