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MARK K. KNOP

BOARD CERTIFIED-COMMERCIAL REAL ESTATE LAW
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BOARD CERTIFIED-PROPERTY OWNERS ASSOCIATION LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

knop@hooverslovacek.com

September 5, 2024

Via Email: monique@meyerland.net

Ms. Monique Cordoba
Meyerland Community Improvement Association
4999 West Bellfort
Houston, Texas 77035

Re: Meyerland Community Improvement Association ("MCIA")

Dear Monique:

Enclosed is a copy of the recorded Certificate of Adoption of Sidewalk and Walkway Policy. As you can see, this document was recorded in the Real Property Records of Harris County, Texas, on September 5, 2024, under Harris County Clerk's File Number RP-2024-325481.

If you have any questions, please contact me.

Sincerely yours,

HOOVER SLOVACEK LLP

Mark K. Knop

Mark K. Knop

Attachment:

CERTIFICATE OF ADOPTION
OF
SIDEWALK AND WALKWAY 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 (herein so called) applicable to the Meyerland Community (the “Community”) as recorded in the Real Property Records of Harris County, Texas (the “Official Public Records”); and

WHEREAS, the Board has determined that in connection with providing rules and regulations regarding the construction, reconstruction, repair, and maintenance of sidewalks and walkways in the Community, it is appropriate for the Association to adopt a Sidewalk and Walkway 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 August 15, 2024 (the “Adoption Meeting”), at which at least a majority of the members of the Board were present and duly passed the Sidewalk and Walkway Policy set forth below (the “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 Policy. The Policy is effective upon recordation of this Certificate in the Official Public Records, supplements any Deed Restrictions, policy or policies regarding the construction, reconstruction, repair, and maintenance of sidewalks and walkways which may have previously been in effect for the Community, unless such policy or policies are in conflict with the Policy, in which case the terms of the Policy will control. In the event that the Policy is in conflict with any applicable Deed Restrictions, the applicable Deed Restrictions will control. The Policy is as follows:

Sidewalk and Walkway Policy

Applicability

This Policy supersedes any prior policy or part of a prior Policy related to Sidewalks (herein defined) and/or Walkways (herein defined). This Policy shall not be interpreted as overriding any part of appropriate Deed Restrictions related to the same subject but shall be considered to have full force and effect when the Deed Restrictions applicable to the lot do not mention Sidewalks or Walkway. Additionally, this Policy shall be used to clarify those Deed Restrictions that speak to Sidewalks or Walkway but with which this Policy does not directly conflict.

Enforcement

This Policy may be enforced to the fullest extent allowed by law, applicable Deed Restrictions, policies, and the MCIA.

Definitions

Cross Slope - The slope across the width of the Sidewalk and/or Walkway. *See Figure 1, below.*

Horizontal Separation - A division in the Sidewalk and/or Walkway resulting in a gap. *See Figure 3, below.*

Longitudinal Slope - The slope of the length of the Sidewalk and/or Walkway by which it is traversed. *See Figure 2, below.*

Sidewalk – A path paved in concrete or other material approved by the appropriate MCIA review committee (the Review and Control Committee of MCIA [“RCC”] or the Architectural Control Committee of MCIA [“ACC”]) that runs parallel to, and is immediately adjacent to, or within twelve (12’) feet from, the street.

Vertical Displacement - The vertical height difference between two (2) adjacent Walkways and/or Sidewalk pieces or panels. *See Figure 1, below.*

Walkway - A path paved in concrete or other material approved by the appropriate MCIA review committee (RCC or ACC) that leads from the street and/or Sidewalk to the house and/or driveway.

Purpose

This Policy formalizes standards by which Sidewalks and Walkways are maintained to help facilitate ensure a congruent aesthetic throughout Meyerland and to help facilitate a safe and pleasant environment for pedestrians and bicyclists in our Community.

All Sidewalks and Walkways shall be constructed, reconstructed, repaired, and maintained according to the City of Houston’s Code of Ordinances and the Policy requirements herein.

Sidewalks and/or Walkways shall be maintained to help facilitate safe walking conditions. Sidewalk conditions that may be considered substandard and in need of repair include but are not limited to conditions in which the pavement is broken, depressed, raised, undermined, consistently slippery, uneven, or cracked.

