

**CERTIFICATE OF ADOPTION  
OF  
FENCES AND WALLS POLICY  
OF  
MEYERLAND COMMUNITY IMPROVEMENT ASSOCIATION**

STATE OF TEXAS                   §  
  §       KNOW ALL PERSONS BY THESE PRESENTS:  
COUNTY OF HARRIS           §

**WHEREAS**, the Board of Directors (the "Board") of Meyerland Community Improvement Association, a Texas non-profit corporation (known as the "Association" or "MCIA"), is charged with administering and enforcing, among other restrictions and covenants, restrictive covenants contained in Deed Restrictions (the "Restrictive Covenants") applicable to the Meyerland Community (the "Community") as recorded in the Real Property Records of Harris County, Texas; and

**WHEREAS**, the Board has determined that in connection with providing rules and regulations regarding fences and walls, it is appropriate for the Association to adopt a fences and walls policy; and

**WHEREAS**, the Bylaws of the Association provide that a majority of the members of the Board shall constitute a quorum for the transaction of business and that the action of a majority of the members of the Board at a meeting at which a quorum is present is the action of the Board; and

**WHEREAS**, the Board held a meeting on May 8, 2017 (the "Adoption Meeting"), at which at least a majority of the members of the Board were present and duly passed the fences and walls policy described herein below (the "Fences and Walls Policy").

**NOW, THEREFORE**, to give notice of the matters set forth herein, the undersigned, being the President of the Association, does hereby certify that at the Adoption Meeting, at least a majority of the members of the Board were present and the Board duly adopted the Fences and Walls Policy. The Fences and Walls Policy is effective upon adoption by the board, and supplements any Restrictive Covenants, policy or policies regarding fences and walls which may have previously been in effect for the Community, unless such Restrictive Covenants, policy or policies are in conflict with the Fences and Walls Policy, in which case the terms of the Fences and Walls Policy will control. In the event that the Fences and Walls Policy is in conflict with any applicable Restrictive Covenants, the Restrictive Covenants will control.

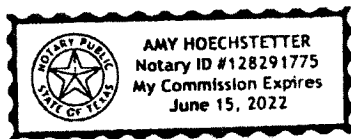
**EXECUTED** on the date of the acknowledgment set forth herein below, to be effective upon recordation in the Official Public Records.

Meyerland Community Improvement Association,  
a Texas non-profit corporation

By: *Gerald R. Radak*  
Gerald R. Radak, President

THE STATE OF TEXAS     §  
  §  
COUNTY OF HARRIS     §

This instrument was acknowledged before me on April 14, 2020, by Gerald R. Radak, President of Meyerland Community Improvement Association, a Texas non-profit corporation, on behalf of said corporation.



*Amy Hoechstetter*  
Notary Public, State of Texas

RP-2020-173021

## **Fences and Walls Policy**

### **Applicability**

This Policy supersedes any prior policy or part of a prior policy as it relates to the same matter.

### **Enforcement**

This Policy may be enforced to the full extent allowed by law, the MCIA Board of Directors and any applicable deed restrictions.

### **Purpose**

The purpose of this Policy is to ensure the aesthetics of the Meyerland community as pertaining to fencing and to set rules in regards to required location and approvable materials.

### **Rules**

#### **Existing Structures**

Any existing structure that pertains to the subject of this Policy which was approved by appropriate Meyerland review committee, 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 appropriate Meyerland review committee without being in violation of this Policy. -During any twelve (12) month period, a maximum of twenty-five percent (25%) of wooden pickets facing any lot line side (including front, rear &/or side) of a fence may be replaced without need for approval, as long as above restrictions are met and with the understanding that any such work does not imply that the Meyerland Community Improvement Association (MCIA) waives any current or future rights to deny approval for such work and/or to require the removal of such work at lot owners expense; nor does it waive the duty of the lot owner to adhere to any and all deed restrictions and MCIA policies. Any and all liability for such work shall be solely and completely that of the lot owner.

#### **HEIGHT**

Fences/walls/gates shall be a maximum of eight feet (8') in height, unless otherwise allowed by deed restrictions or this Policy. Should City of Houston Code or similar regulation specify a lessor maximum height, said Code/regulation shall at all times be followed.

