

Walden on Lake Conroe Community Improvement Association, Inc.

Solar Energy Devices Policy

I. Purpose:

It is the intention of the Board of Trustees to allow the installation of solar energy devices in Walden on Lake Conroe that maintain the aesthetics and architectural consistency of the community.

II. General:

The Property Code of the State of Texas allows for the installation of solar energy devices, subject to certain criteria. This policy is to comply with the law and appropriately regulate the placement, screening, operation and removal of these devices so that they do not detract from the appearance of Walden.

III. Policy:

This Policy applies 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.

Such Devices may only be installed with advance written approval of the Architectural Control Committee subject to this Policy.

Any such Device must be installed on land or structures owned by the property owner. No portion of the Devices may encroach on adjacent properties, common areas, or property owned by the Walden Community Improvement Association, Inc..

Such Devices may only be installed in the following locations:

- on the rear roof (the roof facing away from the street)of the main residential dwelling; or
- on the rear roof (the roof facing away from the street) of any other approved structure; or
- within a fenced yard or patio.

For Devices mounted on a roof, the Device must:

- have no portion of the Device higher that the roof section to which it is attached; and
- have no portion of the Device extend beyond the perimeter boundary of the roof section to which it is attached; and
- conform to the slope of the roof; and



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

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

if the property owner desires to not locate the panels on the rear roof, they must show the Architectural Control Committee how the desired location increases the estimated annual energy production by more than 10% (as determined by a publically available modeling tool provided by the National Renewable Energy Laboratory [www.nrel.gov] or equivalent entity).

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 privacy fence which blocks view of the Device, the WCIA may require the Device be placed in a location behind a structure or otherwise require visual screening. The WCIA may consider installation of Devices on properties without a fenced yard if there is adequate screening from public view from any street or common area.

All Devices 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. Permits must be obtained where required by law.

Installed Devices may not:

threaten public health or safety; or

violate any law; or

substantially interfere with the use and enjoyment of land by causing unreasonable discomfort or annoyance to any person of ordinary sensibilities.

All Devices must be maintained in good repair. Unused or inoperable Devices must be removed.

This Policy is effective upon recordation in the Public Records of Montgomery County, and supersedes any Policy for solar energy devices which may have previously been in effect. Except as affected by State of Texas Property Code Section 202.010 and/or by this Policy, all other provisions contained in the Deed Restrictions or any other dedicatory instruments of the WCIA shall remain in full force and effect.

DEDICATORY INSTRUMENTS
OF
WALDEN ON LAKE CONROE COMMUNITY IMPROVEMENT
ASSOCIATION, INC.

BEFORE ME, the undersigned authority, on this day personally appeared the below named person, who, being by me first duly sworn, states the following:

My name is Scott Sustman. I am over 21 years of age and of sound mind. I am capable of making, and authorized to make, this affidavit. I am personally acquainted with the facts herein stated. I am the agent and General Manager of Walden on Lake Conroe Community Improvement Association, Inc. Pursuant to the Texas Property Code, Section 202.006, the following documents are the originals, or true and correct copies of the originals, of the governing instruments of the Association:

Walden on Lake Conroe Board Policy – Solar Energy Devices Policy

Dated this the 23rd day of September, 2011

WALDEN ON LAKE CONROE COMMUNITY IMPROVEMENT ASSOCIATION, INC.

By: Scott Sustman
Agent and General Manager

Print Name: Scott Sustman

**THE STATE OF TEXAS
COUNTY OF MONTGOMERY**

THIS affidavit was acknowledged before me on the 23rd day of SEPTEMBER, 2011 by Scott Sustman who stated that he is the agent and General Manager for Walden on Lake Conroe Community Improvement Association, Inc.



Cynthia Keasling
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

AFTER RECORDING RETURN TO:
Scott Sustman, General Manager
Walden on Lake Conroe
Community Improvement Association, Inc.
13301 Walden Road,
Montgomery, Texas 77356
936-582-1622

FILED FOR RECORD

09/30/2011 10:08AM

Mark Jumball

COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF MONTGOMERY

I hereby certify this instrument was filed in file number
sequence on the date and at the time stamped herein
by me and was duly RECORDED in the Official Public
Records of Montgomery County, Texas.

09/30/2011



Mark Jumball

County Clerk
Montgomery County, Texas