



Laura Richard

Laura Richard, County Clerk
Fort Bend County Texas

Pages: 3 Fee: \$ 24.00

**TWIN OAKS VILLAGE COMMUNITY ASSOCIATION, INC.
REGULATION OF SOLAR ENERGY DEVICES**

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

WHEREAS, Twin Oaks Village Community Association, Inc. (the "Association"), is the governing entity for Twin Oaks Village, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14 and 16, additions in Fort Bend County, Texas, according to the maps or plats thereof recorded in the Map Records of Fort Bend County, Texas, under Instrument Nos. 1177000 and 2000096242, 1177001 and 20010391, 20010214, 20010215, 20010401, 20040013, 20010414, 20010546, 20040035, 20050076, 20050248, 20060132, 20050077 and 20070062, respectively, along with any amendments and replats thereto (the "Subdivision"); and

WHEREAS, § 202.010 of the Texas Property Code authorizes the Association to regulate solar energy devices in the Subdivision; and

WHEREAS, § 204.010(a)(6) of the Texas Property Code authorizes the Association to regulate the use, maintenance, repair, replacement and modification of the Subdivision; and

WHEREAS, the Association believes that maintaining a uniform aesthetic throughout the Subdivision is integral to property values and desires to protect the appearance of the Subdivision and its property values to the fullest extent under the law, with respect to the installation and maintenance of Solar Energy Devices within the Subdivision;

WHEREAS, this Dedicatory Instrument consists of Restrictive Covenants as defined by Texas Property Code § 202.001, et. seq, and the Association shall have and may exercise discretionary authority with respect to these Restrictive Covenants; and

WHEREAS, in the event of a conflict between these Regulations and any previously adopted regulations regarding this subject matter, these Regulations shall control;

NOW THEREFORE, in accordance with the foregoing, the Association hereby adopts the following Regulations:

I. Solar energy device are permitted to the extent required by § 202.010 of the Texas Property Code, subject to the following regulations:

- 1) The owner shall first apply to, and obtain written approval from, the Architectural Control Committee (the "ACC") prior to installation of any solar energy device as defined by 202.010.
- 2) A solar energy device shall not be installed except in a location approved by the ACC in advance. A solar energy device to be installed on the roof of the house or other approved structure, shall not be installed on the portion of roof facing any street adjacent to the structure.

- 3) For lots having insufficient roof space to provide sufficient energy production while complying with the location requirements of no. 2 above, the solar energy device should be located in the fenced-in yard or patio below the fence-line, and not visible from any street adjacent to the structure.
- 4) The solar energy device panels shall be located first on the locations approved by the Association. If approved locations are insufficient to provide the required energy production, the panels shall be located on alternative locations approved in advance by the Association.
- 5) When an owner contends that they are entitled to place all or a part of a solar energy device in an alternative location than the locations approved by the association, the owner must provide the calculation required by Section 202.010(d)(5) of the Texas Property Code, showing the energy production with the entirety of the proposed solar energy device located on the approved areas referenced herein, compared to the energy production with all or part of the device in the proposed alternate location. (i.e. the comparison examples must use the same solar energy device, meaning the same number, size and type of solar panels.)
- 6) Proposed placement of the solar energy device within approved areas, for the purpose of the calculation to support placement in an alternative location, must locate the solar energy device in the portions of the approved locations that will produce the most energy, including if appropriate, the fenced-in yard or patio.
- 7) In the event the entire proposed solar energy device will not fit within the areas approved by the association, the calculation for energy production when placed in the approved location shall be made with the maximum possible portion of the proposed device placed within approved locations.
- 8) A solar energy device shall be located entirely on the property of the owner erecting the solar energy device and shall not be located on any other lot, property or common area.
- 9) When mounted on a structure, no solar energy device may be higher or wider than the roofline of the structure it is mounted on.
- 10) When mounted on a structure, the top edge of all solar energy devices shall be parallel with the roofline and shall conform to the slope of the roofline.
- 11) Solar energy devices shall not cause an unreasonable or disproportionate visual impact on neighboring lots. The ACC shall be the sole determinant of what constitutes an unreasonable or disproportionate visual impact on neighboring lots and will inform the property owner of what changes must be made to correct any unreasonable or disproportionate visual impact.
- 12) Solar energy device frames, brackets, wires and pipes shall be a shade of silver, bronze or black.

CERTIFICATION

"I, the undersigned, being a Director of Twin Oaks Village Community Association, Inc., hereby certify that the foregoing regulations were adopted by at least a majority of the Association's Board of Directors at an open Board meeting, properly noticed to the members, at which a quorum of the Board was present."

By: [Signature]

Print name: ROBERT TICE

Title: PRESIDENT

ACKNOWLEDGEMENT

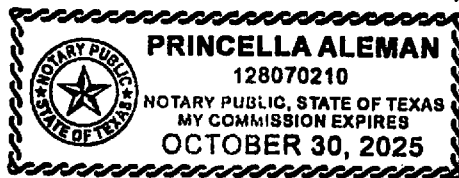
STATE OF TEXAS §

§
§
§

COUNTY OF FORT BEND §

BEFORE ME, the undersigned authority, on this day personally appeared the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that he is the person who signed the foregoing document in his representative capacity and that the statements contained therein are true and correct.

Given under my hand and seal of office this the 22 day of FEBRUARY, 2022.



Princesa Aleman
Notary Public, State of Texas

E-RECORDED BY:
HOLT & YOUNG, P.C.
9821 Katy Freeway, Ste. 350
Houston, Texas 77024