

THE RESERVE AT CYPRESS CREEK COMMUNITY ASSOCIATION, INC.

REGULATION OF STANDBY ELECTRIC GENERATORS

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

WHEREAS, The Reserve at Cypress Creek Community Association, Inc., (the "Association"), a Texas nonprofit corporation, is the governing entity for The Reserve at Cypress Creek, an addition in Harris County, Texas, according to the map or plat thereof, recorded in the Map Records of Harris County, Texas, under Clerk's File No. V916686 and Clerk's Film Code No. 516249, along with any amendments, supplements or replats (the "Subdivision"); and

WHEREAS, Chapter 202 of the Texas Property Code was recently amended to add Section 202.019, which requires the Association to allow standby electric generators and authorizes the Association to regulate such items; and

WHEREAS, the Board of Directors of the Association desires to regulate standby electric generators by establishing regulations and guidelines relating to such items in compliance with Chapter 202 of the Texas Property Code and pursuant to the authority granted to the Board of Directors by the provisions of the Declaration; and

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

WHEREAS, to the extent the regulations contained herein conflict with any previously existing Rules, Regulations or Architectural Guidelines of The Reserve at Cypress Creek Community Association, Inc., the regulations contained herein control;

NOW, THEREFORE, pursuant to the foregoing and as evidenced by the Certification hereto, the Association hereby adopts the following regulations:

Standby Electric Generators (SEG) are permitted to the extent required by § 202.019 of the Texas Property Code, subject to the following regulations, which shall be reasonably applied and enforced:

- 1) The owner shall first apply to and receive written approval from the Association prior to installation of any SEG permitted by 202.019 that will be located outside of the main residential structure on the Property, in the same manner as all other submissions for approval or improvements to property.

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- 2) The SEG must be installed and maintained in compliance with manufacture's specifications and applicable governmental health, safety, electrical and building codes.
- 3) All electrical, plumbing, and fuel line connections for the SEG shall be installed only by licensed contractors and all electrical connections must installed in accordance with applicable governmental health, safety, electrical and building codes.
- 4) All natural gas, diesel fuel, biodiesel fuel, or hydrogen fuel line connections for the SEG shall be installed in accordance with applicable governmental health, safety, electrical and building codes.
- 5) All liquid petroleum gas fuel line connections shall be installed in accordance with rules and standards promulgated and adopted by the Railroad Commission of Texas and other applicable governmental health, safety, electrical and building codes.
- 6) All nonintegral standby electric generator fuel tanks for the SEG shall be installed and maintained to comply with applicable municipal zoning ordinances and governmental health, safety, electrical, and building codes.
- 7) The SEG, its electrical and fuel lines shall all be maintained in good condition.
- 8) If a component of an SEG, including electrical or fuel lines, is deteriorated or unsafe then that component shall be repaired, replaced or removed as appropriate.
- 9) The SEG shall be screened in accordance with plans submitted to and approved by the Association, if it is:
- a. visible from the street faced by the dwelling,
 - b. located in an unfenced side or rear yard of a residence and is visible either from an adjoining residence or from adjoining property owned by the property owners' association, or
 - c. located in a side or rear yard fenced by a wrought iron or residential aluminum fence and is visible through the fence either from an adjoining residence or from adjoining property owned by the property owners association.
- 10) The SEG shall be periodically tested in accordance with the manufacturer recommendations.
- 11) The SEG shall not be used to generate all or substantially all of the electrical power to the residence, except when utility-generated electrical power to the residence is not available or is intermittent due to causes other than nonpayment for utility service to the residence.
- 12) The SEG shall be located in a location submitted to and approved by the Association.

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RECORDER'S MEMORANDUM:
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

- 13) The SEG shall not be located on property owned or maintained by the property owners association or owned in common by the property owners association.
- 14) The location required by the Association for a SEG may not increase the cost of installing the SEG by more than 10% or increase the cost of installing and connecting the electrical and fuel lines for the SEG by more than 20%.

CERTIFICATION

"I, the undersigned, being the President of The Reserve at Cypress Creek Community Association, Inc., hereby certify that the foregoing Policy was adopted by at least a majority of The Reserve at Cypress Creek Community Association, Inc.'s Board of Directors."

By: Larry Fenstad, President

Print name: LARRY FENSTAD

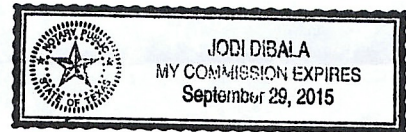
ACKNOWLEDGEMENT

STATE OF TEXAS §
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COUNTY OF HARRIS §

This instrument was acknowledged before me on the 23 day of September 2015 by Larry Fenstad, the President of The Reserve at Cypress Creek Community Association, Inc.

Jodi Dibala
Notary Public, State of Texas

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AFTER RECORDING RETURN TO:
Holt & Young, P.C.
9821 Katy Freeway, Suite 350
Houston, Texas 77024



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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

DEC 14 2015



Stan Stewart
COUNTY CLERK
HARRIS COUNTY, TEXAS

FILED FOR RECORD
8:00 AM

DEC 14 2015

Stan Stewart
County Clerk, Harris County, Texas