



# GARDEN OAKS GAZETTE

VOLUME 22, ISSUE 8

AUGUST 1999

## NEXT STEPS FOR DEED RESTRICTIONS IN GARDEN OAKS

*Shelly Immel*

### The Summary

Our Board of Trustees has been dissolved. So what do we do now? We act immediately to preserve deed restrictions in our neighborhood!

To keep this neighborhood the place we want to live, the deed restrictions must have a clear and legally potent mechanism for enforcement. They must also reflect the will of the majority of property owners. To establish these things, we need to do the following:

1. We need to understand our options for creating an organization to enforce our current deed restrictions. This will require some research.
2. Based on the research, we need to create an enforcement organization, so our restrictions don't lapse due to non-enforcement.
3. We need to update our deed restrictions to address all the issues that have arisen. We want to do a survey of property owners on proposed changes to the restrictions, compile the changes to revise the restrictions, and then circulate a petition to pass the revised restrictions.

*("Next Steps" continued on page 9)*

## NATIONAL NIGHT OUT

*Editor's note: For a listing of Garden Oaks block parties, turn to page 8. If your block isn't listed, then gather with your neighbors outside for an informal event. Either way, please light up your porch in honor of National Night Out. And watch for the roving Gazette editor, with camera in tow, to photograph your event.*

The "16<sup>th</sup> Annual National Night Out" (NNO), a unique crime/drug prevention event sponsored by the National Association of Town Watch (NATW), has been scheduled for Tuesday, August 3, 1999.

Last year's National Night Out campaign involved citizens, law enforcement agencies, civic groups, businesses, neighborhood organizations and local officials from 9,420 communities from all 50 states, U.S. territories, Canadian cities and military bases worldwide. In all, 31.1 million people participated in NNO 1998. The upcoming "16th Annual NNO" is expected to be the largest ever!

*("NNO" continued on page 7)*

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**CIVIC CLUB OFFICERS**

President: James Flowers, 3213 Lawrence (713) 862-6593  
 VP/Membership: David Bell, 855 Azaleo (713) 694-5016  
 VP/Gazette Editor: Robert De Veau, 974 W 42<sup>nd</sup> (713) 686-6012  
 Treasurer: Jay Slemmer, 733 W 38<sup>th</sup> (713) 695-7953  
 Secretary: Felicia Adams, 336 W 34<sup>th</sup> (713) 869-1784

**COMMITTEE CHAIRS**

Beautification: Ed & Brenda de Alba (713) 694-5934  
 Citizen's on Patrol: Carl Waters, Jr. (713) 864-1992  
 e-mail: GOCop77018@aol.com  
 Constable Program: Karl Engelmann (713) 861-1978  
 Sam Mehta (713) 880-0720  
 Garden Club: Janice Walden (713) 869-6534  
 Home & Garden Tour: Meredith Jenkins (713) 697-5654  
 Hospitality & Refreshments: Terry Jeanes (713) 680-8550  
 Programs: Terry Jeanes (713) 680-8550

**EDITOR'S CORNER**

**H**ola! ¿Cómo está? Me llamo Alejandro. ¿Cómo se llama usted? Es un placer conocerla. Pasen. Soy de Columbia. Yo soy el mesero para el restaurante.

I have a confession to make. I've been living another life. I have another name, another birth place and another job. For the past four weeks, twice each week, (and for eight weeks prior to that) I've been taking a Spanish class. And it hasn't been easy! I'm 39 years old and haven't been back to school in a number of years. Add to that: I studied French for five years; I'm originally from Boston where I grew up dropping the letter "r" from words where it belongs and adding it to words where there isn't one and (Have I mentioned this already?) I'm 39 years old!

I happen to work for a company which employs a lot of Spanish speaking employees, particularly in the kitchen where I work most of the time. Every six months, I have to undergo a review. I'm graded on technical skills, knowledge, managerial skills, leadership and the ability to converse in Spanish. Every six months I've been told to work on my Spanish because it was non-existent. Then it happened. A friend mentioned that she had signed up for an accelerated Spanish class so I signed up with her. I needed the motivation of another individual to get me to class. The class is non-credited and offered in a relaxed setting. No tests to be graded, no formal study, just immediate Spanish conversation taught by playing

games and making a fool of yourself along with everyone else. We come from all walks of life and each of us has our own reason for attending. Most are there for business reasons but some are there just because they want to learn another language. My favorite part of class is the last 15 minutes. Not because the class is almost over. Our instructor turns off the lights, plays some new age music and tells us to relax.

