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AFFIDAVIT TO AUTHENTICATE

WEST AIRPORT COMMUNITY ASSOCIATION LANDSCAPING GUIDELINES

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared William G. Gammon, Attorney and Agent-in-Fact for the West Airport Community Association, known to me and who being by me duly sworn, upon oath, deposes and states:

"My name is William G. Gammon. I am above the age of eighteen years and am fully competent to make this Affidavit. I am the attorney and agent-in-fact for West Airport Community Association, a Texas non-profit corporation, operating in Harris County, Texas. I have personal knowledge of all the facts stated herein and am fully authorized to make this Affidavit in behalf of West Airport Community Association (the "Association").

In my capacity as attorney and agent-in-fact for the Association, I am responsible for maintaining the Association's business records. I have reviewed the Association's business records and the statements below are within my personal knowledge true and correct.

I am the custodian of the records of the Association. Attached to this Affidavit are a number of pages of records from the Association. The attached records are kept by the Association in the regular course of business, and it was the regular course of business of Association for an employee or representative of the Association, with knowledge of the act, event, condition or opinion, to make the record or transmit information thereof to be included in such record; and the record was made at or near the time or reasonably soon thereafter. The records attached hereto are the original or exact duplicates of the original. A list of these records is as follows:

- 1) Landscaping Guidelines

FILED FOR RECORD
8:00 AM

JAN 27 2009

David L. Hayman
County Clerk, Harris County, Texas

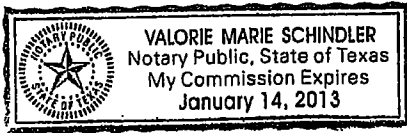
FURTHER AFFIANT SAYETH NOT.

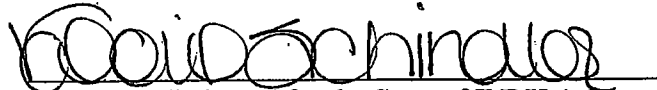


William G. Gammon
Attorney and Agent-in-Fact
West Airport Community Association

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more*

SIGNED AND SWORN TO BEFORE ME, on this 23rd day of January, 2009.




Notary Public in and for the State of T E X A S

West Airport Landscaping Guidelines

West Airport Community Association (WAHOA) developed Guidelines to assist homeowners in complying with deed restriction requirements.

- Landscaping is defined as plants, trees, shrubs, flowers, mulch, and landscape designs and borders.
- Landscaping in the front beds must fully screen the foundation of the house facing any street.
- The front yard includes areas on the sides of the house in front of a fence enclosing the backyard and the area between the sidewalk and the street.

For information on required trees, please refer to the **WAHOA Tree Guidelines**.

General Information

This Landscape Guideline covers the following topics:

- Approved Plants List
- Landscape/Planting Beds
- Landscape Installation, Improvements, and Maintenance
- Lawns and Irrigation Systems
- Screenings and Trellises.

Required Approvals

If a modification is in compliance with the Guidelines, it is not necessary to submit for approval. However, if there is any deviation from the Guidelines listed:

- Specific approval will be required.
- *A signed WAHOA Approval Application must be submitted by the homeowner of record.*
- It will be considered a deed restriction violation.
- The Owner may be subject to fines or added costs to modify or remove the modification(s).
- Submit a photo of existing landscape area.

Approved Plant List

The following plants are recommended and have been selected due to their hardiness in our area. Most of these plants, once established, also have low water requirements. For plant species not specified on this approved plant palette, please submit a West Airport Approval Application.

Shrubs (Note: All required shrubs must be chosen only from this list of "shrubs" to comply.)

