

SHAVANO ROGERS RANCH CROSSTIMBER
HOMEOWNERS ASSOCIATION, INC.

SOLAR ENERGY DEVICES POLICY

This Solar Energy Devices ("Policy") setting forth the policy of the Shavano Rogers Ranch Crosstimber Homeowners Association, Inc. (the "Association") in connection with the installation and maintenance of Solar Energy Devices and for establishment of a Solar Energy Devices Policy was duly adopted by the Board of Directors of the Association on the 19th day of JANUARY 2012.

This Policy is adopted under the requirements of Section 202.010, TEXAS PROPERTY CODE ("TPC 202.010") for the adoption of a Solar Energy Devices Policy that sets forth the limitations and requirements for the installation and maintenance of Solar Energy Devices and for the regulation of use of Solar Energy Devices by an owner on the owner's property located within the boundaries of Rogers Ranch Crosstimber, San Antonio, Bexar County, Texas.

The Policy for use of Solar Energy Devices within Rogers Ranch Crosstimber is as follows:

1. DEFINITIONS. For the purposes herein:
 - 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.
 - B. Development Period means a period stated in a declaration during which a declarant reserves:
 - (1) A right to facilitate the development, construction, and marketing of the subdivision; and
 - (2) A right to direct the size, shape and composition of the subdivision.
2. APPROVED LOCATIONS. Subject to the following requirements, an owner or resident shall be allowed to place on owner's or resident's property Solar Energy Devices:
 - A. on the roof of a main residential dwelling,

- B. on the roof of another structure allowed under a dedicatory instrument applicable to the property;
- C. on the roof of any other structure that has been approved by the Association Architectural Control Committee;
- D. within a fenced yard or patio of a residential property; or
- E. any other location approved by the Association Architectural Control Committee, in its sole discretion.
- F. all other locations are prohibited.

If the Solar Energy Devices are mounted on a roof, the Solar Energy Devices shall:

- A. have no portion of the Solar Energy Device higher than the roof section to which it is attached;
- B. have no portion of the Solar Energy Device extend beyond the perimeter boundary of the roof section to which it is attached;
- C. conform to the slope of the roof;
- D. be aligned so the top edge of the Solar Energy Device is parallel to the roof ridge line for the roof section to which it is attached;
- 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 publicly available modeling tool provided by the National Renewable Energy Laboratory [www.nrel.gov] or equivalent entity).

If the Solar Energy Devices are located in a fenced yard, the Solar Energy Devices shall:

- A. have no portion of the Solar Energy Device extend above the top of the fence;
- B. if the fence is not a solid fence which blocks the view of the Solar Energy Device, the Association Architectural Control Committee

may require the Solar Energy Device be placed in a location behind a structure or require visual screening.

3. INSTALLATION & MAINTENANCE. All Solar Energy Devices:

- A. 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. All necessary permits must be obtained prior to the installation; and
- B. the Solar Energy Device must be maintained in good operation and repair. Unused or inoperable solar devices must be removed.

4. PRIOR SUBMITTAL. No Solar Energy Device may be installed without the prior approval of the Association. Any owner or resident desiring to install a Solar Energy Device must submit a written request to the Association Architectural Control Committee for approval. Submittal forms can be obtained from the management company as found on the website at www.ams-sa.com or under the most current management certificate filed of record in the Official Records of Bexar County, Texas. Failure to submit may result in the owner or resident having to modify, relocate or remove the unapproved Solar Energy Device.

The Association Architectural Control Committee may withhold approval if the owner or resident does not comply with the requirements of this policy or otherwise comply with TPC 202.010; as it may be amended, restated or replaced from time to time, or if the Association Architectural Control Committee determines in writing that placement of the device as proposed by the property owner or resident constitutes a condition that substantially interferes with the use and enjoyment by the neighbors of their property by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities. The requesting owner or resident may provide the written approval of the proposed placement of the device by all property owners of adjoining the requesting owner's or resident's property, which written consent shall constitute prima facie evidence that such a condition does not exist.

5. PROHIBITED INSTALLATION. Installation of Solar Energy Devices may be prohibited:

- A. by the declarant of a subdivision during the Development Period; or
- B. by the Association Architectural Control Committee if the Solar Energy Device has been adjudicated by a court:

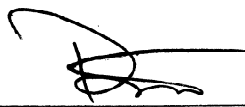
- (1) to threaten the public health or safety; or
- (2) to violate an applicable federal, state or local law.

6. EFFECTIVE DATE. The guidelines are effective upon recordation in the Public Records of Bexar County, Texas and supersede any guidelines for installation and maintenance of Solar Energy Devices which may have previously been in effect. Except as affected by TPC 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.

CERTIFICATE OF OFFICER

I hereby certify as PRESIDENT of the Shavano Rogers Ranch Crosstimber Homeowners Association, Inc. that the foregoing Solar Energy Devices Policy was approved at a regularly scheduled meeting of the Board of Directors on the 19th day of JANUARY, 2012, in which a quorum was present. I further certify as PRESIDENT of the Shavano Rogers Ranch Crosstimber Homeowners Association, Inc. that pursuant to Section 202.006, TEXAS PROPERTY CODE, the foregoing Solar Energy Devices Policy is a dedicatory instrument that applies to the operation of Rogers Ranch Crosstimber, a community of subdivisions in San Antonio, Bexar County, Texas.

Signed this 23rd day of JANUARY, 2012.

By: 
Name: DONALD ORIAN
Its: PRESIDENT
Shavano Rogers Ranch Crosstimber
Homeowners Association, Inc.

STATE OF TEXAS

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COUNTY OF BEXAR

Before me, the undersigned authority, on this day personally appeared DONALD DROLAN, PRESIDENT of the Shavano Rogers Ranch Crosstimber Homeowners Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed in the capacity therein stated and as the act in deed of said Corporation.

Given under my hand and seal of office on the 23rd day of January, 2012.

Catherine P. Garcia
Notary Public, State of Texas

AFTER RECORDING, RETURN TO:

Eugene Patillo
Association Management Services
1600 N.E. Loop 410, Suite 202
San Antonio, Texas 78209



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 31 2012



Gerard C. Rickhoff
COUNTY CLERK BEXAR COUNTY, TEXAS

Doc# 20120017336 Fees: \$32.00
01/31/2012 11:52AM # Pages 5
Filed & Recorded in the Official
Public Records of BEXAR COUNTY
GERARD C. RICKHOFF COUNTY CLERK