Voy a ayudarles a relajarse. Cierra los ojos. Respira profundamente. Se relaja la cara. Se relaja el cuello. Se relajan los hombros. Se relajan los brazos y las manos. Se relaja la espalda. Se relajan las piernas y los pies. Están muy relajados. Se sienten bien. In that relaxed state of mind, our instructor covers all the vocabulary we learned in class. She builds verbs, reviews numbers, colors and nouns. Then she brings us back to a state of consciousness. Oh I admit, once or twice I've actually fallen asleep during that relaxation time. But I'm sure my sub-conscious has picked up something. At least I hope it has.

While I'm still not fluent in Spanish, my confidence has increased. As I stumble my way through Spanish conversations at work, my employees put up with my incorrect verb usage and my use of "Spanglish" when I'm at a lost for the right word. We have an understanding now. I speak to them in really bad Spanish and they correct me; they respond in fractured English and I correct them. It's a win-win situation for all of us.

¿Hasta la proxima vez, puedo ofrecerles algo de tomar? Dame el café helado por favor.

**GAZETTE CONTACTS**

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## PRESIDENT FLOWERS

**T**hanks to everyone who attended the July Civic Club meeting. It was by far the best attendance I have seen. You are obviously interested in Garden Oaks, deed restrictions, and protecting your investment in property. You had some very reasonable questions and valid concerns pertaining to the Garden Oaks Board of Trustees. This issue is very emotional, and I would like to acknowledge all who attended for their respect for the views and opinions of others. Board members responded to neighborhood concerns with genuine efforts to make positive changes and move forward in the most effective manner. Now, I challenge those of you who are not Civic Club members to pay your dues. David Bell's statistics presented at the meeting on civic club membership - or lack thereof - are disappointing to say the least.

Last August, I attended my first Neighbor's Night Out. Although I have lived in the neighborhood for two and a half years, my first year in the neighborhood I skipped participating, perhaps because I felt I did not know enough of my neighbors to feel comfortable. Last year, I really enjoyed the experience. It is a great way to meet your neighbors, establish new friendships, and develop bonds that will make Garden Oaks more cohesive and unified. Garden Oaks is rare in that it is not the type of community where people pull in to their garages at the end of the day and fail to acknowledge their neighbors. There are wonderful long time residents among those of us who are new to the neighborhood that share precious stories about the beginnings and development of our community. I encourage each and every one of you to take advantage of this opportunity to meet your neighbors on August 3<sup>rd</sup>.

A reminder that there will be no Civic Club Meeting in August. Please plan to attend the September meeting on Tuesday, September 7<sup>th</sup>.

### CIVIC CLUB OFFICERS E-MAIL CONTACTS

President: James Flowers	jflowers@chapman-schewe.com
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VP/Gazette: Robert De Veau	GOGazette@aol.com
Treasurer: Jay Slemmer	benslem@msn.com
Secretary: Felicia Adams	felicia.adams@parke-davis.com

## NEIGHBORHOOD CONNECTIONS CONFERENCE

**T**he third annual Neighborhood Connections Conference will be held Saturday, August 28 at the George R. Brown Convention Center.

The conference provides an opportunity for neighborhood groups and individuals to network and gather information and resources to improve their neighborhoods.

More than 1,000 people are expected to attend the free, day-long event that will run from 8:30 a.m. to 3:30 p.m. Dr. Stephen Klineberg of Rice University will report on the Houston Area Study.

The event, organized by the city of Houston's Planning and Development Department, also will honor "Neighbors of the Year". Houston Mayor Lee Brown will speak at lunchtime and announce the Neighbor of the Year recipients at the conference.

"The conference is a highlight of the department's on-going work and interaction with neighborhoods," Planning Director Bob Likte said. "One of the greatest benefits of the conference for participants is the unique opportunity to network with folks from other neighborhoods and share success stories and problem-solving strategies."

