

COMMUNITY OF AMBERWOOD HOMEOWNERS ASSOCIATION, INC.

SECRETARY'S CERTIFICATE

STATE OF TEXAS §

§

COUNTY OF HAYS §

The undersigned hereby certifies that he is the duly elected, qualified and acting Secretary of Community of Amberwood Homeowners Association, Inc., a Texas non-profit corporation ("Association"), and that:

Attached hereto are true and correct copies of the following Association documents which have been duly approved by the Board of Directors of the Association:

- 1. Guidelines Regarding Flags and Flag Poles
- 2. Guidelines for Rain Water Recovery Devices
- 3. Guidelines for Solar Energy Services

IN WITNESS WHEREOF, the undersigned has executed this certificate on the 11 day of March, 2015.

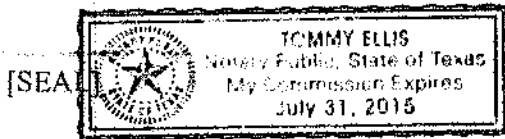
By: Walter Smith
Walter Smith, Jr.
Secretary, Board of Directors

STATE OF TEXAS §

§

COUNTY OF Hays §

This instrument was acknowledged before me on the 11 day of March, 2015, by Walter Smith, Jr., Secretary of the Board of Directors of Community of Amberwood Homeowners Association, Inc., on behalf of said non-profit corporation.



Tommy Ellis
Notary Public, State of Texas
My Commission Expires: July 31, 2015

AFTER RECORDING RETURN TO:

Bill Flickinger
Willatt & Flickinger
2001 North Lamar
Austin, Texas 78705

**COMMUNITY OF AMBERWOOD HOMEOWNERS ASSOCIATION, INC.
GUIDELINES FOR FLAGS AND FLAGPOLES**

STATE TEXAS § KNOW ALL PERSONS BY THESE
COUNTY OF HAYS § PRESENTS:

WHEREAS the Amberwood Homeowner's Association, Inc. (the "Association") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declaration of Covenants, Conditions & Restrictions for Amberwood, filed for record on the 29th of October, 2002, in the Official Public Records of Hays County, Texas (referred to as the Declaration); and

WHEREAS the Texas Legislature passed House Bill 362 which amends Chapter 202 of the Texas Property Code to add Section 202.011 thereto dealing with the regulation of Flag Display; and

WHEREAS, the Board of Directors ("Board") of the Association has determined that in connection with maintaining the aesthetics and architectural harmony of the community, and to provide clear and definitive guidance regarding flags and flagpoles therein, it is appropriate for the Association to adopt guidelines regarding flags and flagpoles within the community.

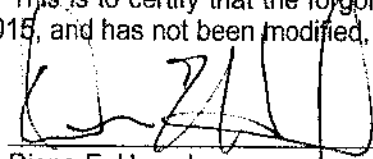
NOW, THEREFORE, the Board has duly adopted the following Guidelines for Solar Energy Devices within the community:

1. Prior to installation of a flagpole, the advance written approval of the Association's Architectural Committee is required as set forth in these restrictions.
2. The following flags may be displayed by the Owner or Resident of an occupied premises:
 - a) the flag of the United States of America
 - b) one flag of the State of Texas; and
 - c) one official replica flag of any branch of the United States Armed forces.
3. The flag of the United States of America must be displayed in accordance with *USC Sections 5-10. See also The United States Flag: Federal Law Relating to Display.*
4. The flag of the State of Texas must be displayed in accordance with *Chapter 3100, Texas Government Code.*
5. A flagpole attached to a dwelling or a freestanding flagpole must be constructed of permanent, long lasting materials, with a finish appropriate to the materials used in the construction of the flagpole and harmonious with the dwelling.
6. The display of the flag and/or the location and construction of the supporting flagpole must comply with any applicable zoning ordinances, easements and setbacks of record.

**COMMUNITY OF AMBERWOOD HOMEOWNERS ASSOCIATION, INC.
GUIDELINES FOR FLAGS AND FLAGPOLES**

7. A displayed flag and the flagpole on which it is flown must be maintained in good condition. Further, any deteriorated flag, or deteriorated or structurally unsafe flagpole, must be timely repaired, removed or replaced.
8. Only one of each type of flag identified in item "2" above may be displayed at an occupied premise.
9. No flags may be displayed at any unoccupied (i.e. vacant) premises.
10. Any displayed flag may be no larger than three foot (3') by five foot (5') in size, and must be flown from an approved flagpole attached to a dwelling or from only one approved freestanding flagpole. The single freestanding flagpole may not exceed six feet (6') in height. The diameter, design materials, color and location of any flagpole (whether attached to a dwelling or freestanding) must be approved in advance, and in writing, by the Amberwood Homeowners Association Architectural Committee.
11. The intensity of any lights installed to illuminate a flag or flags is subject to approval by the Association so as to avoid a potential nuisance to the neighborhood. Further, no flag may be installed or displayed in such a manner as to create excessive noise by and external halyard (hoist line) of a flagpole.
12. Unless installed or displayed by the Amberwood Homeowners Association, a flag, or flags, may not be displayed on any property owned or maintained by the Amberwood Homeowners Association.