MCIA Sidewalk Policy Requirements

1. A lot owner is responsible for the maintenance and upkeep of all Sidewalks and Walkways located upon their property (including Sidewalks and/or Walkways located upon their property within the City of Houston's right of way contiguous to their property). If any portion of a Sidewalk and/or Walkway does not comply with this Policy, the MCIA may require the property owner to repair or replace any noncomplying portion.
2. Vertical Displacement of adjoining Sidewalk and/or Walkway sections may not exceed one (1) inch, as measured from the adjacent Sidewalk and/or Walkway piece and/or panel. This includes the Sidewalk and/or Walkway/curb height, where a Sidewalk and/or Walkway meets a curb. *See Figure 1, below.*
3. Horizontal Separation in the Sidewalk and/or Walkway may not exceed two (2) inches. *See Figure 3, below.*
4. The Cross Slope of the Sidewalk and/or Walkway may not exceed a five (5) percent horizontal grade (approx. 2.5 – 3 inches depending on width of the Sidewalk or Walkway) . *See Figure 1, below.*
5. The Longitudinal Slope of the Sidewalk and/or Walkway may not exceed a five (5) percent grade relative to the slope of the surrounding terrain, including adjacent curbs or other panels of the Sidewalk or Walkway. *See Figure 2, below.*
6. All Sidewalks and Walkways shall be made of concrete. In certain situations, exceptions may be made pending approval from the appropriate MCIA review committee (RCC or ACC).
7. The surface condition of the Sidewalk and/or Walkway must be maintained in a good condition as reasonably determined by MCIA. This may require repairing deteriorated concrete such as broken, cracked, settled, or chipped areas, as well as keeping the Sidewalk and/or Walkway free of vegetation, dirt, leaf litter, standing water, mold, algae, mildew, or any other undesirable conditions, as reasonably determined by MCIA.
8. All areas of a Sidewalk and/or Walkway must have adequate drainage. **Inadequate Drainage** is defined as "the ponding of more than one (1) inch of water on a Sidewalk or Walkway for longer than forty-eight (48) hours following a rain event". *See Figure 4, below.*
9. If tree roots have damaged the Sidewalk and/or Walkway and contributed to the noncompliant condition, this issue should be addressed during the repair. A long-term solution to avoid future deterioration and/or tree damage should be discussed with the appropriate MCIA review committee (RCC or ACC) and the City of Houston.
10. For owners of corner lot properties, all conditions listed above also pertain to Americans with Disability Act of 1990 ramps (where present) and the concrete areas around where perpendicular Sidewalks meet.

General

1. All repairs, changes, and/or replacements to any part of a Sidewalk or Walkway must receive prior written approval from the appropriate MCIA review committee (RCC or ACC) before any work can commence.
2. Any repair method used will need to produce an aesthetically similar area to the surrounding Sidewalk and/or Walkway.
3. A permit from the City of Houston may be required to make the necessary modifications. It is the responsibility of the lot owner to determine if this is the case and, if so, to obtain all necessary permit(s).
4. Failure to comply with this Policy may lead to the imposition of fines as outlined in the Violation Enforcement Policy.

Figure 1.