Throughout the day, conference participants will choose from 18 information-packed workshops including Safe Neighborhoods, Building Community Support, Deed Restrictions, How to Find Money, Redevelopment Tools for Older Neighborhoods and more. Participants can tour information booths and win prize give-aways donated by supportive businesses.

More than 40 local companies, non-profits, and city departments will be available at information booths to provide answers to commonly asked "how-to" questions.

Complimentary box lunches and conference materials will be provided.

The Connections Conference is a part of Brown's initiatives toward neighborhood orientated government.

Sponsors include the American Institute of Architects, Houston Chronicle *ThisWeek* and the Convention & Entertainment Facilities Department.

For more information or to register, call (713) 837-7500.



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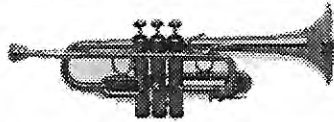
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## MINUTES OF JULY 6TH CIVIC CLUB MEETING

*Sheila Briones, Acting Secretary*

Meeting was called to order at 7:03 p.m. by President James Flowers.

A motion was made, and seconded, to accept the minutes from the June meeting.

### Officer Reports

Vice President/Membership: David Bell passed out a report on membership participation by street and block. Membership stands at 326 members. David also reported that the New Resident Packets are 70% complete.

Vice President/*Gazette* Editor: Robert De Veau reported the *Gazette* advertising sales budget is \$1000 over because of the hard work of Christine Stevens, *Gazette* Advertising Sales Director.

Treasurer: Jay Slemmer presented the latest budget summary. Budget has an \$18,000 surplus. There is around \$40,000 in bank.

### Committee Reports

Beautification: Brenda de Alba had nothing to report.

Citizens on Patrol: Carl Waters reported that there were 5 crimes in May. Need more COP volunteers. Call Carl at (713) 864-1992 if your block is having a Block Party for National Night Out on Tuesday, August 3. He can arrange for a police officer to attend, but is on a first come-first serve basis.

Constable Program: No report available.

Garden Club: No report available.

Home Tour: Sheila Briones reported that two key positions on the Home Tour Committee are still needed. Those are Treasurer and Graphics.

### Unfinished/Old Business

Bike Trail: Shelley Rogers reported that we won the fight opposing the widening of W. 33<sup>rd</sup> to accommodate the bike trail. This was a perfect example of what resident participation can accomplish.

Sound Wall: President James Flowers reported that funds were approved for the construction to take place in Section I and IA in September of 2000.

Constable Patrol Expansion: Terry Jeanes reported that a lot more volunteers are needed for this project.

### New Business

Amendments to the bylaws: 2nd Vice President, Robert De Veau read the two

*("Minutes" continued on page 5)*



original bylaws and then read the proposed changes to the two bylaws. The proposed changes appear as bold, underlined text.

#### Article III Meetings of Members

3.01 Regular meetings. Meetings shall be held on the first Tuesday of each calendar month, **with the exception of the month of August in deference to the observance of National Neighbor's Night Out,** at 7:00 o'clock p.m. for the transaction of such business as may come before the meeting. If the day fixed for the regular meeting shall be a legal holiday, such meeting shall be held on the next succeeding business day.

#### ARTICLE VII CONTRACTS, CHECKS, DEPOSITS, FUNDS AND BUDGETS

7.05 Budgets. A budget shall be prepared annually by the Board of Directors to be presented during the February [**November**] meeting and shall be published in the *Gazette* prior to the March [**December**] meeting. All committees shall submit to the Board of Directors a Budget comprised of their anticipated revenues and expenses for the coming fiscal year.

Both proposed amendments were seconded and passed. Complete bylaws will be printed in the next *Gazette* as an insert.

#### Program

Megan Berry-Barlow, President of the Board of Trustees, reported that all current lawsuits for deed violations have been dropped.

Regarding the Victor Moore lawsuit:

- Megan gave a history of the on-going litigation.
- Harry James, Section 4 Board representative, and John Goodman, Section 3 Board representative, explained the purpose of the Board and why residents have volunteered their time to serve.
- Ed de Alba, Section 1 Board representative, read the recommended options that the Board had come up with.

All three recommended options are tied into the other:

OPTION #1: Removal of the original trustees that were named by the Garden Oaks Company in 1952. Other trustees to be voted in by a 51% vote of the property owners in each section.