Performs Best in Full Sun:

- Abelia,
- Dwarf Wax
- Myrtle
- Hollies
- Indian Hawthorne

- Ligustrum
- Variegated Privet
- Nandina
- Pittosporum
- Dwarf Oleander
- Viburnum
- Dwarf Yaupon Holly
- Dwarf Bottlebrush
- Loropetalum
- Rosemary
- Juniper
- Roses
- Cherry Laurel

Performs Best in Shade:

- Aucuba,
- Azalea,
- Leatherleaf Mahonia,
- Nandina,
- Cleyera

Performs Best in Partial Shade:

- Some Roses
- Loropetalum
- Nandina
- Ligustrum
- Variegated Privet
- Dwarf Wax Myrtle
- Pittosporum
- Dwarf Barbados Cherry
- Boxwood
- Abelia, Hollies

Groundcovers and Border Plants

Performs Best in Full Sun:

- Agapanthus
- Asian Jasmine
- Aztec Grass
- Boxwood
- Daylilies
- Liriope
- Mondo Grass
- Society Garlic
- Confederate (Star) Jasmine
- Cuban Gold Duranta
- Bulbine
- Asian Jasmine
- Artemesia
- Purple Heart
- English Ivy

Performs Best in Shade:

- Asian Jasmine
- Liriope,
- Mondo Grass
- Algerian Ivy

Performs Best in Partial Shade:

- Boxwood
- Confederate
- Jasmine,
- English Ivy

Optional Accent Plants

Performs Best in Full Sun:

- Daylilies,
- Geraniums,
- Hibiscus,
- Lantana,
- Mexican Heather,
- Salvia,
- Coneflowers,
- Rudbeckia,
- Bulbine,
- Butterfly Iris,
- Verbena,
- Esperanza,
- Roses,
- Plumbago,
- Dwarf Crapemyrtles,
- Sago Palm,
- Buddleia

Performs Best in Shade:

- Variegated Ginger,
- Beautyberry,
- Aspidistra,
- Ferns (see supplemental page *Recommended Ferns*)

Recommended Roses

Roses may only be planted as an accent shrub. They cannot take the place of screening shrubs. They may also be planted in the rear yards where not visible from public view. Suggested Varieties – Accent Shrubs Only

- **Caldwell Pink** - This rose has double, lilac-pink flowers forming clusters that can be seen from a distance. The compact bush fills out nicely with a minimum of pruning and maintenance. It is not very particular about soil conditions, but prefers a sunny, open space. (Repeat blooming, pink blend).
- **Katy Road Pink** - This rose forms an open, yet extremely graceful bush. It appears to have few insect or disease problems and is not particular about soil or growing conditions. It is remarkably free-blooming with new buds appearing all the time. The large-petaled, vivid pink flowers are semi-double, opening from long buds to display their central stamens. Large orange hips, three to five feet. (Repeat blooming, fragrant, hip display, medium pink).

- **Georgetown Tea** - This flower is long-budded and fully double - dark salmon pink at the center fading to lilac pink. The petals roll into points at the tips as they unfold, giving the fully open flower a starry look. The blooms have typical Tea fragrance, and the foliage is extra thick and attractive, three to five feet. (Repeat blooming, fragrant, pink blend).
- **Ducher, 1869** - Regarded as the only white China rose, Ducher blooms a soft, ivory-white. The buds are very round and sometimes have a hint of pink on the outer petals. Although it exhibits the typical bronzy new growth, the foliage of 'Ducher' is uncharacteristically light green, three to five feet. (Repeat blooming, fragrant, white).
- **Martha Gonzales** - Bright scarlet, neat, single flowers open flat to decorate a bushy shrub whose neat foliage has a dark red tinge. Due to size, it serves as an excellent choice for a low hedge or border, two to three feet. (Repeat blooming, medium red).
- **Old Blush** - Also known as 'Common Monthly,' 'Common Blush China,' 'Old Pink Daily,' 'Old Pink Monthly,' and 'Parsons Pink China.' 'Old Blush' has medium, semi-double, lilac pink flowers in loose clusters. They flush darker pink in the sun and are followed by large orange hips. The bush is full and upright in habit, growing slowly to more than five feet, with neat, healthy foliage, three to six feet. (Repeat blooming, fragrant, hip display, medium pink).
- **La Marne** - The perfect hedge plant, 'La Marne' is a neat, erect bush heavily covered with healthy, shiny leaves, which reblooms heavily. 'La Marne' prefers open, sunny areas, four to six feet. (Repeat blooming, fragrant, pink blend).
- **Marie Pavie** - This rose can be used as a border, pot plant, specimen, or low hedge. Pale pink buds unfold to creamy white, fragrant, semi-double flowers. This rose is almost constantly in bloom, and the wonderful scent permeates the garden on warm days. The foliage is a dark, rich, healthy green. The thornless stems of 'Marie Pavie' make this rose an outstanding landscape plant, three to four feet. (Repeat blooming, fragrant, white).
- **Mrs. R.M. Finch** - Bushy and vigorous in growth habit, this rose shows no evidence of disease problems, three to four feet. (Repeat blooming, fragrant, medium pink).
- **The Fairy** - 'The Fairy' has a lush, spreading shape. The small, bright green, shiny leaves and the clustered sprays of little, double pink roses are on display throughout the growing season - although summer sun fades the flowers to blush white. This is one of the best summer blooming roses. (Repeat blooming, light pink).
- **Nearly Wild** - The bush is ideally suited as a low hedge if planted closely together, as it is compact, full, and almost always in bloom, three to four feet. (Repeat blooming, medium pink).
- **Rise 'N' Shine** - The mass planting of this rose at the Blue Bell Creameries tourist center, in Brenham, TX, is beautiful. The compact bush has very healthy foliage and no disease problems. This rose is well suited for container growing, bordering, or hedging, two feet. (Repeat blooming, fragrant, medium yellow).

