



Invalidation of any one or more of the covenants, conditions, restrictions, or provisions contained in this Policy will in no way affect any one of the other covenants, conditions, restrictions, or provisions of this Policy, which remain in full force and effect.

### **III. SOLAR DEVICES AND ROOFING MATERIALS POLICY**

#### **A. SOLAR ENERGY DEVICES**

Solar energy devices, as referred to in this Policy, are defined as set forth in the Texas Tax Code §171.107. Pursuant to Texas Property Code §202.010(a)(2), the term “solar energy devices” includes solar roof tiles.

#### **Prohibited Solar Energy Devices:**

Pursuant to Texas Property Code §202.010, Solar energy devices are prohibited in the following circumstances:

1. Solar energy devices that have been adjudicated by a court to be a threat to public health or safety or to violate a law;
2. Solar energy devices that are located on property owned or maintained by the Association;
3. Solar energy devices that are located on property that is owned in common by the Members;
4. Solar energy devices that are located on the Owner’s property, other than:
  - a. On the roof of the Dwelling or another permitted structure; or
  - b. In a fenced yard or patio owned and maintained by the Owner;
5. Roof-mounted solar energy devices that extend higher than or beyond the roofline;
6. Subject to Item 7 below, if roof mounted, solar energy devices that are mounted in an area other than the back of the home;
7. Roof-mounted solar energy devices that are located in an area *other* than an area designated by the Association, unless the alternate location increases the estimated annual energy production by more than 10% above the area designated by the Association (as determined by a publicly available modeling tool provided by the National Renewable Energy Laboratory);
8. Roof-mounted solar energy devices that do not conform to the slope of the roof and have a top edge that is not parallel to the roofline;

9. Roof-mounted solar energy devices that have frames, support brackets, or visible piping or wiring containing colors other than silver, bronze, or black tones;
10. Solar energy devices that are located in a fenced yard or patio that are taller than the fence;
11. Solar energy devices that, as installed, void material warranties; and
12. Solar energy devices that were installed without prior approval by the Association or ARC.

If the proposed solar energy devices do not fall within one of the above-prohibited categories, the Association or ARC may not withhold approval of the installation of the solar energy devices unless the Association or ARC determines in writing that placement of the solar energy devices, as proposed by the Owner, constitutes a condition that substantially interferes with the use and enjoyment of land by causing unreasonable discomfort or annoyance to a person of ordinary sensibilities. The written approval of the Owner's proposed location by all Owners of adjoining property constitutes prima facie evidence that such a condition does not exist.

## **B. ROOFING MATERIALS**

Pursuant to Texas Property Code §202.011, the installation of the following roofing materials is permitted:

1. Wind or hail resistant roofing materials;
2. Materials that provide heating and cooling efficiencies greater than those provided by customary composite shingles; and
3. Materials that provide solar generation capabilities.

The above-enumerated acceptable materials, when installed, must:

1. Resemble the shingles used or otherwise authorized for use within the Property;
2. Be more durable than, and of equal or superior quality to, the shingles authorized for use within the Property; and
3. Match the aesthetics of the property surrounding the Owner's property.

## **C. ARC APPROVAL**

An applicant's submission of plans must include a completed application for ARC review, a site plan or roof plan showing the proposed location of the improvement, along with pictures showing the location of the modification and the manufacturer's brochures or a sample of material,

if applicable. The color of the materials being used in relation to the roof or house color, the visibility from public streets and neighboring properties or Common Areas, and any noise created or light reflected are of specific concern to the Association and the ARC.

Any installation not in compliance with this Policy is considered a violation of the Dedicatory Instruments governing the Property.

This Policy does not apply to property that is owned or maintained by the Association.

[SIGNATURE PAGE FOLLOWS]

**CERTIFICATION**

I certify that, as President of the Clopton Farms Community Association, Inc., a Texas nonprofit corporation, the foregoing Solar Energy Devices and Roofing Materials Policy was approved on the 24 day of September, 2025, at a meeting of the Board of Directors at which a quorum was present.

DATED, this the 24 day of September, 2025.

