

**CERTIFICATE OF ADOPTION
OF
SOLAR ENERGY DEVICES POLICY
OF
MEYERLAND COMMUNITY IMPROVEMENT ASSOCIATION**

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

WHEREAS, the Board of Directors (the "Board") of Meyerland Community Improvement Association, a Texas non-profit corporation (the "Association") is charged with administering and enforcing the following restrictive covenants as recorded in the Real Property Records of Harris County, Texas as indicated below:

<u>Document</u>	<u>Recording Data</u>
Amended and Restated Deed Restrictions - Section 1	20140142112
Deed Restrictions - Section 2	G521380
Amended Deed Restrictions - Section 2	S894123
First Amendment to the Amended Deed Restrictions - Section 2	Y176459
Deed Restrictions - Section 3	G719607
Amended Deed Restrictions - Section 3	U943669
Amended Deed Restrictions - Section 4	G784470
First Amendment to the Amended Deed Restrictions - Section 4	Y176454
Amended and Restated Deed Restrictions - Section 5	H660601
Amended and Restated Deed Restrictions – Section 6A	RP-2019-59146
Deed Restrictions – Section 6B	L625218
First Amendment to the Amended Deed Restrictions – Section B	Y096970
Amended Deed Restrictions – Section 7A	N908701
First Amendment to the Amended Deed Restrictions – Section 7A	Y175058
Amended Deed Restrictions – Section 7B	P551751
First Amendment to the Amended Deed Restrictions – Section 7B	Y096962
Amended and Restated Deed Restrictions – Section 7C	RP-2016-255730
Amended Deed Restrictions – Section 8 Annex	S710556
First Amendment to the Amended Deed Restrictions – Section 8 Annex	Y096961
Amended Deed Restrictions – Section 8A	N908700
First Amendment to the Amended Deed Restrictions – Section 8A	Y150330
Amended and Restated Deed Restrictions – Section 8B	RP-2018-60339
Amended and Restated Deed Restrictions – Section 8C	RP-2018-360502
Amended and Restated Deed Restrictions – Section 8D	RP-2018-567357
Amended and Restated Deed Restrictions – Section 8E	RP-2018-209473
Amended and Restated Deed Restrictions – Section 8F	RP-2018-64471
Amended and Restated Deed Restrictions – Section 8G	RP-2018-334662

Amended and Restated Deed Restrictions – Section 8H	RP-2018-400215
Amended and Restated Deed Restrictions – Section 8I	RP-2019-6127
Amended Deed Restrictions – Section 10	L947740
First Amendment to the Amended Deed Restrictions – Section 10	Y192296

and as may be supplemented and amended from time to time encumbering the Meyerland community (the "Community"); and

WHEREAS, Chapter 202 of the Texas Property Code was amended effective June 17, 2011, to add Section 202.010 ("Section 202.010") thereto; and

WHEREAS, Section 202.010 allows a property owners' association to adopt and enforce rules and regulations regarding solar energy devices; and

WHEREAS, the Board has determined that in connection with providing rules and regulations regarding solar energy devices, it is appropriate for the Association to adopt solar energy devices policy; 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 _____, 2019 (the "Adoption Meeting"), at which at least a majority of the members of the Board were present and duly passed the solar energy devices policy described herein below (the "Solar Energy Devices Policy").

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 Solar Energy Devices Policy. The Solar Energy Devices Policy are effective upon recordation of this Certificate in the Official Public Records of Real Property of Harris County, Texas (the "Official Public Records"), and supplement any restrictive covenants, policy or policies regarding Solar Energy Devices which may have previously been in effect for the Community, unless such restrictive covenants, policy or policies are in conflict with the Solar Energy Devices Policy, in which case the terms of the Solar Energy Devices Policy will control. The Solar Energy Devices Policy are as follows:

As used herein, "Solar Energy Device" or "Solar Energy Devices" means a system or series of mechanisms designed primarily to provide heating or cooling or to produce electrical or mechanical power by collecting and transferring solar-generated energy and includes a mechanical or chemical device that has the ability to store solar-generated energy for use in heating or cooling or in the production of power.