OPTION #2: Create a property owners association which requires 60% of property owner's vote.

OPTION #3: Change deed restrictions during an off year. Requires 75% vote of property owners to modify deed restrictions to enforce and perpetuate the deed restrictions.

The floor was then opened for questions and discussion.

There being no further business, the meeting was adjourned at 8:43 p.m.

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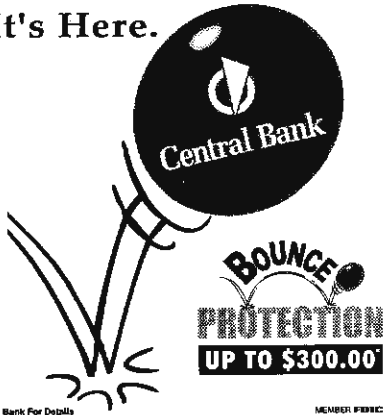
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GARDEN OAKS COMMUNITY BECOMES VIRTUAL COMMUNITY

Web-heads, teckies and geeks...the neighborhood is crawling with them. But don't call the GO-COPS yet, rather log onto your computer and see what these creative folks are up to. The first site to check out is the Garden Oaks home page created by resident Greg Murphy. "My wife Elizabeth and I just moved into Garden Oaks in June," stated Greg. "When we were looking for our house, I tried to find information on the Internet regarding the neighborhood and was very disappointed with the lack of information available."

Not one to just sit back, after unpacking the boxes and setting up house, Greg spent a couple of hours putting a web page together. "I just tried to tie everything I could find about Garden Oaks into this page and unfortunately there isn't much." Greg wants to change all that by offering his time and services to giving the Gazette an on-line presence. While Greg and the Civic Club work together to further develop the site, check out his site for yourself. The address is: www.angelfire.com/tx2/GardenOaks/

Next on the cyberspace bandwidth comes the Garden Oaks List Server. Set up by Garden Oaks resident Mark Folk and co-moderated by Robert De Veau, a "list serv" is a specialized type of electronic mail that is generated by the master, host computer. People join a "list" merely by submitting their email address. That submission identifies them to the host computer. Whenever a subscriber wants to communicate with others on the "list", a subscriber sends an electronic message to a pre-specified mailbox on the host computer, which, in turn, transmits that message to ALL subscribers on the list. For this reason, people who join electronic mail lists cannot expect any privacy for their communications because, by definition, those communications are designed for public broadcast. Think of this as the electronic version of the neighborhood coffee shop. Just drop in for a little gossip, share your thoughts and opinions and come away with a little more knowledge than when you first entered.

Editor (E): Mark, what can the residents of Garden Oaks use the list serv for?

Mark (M): The simple answer is "sending messages to their neighbors". In particular, subscribers to the Garden Oaks list serv can alert other subscribers to any suspicious behavior (although a list serv certainly is not a replacement for law enforcement), advertising that they are having a garage sale, finding part-time help (e.g., asking for recommendations on lawn services, finding baby or pet sitters), advertising items for sale, discussing issues of present interest to homeowners in Garden Oaks, and making announcements (e.g., "we're having a party" or "we've decided to move to avoid the listserv"). Among the several things that the listserv should NOT be used for are (a) alerting subscribers that you'll be out of town, (b) making hurtful, insulting, or inflammatory remarks about other residents of the community, (c) professional sales — i.e., postings by professionals (such as lawyers, doctors, dentists, real estate agents, etc.) of the availability of that individual's products or services, and (d) private conversations between two individuals (use your personal email for that). The First

("Cyberspace" continued on page 7)



*("Cyberspace" continued from page 6)*

Amendment does NOT apply to postings to the list. It is private property and its owners reserve the right to refuse any subscription, kick people off for being rude and nasty, and prevent specific messages from being posted at all. Guess we ought to add that (a) it's free, (b) only real down-side is that you get one annoying advert at the end of each post, and (c) we're offering it as a service for the hopeful benefit of the community. Everyone's welcome to come out and play.

E: *How can someone subscribe?*

M: The easiest way is to direct their web browsers to [http://www.onelist.com/subscribe/Houston\\_GO](http://www.onelist.com/subscribe/Houston_GO). First-time visitors will have to "register" with the host computer by submitting their email addresses and choosing a password. New users will then have a choice of receiving messages from other subscribers in "normal" version or "digest" versions. Messages are delivered to subscribers instantly if they select "normal" version; "digest" version service accumulates postings to the list and delivers them to subscribers only periodically, so users who want to remain current on events in Garden Oaks probably should choose "normal" service.