This is to certify that the forgoing policy was adopted by the Board at a meeting held March 11, 2015, and has not been modified, rescinded or revoked.



Diane E. Herval
President, Board of Directors
Community of Amberwood Homeowners Association, Inc.

**COMMUNITY OF AMBERWOOD HOMEOWNERS ASSOCIATION, INC.
GUIDELINES FOR RAINWATER RECOVERY DEVICES**

STATE TEXAS § KNOW ALL PERSONS BY THESE
COUNTY OF HAYS § PRESENTS:

WHEREAS the Amberwood Homeowner's Association, Inc. (the "Association") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declaration of Covenants, Conditions & Restrictions for Amberwood, filed for record on the 29th of October, 2002, in the Official Public Records of Hays County, Texas (referred to as the Declaration); and

WHEREAS, the Texas Legislature passed House Bill 3391 which amends chapter 202 of the Texas Property Code to add Section 202.007 (d) thereto dealing with the regulation of rainwater recovery devices; and

WHEREAS, the Board of Directors ("Board") of the Association has determined that in connection with maintain the aesthetics and architectural harmony of the community, and to provide clear and definitive guidance regarding rainwater recovery devices therein, it is appropriate for the Association to adopt guidelines regarding rainwater recovery devices within the community.

NOW, THEREFORE, the board has duly adopted the following Guidelines for Rainwater Recovery Devices within the community, hereby repealing any and all prior restrictions on rainwater recovery devices in any governing documents of the Association which are not in accordance with the new law.

- A. An owner may not install a rain barrel or rain water harvesting system if;
 - 1. such device id to be installed in or on the property
 - (a) owned by the Association;
 - (b) owned in common by the members of the Association; or
 - (c) located between the front of the owner's home and the adjoining or adjacent street; or
 - 2. the barrel or system;
 - (a) is of a color other than the color consistent with the color scheme of the owner's home; or
 - (b) displays any language or other content that is not typically displayed by such a barrel or system as it is manufactured.
- B. The Association may regulate the size, type, and shielding of, and the materials used in the construction of, a rain barrel, rainwater harvesting device, or other appurtenance

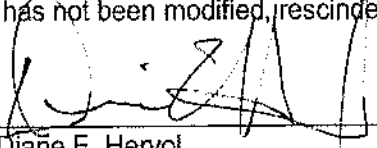
**COMMUNITY OF AMBERWOOD HOMEOWNERS ASSOCIATION, INC.
GUIDELINES FOR RAINWATER RECOVERY DEVICES**

that is located on the side of the house or at any other location that is visible from the street, another lot, or a common area if;

1. the restriction does not prohibit the economic installation of the device or appurtenance on the owner's property; and
 2. there is reasonably sufficient area on the owner's property to which to install the device or appurtenance
- C. In order to enforce these regulations, an owner must receive written approval from the Board or the architectural review committee prior to installing any rain barrel or rainwater harvesting system. Accordingly, prior to installation, an owner must submit plans and specifications to receive the written approval of the Board or architectural review committee. The plans and specifications must show the proposed location, color, material, shielding devices, and type of such system or device (and all parts thereof). The plans should also identify whether the device or any part thereof will be visible from any street, other lot or common area.

FUTHERMORE, these guidelines are effective upon recordation in the Public Records of Hays County, and will remain in effect until revoked, modified or amended.

This is to certify that the forgoing policy was adopted by the Board at a meeting held March 11, 2015, and has not been modified, rescinded or revoked.



Diane E. Hervol
President, Board of Directors
Community of Amberwood Homeowners Association, Inc.

**COMMUNITY OF AMBERWOOD HOMEOWNERS ASSOCIATION, INC.
GUIDELINES FOR SOLAR ENERGY SERVICES**

STATE TEXAS § KNOW ALL PERSONS BY THESE
COUNTY OF HAYS § PRESENTS:
§

WHEREAS the Amberwood Homeowner's Association, Inc. (the "Association") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declaration of Covenants, Conditions & Restrictions for Amberwood, filed for record on the 29th of October, 2002, in the Official Public Records of Hays County, Texas (referred to as the Declaration); and

WHEREAS the Texas Legislature passed House Bill 362 which amends Chapter 202 of the Texas Property Code to add Section 202.010 thereto dealing with the regulation of solar energy devices; and

WHEREAS, the Board of Directors ("Board") of the Association has determined that in connection with maintaining the aesthetics and architectural harmony of the community, and to provide clear and definitive guidance regarding solar energy devices therein, it is appropriate for the Association to adopt guidelines regarding solar energy devices within the community.

