



**RSR HOMEOWNER'S ASSOCIATION, INC. A/K/A RIVERSIDE**  
**RANCH HOMEOWNERS ASSOCIATION**  
**DROUGHT-RESISTANT LANDSCAPING, WATER-CONSERVING**  
**NATURAL TURF, AND PALM TREE GUIDELINES**

STATE OF TEXAS                   §  
  §  
COUNTY OF FORT BEND       §

WHEREAS, the Board of Directors (the "Board") of RSR Homeowner's Association, Inc. A/K/A Riverside Ranch Homeowners Association (the "Association") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Deed Restrictions for the Riverside Ranch subdivision (hereafter collectively referred to as the "Deed Restrictions"); and

WHEREAS, Chapter 202 of the Texas Property Code was amended effective September 1, 2013, to add Section 202.007(a)(4), 202.007(d)(8), and 202.007(d-1) concerning drought-resistant landscaping and water-conserving natural turf; and

WHEREAS, Section 202.007(d)(8) allows a property owners' association to require an owner to submit a detailed description or a plan for the installation of drought-resistant landscaping or water-conserving natural turf for review and approval by the property owners' association to ensure, to the extent practicable, maximum aesthetic compatibility with other landscaping in the subdivision; and

WHEREAS, Section 204.010(a)(6) of the Texas Property Code allows a property owners' association to regulate the use, maintenance, repair, replacement, modification, and appearance of the subdivision; and

WHEREAS, the Board has determined that in connection with maintaining the aesthetics and architectural harmony of the subdivision, and to provide clear and definitive guidance regarding drought-resistant landscaping, water-conserving natural turf and palm trees therein, it is appropriate for the Association to adopt guidelines regarding drought-resistant landscaping, water-conserving natural turf, and palm trees.

NOW, THEREFORE, the Board has duly adopted the following *Drought-Resistant Landscaping, Water-Conserving Natural Turf, and Palm Tree Guidelines*.

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1. Drought-Resistant Landscaping or Water Conserving Natural Turf:

Drought-resistant landscaping or water-conserving natural turf shall not be used on any lot unless the following minimum conditions are met:

- a. An owner must submit a detailed description or a plan for the installation of drought-resistant landscaping or water-conserving natural turf for review and approval by the Association or ACC, as applicable, to ensure, to the extent practicable, maximum aesthetic compatibility with other landscaping in the subdivision. Artificial turf and landscaping is not permitted.

2. Grass:

- a. Complete removal of grass/sod/turf will not be allowed. At least 50% of the front yard must be covered by grass/sod/turf. The area between the sidewalk and the curb does not count toward this calculation.
- b. Drought resistant turf grasses will be considered by the ACC. This may include Buffalo Grass, Zoysia, Bermuda, or any combination that may work best for a homeowner's site.
- c. St. Augustine grass is always permitted.
- d. Owners shall ensure the grass is mowed and trimmed in a neat appearance at all times. No artificial vegetation or flowers may be placed in any front yard area at any time.

3. Ground Cover:

- a. If approved by the ACC, non-turf areas may contain decomposed granite, ground hardwood mulch, crushed limestone, flagstone, or other loose stone material for ground cover. The ground cover must be maintained to prevent weed growth. Paver stones may be used to create walkways. Concrete surfaces are limited to driveways and sidewalks only.
- b. Colors should be in earth tones such as white, tan, brown, etc. Materials that will not be approved are colored glass mulch or rubber mulch. Materials may not be sharp or toxic to animals.

4. Plants:

- a. The ACC will utilize plant lists developed by the National Wildflower Research Center or similar lists when reviewing request for installation.
- b. Plants must not impede over the edge of the sidewalks or the street curb. The area between the sidewalk and the curb may only contain grass/sod/turf and/or a street tree(s).

5. Borders:

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- a. Landscape areas or beds must be surrounded by a border to clearly define the landscaped areas or beds from the turfing areas. Borders may consist of metal edging or mortared masonry units. Acceptable masonry products include stone, clay brick pavers, and concrete masonry units manufactured as edging shapes.
- b. "Common" concrete blocks are not permitted.

