PI2-20120015732-3

SHAVANO CREEK HOMEOWNERS ASSOCIATION, INC.
GUIDELINES FOR SOLAR ENERGY DEVICES

STATE OF TEXAS *
*
COUNTY OF BEXAR *

KNOW ALL PERSONS BY THESE PRESENTS:

WHEREAS, the SHAVANO CREEK HOMEOWNERS ASSOCIATION, INC. ("Association") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declarations for the various sections of the community (referred to collectively as "Declarations"); and

WHEREAS, chapter 202 of the Texas Property Code was amended effective June 17, 2011, to add Section 202.010 {"Section 202.010") thereto dealing with the regulation of solar energy devices; and

WHEREAS, the Board of Directors of the Association ("Board") has determined that in connection with maintaining the aesthetics and architectural harmony of the community, and to provide clear and definitive guidance regarding solar energy devices therein, it is appropriate for the Association to adopt guidelines regarding solar energy devices within the community.

NOW, THEREFORE, the Board has duly adopted the following *Guidelines for Solar Energy Devices* within the community.

1. These guidelines apply to solar energy devices ("Devices") as defined in Section 171.107(a) of the Texas Tax Code. A solar energy device 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. The term 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.

2. Such Devices may only be installed with advance written approval of the Shavano Creek Architectural Control Committee subject to these guidelines.

3. Any such Device must be installed on land or structures owned by the property owner. No portion of the Devices may encroach on adjacent properties or common areas.

4. Such Devices may only be installed in the following locations:

   a. on the roof of the main residential dwelling; or

   b. on the roof of any other approved structure; or

   c. within a fenced yard or patio.

5. For Devices mounted on a roof, the Device must:

   a. have no portion of the Device higher than the roof section to which it is attached; and

(AS MEASURED FROM GROUND TO ROOF SECTIONS HIGHEST POINT)

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b. have no portion of the Device extend beyond the perimeter boundary of the roof section to which it is attached; and

c. conform to the slope of the roof; and

d. be aligned so the top edge of the Device is parallel to the roof ridge line for the roof section to which it is attached; and

e. have a frame, brackets and visible piping or wiring that is a color to match the roof shingles or a silver, bronze or black tone commonly available in the marketplace; and

f. be located in a position on the roof which is least visible from any street or common area, so long as such location does not reduce estimated annual energy production more than 10% over alternative roof locations (as determined by a publically available modeling tool provided by the National Renewable Energy Laboratory [www.nrel.gov] or equivalent entity).

6. For Devices location in a fenced yard or patio, no portion of the Device may extend above the top of the fence. If the fence is not a solid fence which blocks view of the Device, the Association may require the Device be placed in a location behind a structure or otherwise require visual screening. The Association may consider installation of Devices on properties without a fenced yard if there is adequate screening from public view from any street or common area.

7. All Devices must be installed in compliance with manufacturer's instruction and in a manner which does not void material warranties. Licensed craftsmen must be used where required by law. Permits must be obtained where required by law.

8. Installed Devices may not:

   a. threaten public health or safety; or

   b. violate any law; or

   c. substantially interfere with the use and enjoyment of land by causing unreasonable discomfort or annoyance to any adjoining property owner.

9. All Devices must be maintained in good repair. Unused or inoperable Devices must be removed.

The guidelines are effective upon recordation in the Public Records of Bexar County, and supersede Any guidelines for solar energy devices which may have previously been in effect. Except as affected by Section 202.010 and/or by these guidelines, all other provisions contained in the Declarations or any other dedicatory instruments of the Association shall remain in full force and effect.

Approved and adopted by the Board on this 19th day of Jan 2012.

Dick Zucker,
President
SHAVANO CREEK HOMEOWNERS ASSOCIATION, INC.

STATE OF TEXAS *
*
COUNTY OF BEXAR *

Before me, the undersigned authority, on this day personally appeared Dick Zucker, President of the SHAVANO CREEK HOMEOWNERS ASSOCIATION, INC. , a Texas Corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he/she had executed the same as the act of said corporation for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 19th day of January 2012.

MARY SCHWOPE
Notary Public, State of Texas
My Commission Expires
September 03, 2014

[Notarial Seal}

Mary Schwope
Notary Public, State of Texas

Mary Schwope
Printed Name

My commission expires: 9-3-14

Doc# 20120015732 Fees: $24.00
01/27/2012 3:28PM # Pages 3
Filed & Recorded in the Official
Public Records of BEXAR COUNTY
GERARD C. RICKHOFF COUNTY CLERK

AFTER RECORDING RETURN TO:
SHAVANO CREEK HOMEOWNERS ASSOCIATION, INC
7613 Tezel Road
San Antonio, Texas 78250

Any provision herein which restricts the sale, or use of the described real property because of race is invalid and unenforceable under Federal law
STATE OF TEXAS, COUNTY OF BEXAR
I hereby Certify that this Instrument was FILED in File Number Sequence on this date and at the time stamped hereon by me and was duly RECORDED in the Official Public Record of Real Property of Bexar County, Texas on:

JAN 27 2012

COUNTY CLERK BEXAR COUNTY, TEXAS