E: *What can the subscribers expect to get from the list serv?*

M: They can get answers to specific questions and stay current on developments in the neighborhood. The list will be moderated in the sense that if any subscriber posts inflammatory, offensive, or abusive messages, the owners of the list reserve the right either to delete that person from the list or review his or her messages prior to their being delivered to other list members.

If you have any questions prior to joining the list serv, you can send an e-mail to Mark Folk at: [mfolk@earthlink.net](mailto:mfolk@earthlink.net) or Robert De Veau at: [deauxboy@msn.com](mailto:deauxboy@msn.com) or visit the list serv at: [www.onelist.com](http://www.onelist.com)

*("NNO" continued from page 1)*

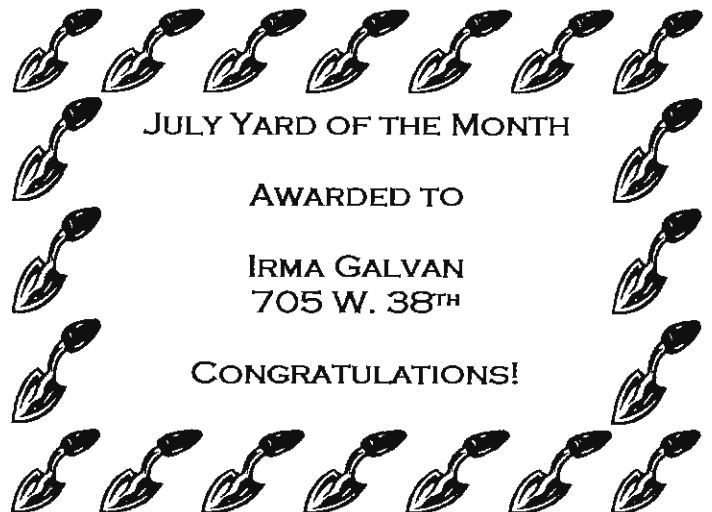
NATIONAL NIGHT OUT is designed to:

- Heighten crime and drug prevention awareness;
- Generate support for, and participation in, local anticrime programs;
- Strengthen neighborhood spirit and police-community partnerships; and
- Send a message to criminals letting them know that neighborhoods are organized and fighting back.

Along with the traditional display of outdoor lights and front porch vigils, cities, towns and neighborhoods 'celebrate' NNO with a variety of events and activities such as:

- \* block parties,
- \* cookouts,
- \* visits from local police,
- \* parades,
- \* flashlight walks,
- \* contests, and
- \* youth programs.

NNO has proven to be an effective, inexpensive and enjoyable program to promote neighborhood spirit and police-community partnerships in our fight for a safer nation. Plus, the benefits your community will derive from NNO will most certainly extend well beyond the one night.





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## GOCOP REPORT

*Carl Waters, Jr.*

**T**he following neighbors have committed to hosting parties at their homes for National Night Out on Tuesday, August 3<sup>rd</sup>.

- 900 block of Althea: John and Cindy Bartos, 963 Althea
- 1000 block of Althea: Tom Cronin & Helen Sestak, 1026 Althea
- 800 block of Azalea: Tina Sabuco and Shellye Arnold, 859 Azalea
- 800 block of LaMonte: Lynn Sievers, 851 LaMonte
- 700 and 800 blocks of W. 31<sup>st</sup>: site to be determined
- 400 and 500 blocks of W. 32<sup>nd</sup>: Ralph and Charlotte Hayes, 523 W. 32<sup>nd</sup>
- 700 block of W. 38<sup>th</sup>: Willie and Janice Stollenwerck; Jay Slemmer and Jeff Benjamine; and Ron and Bonnie Moran, at or near 733 W. 38<sup>th</sup>
- 900 block of W. 42<sup>nd</sup>: Ed Drier and David Ray and Robert De Veau and Kenneth Santos, 974 W. 42<sup>nd</sup>
- 800 block of W. 43<sup>rd</sup>: Jeff and Meredith Jenkins, 855 W. 43<sup>rd</sup>

If your block isn't mentioned here, get outside Tuesday night, met a few neighbors and have an impromptu party of your own.

