



BRIGHTWATER HOMEOWNERS ASSOCIATION, INC.  
GUIDELINES FOR SOLAR ENERGY DEVICES

STATE OF TEXAS

COUNTY OF FORT BEND

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WHEREAS, Brightwater 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 20, 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 Association; 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.

The guidelines are effective upon adoption and recordation in the Public Records of Fort Bend County, Texas 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 20 day of DEC, 2011.

  
Board Member

  
Board Member

  
Board Member

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Board Member

SECRETARY'S CERTIFICATE OF FILING

I, Kathy Renfrow certify that:

I am the duly qualified and acting secretary of Brightwater Homeowners Association, Inc., a duly organized and existing Texas non-profit corporation.

The attached instruments are true copies of unrecorded Dedicatory Instruments, as that term is defined by Section 202.001 of the Texas Property Code, pertaining to Brightwater Homeowners Association, Inc..

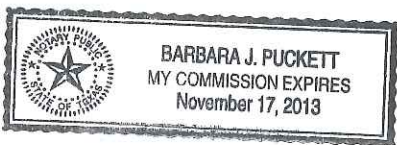
The attached instruments are being presented for recording in the Official Public Records of Real Property of FORT BEND County, Texas, pursuant to Section 202.006 of the Texas Property Code.

Dated: Dec. 20 2011

Kathy Renfrow  
Kathy Renfrow, Secretary  
Brightwater Homeowners Association, Inc.

THE STATE OF TEXAS           §  
  §  
COUNTY OF FORT BEND       §

This instrument was acknowledged before me on the 20<sup>th</sup> day of December, 2011, by Kathy Renfrow - Sec, President of Brightwater Homeowners Association, Inc., a Texas non-profit corporation, on behalf of said corporation.



Barbara J. Puckett  
Notary Public in and for The State of Texas

AFTER RECORDING, RETURN TO:

Bartley & Spears, P.C.  
14811 St. Mary's Lane, Suite 270  
Houston, Texas 77079

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**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS

Dianne Wilson

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Dianne Wilson COUNTY CLERK  
FT BEND COUNTY TEXAS

AS PER ORIGINAL