

**GUIDELINES RELATING TO DROUGHT-RESISTANT LANDSCAPING AND
WATER-CONSERVING NATURAL TURF**
for
GREENBRIER OWNERS ASSOCIATION

THE STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

I, Jacqueline Rice, President of Greenbrier Owners Association (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 17th day of July, 2024, 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 in attendance:

RECITALS

1. Section 202.007 of the Texas Property Code was amended to include sections relating to drought-resistant landscaping and water-conserving natural turf.
2. The Board of Directors of the Association 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.

**GUIDELINES RELATING TO DROUGHT-RESISTANT LANDSCAPING AND
WATER-CONSERVING NATURAL TURF**

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

- 1.1. **AC** - The Association's Architectural Committee
- 1.2. **Association** - Greenbrier Owners Association
- 1.3. **Declaration** - Shall mean the restrictive covenant documents referred to in the Association's current Management Certificate filed of record in the Official Public Records of Real Property of Brazos County, Texas for each subdivision under the jurisdiction of the Association, as same has been or may be amended and/or supplemented 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.
- 1.4. **Dedictory Instrument** - Shall have the same meaning as this term is defined in Section 209.002(4) of the Texas Property Code.

- 1.5. **Guidelines** - These Guidelines Relating to Drought-Resistant Landscaping and Water-Conserving Natural Turf.
- 1.6 **Lot** - Any residential lot depicted on the plat map of any subdivision under the jurisdiction of the Association.
- 1.7. **Greenbrier** - Shall mean the property restricted by the Declaration and shall also include any and all other subdivisions that have been annexed, or will be annexed into or otherwise fall under the jurisdiction of the Association, if any, that are not included above.
- 1.8. **Xeriscape Landscaping** - means drought-resistant landscaping or water-conserving natural turf.

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 Dedicatory 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 Greenbrier:

- 2.1. **AC Approval.** The installation of Xeriscape Landscaping requires the prior written approval of the AC.
- 2.2. **Criteria.** A proposed installation of Xeriscape Landscaping by an owner must contain the details as to types of plants, ground covers, border materials, and decorative items to be used. A proposed installation of Xeriscape Landscaping shall be reviewed by the AC to ensure, to the extent practicable, maximum aesthetic compatibility with other landscaping in Greenbrier.
- 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 dwelling structure on a Lot not enclosed by a fence. If a deviation from this general rule is allowed, non-turf areas must be decomposed granite, hardwood mulch, crushed limestone, flagstone, or loose stone material as approved by the AC. Concrete surfaces are limited to approved driveways and sidewalks. Non-turf materials or rock or stone material may not be used in an area between a sidewalk and an adjacent street and/or curb as the material could wash out onto the street. The area within a particular Lot that may be non-turf shall be determined by the AC; 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 Greenbrier. Plants should be those native or adapted varieties which are drought-resistant. No plants with thorns, spines, needles, or sharp edges are to come within six feet (6') of street borders. No plant may be installed which would create a visual hazard for vehicles utilizing the property driveway nor encroach upon any street.

- 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 AC, must be shielded from public view by a fence.
- 2.5. **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. Perennials which 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.
- 2.6. **Removal.** Any deviations from AC-approved plans are subject to forced removal and replacement to meet the community aesthetics with other xeriscaping designs or materials.

I hereby certify that I am the duly elected, qualified and acting President of the Association and that the foregoing Guidelines Relating to Drought-Resistant Landscaping and Water-Conserving Natural Turf was approved by a majority vote of the Board of Directors as set forth above and now appears in the books and records of the Association, to be effective upon recording in the Official Public Records of Real Property of Brazos County, Texas.

TO CERTIFY which witness my hand this 11th day of July, 2024.

Greenbrier Owners Association

By: Jacqueline Rice
 Jacqueline Rice - President

THE STATE OF TEXAS §
 §
 COUNTY OF BRAZOS §

BEFORE ME, the undersigned notary public, on this 11th day of July, 2024, personally appeared Jacqueline Rice, President of Greenbrier Owners Association, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purpose and in the capacity therein expressed.

Suzan Reed
 Notary Public in and for the State of Texas



