

NOTICE
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PARKLAKE VILLAGE HOMEOWNERS' ASSOCIATION, INC.'S
SOLAR DEVICES POLICY

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

WHEREAS, the property encumbered by this Solar Devices Policy is that property initially restricted by the Declaration of Covenants, Conditions and Restrictions for Declaration of Covenants, Conditions and Restrictions for Parklake Village, recorded under Harris County Clerk's File No. T594769, as same has been or may be amended from time to time ("Declaration"), and any other property which has been or may be annexed thereto and made subject to the authority of the Parklake Village Homeowners' Association, Inc. ("Association"); and

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WHEREAS, any reference made herein to approval by the Architectural Review Committee ("ARC"), means prior written approval by the ARC.

NOW THEREFORE, pursuant to the authority granted in Section 202.010 and 202.011 of the Texas Property Code, the Board of Directors (the "Board"), hereby adopts this Solar Devices Policy ("Policy"), which shall run with the land and be binding on all owners and lots within the subdivision. This Policy replaces any previously recorded or implemented policy that addresses the subjects contained herein.

An application must be submitted for review by the ARC, and formal written approval from the ARC shall be required before installation may begin.

I. SOLAR DEVICES POLICY

A. Prohibited Solar Panels

Solar Panels, as referred to herein, shall be defined as set forth in the Texas Tax Code, §171.107. Solar Panels are prohibited in the following circumstances:

1. It has been adjudicated by a court that the Solar Panels are a threat to public health or safety, or violate a law;
2. Solar Panels that are located on property owned or maintained by the Association;
3. Solar Panels that are located on property that is owned in common by the members;
4. Solar Panels that are located on the owner's property, other than:
 - a. On the roof of the dwelling or another permitted structure;
 - b. In a fenced yard or patio owned & maintained by the owner;

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5. Roof-mounted Solar Panels that extend higher than or beyond the roofline;
6. Subject to Item 7 below, if roof mounted, is mounted in an area other than the back of the home;
7. Roof-mounted Solar Panels that are located in an area *other* than an area designated by the Association, unless the alternate location increases the estimated annual energy production by more than 10% above the area designated by the Association (as determined by a publicly available modeling tool provided by the National Renewable Energy Laboratory);
8. Roof-mounted Solar Panels that do not conform to the slope of the roof and have a top edge that is not parallel to the roofline;
9. Roof-mounted Solar Panels having frames, support brackets, or visible piping or wiring containing colors other than silver, bronze, or black tones;
10. Solar Panels located in a fenced yard or patio that are taller than the fence;
11. Solar Panels that, as installed, void material warranties; and
12. Solar Panels that were installed without prior approval by the Association or ARC.

If the proposed Solar Panels do not fall within one of the above-prohibited categories, the Association or ARC may not withhold approval of the installation of Solar Panels unless the Association or ARC determines in writing that placement of the Solar Panels, as proposed by the owner, constitutes a condition that substantially interferes with the use and enjoyment of land by causing unreasonable discomfort or annoyance to a person of ordinary sensibilities. The written approval of the owner's proposed location by all owners of adjoining property constitutes prima facie evidence that such a condition does not exist.

B. Permitted Roofing Materials

Pursuant to Texas Property Code §202.011, the installation of the following roofing materials is permitted:

1. Wind or hail resistant roofing materials;
2. Materials that provide heating and cooling efficiencies greater than those provided by customary composite shingles; or
3. Materials that provide solar generation capabilities.

The above-enumerated acceptable materials, when installed, must:

1. Resemble the shingles used or otherwise are authorized for use within the subdivision;
2. Be more durable than, and are of equal or superior quality to, the shingles authorized for use within the subdivision; and
3. Match the aesthetics of the property surrounding the owner's property.

II. ARC APPROVAL

Applicant's submission of plans must include a completed application for ARC review, a site plan and/or roof plan showing the proposed location of the improvement, along with pictures showing the location of the modification and the manufacturer's brochures or sample of material, if applicable. The color of the materials being used in relation to the roof or house color, the visibility from public streets and neighboring properties/common areas and any noise created and/or light reflected are of specific concern to the Association and the ARC.

Any installation not in compliance with this Policy will be considered a deed restriction violation.

This Solar Devices Policy does not apply to property that is owned or maintained by the Association.

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CERTIFICATE OF SECRETARY

I hereby certify that, as Secretary of the Parklake Village Homeowners' Association, Inc., the foregoing Solar Devices Policy was approved on the 21 day of November, 2011, at a meeting of the Board of Directors at which a quorum was present.

IN WITNESS WHEREOF, I have hereunto subscribed my name this the 21 day of November, 2011.

Rick Ramsey
Name: RICK RAMSEY
Title: Secretary

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COUNTY OF HARRIS §

BEFORE ME, on this day personally appeared Rick Ramsey the Secretary of the Parklake Village Homeowners' Association, Inc., known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that s/he executed the same for the purposes herein expressed and in the capacity herein stated, and as the act and deed of said corporation.

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Given under my hand and seal of office, this 21 day of November, 2011.

H Esteban
Notary Public – State of Texas



After Recording Please Return To:
Stephanie L. Quade
Roberts Markel
2800 Post Oak Blvd., 57th Floor
Houston, TX 77056

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20110495370
Pages 5
11/28/2011 12:26:07 PM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
STAN STANART
COUNTY CLERK
Fees 28.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

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.



Stan Stanart

COUNTY CLERK
HARRIS COUNTY, TEXAS