Exceptions to the height of construction may be made in the discretion of the appropriate Meyerland review committee 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.

**LOCATION**

Fences and walls may extend to the interior lot line but shall not be forward of the front building line as specified on the plat nor extend forward of the forward-most portion of the forward most building.

On corner Lots, fences/walls/gates may be placed between the side street lot line and the building line from the side street, so long as said fences/walls/gates;

- (i) are no closer to the sidewalk than the greater distance of, the property line, four feet (4') from the inside portion of any public sidewalk, or twelve feet (12') from the curb and
- (ii) do not impede the view of traffic exiting the driveway(s) of same lot or abutting lot(s) as relates to street and sidewalk traffic. In such instances the fences/walls/gates, may be required to be a greater distance from the curb should appropriate Meyerland review committee or appropriate governmental authority find necessary.

For conjoined/abutting lots, owned by the same lot owner, and if not re-platted into one (1) lot, if fence appears to enclose no more than two (2) lots, the fence may be placed at the front building line of the non-dwelling lot (excluding secondary quarters), subject to any other applicable provisions of this Policy.

In all circumstances, obstruction of public thoroughfares and off-lot line of sight issues, as referenced in applicable deed restrictions, this Policy, by the City of Houston Code of Ordinances, and appropriate governmental agencies, shall not be violated. Additionally and notwithstanding the above, the appropriate Meyerland review committee shall have full discretion to restrict any fencing further than the listed location requirements above, if the proposed fence location presents a potential line of sight blockage or other safety concern in the committee's sole and absolute discretion.

**MATERIALS**

Fences/walls are to be constructed of wood, masonry material, and/or decorative metal, as defined and approved by the appropriate Meyerland review committee. No permanent installation of wire or chain-link (i.e. metal mesh) or welded wire (i.e. hog panel or similar material) will be allowed or permitted.

Fence, wall and, gate material may be disallowed by the appropriate Meyerland review committee for purely aesthetic reasons, even if a similar structure already exists or is allowed in similar circumstances.

Construction of masonry and other solid wall-like structures that are (i) over twenty inches (20") in height and (ii) extend outside the building lines shall not be allowed if facing the front lot line. However, the appropriate Meyerland review committee may make an exception for a necessary erosion control device and for instances involving conjoined/abutting lots owned by the same lot owner and if not re-platted; if fence appears to enclose no more than two (2) lots and of which one (1) of said lots does not contain a

single family dwelling. Masonry may be used for fence posts. Such fence posts shall be no more than twenty-four inches by twenty-four inches (24'x24"), or twenty-four inches (24") in diameter. Said fence posts shall not be closer than eight feet (8') on-center, except where the appropriate Meyerland review committee deems acceptable in the circumstances.

**MISCELLANEOUS**

Any fence/wall/gate facing a street, shall be constructed in such a manner that the most aesthetically pleasing side as decided by the appropriate review committee, faces the street.

The color/stain/tint of all fences, walls, gates, and other similar structures requires appropriate Meyerland review committee approval before installation and application of product.

Should any lot have forward facing fencing that totals more than 50% (fifty percent) of the width of the lot at the building line, said fence must be landscaped and in such a fashion that is approved by the appropriate Meyerland review committee. Said percentage does not include approved forward facing gates that cross the primary driveway.

Driveway gates may swing outward from lot. However, at no time may the driveway gate cross any lot line or impede a public right of way including, but not limited to, streets and sidewalks.

**APPROVAL**

Any and all fences, walls, gates, other similar structures, and associated items must receive approval by the appropriate Meyerland review committee prior to the start of any maintenance of or installation of any fencing or any associated items, unless specifically stated otherwise in this policy. Approval may be withheld for purely aesthetic considerations, even if similar structures were previously approved or already exist in the Meyerland community.

This Policy was approved by the MCIA board on May 8, 2017

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# Pages 6  
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e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
DIANE TRAUTMAN  
COUNTY CLERK  
Fees \$34.00

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

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