Recommended Ferns

- **East Indian Holly Fern** - Evergreen, 12-24" tall, shade/part shade, even moisture and well drained.
- **Asparagus Fern** - Evergreen, 2' x 3', part sun, regular watering, not a true fern.
- **Foxtail Fern** - Evergreen, 2' x 3', part sun, regular watering, not a true fern.
- **Southern Maiden Fern** - A Texas native, 12" tall, shade to part shade, even moisture and good drainage.
- **Japanese Painted Fern** - Deciduous (should not be used in the front of the bed), 18" x 18", good color, shade/part shade, even moisture, good drainage.
- **Holly Fern** - Evergreen, 2' x 3', morning sun/shade, even moisture, good drainage.
- **Cinnamon Fern** - A Texas native, 2' - 3', tolerates most soil and poor drainage, deciduous.
- **Royal Fern** - A Texas native, 4', shade/part shade, poor drainage okay, dormant in winter.
- **Dixie Wood Fern** - 36" - 48", semi-evergreen, shade, moist, well-drained soil.

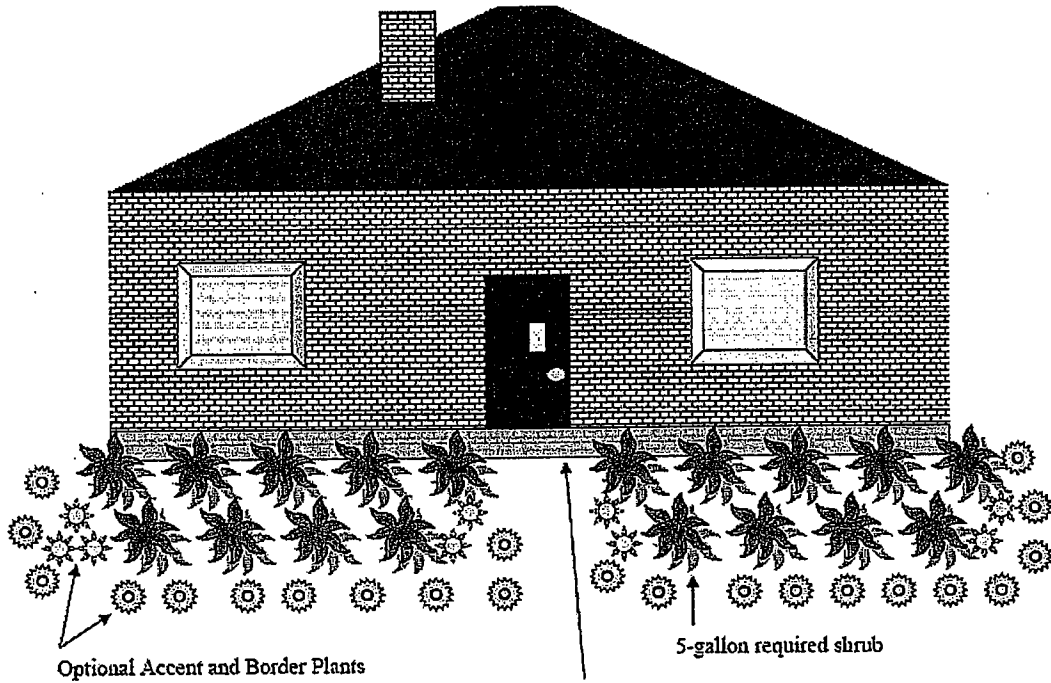
Landscape/Planting Beds

- The landscape beds and the required plant layout must fully screen the house's foundation from public view facing any street.
- The front yard includes areas on the sides of the house in front of a fence enclosing the backyard and the area between the sidewalk and the street.
- Planting beds should produce a harmonious landscape setting and should complement the architecture of the residence with a suggested minimum width of six feet (6') from the foundation of the home.
 - All planting beds should be mulched.
 - **Rock or gravel of any size or color requires specific, prior approval of the WAHOA Board.**
 - Earth-tone rocks may be used on a limited basis for drainage or aesthetic purposes.

Shrubs and Groundcover

- **Shrub Planting**— Plant a minimum of two (2) layers of shrubs at the foundation of the home. Use a minimum of five (5) gallon container-grown shrubs, planted thirty-six inches (36") on center, with triangular spacing.
- **Groundcover or Border Plants**— Use one (1) gallon containers, planted twelve inches (12") on center or split and planted six inches (6") on center, depending on the species.

Shrubs and groundcover species must conform to the approved plant list. See *Approved Plant List* section. If plant types other than those on the approved list are desired, **specific approval for these plants must be obtained.** Hedgerow shrubs in the front landscape beds, or in front of fencing, must be maintained four (4) feet or lower.



Optional Accent and Border Plants

5-gallon required shrub