On a more serious note, I learned early last month that a former patroller, Pasty Gant, passed away July 6<sup>th</sup>. We, at the Citizens On Patrol, would like to extend our sympathies to her family.

May crime statistics (4)

Burglary (2)

- 900 block of W. 42<sup>nd</sup> St. on May 14<sup>th</sup> at 12:00 p.m. (Residence)
- 3100 block of Lawrence on May 7<sup>th</sup> at 7:00 p.m. (Garage)

Burglary of a Motor Vehicle (1)

- 500 block of W. 34<sup>th</sup> St. on May 29<sup>th</sup> at 8:40 p.m. (Residence)

Driving While Intoxicated (1)

- 3200 block of Randall on May 22<sup>nd</sup> at 3:35 p.m.

Also of note, but something I did not feel should be counted in our neighborhood crime statistics, was an Aggravated Assault which occurred on the public roadway in the 3400 block of Shepherd on May 23<sup>rd</sup> at 11:50 p.m.

During the month of May, base operators and patrollers volunteered 58 ¼ hours to neighborhood safety. Congratulations to Randy and Claudia Pruitt who have completed training and now actively pursuing criminals in our neighborhood.

Would you like to join them? Here's what you need to do. Complete an application form for the program (anyone over 18 years of age is welcome). Attend a one hour training session conducted by the Houston Police Department. Complete a training patrol with an active member and then you are on your way. Training is conducted on the second Thursday of each month at 10:00 a.m. at the HPD North Command Station which is located at 9455 W. Montgomery Rd. A second training is offered on the fourth Thursday of each month at 7:00 p.m. at the same location.





("Next Steps" continued from page 1)

We want to accomplish all this in the shortest possible timeframe. To accomplish this at all, WE NEED VOLUNTEERS with even a small amount of time for the following roles/tasks:

- Block captains - to organize door-to-door survey distribution and petition signatures for voting
- Notaries - to notarize petition signatures
- Various other volunteers to deliver the survey, collect surveys and signatures, tabulate survey results, research, and help with the million other activities required to make this effort succeed.

To sign up, send an email with your name, address, day or evening phone number, and preferred volunteer role to [godeed@ev1.net](mailto:godeed@ev1.net). To hear the latest update or to leave a message, call our phone center at (713) 341-3737.

#### A Few More Details

If you're wondering why we need an organization to enforce the restrictions, ponder this. The more violations that occur unchallenged, the more likely a judge will be to rule in the future that individual restrictions have effectively lapsed, and can not be enforced any longer. Until we create a new enforcement organization to take the place of our defunct Board of Trustees, we must rely on individuals suing their neighbors to enforce deed restrictions. That's unappealing at best. We clearly need an organization to take on the duty of consistent and impartial enforcement.

That's where the research effort comes in. Research will include gathering information about what other communities have tried and how well those efforts worked, how a Property Owners' Association (POA) is formed and what powers it has, and the content of deed restrictions used by other model neighborhoods. We may find it's easiest to form a POA and revise the deed restrictions at the same time. Or we may find it's better to move directly to update the deed restrictions themselves to include a paragraph on enforcement. We don't know yet—that's why we need the research.

Regardless of how they are enforced, it's time to take a hard look at our deed restrictions. To make sure they reflect the will of the majority of property owners, we have to find out what that will is. There will no doubt be lots of discussion on this topic in Civic Club meetings and other informal gatherings. But to get everyone's input in a clear manner, we plan to create a survey for each section.

The survey will give a clear item-by-item summary of proposed changes to the restrictions. Some examples of proposed changes include adding how the restrictions are enforced, adding how the enforcement organization is funded and perpetuated, and removing clauses that are undesirable (e.g., the swine restriction).

