

Harrington Homeplace Homeowners Association

Solar Energy Device Policy

EXHIBIT B-5

WHEREAS, The Board of Directors (the "Board") of Harrington Homeplace Homeowners Association, (the "Association") wishes to adopt certain limitations on solar devices pursuant to Section 202.010 of the Texas Property Code;

WHEREAS, The Texas Legislature passed House Bill 362 which amends Chapter 202 of the Texas Property Code by adding Section 202.010 which gives owners the right to install solar energy devices. However, certain restrictions on the installation of such devices are permissible.

NOW, THEREFORE, IT IS RESOLVED, in order to comply with Section 202.010 of the Texas Property Code, that the following guidelines are established by the Board of Directors:

- A. An owner may not install a solar energy device that:
1. is in violation of any law;
 2. is on property owned or maintained by the Association;
 3. is located on property in common areas;
 4. is located anywhere but on the owner's roof or in his fenced-yard or patio, or any structure allowed under a dedicatory instrument;
 5. if mounted on the roof of the home, is installed on the roof facing the front street (except as otherwise allowed by law), extends beyond the roofline, does not conform to the slope of the roof, has a top edge that is not parallel to the roofline, and/or does not conform to certain allowed design guidelines;
 6. if located in a fenced yard or patio, is taller than the fence line;
 7. is installed in a manner that voids material warranties;
 8. is installed without prior approval by the association or its designated architectural committee;
 9. would "substantially interfere with the use and enjoyment of land by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities,"; or
 10. a court determines it threatens public health or safety.
- B. Aesthetic requirements:
1. Frames, support brackets, or any visible piping or wiring must be of a silver, bronze or black tone, whichever blends most effectively with the roof color;
 2. Panels must blend to the greatest extent possible with existing roof color.

This policy shall supersede and render null and void any and all previously adopted Solar Energy Device Policy adopted by the Board.

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

Date: 1/28/2013

Ignatius J. Morales, Jr.
Signature
Ignatius J. Morales, Jr.
Name
President
Title