Home's Foundation



Example: shrubs planted thirty-six inches (36") on center, with triangular spacing.

Edging and Borders

Edging around planting beds is encouraged for maintenance purposes and to define the shape of the beds, but it is not required. Natural border plants, such as monkey grass, liriopse or jasmine, are strongly encouraged.

- **Acceptable Edging Materials**_ - landscape timbers, railroad ties, steel, stone or brick. Landscape timbers and railroad ties can be laid horizontally or vertically, having a uniform height or edge. Stone may be laid flat as accent material.
- **House bricks are an inappropriate material and cannot be used for landscape borders.**
- **Landscaping bricks** shall complement the house brick. It is recommended that the bricks not be laid loose, but be set securely into the ground either horizontally or vertically.
- **Colored brick or concrete-scalloped borders** shall be securely set into the ground.
- **Colored or poured reinforced concrete border/curbs** are acceptable, but must complement the exterior color scheme of the residence.
- **Black plastic or rubber edging material is not recommended.**
- All edging material must be maintained.
 - Example: shrubs planted thirty-six inches (36") on center, with triangular spacing.
Home's Foundation 5-gallon required shrub Optional Accent and Border Plants

Unacceptable Edging Materials-wire, wood or plastic fencing, lattice, or other materials not in character with the desired landscape effect.

Landscape Installation, Improvements, and Maintenance

Installation

- Installation of landscaping is to be executed in a high quality manner, consistent with the image of West Airport.
- The Modifications Committee may reject any improvement where the material or workmanship fails to meet the acceptable industry standards.
- Contractor signage is prohibited, violates deed restrictions, and the homeowner may be subject to fines.

Improvements

- Consult with the FCCA Landscaping Coordinator with shrub/plant questions prior to making extensive changes to the landscape or planting beds. Then submit a West Airport Approval s Application for approval.
- If plants are not on the Approved Plant List, a homeowner will need to submit a completed, signed West Airport Approval Application for approval prior to landscape installation.
- If trellises and other enhancements are outside the scope of the Guidelines, a homeowner will need to submit a completed, signed West Airport Approval Application for approval prior to installation.

