

LAKES OF PARKWAY  
APPLICATION TO INSTALL A BASKETBALL GOAL SYSTEM

MODIFICATIONS COMMITTEE  
2002 W. GRAND PARKWAY N. # 100  
KATY, TEXAS 77449

OWNER'S NAME: \_\_\_\_\_ HOME PHONE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ WORK PHONE: \_\_\_\_\_

CITY: \_\_\_\_\_ TX \_\_\_\_\_ CELL PHONE: \_\_\_\_\_

In an effort to provide and protect each individual homeowner's rights and values, it is required that any homeowner or group of homeowners considering a basketball goal system on their property must submit this application and receive the written approval from the Modifications Committee (the "MC") PRIOR to the installation of a basketball goal.

TYPE OF BASKETBALL SYSTEM: \_\_\_\_\_ PORTABLE \_\_\_\_\_ STATIONARY WITH REMOVEA13LE BOLTS

A COPY OF THE PLOT PLAN DEPICTING THE LOCATION (in accordance with the guidelines approved by the MC) OF THE PROPOSED BASKETBALL GOAL MUST BE ENCLOSED,

SURVEY INDICATING DISTANCE FROM CURB AND/OR ADJACENT PROPERTY LINES ENCLOSED:  YES  NO

LOCATION: FRONT OF HOUSE \_\_\_\_\_ BACK OF HOUSE \_\_\_\_\_ SIDE OF HOUSE \_\_\_\_\_

If in the front of the house, pictures of the applicable portion of the adjacent property.

In cases where compliance with these requirements; is not feasible, a written explanation can be provided to support this application WRITTEN DECLARATION FROM NEIGHBOR:  YES, letter included  NOT REQUIRED

A onetime \$100 refundable deposit is required to ensure the basketball goal system is installed, maintained and used in accordance with the requirements of the Rules and Guidelines for Basketball Goal Systems in the Lakes of Parkway Subdivision (the "Basketball Guideline). Failure to follow any of the Basketball Guidelines can result in forfeiture of deposit and the Association making a special assessment against the noncomplying approval holder.

REFUNDABLE \$100 APPLICATION DEPOSIT ENCLOSED:  YES  NO  
(Make check payable to LOPHOA)

I understand that the MC will act on this request as quickly as reasonably possible and contact me in writing regarding its decision. I understand I am not to install/ setup up a basketball goal until the MC notifies me in writing of its approval.

"FAILURE TO SUBMIT THE SURVEY, PICTURES AND REQUIRED INFORMATION COULD RESULT IN A DELAY AND/OR AUTOMATIC DISAPPROVAL OF SUBMITTEDAPPLICATION"

I have read and understand this Application to Install a Basketball Goal System and agree to abide with it.

Home Owner's Signature \_\_\_\_\_

Print Homeowner's Name \_\_\_\_\_

\_\_\_\_\_  
Date

Revised 5/04/07

534634v1 MILK 122072-49 5/10/2007

**RULES AND GUIDELINES**  
**FOR BASKETBALL GOAL SYSTEMS IN THE LAKES OF PARKWAY**  
**SUBDIVISION**

August 24, 2007

**OBJECTIVE**

These Rules and Guidelines for Basketball Goal Systems in the Lakes of Parkway Subdivision (these "Basketball Guidelines") have been developed by the Board of Directors (the "Board") of the Lakes of Parkway Homeowners Association, Inc. (the "Association") for use by the Modifications Committee (the "MC") to provide for the controlled installation, use and maintenance of a basketball goal system by residents on their own properties. These Basketball Guidelines are designed to protect and maintain the integrity of the Lakes of Parkway Subdivision (the "LOP") with consideration of curb appeal, impact on neighbors, LOP architectural guidelines and safety. These Basketball Guidelines are also developed in recognition of the desire of owners within Lakes of Parkway to have basketball goal systems as a recreational choice for their individual physical and social requirements.

Pursuant to the Declaration of Protective Covenants for Lakes of Parkway (the "Protective Covenants"), no basketball goal shall be erected or installed on any residential properties without the prior written approval of the MC. Further, the Protective Covenants provide" that the Board may adopt rules and regulations governing the use of the properties within the LOP. Due to previous complaints regarding basketball goal systems in the LOP, the Board hereby adopts these Basketball Guidelines:

**BASKETBALL GOAL SYSTEM GUIDELINES**

**I. HOMEOWNER APPLICATION**

A homeowner desiring to install a basketball goal system (herein "Applicant") shall file a written application, in the form promulgated by the MC and must receive written approval from the MC, prior to installation or placement of the system. A survey with location of goal and the applicable set back lines indicated together with pictures of the adjacent property that is within ten feet (10') of the proposed location of the basketball system must be included with the application. Approval of basketball goal systems remains at the discretion of the MC and does not imply that the Association accepts any responsibility for the installation, safety or use of these systems by the owner or anyone else.

