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12/12/2011 RP2 \$32.00

CERTIFICATE OF AUTHORIZATION  
of  
WEST AIRPORT HOMEOWNERS ASSOCIATION, INC.

STATE OF TEXAS §  
§  
COUNTY OF HARRIS §

The undersigned, a director of West Airport Homeowners Association, Inc. ("Association"), does hereby certify that, at a regular meeting of the Association's Board of Directors ("Board") duly called and held with at least a quorum of the Board members being present and remaining throughout, the attached "Amended and Restated Architectural Guidelines for Solar Energy Devices, Flag Displays, Religious Displays, Rain Barrels, and Roofing Materials for West Airport Homeowners Association, Inc." was adopted and approved, and same supersedes and replaces all architectural guidelines for solar energy devices, flag displays, religious displays, rain barrels, and roofing materials previously adopted by the Board.

lee

I hereby certify that the foregoing resolution was approved as set forth above and now appears in the books and records of the Association.

TO CERTIFY which witness my hand this 18th day of November 2011.

FILED FOR RECORD  
8:00 AM

DEC 12 2011

Stuart Stewart  
County Clerk, Harris County, Texas

WEST AIRPORT HOMEOWNERS  
ASSOCIATION, INC.

By:

Donald Scott  
DONALD SCOTT  
(print name)

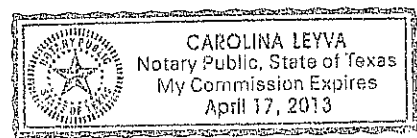
to

STATE OF TEXAS §  
COUNTY OF HARRIS §

This instrument was acknowledged before me on 18th day of November, 2011 by Donald Scott a director of West Airport Homeowners Association, Inc. on behalf of the Association.

After Recording Return to: ✓  
North Law  
Linenway Plaza, Ste. 1005  
Houston TX 77046

[Signature]  
Notary Public in and for the State of Texas



000-16-1530

**AMENDED AND RESTATED ARCHITECTURAL GUIDELINES  
FOR SOLAR ENERGY DEVICES, FLAG DISPLAYS, RELIGIOUS  
DISPLAYS, RAIN BARRELS, AND ROOFING MATERIALS FOR  
WEST AIRPORT HOMEOWNERS ASSOCIATION, INC.**

**I. INTRODUCTION**

The Board of Directors ("Board") of West Airport Homeowners Association, Inc ("Association") is charged with the responsibility (at times, affected by and through the Architectural Control Committee) to establish and preserve a harmonious and aesthetically pleasing design for the community and to protect and promote the value of the properties subject to the restrictions set forth in the governing documents. The Association has the exclusive jurisdiction over the approval of all improvements made to properties and modifications or additions made to existing improvements on all lots under the jurisdiction of the Association. The below noted amended and restated guidelines are intended to function as a summary of the detailed expectations and desired requirements of the Association (in accordance with the power bestowed upon it by the Declaration) with regard to five specific types of modifications made to a lot located within the community, and same do not change the architectural requirements, written or otherwise, which address any other type of improvement, modification, or addition made to a lot.

To the extent that the Board has previously adopted architectural guidelines for solar energy devices, flag displays, religious displays, rain barrels, and roofing materials, the Board hereby amends and restates same by virtue of its adoption of this "Amended and Restated Architectural Guidelines for Solar Energy Devices, Flag Displays, Religious Displays, Rain Barrels, and Roofing Materials."

**II. SOLAR ENERGY DEVICES**

Without prior written approval by the ACC, no "solar energy devices," as defined by Section 171.107 of the Tax Code, ("Device"), may be installed, allowed, or maintained on a lot or on an improvement located on a lot.

The ACC will, however, authorize the installation of a Device if the size, style, color, placement, location, height, and screening requirements are compliant with all applicable federal, state, local laws, ordinances, and regulations including, but not limited to, Section 202.010 of the Texas Property Code. Such criteria includes, but is not limited to, the following:

- The Device must not threaten public safety.
- The Device must not violate a law.
- The Device may not be located on a lot other than on the roof of an allowed structure or in a fenced yard or patio.
- The Device cannot extend beyond or above the roof line of an Improvement located on a lot and must conform to the slope of the roof.
- If the Device is placed in a fenced yard or patio, it cannot be taller than the fence line.

- The Device may not be located on property owned or maintained by the Association or on property owned in common by the members of the Association.
- The frame, support bracket, and/or visible piping/wiring must be either silver, bronze, or black.
- The Device, as installed, must not void material warranties.

An owner can place a Device in a location not approved by the ACC if they can show that such placement increases the energy production of the Device by 10%. Alternatively, the Association can deny an owner's placement of the Device if it can show that such placement would substantially interfere with the use and enjoyment of the surrounding land.

### III. FLAG DISPLAY

Without prior written approval of the ACC, no flag display may be installed, allowed, or maintained on a lot or on an improvement located on a lot.