Maintenance

Property maintenance and care of the landscape is vital to the overall appearance of West Airport. All landscaped areas are required to be maintained on a regular basis. Refer to the Lawns section for required lawn maintenance.

Lawns

General Information

- *The usual type of sod is St. Augustine*
- Yards visible to the public shall be solid sod, if not in planting beds
- Seeding or sprigging entire front or side lawn is not allowed
- Overseeding with Ryegrass for the purpose of having a green winter lawn is permitted
- The lawn must be properly maintained all year round

Lawn Maintenance Requirements

- Mow (once a week during the growing season, March through October)
- Edge (along walkways, sidewalks, and the street curbs)
- Treat for weeds (including weeds in the expansion joints), turf diseases, and turf damaging pests
- Mulch beds
- Fertilize
- Prune plants
- Water properly
- Immediately replace all plant material damaged or destroyed through drought, disease, neglect, etc.

- Place all lawn bags/bundled tree limbs at the curb no earlier than the night before the designated pick-up day.

Irrigation Systems

- Installation of an automatic irrigation system is encouraged and may be required in some neighborhoods.
- All irrigation equipment, including above-ground piping and valves, must be screened from view.
- All sprinkler heads must be at ground level, except those that are placed in the landscape beds.
- Irrigation systems must be designed and installed by a company with a Licensed Texas Irrigator on staff. A permit is required from the City of Houston.

Screening

- All mechanical and electrical equipment (pool equipment, air conditioners, gas meters, electrical boxes, etc.) must be completely screened from public view.
- A combination of trees, hedges, shrubs, or fences should be used to screen equipment and mechanical areas. Since landscaping is an ever-changing entity, the homeowner must maintain the screening/landscaping in a manner that ensures the plants continue to screen. If, after a point in time, screening is no longer being achieved, the landscaping may have to be adjusted or replaced.
- Gas meters and electrical boxes may be painted to match the background.

Trellises

Location

- Rear or side of house within the fenced yard.
- May also be placed along side walls of the house, or side fencing, when incorporated into the general landscape design.
- If trellises are to be attached to shared fences and extend above the top of the shared fence, written permission from neighbors will be required.

Dimensions

Maximum height shall be eight (8') feet - when measured from the ground.

Materials

Use weather-resistant wood, either pre-made or custom-made, using an open wood-slat design.

- Pre-made metal trellises are acceptable only in muted colors: brown, gray, black, hunter green, or white.
- Colors used must blend in with the house colors.

Maintenance

Trellises must be properly maintained at all times so as to not distract from the neighborhood. Maintenance includes, but is not limited to:

- repair/replacement of worn or rotted wood or metal
- painting

Plant materials used must also be properly maintained. This includes:

- proper watering
- fertilizing
- trimming
- replacement of dead or dying plants

Composting

- Composting of organic materials is allowed provided the following:
- All composting efforts must be done in the backyard of any home
- Composting must be maintained so that there are no noxious odors or infestations by insects or animals.
- Structures must be in good repair and not encroach into easements or neighboring yards.

Reference: Declaration of Covenants, Conditions, and Restrictions (CC&Rs) for West Airport (1982), Article VIII, Section 5; the West Airport Deed Restrictions; require that "...plans and specifications showing the nature, kind, shape, color, size, materials, and location of such modifications, additions, or alternatives shall be submitted to the Modifications Committee for approval."

The West Airport Homeowners Association approved these guidelines on the _____ of _____ 2008. Changes to these guidelines can be made at any time without prior notice.

Ret ✓
 William G. Gannon
 & Associates
 1 Greenway Plaza
 Suite 1005
 Houston, TX 77046

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 on

JAN 27 2009



Dorely B. Kayman
 COUNTY CLERK
 HARRIS COUNTY, TEXAS

RECORDER'S MEMORANDUM:

At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blackouts, additions and changes were present at the time the instrument was filed and recorded.