NOW, THEREFORE, the Board has duly adopted the following Guidelines for Solar Energy Devices within the community:

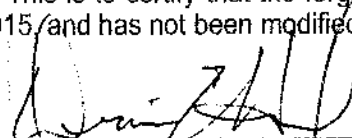
1. These guidelines apply to solar energy devices ("Devices") as defined in *Section 171.1079a) of the Texas Tax Code*. A solar energy device means a system or series of mechanisms designed primarily to provide heating or cooling or to produce electrical power by collecting and transferring solar generated energy. The term mechanical or chemical device that has the ability to store solar generated energy for use in heating or in the production of power.
2. Such Devices may be installed with advanced approval of Association, subject to these guidelines.
3. Any such Devices must be installed on land or structures owned by the property owner. No portion of the Devices may encroach on adjacent properties or common areas.
4. Such Devices may only be installed in the following locations:
 - a) On the roof of the main residential dwelling on an owner's property; or
 - b) on the roof of any other approved structure or
 - c) within a fenced yard or patio.
5. For Devices mounted on a roof, the devices must:
 - a) have no portion of the Devices higher than the roof section to which it is attached; and
 - b) have no portion of the Devices extend beyond the perimeter boundary or the roof section to which it is attached; and
 - c) conform to the slope of the roof; and
 - d) be aligned so that the top edge of the Devices is parallel to the roof ridge line for the roof section to which it is attached; and

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GUIDELINES FOR SOLAR ENERGY SERVICES**

- e) have frame, brackets and visible piping or wiring that is a color that matches the roof shingle or a silver, bronze or black tone commonly available in the marketplace; and
 - f) be located in a position on the roof which is least visible from any Street or common area which does not reduce estimated annual energy production more than ten percent (10%) as determined by a publically available modeling tool provided by the National Renewable Energy Laboratory (www.nrel.gov) equivalent entity over alternative roof locations.
6. For Devices located in a fenced yard or patio, no portion of the Devices may extend above the fence. If the fence is not a solid fence which blocks view of the Devices, the Association may require the Devices be placed in a location behind a structure or otherwise require visual screening. The Association 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.
7. All Devices must be installed with manufacturer's instruction and in a manner which does not void material warranties. Licensed craftsman must be used where required by law. Permits must be obtained where required by law.
8. Installed Devices may not:
- a) Threaten public health or safety; or
 - b) violate any law; or
 - c) substantially interfere with the use and enjoyment of land by causing unreasonable discomfort or annoyance to any adjoining property owner or resident of ordinary sensibilities.
9. All Devices must be maintained in good repair. Unused or inoperable Devices must be removed if they can be seen from any street or common area.

FUTHERMORE, these guidelines are effective upon recordation in the Public Records of Hays County, and will remain in effect until revoked, modified or amended.

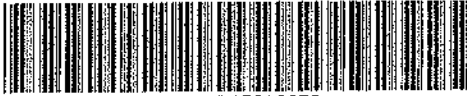
This is to certify that the foregoing policy was adopted by the Board at a meeting held March 11, 2015 and has not been modified, rescinded or revoked.



Diane E. Hervol

President, Board of Directors
Community of Amberwood Homeowners Association, Inc.

Hays County
Liz Q. Gonzalez
County Clerk
San Marcos, Texas 78666



70 2015 15010070

Instrument Number: 2015-15010070

As

Recorded On: April 07, 2015

OPR RECORDINGS

Parties: AMBERWOOD HOMEOWNERS ASSOCIATION INC

Billable Pages: 7

To

Number of Pages: 8

Comment:

(Parties listed above are for Clerks reference only)

**** THIS IS NOT A BILL ****

OPR RECORDINGS	50.00
Total Recording:	50.00

***** DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT *****

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.

File Information:

Document Number: 2015-15010070
Receipt Number: 393740
Recorded Date/Time: April 07, 2015 02:14:15P
Book-Vol/Pg: BK-OPR VL-5182 PG-131
User / Station: R Robinson - Cashiering #6

Record and Return To:

WILLIATT & FLICKINGER
2001 NORTH LAMAR BLVD
AUSTIN TX 78705



State of Texas |
County of Hays

I hereby certify that this instrument was filed for record in my office on the date and time stamped hereon and was recorded on the volume and page of the named records of Hays County, Texas

Liz Q. Gonzalez
Liz Q. Gonzalez, County Clerk