The ACC will, however, authorize a flag display if the size, style, color, placement and height requirements are compliant with all applicable federal, state, local laws, ordinances and regulations including, but not limited to, Section 202.012 of the Texas Property Code. Such criteria includes, but is not limited to, the following:

- An owner may fly flags symbolizing the United States, the State of Texas, and/or the United States Military.
- The flag of the United States must be displayed in accordance with 4 U.S.C Section 5-10.
- The flag of the State of Texas must be displayed in accordance with Chapter 3100 of the Texas Government Code.
- A flag pole which is attached to an authorized improvement located on a lot, and/or a free standing flagpole, must be constructed of permanent, long lasting material, with a finish appropriate to the materials used in the construction of the flag pole and harmonious with the improvements located on the lot.
- The display of the flag, and/or the location and construction of the supporting flagpole, must comply with all applicable zoning ordinances, easements, and setbacks of record including those set forth in the governing documents.
- A displayed flag, and/or the flagpole from which it is flown, must be maintained in good condition such that a deteriorated flag, and/or a deteriorated or structurally unsafe flagpole, must be repaired, replaced, or removed.
- A single flag pole, no more than 20 feet in height, may be erected upon a property if same complies with the additional governing criteria established for a flag display.
- The acceptable size of a displayed flag will be established by the ACC and will be determined by analyzing criteria which includes, but is not limited to, the impact of the flag display upon the aesthetics of the surrounding community.
- The acceptability of the size, location, and intensity of any lights used to illuminate a displayed flag will be established by the ACC and will be determined by analyzing certain criteria which includes, but is not limited to, the impact and interference of the lighting upon the surrounding landowners.
- The halyard of a flagpole must be secured such that the noise caused by the external halyard of a flagpole does not interfere with the use and enjoyment of surrounding land

owners by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities.

A flag display may not be located on land owned or maintained by the Association or on land owned in common by the members of the Association.

#### IV. DISPLAY OF RELIGIOUS ITEMS

If an owner is motivated by a sincere religious belief, they may display certain religious items (to the extent allowed by the Constitution of the State of Texas or of the United States) on the front door of their residence. However, the display of religious items must comply with the following criteria:

- It must not threaten public health or safety.
- It must not violate a law.
- It must not contain language, graphics, or any display that is patently or obviously offensive to a passerby.
- It may not be placed in a location other than the entry door or door frame, and it cannot extend past the outer edge of the door frame of the owner's dwelling.
- The religious display, individually or in combination with each religious item displayed and/or affixed on the entry door, may not have a total size greater than 25 square inches.

An owner's right to display certain religious items (as prescribed by this Section) does not authorize an owner to use a material or color for an entry door (or door frame), or make an alteration to the entry door (or door frame), that is not authorized by the governing documents.

The Association may remove an item displayed in violation of the guidelines set forth in this section.

#### V. RAIN BARRELS / COMPOSTING DEVICES

Without prior written approval by the ACC, no rain barrel (or rainwater harvesting system) or composting device ("Device") may be installed, allowed, or maintained on a lot or on an improvement located on a lot.

The ACC will, however, authorize the installation of a rain barrel (or rainwater harvesting system) and/or composting device ("Device") if the size, material, style, color, placement, location, height, and screening requirements are compliant with all applicable federal, state, local laws, ordinances and regulations including, but not limited to, Section 202.007 of the Texas Property Code. Such criteria includes, but is not limited to, the following:

- There must be a reasonably sufficient area on a lot, as determined by the Association, in which to install the rainwater harvesting system and/or Device.
- The color of the rainwater harvesting system must be consistent with the color scheme of the property owner's home.

- The rainwater harvesting system cannot display any language, or other content, that is not typically displayed by the rainwater harvesting system as it is manufactured.
- The rainwater harvesting system and/or Device may not be installed in or on property owned by the Association and/or owned in common by the members of the Association.
- The rainwater harvesting system may not be located between the front of a property owner's home and an adjoining or adjacent street.
- The acceptability of the size, type, shielding of, and the materials used in the construction of a rain barrel, rainwater harvesting device, or other appurtenance that is located on the side of a house or at any other location that is visible from a street, another lot, or a common area will be established by the Association and will be determined by analyzing criteria which includes, but is not limited to, its impact on the aesthetics of the surrounding community.
- The acceptability of the installation or use of gravel, rocks, or cacti in connection with a rainwater harvesting system or Device will be established by the Association and will be determined by analyzing criteria which includes, but is not limited to, its impact upon the aesthetics of the surrounding community.
- The Association will determine the visibility limitations of a rainwater harvesting system and/or Device by analyzing criteria which includes its impact on the aesthetics of the surrounding community.

The Association's regulation of rainwater harvesting systems and/or a Device is not intended to prohibit the installation of efficient irrigation systems, prohibit the economic installation of a rainwater harvesting system and/or Device upon a property owner's property, or prohibit turf or landscaping design that promotes water conservation.

#### VI. ROOFING MATERIALS

An owner may install shingles that are wind and hail resistant, energy efficient, and/or solar generating if the quality and appearance of the shingles are equal to, or surpass, the standards set forth in the community's governing documents.

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS VOID 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 12 2011



*Stan Stewart*  
 COUNTY CLERK  
 HARRIS COUNTY, TEXAS