

**RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE CHURCHILL ESTATES HOMES ASSOCIATION, INC.  
REGARDING GUIDELINES FOR SOLAR ENERGY DEVICES**

STATE OF TEXAS                         §  
  §  
COUNTY OF BEXAR                   §

WHEREAS, The Churchill Estates Homes Association, Inc., (hereinafter “Association”), is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the Declaration for the Association; and

WHEREAS, Chapter 202 of the Texas Property Code was amended effective July 17, 2011, to add Section 202.010 (Section 202.010"), thereto regarding the regulation of solar energy devices; and;

WHEREAS, the Board of Directors of the Churchill Estates Homes Association, Inc., desires to hereby establish guidelines for the regulation of solar energy devices consistent with the provisions of Section 202.010 and to additionally provide clear and definitive guidance to its members.

NOW THEREFORE, the Board has duly adopted the following *Guidelines for Solar Energy Devices Within the Churchill Estates Homes Association*.

**GUIDELINES FOR SOLAR ENERGY DEVICES**

These Guidelines for Solar Energy Devices within the community of the Churchill Estates Homes Association is adopted by the Board of Directors of the Churchill Estates Homes Association, Inc., pursuant to Texas Property Code §202.010 (hereinafter “the Statute”).

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 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 Device 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
  - 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 Energy Laboratory [[www.nrel.gov](http://www.nrel.gov)] or equivalent entity).
6. For Devices located 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 the 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 the manufacturer's instructions and in a manner which does not void any material warranties. Licensed craftsmen must be used where required by law. Permits must be obtained where required by law.
8. Installed devices shall 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(s).
  - d. All Devices must be maintained in good repair. Unused or inoperable Devices must be immediately removed.
9. All Devices must be maintained in good repair. Unused or inoperable Devices must be removed.

These guidelines may be amended from time to time by the Board of Directors of the Association.

These guidelines shall be effective upon recordation in the Public Records of Bexar County, Texas, and shall supercede any policy regarding solar energy guidelines which may have previously been in effect. Except as affected by Section 202.010 and/or this Policy, all other provisions contained within the Association's Declaration or any other dedicatory instruments of the Association shall remain in full force and effect.

Approve and adopted by the Board on this \_\_\_\_ day of December, 2011.

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Edward A. Duchin  
President  
Churchill Estates Homes Association, Inc.

STATE OF TEXAS                    §  
  §  
COUNTY OF BEXAR               §

Before me, the undersigned authority, on this day personally appeared Edward A. Duchin, President of the Churchill Estates Homes Association, Inc., a Texas non-profit corporation, known to be 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 state.

Given under my hand and seal of office this \_\_\_\_ day of December, 2011.

\_\_\_\_\_  
Notary Public, State of Texas

\_\_\_\_\_  
Printed Name

My commission expires: \_\_\_\_\_