SOLAR ENERGY DEVICE GUIDELINES

DEER VALLEY

HOMEOWNERS' ASSOCIATON, INC.

Solar Energy Device Guidelines

WHEREAS, the Texas Legislature passed House Bill 362 whieh amends Chapter 202 of the Texas Property Code by adding Seetion 202.010 whieh preeludes assoeiations from adopting or enforeing a complete prohibition on solar energy deviees; and

WHEREAS, pursuant to Seetion 202.010 of the Texas Property Code, the Board of Directors of Deer Valley Homeowners' Assoeiation, Ine. (the "Association") is permitted to adopt eertain limitations on solar energy deviees.

NOW, THEREFORE, IT IS RESOLVED, in order to comply with Section 202.010 of the Texas Property Code, the Board of Direetors hereby repeals any and all prior restrietions on solar energy deviees contained in any governing document of the Assoeiation whieh are inconsistent with the new law, and adopts the following guidelines to govern solar energy devices.

A. An owner may not install a solar energy deviee that:

1. as adjudieated by a court:
    a. threatens the publie health or safety; or
    b. violates a law;
2. is loeated on property owned or maintained by the Assoeiation;
3. is loeated on property owned in eommon by the members of the Assoeiation;
4. is located in an area on the owner's property other than:
    a. on the roof of the home or of another strueture allowed under a dedieatory instrument; or
    b. in a fenced yard or patio owned and maintained by the owner;
5. if mounted on the roof of the home:
    a. extends higher than or beyond the roofline;
    b. is loeated in an area other than an area designated by the Association, unless the alternate location increases the estimated annual energy production of the deviee, as determined by using a publiely available modeling tool provided by the National Renewable Energy Laboratory, by more than ten percent (10%) above the energy production of the deviee if loeated in an area designated by the Association;

EXHIBIT

c. does not conform to the slope of the roof and has a top edge that is not parallel to the roofline; or

d. has a frame, a support bracket, or visible piping or wiring that is not in a silver, bronzc, or blaek tone commonly available in the marketplaee;

6. if located in a fenced yard or patio, is taller than the fence line;

7. as installed, voids material warranties; or

8. was installed without prior approval by the Association or by a committee created in a dedicatory instrument for sueh purposes that provides deeisions within a reasonable period or within a period specified in the dedieatory instrument.

B. The definitions contained in the Association's dedicatory instruments are hereby ineorporated herein by reference.

IT IS FURTHER RESOLVED that this Solar Energy Device Policy is effective upon adoption hereof, to remain in foree and effeet until revoked, modified or amended.

This is to certify that the foregoing resolution was adopted by the Board of Directors at a meeting of same on 11/29/11, and has not been modified, rescinded or revoked.

Pat Frankl'

Name: Patricia Franklin

Title: President

Date: 11/29/11