We will use everyone's input to revise the deed restrictions for each section to match the majority of survey responses. That way, we can make sure the new proposed restrictions represent the will of the majority before we put the revised restrictions to a yes/no vote. The voting process requires notarized signatures, which makes it difficult and time consuming. As a result we feel we must propose some-

("Next Steps" continued on page 11)

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Guillaume "GEM" Morvan (Shepherd Park Plaza Resident)





## AUGUST GARDENING GUIDE

Tina Sabuco

The dog days of summer are upon us but fall should be on your gardening calendar. Now is the time to plant fall bulbs including bella donna lilies, spider lilies and fall crocus. Set out your fall perennials, from potted transplants, such as *Salvia leucantha*, mums, fall asters and sedum. Fall annual flowers, from 4-inch potted transplants (in bud, but not in flower) to add to the garden include celosia, zinnias and marigolds. Want a field of wildflowers? Sow wildflower seeds into roto-tilled soil but keep them away from the competition of grass. Of course, nothing beats the taste of homegrown vegetables. Prepare some container grown tomatoes and in the vegetable patch sow peppers, squash, melons, cucumbers and beans early in the month. Later in the month, plant Brussels sprouts, cabbage, broccoli, then spinach, lettuce, radishes and carrots. Be sure to finish your landscaping plans for fall makeovers and determine which plants need to be bought and set out first.

Prune crape myrtles to remove old flower heads and hopefully to promote regrowth and additional bloom period. Reshape flowering annuals lightly to stimulate a second season of growth and bloom including impatiens, multiflora petunias, begonias and many others. Continue mowing at recommended height to keep grass dense and attractive. Tidy up your perennial gardens before their flush of fall growth. Remove dead leaves and old flower stalks. Bush roses will benefit from a pruning of about one-third to stimulate new growth and bud production for the fall.



Apply specialty fertilizer to roses to promote fall blooms. Use a water-soluble 20-20-20 plant food with each watering to container gardens and hanging baskets. Iron and sulfur products, either granular or liquid, will correct yellowed chlorotic foliage. Be sure to keep it off masonry and painted surfaces that could be

stained. Use 3-1-2 or 4-1-2 ratio lawn food unless soil tests suggest differently. Repeat on 8- to 10-week intervals until early October. Water immediately after applying. Apply the same 3-1-2 or 4-1-2 ratio fertilizer to shrubs, groundcovers, flowers and vegetables.

## MAIL POUCH

The front page said "DEED RESTRICTIONS FACE VIABLE THREAT" striking fear in the hearts of all. After reading the article, I was aghast. The *Garden Oaks Gazette* was reading like one of those cheesy tabloids you pick up in the check-out line. The headlines were real big, but there was no meat in the article. It is not the deed restrictions that are being threatened, but the Board of Trustees. The article argues that the consequences of not having a Board would be:



- little or no resistance to development like the Scottish Inn that was proposed for Yale and 30<sup>th</sup>
- rampant litigation among neighbors
- flight to the Woodlands
- jeopardized property values

I was more than a little offended by the first assumption and it just isn't even a good argument. In the same *Gazette*, neighbors are thanked for the letter writing and other efforts to stop the widening of 33<sup>rd</sup>. There was also an article about the sound wall. These efforts to take care of our neighborhood had nothing to do with the Board, we did it. We have petitioned and gotten speed humps, planted gardens and maintained parks. This neighborhood is alive and well and it might not be totally dependent upon the Board to keep it safe.

Neighbors suing other neighbors, oh my. Neighbors can sue neighbors over any violation of the law (including legally viable deed restrictions) with or without the existence of the Board of Trustees. If we assume that no one would do anything about a brothel being built in our neighborhood, how can you argue that these same oblivious people would engage in multitudinous litigation about garages and setbacks? It seems to me that one argument negates the other.

Now, about moving to the Woodlands where deed restrictions are enforced. The Woodlands is a planned living community in the suburbs. Garden Oaks is a lively older neighborhood in the city. This is comparing apples to oranges to begin with and again an assumption is being made that without the Board of Trustees we poor little addled fools will not be able to take care of ourselves.

Property values will only be decreased if we allow it. Once again, we are being asked to believe that without the Board

("Letters" continued on page 11)



*("Letters" continued from page 10)*

of Trustees everything will fall apart. This is not necessarily true. It is only true if everyone allows it to happen and I have no evidence that the people in this neighborhood, at least in this point in time, are going to sit by and let anyone do anything that will hurt this neighborhood.

