

CERTIFICATE OF SECRETARY
of
ROYAL OAKS RESIDENTIAL COMMUNITY OWNERS ASSOCIATION, INC.
regarding
BOARD RESOLUTION
adopting
AMEDED AND RESTATED GUIDELINES FOR SOLAR ENERGY DEVICES

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

I, Kurt Prohl, Secretary of Royal Oaks Residential Community Owners Association, Inc. (the "Association"), do hereby certify that at a meeting of the Association's Board of Directors (the "Board") duly called and held on the 15 day of December, 2016, with at least a majority of the members of the Board being present and remaining throughout, and being duly authorized to transact business, the following resolution was duly made and approved by a majority vote of the members of the Board:

RECITALS

1. The property encumbered by this Amended and Restated Guidelines for Solar Energy Devices is that property restricted by the Declaration of Covenants, Conditions, and Restrictions for Royal Oaks Residential Community, recorded in the Official Public Records of Real Property of Harris County, Texas under Clerk's File No. U257546, as same has been or may be amended from time to time ("Declaration"), and any other property which has been or may be subsequently annexed thereto and made subject to the authority of the Royal Oaks Residential Community Owners Association, Inc. (the "Association"); and

2. Any reference made herein to approval by the New Construction Committee ("NCC") or Modifications Committee ("MC"), means prior written approval by the appropriate committee.

3. Article III, Sections 3.16 and 3.17, of the By-Laws of Royal Oaks Residential Community Owners Association, Inc. provide, in pertinent part:

3.16. Powers. The Board of Directors shall have all of the powers and duties necessary for the administration of the Association's affairs and for performing all responsibilities and exercising all the rights of the Association as set forth in the Declaration, these By-Laws, the Articles and as provided by law. ...

3.17. Duties. The duties of the Board shall include, without limitation:

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- (f) making and amending rules and regulations;
- (i) enforcing by legal means the provisions of the Declaration, these By-Laws, and the rules adopted by it and bringing any proceedings which may be instituted on behalf of or against the Owners concerning the Association; ...

4. The Board desires to standardize the policies and procedures relating to solar energy devices in the Community by adopting this "Amended and Restated Guidelines for Solar Energy Devices."

5. This Policy replaces any previously recorded or implemented policy that addresses the subjects contained herein.

WITNESSETH:

NOW THEREFORE, the Board hereby adopts this Amended and Restated Guidelines for Solar Energy Devices ("Policy"), which runs with the land and is binding on all Owners and Lots within the subdivision. Capitalized terms used in this Policy have the same meaning as ascribed to such terms in the Declaration.

I. SOLAR ENERGY DEVICES

Pursuant to Texas Property Code §202.010, solar energy devices, including solar panels, are restricted in the following manner:

A. Prohibited Solar Energy Devices

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

1. It has been adjudicated by a court that the solar energy device is a threat to public health or safety, or violate a law;
2. Solar energy devices that are located on property owned or maintained by the Association;
3. Solar energy devices that are located on property that is owned in common by the Members;
4. Solar energy devices 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 and maintained by the Owner;

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5. Roof-mounted solar energy devices 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 following locations:
 - a. Golf Course Lots - on the side of the roof, away from the street the dwelling faces, and away from the golf course.
 - b. All Other Lots - on the rear of the roof, away from the street the dwelling faces.
 7. Roof-mounted solar energy devices 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 energy devices 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 energy devices having frames, support brackets, or visible piping or wiring containing colors other than silver, bronze, or black tones;
 10. Solar energy devices located in a fenced yard or patio that are taller than the fence;
 11. Solar energy devices that, as installed, void material warranties; and
 12. Solar energy devices that were installed without prior approval by the Association, NCC or MC, as applicable.

If the proposed solar energy devices do not fall within one of the above-prohibited categories, the Association, NCC or MC may not withhold approval of the installation of solar energy devices unless the Association, NCC or MC determines in writing that placement of the solar energy devices, 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.

II. NCC OR MC APPROVAL

Applicant's submission of plans must include a completed application for NCC or MC 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, NCC and the MC.

Any installation not in compliance with this Policy will be considered a violation of the dedicatory instruments governing the subdivision.

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

CERTIFICATION

I hereby certify that, as Secretary of the Royal Oaks Residential Community Owners Association, Inc., the foregoing Amended and Restated Guidelines for Solar Energy Devices was approved on the 15 day of December, 2016, at a meeting of the Board of Directors at which a quorum was present.

DATED, this the 15 day of December, 2016.

Kurt Prohl

_____, Secretary

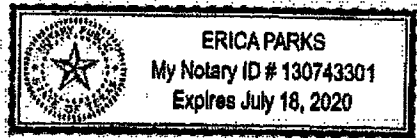
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BEFORE ME, on this day personally appeared Kurt Prohl, the Secretary of the Royal Oaks Residential Community Owners Association, Inc., known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that s/he executed the same for the purposes herein expressed, in the capacity herein stated, and as the act and deed of said corporation.

Given under my hand and seal this the 15 day of December, 2016.

[Signature]

Notary Public - State of Texas



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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

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