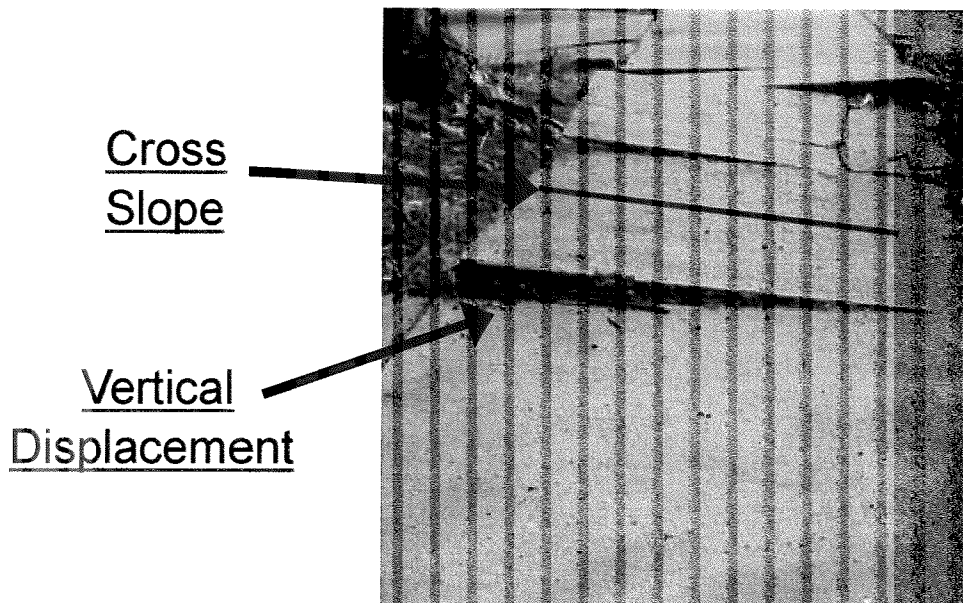


Figure 2.

Longitudinal
Slope

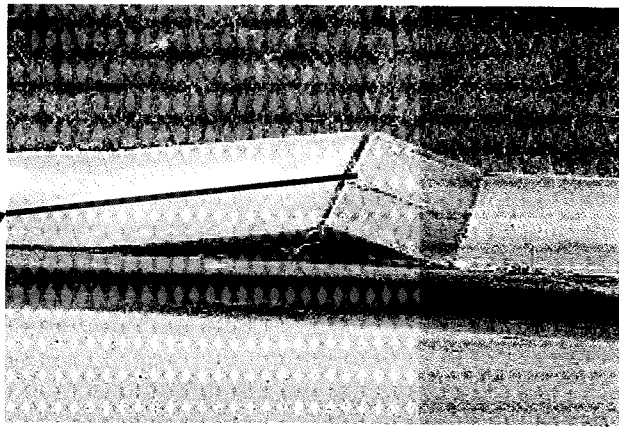


Figure 3.

Horizontal
Separation

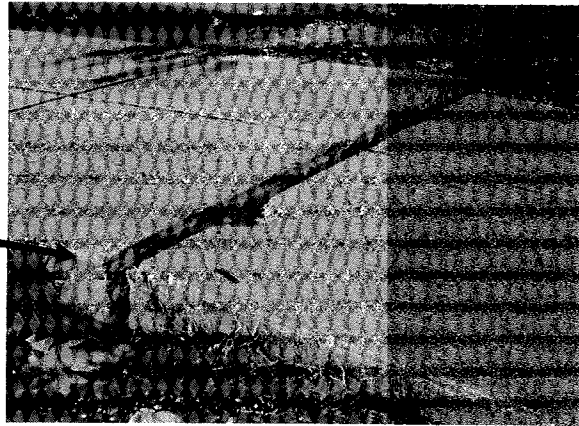
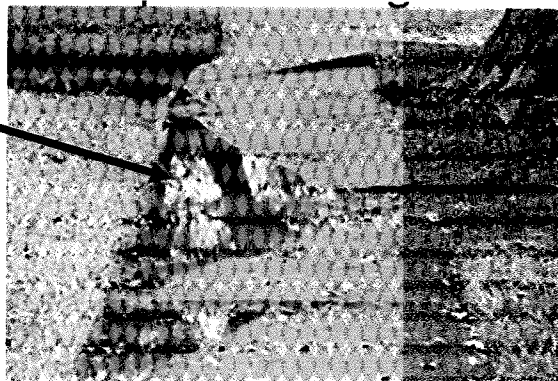


Figure 4.


Inadequate
Drainage



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

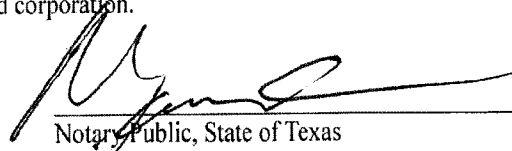
MCIA:

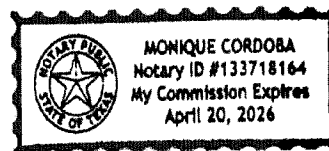
Meyerland Community Improvement Association,
a Texas non-profit corporation

By: 
Elaine Britt, President

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the 4 day of September, 2024, by Elaine Britt, President of the Meyerland Community Improvement Association, a Texas non-profit corporation, on behalf of said corporation.


Notary Public, State of Texas



RP-2024-325481
Pages 7
09/05/2024 08:51 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
TENESHIA HUDSPETH
COUNTY CLERK
Fees \$45.00

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

RP-2024-325481