

**CERTIFICATE OF ADOPTION
OF
DROUGHT-RESISTANT LANDSCAPING AND
WATER-CONSERVING NATURAL TURF GUIDELINES
OF
TUSCANY COMMUNITY ASSOCIATION, INC.**

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

WHEREAS, the Board of Directors (the "Board") of Tuscany Community Association, Inc., a Texas non-profit corporation (the "Association") is charged with administering and enforcing those certain covenants, conditions, and restrictions encumbering the Tuscany community (the "Community"); 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, the Board has determined that it is appropriate for the Association to adopt guidelines regarding drought-resistant landscaping and water-conserving natural turf; 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 September 30th, 2013 (the "Adoption Meeting"), at which at least a majority of the members of the Board were present and duly passed guidelines regarding drought-resistant landscaping and water-conserving natural turf described herein below (the "Drought-Resistant Landscaping and Water-Conserving Natural Turf Guidelines").

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 Drought-Resistant Landscaping and Water-Conserving Natural Turf Guidelines. The Drought-Resistant Landscaping and Water-Conserving Natural Turf Guidelines are effective upon recordation of this Certificate in the Official Public Records, and supplement any restrictive covenants, guidelines or policies regarding drought-resistant landscaping or water-conserving natural turf which may have previously been in effect for the Community, unless such restrictive covenants, guidelines or policies are in conflict with the Drought-Resistant Landscaping and Water-Conserving Natural Turf Guidelines, in which case the terms in the Drought-Resistant Landscaping and Water-Conserving Natural Turf Guidelines will control. The Drought-Resistant Landscaping and Water-Conserving Natural Turf Guidelines are as follows:

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 to ensure, to the extent practicable, maximum aesthetic compatibility with other landscaping in the Community. Artificial turf and landscaping is not permitted.
- b. 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 Community, and any use of drought-resistant landscaping or water-conserving natural turf, to the extent practicable, shall be in compliance therewith.

EXECUTED on the date of the acknowledgment set forth herein below, to be effective as set forth above.

Tuscany Community Association, Inc.,
a Texas non-profit corporation

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By:

Jeff Day
Jeff Day, President

THE STATE OF TEXAS

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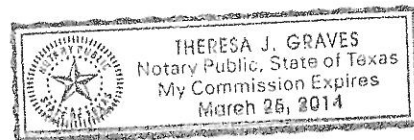
COUNTY OF HARRIS

This instrument was acknowledged before me on October 1, 2013, by Jeff Day, President of Tuscany Community Association, Inc., a Texas non-profit corporation, on behalf of said corporation.

Theresa J. Graves
Notary Public, State of Texas

WHEN RECORDED, RETURN TO:

Hoover Slovacek LLP
5847 San Felipe, Suite 2200
Houston, Texas 77057
File No. 122265-42 (839135)



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10/08/2013 10:44:22 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
STAN STANART
COUNTY CLERK
Fees 20.00

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.



Stan Stanart
COUNTY CLERK
HARRIS COUNTY, TEXAS