6. Hardscapes:

- a. Hardscapes may include large boulders or other natural materials that are used as part of the drought resistant landscape design. Urns, pots, and other man-made ornamentation may not exceed four (4) items in public view. Any proposed landscape "decorative items" such as birdbaths, statuary, or other similar non-vegetative items must be approved by the ACC in advance.

7. Landscape Maintenance:

- a. Drought resistant landscape areas are subject to the same maintenance requirements as other landscape and must be maintained at all times to ensure an attractive appearance. Plants must be trimmed, beds must be kept weed free, and borders must be edged. No plants may encroach on public sidewalks. Sickly and dying plants must be removed and replaced. Perennials that die back during the winter must be cut back to remove dead material. This includes most ornamental grasses and other flowering perennials that go dormant to the ground in winter.

8. Irrigation:

- a. Standard sprinkler irrigation systems are preferred. Owners may submit an Application to the ACC for surface and subsurface drip irrigation. Drip irrigation systems must not be in public view.

9. Composting:

- a. Solid-waste composting of vegetation is only permitted on an owner's property out of public view. The composting may not impede by virtue of odor, proper water drainage, attraction of wildlife or other nuisance upon neighbors. Grass clippings and/or leaves may remain uncollected on grass as long as doing so does not impede by virtue of odor, proper water drainage, attraction of wildlife or other nuisance upon neighbors.

10. Palm Trees:

Palm tree(s) are not allowed within the subdivision, unless: 1) they were planted or installed prior to the recordation of these guidelines in the Official Public Records; and 2) they are not

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otherwise in violation of any setbacks or located within any easements ("Grandfathered Palm Tree(s)"). Grandfathered Palm Tree(s) are allowed only until such time as such Grandfathered Palm Tree(s) must be removed due to unsightliness, disease, or otherwise. No palm tree removed from an owner lot shall be replaced with another palm tree.

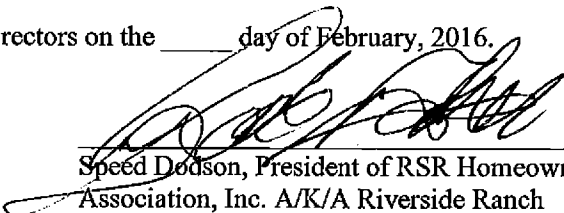
The Association reserves the right to adopt further guidelines pertaining to landscape design permitting or excluding certain drought-resistant landscaping or water-conserving natural turf based on the aesthetic compatibility with other landscaping in the subdivision, and any use of drought-resistant landscaping or water-conserving natural turf, to the extent practicable, shall be in compliance therewith.

The guidelines are effective upon recordation in the Public Records of Fort Bend County, and supersede any guidelines for drought-resistant landscaping, water-conserving natural turf, and palm trees that may have previously been in effect. Except as affected by Section 202.007 and/or by these guidelines, all other provisions contained in the Deed Restrictions or any other dedicatory instruments of the Association shall remain in full force and effect.

**CERTIFICATION**

I, the undersigned, being the President of the RSR Homeowner's Association, Inc. A/K/A Riverside Ranch Homeowners Association, hereby certify that the foregoing guidelines were adopted by at least a majority of the RSR Homeowner's Association, Inc. A/K/A Riverside Ranch Homeowners Association's Board of Directors.

Approved and adopted by the Board of Directors on the \_\_\_\_\_ day of February, 2016.


  
\_\_\_\_\_  
Speed Dodson, President of RSR Homeowner's  
Association, Inc. A/K/A Riverside Ranch  
Homeowners Association

STATE OF TEXAS                   §  
  §  
COUNTY OF FORT BEND       §

Before me, the undersigned authority, on this day personally appeared Speed Dodson, President of RSR Homeowner's Association, Inc. A/K/A Riverside Ranch Homeowners Association, a Texas corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he had executed the same as the act of said corporation for the purpose and consideration therein expressed, and in the capacity therein stated.

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Given under my hand and seal of office this 23<sup>rd</sup> day of February, 2016.

  
Notary Public, State of Texas

**After Recording Return To:**  
**SEARS | BENNETT | GERDES | LLP**  
ATTORNEYS AT LAW  
9700 RICHMOND AVENUE, SUITE 222  
HOUSTON, TEXAS 77042

