

**Clear Lake Forest
Deed Restriction Reminder / Clarification
By
Evvie Gilbert**

As the Clear Lake Forest Community Association (CLFCA) board member responsible for Clear Lake Forest (CLF) Deed Restriction issues, I thought it would be wise to publish some reminders as we are not doing well as a community relative to certain of the restrictions and maintenance guidelines.

So, it was my thought that perhaps we need both this reminder and some clarification. The deed restrictions for each of the sections within CLF were defined by the developer and filed with Harris County at the time that each section was platted. When anyone purchases a home in CLF, they are also “buying” into these deed restrictions.

In addition to the deed restrictions are the Exterior Maintenance Guidelines. These guidelines were adopted by the previous Board and filed with Harris County and so although they are entitled “Guidelines”, they too are binding and are enforceable as part of the deed restrictions. A copy of the referenced “Guidelines” was included in each resident’s dues invoice for fiscal year 2002-2003.

Anyone who reads the CLF Deed Restrictions and Maintenance Guidelines may think, “Hey, what can they do to me if I decide to ignore them?” Well, CLFCA does not need to do much as the penalties for refusal to comply with the restrictions “Are enforced by statute”. These words are quoted because they were said by Judge Louie Ditta (in answer to the direct question) during a seminar that a couple of the CLFCA board members attended in his court. So, what that means is that the Deed Restrictions and Exterior Maintenance Guidelines are enforceable under state law.

So, just as our nation’s President is proposing an “amnesty” period for illegal aliens working in our country, we are writing this article to provide an “amnesty” period for many residents in CLF and provide everyone with the reminders. This “amnesty” period will end on April 1, 2004 - And no, that date was not chosen because we are fools. This date was selected to coincide with when the Log is published to allow everyone in the community more than 6 weeks to get their homes in order or as a minimum to start the process of compliance in such a manner that it is discernible.

The reminders listed below were selected because they are very widely ignored:

1. There shall be no storage in public view of **clutter or debris** including but not limited to **trash cans** and building materials.
2. Fences and gates must be level, plumb, square and in **good repair**.
3. Lawns must be kept mowed, **edged** and weed free, flowerbeds must be kept free of weeds, and shrubs and tress must be kept trimmed.
4. All painted surfaces must be clean and smooth with **no bare areas or peeling paint**, and all surfaces must be free of **mildew and algae**.

5. All **rotted or damaged** wood must be replaced and any damaged brickwork repaired.
6. Boats and trailers are to be stored in a location no closer to the street than the **front building setback line**, or in the case of a **corner lot the side building line** facing the street.
7. **No trees shall be cut** except to provide room for construction of improvements or to remove dead or unsightly trees.

One more clarification: Many people are under the impression that if an issue is not visible from the street, the Association has no say but we need to call that an “Urban Legend” All of our deed restrictions say visible from the street or *neighboring lots*. That means if your neighbor can see it from their home, you are obliged to comply.

Good Luck to all and I sure hope the Association is not busy come April 1, 2004!