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# AFFIDAVIT FOR FILING DEDICATORY INSTRUMENTS

STATE OF TEXAS )  
)  
COUNTY OF MONTGOMERY )

KNOW ALL BY THESE PRESENTS:

WHEREAS section 202.006 of the Texas Property Code requires that a property owners' association file its dedicatory instruments in the real property records of the county in which the property is located, and

WHEREAS the Decker Oaks Estates Community Association, Inc. is a property owners' association as the term is defined in the Texas Property Code and has property located in Montgomery County, Texas,

NOW THEREFORE, true copies of the following dedicatory instruments of the Decker Oaks Estates Community Association, Inc. which have not been previously filed in the public records of Montgomery County are attached hereto, including:

Decker Oaks Estates Community Association, Inc. Guidelines for Solar Energy Devices

FURTHER, other dedicatory instruments of the Decker Oaks Estates Community Association, Inc. have already been filed in the public records of Montgomery County and these documents supplement the previously filed documents.

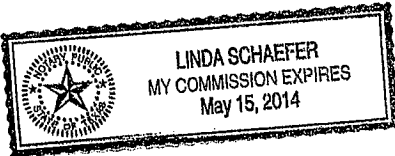
SIGNED on this 23rd day of September, 2011.

Signature: *Susan Gonzales*  
By: Susan Gonzales  
Title: CKM Property Management, Managing Agent for  
Decker Oaks Estates Community Association, Inc.

STATE OF TEXAS )  
)  
COUNTY OF MONTGOMERY )

This instrument was acknowledged before me on this 23rd day of September, 2011 by Susan Gonzales.

Signature: *Linda Schaefer*  
By: Linda Schaefer  
Title: Notary in and for the State of Texas  
My commission expires on 05/15/14



Return to: CKM Property Management, Inc.  
P.O. Box 160  
Tomball, TX 77377-0160  
Phone: 281-255-3055 Fax: 281-255-3056



**Decker Oaks Estates Community Association, Inc.**  
**GUIDELINES FOR SOLAR ENERGY DEVICES**

STATE OF TEXAS                   §  
  §  
COUNTY OF MONTGOMERY       §

KNOW ALL PERSONS BY THESE PRESENTS:

WHEREAS, the Decker Oaks Estates Community Association, Inc. (“Association”) is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declarations for the various sections of the community (referred to collectively as “Declarations”); and

WHEREAS, chapter 202 of the Texas Property Code was amended effective June 17, 2011, to add Section 202.010 (“Section 202.010”) thereto dealing with the regulation of solar energy devices; and

WHEREAS, the Board of Directors of the Association (“Board”) 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 171.107(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.
2. Such Devices may only be installed with advance written approval of the Architectural Control Committee subject to these guidelines.
3. 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 or common areas.
4. Such Devices may only be installed in the following locations:
  - a. on the roof of the main residential dwelling; 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 Device must:
  - a. have no portion of the Device higher than the roof section to which it is attached; and
  - b. have no portion of the Device extend beyond the perimeter boundary of the roof section to which it is attached; and
  - c. conform to the slope of the roof; and

- d. 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
  - e. 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
  - f. be located in a position on the roof which is least visible from any street or common area, so long as such location does not reduce estimated annual energy production more than 10% over alternative roof locations (as determined by a publically available modeling tool provided by the National Renewable Energy Laboratory [[www.nrel.gov](http://www.nrel.gov)] or equivalent entity).
6. 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 fence which blocks view of the Device, the Association may require the Device 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 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.
  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.
  9. All Devices must be maintained in good repair. Unused or inoperable Devices must be removed.

The guidelines are effective upon recordation in the Public Records of MONTGOMERY County, and supersede any guidelines for solar energy devices which may have previously been in effect. Except as affected by Section 202.010 and/or by these guidelines, all other provisions contained in the Declarations or any other dedicatory instruments of the Association shall remain in full force and effect.

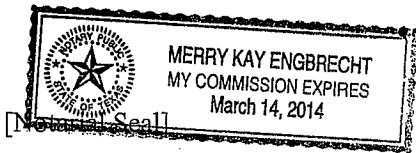
Approved and adopted by the Board on this 19<sup>th</sup> day of September 2011.

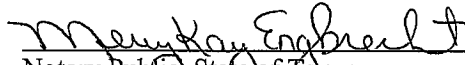
  
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Michael Hahn  
President  
Decker Oaks Estates Community Association, Inc.

STATE OF TEXAS                   §  
   §  
COUNTY OF MONTGOMERY   §

Before me, the undersigned authority, on this day personally appeared Michael Hahn, President of Decker Oaks Estates Community Association, Inc., a Texas corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he/she had executed the same as the act of said corporation for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 19<sup>th</sup> day of September, 2011.



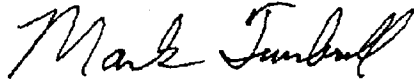
  
\_\_\_\_\_  
Notary Public, State of Texas

Merry Kay Engbrecht  
\_\_\_\_\_  
Printed Name

My commission expires: 3-14-14

**FILED FOR RECORD**

10/04/2011 1:31PM



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.

10/04/2011



County Clerk  
Montgomery County, Texas