**II. PLACEMENT OF BASKETBALL GOAL**

A. Proximity to neighbor:

Goals must be placed at a safe distance from adjacent properties to prevent damage to the landscaping and improvements of any adjacent properties and to prevent encroachment of players on the adjacent properties. In cases when compliance with this guideline is not feasible, the MC may take into consideration the adjacent properties owners' written declaration (a "Declaration") that the location of the goal is not a nuisance, provided however that an adjacent property owner may revoke the Declaration at any time by written notice to the MC and in

the event of a sale of the adjacent property, the Applicant shall within ten (10) days either: a) remove the basketball goal system or b) deliver to the MC a new Declaration signed by the new owner.

B. Back of Property:

If the basketball goal system is placed in the back yard, it should be placed in such a manner as to protect the neighbor's privacy. At no time, however, can the distance from the side or rear fence be less than ten (10) feet.

C. Front of Property:

The basketball goal system is to be located behind a line parallel to the street that is tangential to the portion of the residence that is closest to the street (the "Front Property Placement Requirement"). The MC may grant exceptions to the Front of Property Placement Requirement, provided the basketball goal system shall not be located closer than ten (10) feet from the street curb or closer than five (5) feet from the property line of the adjacent property.

### III. INSTALLATION

No wall or roof mount type basketball goal systems are allowed. Portable basketball systems must be filled with water or sand in the base. No temporary "weights" can be used on top of the base, nor can reinforcement or retaining straps be attached. So called "in-ground" basketball goal systems must be mounted by bolts set in a concrete base, the top of which does not extend above the surface level of the ground, by more than one (1) inch, so that removal may be effectuated by removing the bolts.

### IV. MAINTENANCE

Basketball goals, nets, backboards and poles should be in good working order and maintained to be like new in all respects. This includes a requirement for the timely painting and replacement of parts due to wear and tear, aging, weather or any type of damage. If the Board, in their judgment, believes that the basketball goal system is not being maintained properly, the Board may require the Applicant to repair or remove the basketball structure at the sole expense of the owner.

### V. TIME LIMIT

The term of any approval by the MC of an application to install a basketball goal system shall be for a period of two (2) years from the date approved by the MC with the Applicant having an option to request that the application approval be extended for subsequent two year periods by making a written request for such extension to the MC prior to the end of the then current approval term. A onetime refundable deposit of \$100.00 will be required with the application. In the event the MC does not approve the application to install a basketball goal system or subsequent extension requests, the deposit shall be returned to the Applicant. The options to extend the application approval may only be sought by the Applicant if there has been complete compliance with these Basketball Guidelines. Any approval for a basketball goal system shall terminate in the event that:

- The Applicant is no longer the owner of the property for which the approval was granted;
- The Applicant has not complied with the terms of these Basketball Guidelines.
- The expiration or termination of a Declaration.
- An adjacent neighbor rescinds their Declaration;
- The Applicant fails to renew the application before the expiration of the 2-year approval period;
- The Applicant advises the MC that the basketball goal system has been removed from the property;

#### VI. HOURS OF PLAY

As stated in the Protective Covenants, no resident should cause any noise or other conditions that might disturb the peace, quiet, safety, comfort, or serenity of the occupants of surrounding property. To be considerate of neighbors, hours of play are restricted to between 9:00 a.m. and 9:00 p.m. However, a neighbor's request to further restrict play will be given appropriate consideration to honor the "GOOD NEIGHBOR" code of conduct.

#### VII. REMEDY

The Association shall have the remedy of both forfeiture of the application deposit and/or of self-help to cure the violation with the non-complying Applicant being responsible for all costs incurred by the Association, such costs being a special assessment against the non-complying Applicant. The Association shall have the right, but not the obligation, to enter upon any owner's property, to perform maintenance or removal of the basketball goal system, and to inspect for the purpose of ensuring compliance with these Basketball Guidelines. This right may be exercised by the Board, any agent or employee of Association acting with the authorization of the Board.

#### VIII. HURRICANE PRECAUTIONS

In the event of a hurricane warning, the Applicant is responsible for safely securing or disassembling the basketball goal system to prevent damage to adjacent properties by the basketball goal system.

**FILED FOR RECORD  
8:00 AM**

**SEP-7-2007  
County Clerk, Hants County, Texas**