CATEGORY 1
(ROOF MOUNTED SOLAR ENERGY DEVICE)

The following conditions (as well as the Minimum Conditions set forth below) apply to a Solar Energy Device mounted to the roof of the home or other structure:

The Solar Energy Device and any related mast, frame, brackets, support structure, piping and wiring, must not be visible from the frontage street or adjoining streets and must serve only improvements on the particular lot in which it is located unless an alternate location on the roof increases the estimated annual energy production of the Solar Energy Device, as determined by using a publicly available modeling tool provided by the National Renewable Energy Laboratory, by more than ten (10%) percent, or if alternate location on the roof is shown/proven by lot owner, via a method the Association's appropriate review committee accepts, to have a considerable production difference. In such instance, the Solar Energy Device and any mast shall be placed in the least visible location where an acceptable level of annual energy production is still possible.

- a. The Solar Energy Device and any related mast, frame, brackets, support structure, piping and wiring shall not extend above the roofline of the house or other structure upon which the Solar Energy Device is located.
- b. The slope of the Solar Energy Device and any brackets must conform to the slope of the roof and must have a top edge that is parallel to the roofline. The Association's appropriate review committee may allow exceptions to the slope for flat or semi-flat roofs.

CATEGORY 2
(NON-ROOF MOUNTED SOLAR ENERGY DEVICE)

The following conditions (as well as the Minimum Conditions set forth below) apply to a Solar Energy Device not mounted to the roof of the home or other structure:

- a. The Solar Energy Device and any related mast, frame, brackets, support structure, piping and wiring may not extend above the fence line, except for small solar devices, as approved by appropriate review committee.
- b. The Solar Energy Device and any related mast, frame, brackets, support structure, piping and wiring may only be located in a fenced yard or patio owned and maintained by the owner, except for small solar devices, as approved by appropriate review committee.

MINIMUM CONDITIONS

In addition to the foregoing requirements, no Solar Energy Device and any related mast, frame, brackets, support structure, piping and wiring shall be erected, constructed, placed, or permitted to remain on any lot unless such installation strictly complies with the following minimum conditions:

- a. The proposed Solar Energy Device, the location of the Solar Energy Device, and any related mast, frame, brackets, support structure, piping and wiring must be submitted to the Association's appropriate review committee and receive written approval prior to installation. The Association's

appropriate review committee reserves the right to withhold approval of the Solar Energy Device and any related mast, frame, brackets, support structure, piping and wiring, even if it complies with the Policy herein, if the placement constitutes a condition that substantially interferes with the use and enjoyment of land by causing an unreasonable discomfort or annoyance to persons of ordinary sensibilities. **Any approval by the Association's appropriate review committee, in no way relieves the owner of the lot where the Solar Device is located from any future claim by the Association or any Association lot owner from a claim that the placement constitutes a condition that substantially interferes with the use and enjoyment of land by causing an unreasonable discomfort or annoyance to persons of ordinary sensibilities.**

- b. The Solar Energy Device and any related mast, frame, brackets, support structure, piping and wiring must not threaten the public health or safety as adjudicated by a court or violate the law as adjudicated by a court.
- c. The Solar Energy Device and any related mast, frame, brackets, support structure, piping and wiring must be silver, bronze or black tone (as most closely matches surface to which it is attached) commonly available on the market place, or in the alternative, such a color(s) that closely matches the color of the surface upon which it is attached and which color is approved by the Association's appropriate review committee. No advertising slogan, logo, print or illustration shall be permitted upon the Solar Energy Device or any related mast, frame, brackets, support structure, piping and wiring, other than the standard logo, printing or illustration which may be included by the applicable manufacturer for the Solar Energy Device or any related mast, frame, brackets, support structure, piping and wiring.
- d. **A Solar Energy Device and any related mast, frame, brackets, support structure, piping and wiring shall not be constructed or placed or permitted to remain, by any resident, on any property owned or maintained by the Association.**
- e. The Solar Energy Device and any related mast, frame, brackets, support structure, piping and wiring installed hereunder shall be installed in a manner that complies with all applicable laws and regulations and manufacturer's instructions and, as installed, must not void the manufacturer's warranty.

EXECUTED on the date of the acknowledgment set forth herein below, to be effective upon recordation in the Official Public Records.

Meyerland Community Improvement Association,
a Texas non-profit corporation

By: _____
_____, President

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on _____, 2019, by _____, President of Meyerland Community Improvement Association, a Texas non-profit corporation, on behalf of said corporation.

Notary Public, State of Texas

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