

**GUIDELINES RELATING TO DROUGHT-RESISTANT LANDSCAPING AND
WATER-CONSERVING NATURAL TURF
for
FALL CREEK HOMEOWNERS ASSOCIATION, INC.**

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

I, JENNIFER GRILLO, President of Fall Creek Homeowners Association, Inc. (the "**Association**"), do hereby certify that at a meeting of the Board of Directors of the Association (the "**Board**") duly called and held on the 9 day of SEPTEMBER, 2025 with at least a quorum of the Board being present and remaining throughout, and being duly authorized to transact business, the following "Guidelines Relating to Drought-Resistant Landscaping and Water-Conserving Natural Turf" was duly approved by at least a majority vote of the members of the Board present at the meeting:

RECITALS:

1. The property encumbered by these Guidelines Relating to Drought-Resistant Landscaping and Water-Conserving Natural Turf is that property restricted by the Declaration of Covenants, Conditions and Restrictions for Fall Creek Single Family Residential Areas, recorded in the Official Public Records of Harris County, Texas, under Clerk's File No. V338181, as same has been or may be amended from time to time ("**Declaration**"), and any other property which has been or may be subsequently annexed thereto and made subject to the authority of the Association.
2. Section 202.007 of the Texas Property Code was amended to include sections relating to drought-resistant landscaping and water-conserving natural turf.
3. Article II, Section 5, of the Declaration authorizes the Board to adopt rules and regulations with respect to the implementation of the Declaration and the operation of the Association.
4. The Board desires to adopt guidelines relating to drought-resistant landscaping and water-conserving natural turf consistent with the applicable provisions in Section 202.007 of the Texas Property Code.
5. All capitalized terms in these Guidelines shall have the same meanings as that ascribed to them in the Declaration unless otherwise specified in these Guidelines.
6. The Association does hereby adopt these Guidelines, which shall run with the land and be binding on all Owners within the Fall Creek subdivision. These Guidelines supplement the Landscaping Guidelines set forth in the Declaration and the Fall Creek Architectural Review Committee Guidelines, recorded in the Official Public Records of Harris County, Texas, under Clerk's File No. RP-2025-86555, as same has been or may be amended from time to time.

GUIDELINES:

Section 1. Definitions. Capitalized terms used in these Guidelines have the following meanings:

- 1.1. **Residential ARC** - The Residential Architectural Review Committee for the Association.
- 1.2. **Declaration** - The Declaration of Covenants, Conditions, and Restrictions for Fall Creek Single Family Residential Areas, recorded in the Official Public Records of Harris County, Texas, under Clerk's File No. V338181, as same has been or may be amended from time to time, and any other property which has been or may be subsequently annexed thereto and made subject to the authority of the Association.
- 1.3. **Dedictory Instrument (or dedicatory instrument)** - Each document governing the establishment, maintenance or operation of the properties within the Fall Creek Residential community, as more particularly defined in Section 202.001 of the Texas Property Code.
- 1.4. **Guidelines** - These Guidelines Relating to Drought-Resistant Landscaping and Water-Conserving Natural Turf for the Association.
- 1.5. **Xeriscape Landscaping** - means drought-resistant landscaping or water-conserving natural turf by using native and adapted plants that grow and sustain themselves with low water requirements, and that can tolerate heat and drought conditions.
- 1.6. **Fall Creek** - The Fall Creek Residential subdivision/community, including all units, sections and sub-sections, according to the plats thereof recorded in the Plat or Map Records of Harris County, Texas and any other real property which may hereafter be annexed and subjected to the provisions of the Declaration.

Section 2. Xeriscape Landscaping. Section 202.007 of the Texas Property Code provides that a property owners' association may not include or enforce a provision in a Dedictory Instrument that prohibits or restricts a property owner from using Xeriscape Landscaping, except as otherwise provided therein.

The following Guidelines shall be applicable to Xeriscape Landscaping on Lots in Fall Creek:

- 2.1. **ARC Approval.** The installation of Xeriscape Landscaping requires the prior written approval of the Residential ARC. An Owner must submit an ARC request. The request must include details of the project and a design plan. Installation of the new Xeriscape Landscaping cannot begin until the request has been approved.
- 2.2. **Criteria.** A proposed installation of Xeriscape Landscaping shall be reviewed by the Residential ARC to ensure, to the extent practicable, maximum aesthetic compatibility with other landscaping in Fall Creek.

- 2.3. **General Requirements.** As a general rule, full lawns composed of naturally green turf are required in the front yard space and the space along the side of the residential dwelling on a Lot not enclosed by a fence. If a deviation from this general rule is allowed, non-turf areas must be decomposed granite, ground hardwood mulch, crushed limestone, flagstone, or loose stone material for a ground cover as approved by the Residential ARC. The ground cover must be maintained to prevent weed growth, preferably without using toxic or environmentally harmful chemicals. Paver stones may be used to create walkways. Concrete surfaces are limited to driveways and sidewalks. Non-turf materials may not be used in an area between a sidewalk and an adjacent street as the material is likely to wash out onto the street. The area within a particular Lot that may be non-turf shall be determined by the Residential ARC; the non-turf area may vary from Lot-to-Lot depending upon the size and configuration of the Lot and the objective of preserving maximum aesthetic compatibility with other landscaping in Fall Creek.
- 2.4. **Artificial Turf/Artificial Grass.** Artificial turf (commonly called "AstroTurf") and artificial grass are prohibited: (a) in the front yard of a Lot; and/or (b) the side yard of a Lot in which the artificial turf or artificial grass is visible from any street. Artificial turf and artificial grass in the back yard of a lot or in the side yard of a lot shall, if approved by the Residential ARC, be shielded from public view by a fence.
- 2.5. **Landscape Maintenance.** Xeriscape Landscaping is subject to the same requirements as other landscaping 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. Leaves and other debris must be removed on a regular basis so as to maintain a neat and attractive appearance. No plants may encroach on sidewalks. Sickly and dying plants must be removed and replaced. Perennials, that die back during winter, must be cut back to remove dead materials during winter. This includes most ornamental grasses and other flowering perennials, which go dormant to the ground in winter.

[Signature page follows.]