



**RESOLUTION ADOPTING A SOLAR ENERGY DEVICE INSTALLATION POLICY  
FOR**

**Whitewater Springs Property Owners Association, Inc (the "Association")**

WHEREAS, Texas Property Code §§ 202.010 & 202.011 (or other numbered sections subsequently used to prevent confusion by the enacting of identically numbered, separate provisions) are effective immediately, allowing owners in property owner associations the limited right to install solar energy devices, and

WHEREAS, the Association desires to adopt a resolution setting forth guidelines on the enforcement of its current conditions, covenants, restrictions, and rules, and the installation of solar energy devices

BE IT RESOLVED, that, to the extent any dedicatory instrument of the Association prohibits the installation of any solar energy device, as defined by Section 171.107 of the Texas Tax Code (herein, "Device" or "Devices"), the Association shall enforce that restriction only to the extent allowable by law, and therefore adopts the following guidelines as follows

- 1 No Device may be installed on property owned or maintained by the Association nor on property owned in common by the members of the Association
- 2 All such Devices must receive Architectural Control Committee approval prior to installation, pursuant to the Conditions, Covenants, and Restrictions of and for the Association and any and all application procedures currently in effect
- 3 No such Devices may be installed on an owner's property other than on the roof of the home, or the roof of another structure owned by the owner which is allowed under a dedicatory instrument, or in a fenced yard or patio owned and maintained by the owner
- 4 If a Device is mounted on the roof of the home, it may not extend higher than or beyond the roofline
- 5 If a Device is mounted on the roof of the home, it must be in the location designated by the Association, unless the alternate location increases the estimated annual energy production of the device as determined by using a publicly available modeling tool provided by the National Renewable Energy Laboratory, by more than 10% above the energy production of the Device if located in the area designated by the Association
- 6 The Device must conform to the slope of the roof and have a top edge that is parallel to the roofline
- 7 The frames, support brackets, and visible piping or wiring must be in a silver, black, or bronze tone commonly available in the marketplace

To the extent these guidelines contradict with any previous guidelines, rules, covenants, or restrictions, these guidelines shall control. These guidelines are supplementary and are in addition to any and all other covenants, conditions, restrictions, rules, and guidelines in effect for the Association.

This resolution was passed by a unanimous vote of the Board of Directors of the Association on the date set forth below to be effective immediately

Executed this the 20<sup>th</sup> day of Sept., 2011

By Charles Mickel  
Name Charles Mickel  
Title Board President

STATE OF TEXAS

COUNTY OF Burnet

This instrument was acknowledged before me on this the 20<sup>th</sup> day of September, 2011, by Charles Mickel, Board President of and for the Association, for the purposes therein expressed



Nancy K Collins  
Notary Public, State of Texas

**AFTER RECORDING PLEASE RETURN TO**

Goodwin Management, Inc  
11149 Research Blvd, Suite 100  
Austin, Texas 78759

**FILED AND RECORDED**



OFFICIAL PUBLIC RECORDS

Janet Parker

201107056

September 20, 2011 10:48:21 AM

FEE \$20.00

Janet Parker, County Clerk

Burnet County, Texas