Is it possible that instead of a disaster, this is a blessing? Might we be able to find another way to protect the integrity of our neighborhood? It is easy to use Mr. Moore's case as an example. He seems to have an in your face attitude that is easy to disagree with. The other man at the Civic Club meeting that was being asked to tear down an addition because of a small setback violation is a little harder to vilify. Maybe it is time to look at how deed restrictions will be enforced in our neighborhood. This is our neighborhood and our decision. This is not an all or nothing at all situation and it may be time for a change.

Janice Stollenwerck  
738 W 38<sup>th</sup>

*Letter writing policy: The views expressed are not necessarily the views of the Garden Oaks Civic Club, nor any of its' Officers. Publication of any letter is not an endorsement by the Civic Club. All letters submitted must contain the name and address of the person authoring the letter and will be published.*

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## RECONSTRUCTION OF W. 43<sup>RD</sup> PASSED BY CITY COUNCIL

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**A**fter months of hard work, Council Member Bruce Tatro was able to gain City Council support for the reconstruction of W. 43<sup>rd</sup> Street (between Oak Forest and Ella Boulevard). The Mayor and City Council agreed to support Council Member Bruce Tatro and voted in favor of this long awaited project.

The design phase for the reconstruction was approved for next year, June 2000-June 2001, at a cost of \$100,000, and the construction phase was approved for the following year, June 2001-June 2002, at a cost of \$500,000.

"I am convinced that this project is vital to the redevelopment of the Oak Forest area. It is long overdue and I look forward to seeing the project begin," Council Member Tatro stated.

*("Next Steps" continued from page 9)*

thing the required majority can agree upon the first time around.

The turmoil over recent lawsuits has been divisive, frustrating, and painful to many Garden Oaks residents, whatever their opinions about the lawsuits themselves. Although the whole affair is not yet settled, it is important to remember that we still have the power to save our deed restrictions and preserve the character of our neighborhood. It will be a big job, but with the help of a large number of volunteers, we can accomplish it. The more people volunteer, the faster we can move, and the better our chances for success. Email or call to get involved!

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## SIDEWALK CONSTRUCTION TO COMMENCE ON W. 43<sup>RD</sup> ST

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**R**ecently, a concerned neighbor called with a question regarding the sidewalks about to be installed on W. 43<sup>rd</sup> Street between Oak Forest Drive and Sue Barnett. A phone call to the city uncovered the following background information.

1. In 1997, an informal survey was conducted with the residents of W. 43<sup>rd</sup> regarding the installation of sidewalks. Only one resident voiced disapproval. All other residents were either mildly or strongly in favor of having sidewalks added.
2. The Sidewalk Installation Project was placed on the agenda of the November, 1997 Civic Club meeting for residents to vote on. No one attending the meeting opposed the vote and a resolution was passed to grant permission to the city to proceed with the plans providing the company doing the construction replace or repair any sprinkler systems or landscaping disrupted during the construction process.
3. The then President of the Civic Club, Bennett Bartlett, drafted a letter to the construction company, MARGON Inc., informing them of the Civic Club's vote and concerns. This segment of sidewalk was included in Construction Package 70-3 of 1999.

Questions or concerns may be addressed to:

Louis E. Fox Jr., P.E.

Project Manager

MARGON, Inc.

10555 Northwest Freeway, Suite 232

Houston, TX 77092



HEAVY TRASH

1st Tuesday  
Sections 1 & 1A  
  
2nd Tuesday  
Sections 2 - 5  
South of West 41st St.  
  
3rd Tuesday  
Sections 2 - 5  
North of West 41st St.

RECYCLING

1st and 3rd Tuesday  
North of West 43rd St.  
  
2nd and 4th Tuesday  
South of West 43rd St.

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AUGUST EVENTS

- 3<sup>rd</sup>: National Night Out  
(No Civic Club Meeting)
- 12<sup>th</sup>: Garden Club, 7:00 PM  
Call for location 713-869-6534



# August 1999

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3 National Night Out	4	5	6	7
8	9	10	11	12 Garden Club 7:00 PM	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28 Neighborhood Connections Conference
29	30	31				

*"O for a lodge in a garden  
of cucumbers!  
O for an iceberg or two at  
control!  
O for a vale that at midday  
the dew cumpers!  
O for a pleasure trip up to  
the Pole!"*

—Rossiter Johnson

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3468 Ella at 34th

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