

**REGULATION OF SOLAR PANELS  
THE PARK AT ARBORDALE COMMUNITY ASSOCIATION, INC.**

STATE OF TEXAS                   §  
   §  
COUNTY OF HARRIS           §

WHEREAS, this Regulation of Solar Panel Policy is applicable to The Park at Arbordale, an addition in Harris County, Texas as shown on the plat thereof filed of record under Harris County Clerk's File No. 20080105547, in the Map records of Harris County, Texas; and any additional properties that become subject to the Declaration of Covenants, Conditions and Restrictions for The Park at Arbordale, as filed of record under Harris County Clerk's File No. 20080292185 (hereinafter the "Subdivision:");

WHEREAS Chapter 202 of the Texas Property Code was amended to add Section 202.010, which requires the Association to allow solar energy devices in the Subdivision and authorizes the Association to regulate such solar energy devices; and,

WHEREAS Section 204.010(a)(6) of the Texas Property Code authorizes the Association to regulate the appearance of the Subdivision; and,

WHEREAS Article VII, Section A of the Declaration of Covenants, Conditions and Restrictions for The Park at Arbordale provides that the Association (acting through its Board of Directors) may adopt rules and guidelines regarding the use of the Property; and,

WHEREAS the Association desires to adopt uniform regulations consistent with Section 202.010 of the Texas Property Code with respect to solar energy devices within the Subdivision; and,

WHEREAS, the Association believes that maintaining a uniform aesthetic throughout the Subdivision is integral to property values and desires to protect the appearance of the Subdivision and its property values to the fullest extent under the law, with respect to the installation and maintenance of Solar Energy Devices within the Subdivision; and,

WHEREAS this Dedicatory Instrument represents Restrictive Covenants as those terms are defined by Texas Property Code §202.001, et. seq, and the Association shall have and may exercise discretionary authority with respect to these Restrictive Covenants; and,

NOW THEREFORE, pursuant to the foregoing, and as evidenced by the certification hereto, the Association hereby adopts, establishes, and imposes on the Subdivision the following regulations:

RP-2023-182148

**I. Solar panels are permitted to the extent required by 202.010 of the Texas Property Code, subject to the following regulations:**

- 1) The owner shall first apply to and receive written approval from the Architectural Review Committee (the "ARC") prior to installation of any solar energy device as defined by 202.010.
- 2) All solar energy devices must be installed, maintained, and serviced by qualified professionals. The Owner's desired vendor or contractor shall be listed on the Owner's application to the ARC. Owners wishing to install their own solar energy devices may be required to submit additional documentation such as confirmation of homeowners' insurance coverage or other documentation confirming installation in accordance with manufacturer specifications.
- 3) Solar energy devices shall not be installed except in a location approved by the ARC in advance. **A solar energy device to be installed on the roof of the house or other approved structure shall not be installed on the portion of roof facing any street adjacent to the structure.**
- 4) When an owner contends that they are entitled to place all or a part of a solar energy device in an alternative location than the locations approved by the association, the owner must provide the calculation required by Section 202.010(d)(5) of the Texas Property Code showing the energy production with the entirety of the proposed solar energy device located within the approved areas referenced herein, compared to the energy production with all or part of the device in the proposed alternate location. (i.e. the comparison examples must use the same solar energy device, meaning the same number, size and type of solar panels.)
- 5) All roof-mounted solar energy devices shall: (1) be in the standard rectangular shape; (2) conform to the roof slope of the dwelling; and (3) be installed using frames, mounting brackets, hardware or similar components that are in the silver, bronze or black tone commonly available in the marketplace.
- 6) If an Owner chooses to place Solar Panels either in a fenced-in yard or patio on the Owner's Lot, then the Solar Panels may not be taller than the fence line or patio, such that the Solar Panels are not visible above, or extending higher than, the fence line or patio.
- 7) No solar energy devices shall be installed or maintained in such a way that substantially interferes with other Owners' use and enjoyment of their properties by causing unreasonable discomfort or annoyance. This includes, but is not necessarily limited to, any issues cause by light reflection, heat generation, or similar conditions. Owners should work with their chosen solar energy device vendor to confirm compliance with this provision prior to installation. The ARC will decide what is an unreasonable or a disproportionate visual impact on neighboring Lot and will inform the applying Owner of what changes must be made to correct any unreasonable or disproportionate visual impact.

**CERTIFICATION**

“I, the undersigned, being a Director of the The Park at Arbordale Community Association, Inc., hereby certify that the foregoing regulations were adopted by at least a majority of the Association’s Board of Directors, at an open Board meeting duly noticed, at which a quorum of the Board of Directors was present.”

By: 

Print name: Melissa Mulholland Title: HOA President

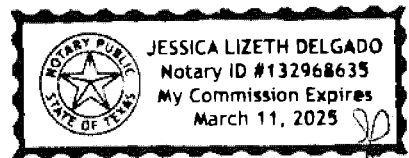
**ACKNOWLEDGEMENT**

STATE OF TEXAS                   §  
   §  
COUNTY OF HARRIS           §

BEFORE ME, the undersigned authority, on this day personally appeared the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that they are the person who signed the foregoing document in their representative capacity and that the statements contained therein are true and correct.

Given under my hand and seal of office this the 17 day of May, 2022.

  
Notary Public, State of Texas



RP-2023-182148


RP-2023-182148  
# Pages 4  
05/18/2023 01:15 PM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
TENESHIA HUDSPETH  
COUNTY CLERK  
Fees \$26.00

RECORDERS MEMORANDUM  
This instrument was received and recorded electronically  
and any blackouts, additions or changes were present  
at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or  
use of the described real property because of color or  
race is invalid and unenforceable under federal law.  
THE STATE OF TEXAS  
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in  
File Number Sequence on the date and at the time stamped  
hereon by me; and was duly RECORDED in the Official  
Public Records of Real Property of Harris County, Texas.



  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

RP-2023-182148