

**WHITE OAK LANDING, SECTION III HOMEOWNERS ASSOCIATION, INC.
POLICY REGARDING REGULATION OF STANDBY ELECTRIC GENERATORS**

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

WHEREAS, WHITE OAK LANDING, SECTION III HOMEOWNERS ASSOCIATION, INC. (the “Association”) is the governing entity for the White Oak Landing Subdivision, an addition in Harris County, Texas, according to the maps or plats thereof recorded in the Map Records of Harris County, Texas, under Volume 326, Page 122, Volume 327, Page 39, and File No. 347084, along with any amendments, supplements or replats thereto (collectively referred to as 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 represents Restrictive Covenants as those terms are defined by Texas Property Code Section 202.001, et. seq, and the Association shall have and 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 Association, 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 Section 202.019 of the Texas Property Code, subject to the following regulations, which shall be reasonably applied and enforced:

- 1.) The owner must first apply to and receive written approval from the Association prior to installation of any SEG permitted by Section 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.
- 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 must be installed only by licensed contractors and all electrical connections must be 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 must be installed in accordance with applicable governmental health, safety, electrical, and building codes.
- 5.) All liquid petroleum gas fuel line connections must 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 must 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 must be maintained in good condition.
- 8.) If a component of a SEG, including electrical or fuel lines, is deteriorated or unsafe, then that component must be repaired, replaced, or removed as appropriate.
- 9.) The SEG must 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 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 Association.
- 10.) The SEG must be periodically tested in accordance with manufacturer recommendations.
- 11.) The SEG must not be used to generate all or substantially all of the electrical power to the residence; unless utility-generated electrical power to the residence is not available or is intermittent due to causes other than nonpayment for utility service.
- 12.) The SEG must be located in a location submitted to and approved by the Association.
- 13.) The SEG must not be located on property owned or maintained by the Association or owned in common by the 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 WHITE OAK LANDING, SECTION III HOMEOWNERS ASSOCIATION, INC., hereby certify that the foregoing Policy was adopted by at least a majority of the WHITE OAK LANDING, SECTION III HOMEOWNERS ASSOCIATION, INC.'S Board of Directors.

Approved and adopted by the Board of Directors on the _____ day of September 2015.

Ken Easterling, President
WHITE OAK LANDING, SECTION III
HOMEOWNERS ASSOCIATION, INC.

STATE OF TEXAS §
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Before me, the undersigned authority, on this day personally appeared Ken Easterling, President of WHITE OAK LANDING, SECTION III HOMEOWNERS 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 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 _____ day of September, 2015.

Notary Public, State of Texas

AFTER RECORDING RETURN TO:
SEARS | BENNETT | LLP
9700 RICHMOND AVENUE, SUITE 222
HOUSTON, TEXAS 77042
TELEPHONE: (713) 782-1788
FACSIMILE: (713) 782-1787
WEBSITE: WWW.SEARSFIRM.COM