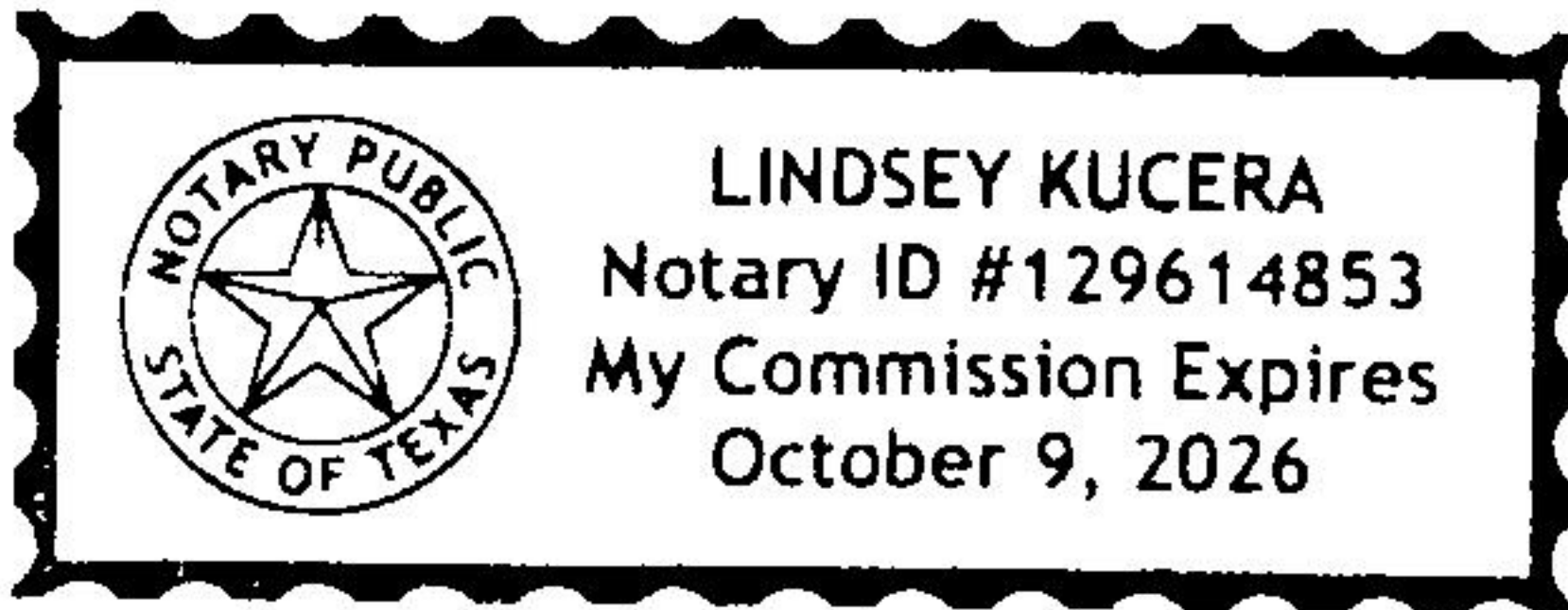
**Clopton Farms Community Association, Inc.,**  
a Texas nonprofit corporation

By: [Signature]  
Print Name: Daniel Gillnam  
Title: President

STATE OF TEXAS           §  
  §  
COUNTY OF HARRIS   §

BEFORE ME, on this day personally appeared Daniel Gillnam, the President of the Clopton Farms Community Association, Inc., a Texas nonprofit corporation, known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that s/he executed the same for the purposes and in the capacity stated in this instrument, and as the act and deed of said corporation.

Given under my hand and seal this the 24 day of September, 2025.



Lindsey Kucera  
Notary Public – State of Texas

After Recording Return To:  
Lisa L. Gambrell  
Lindsey N. McFadden  
Roberts Markel Weinberg Butler Hailey PC  
2800 Post Oak Boulevard, 57<sup>th</sup> Floor  
Houston, Texas 77056

**E-FILED FOR RECORD**

10/30/2025 09:43AM



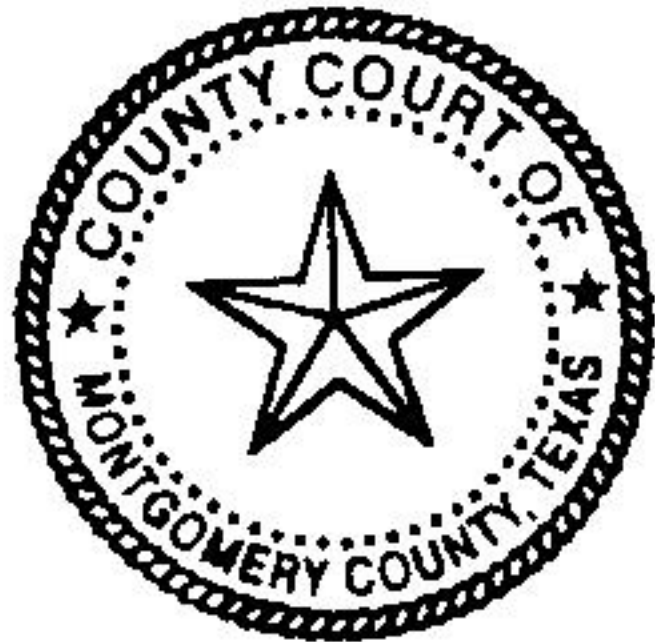
*L. Brandon Steinmann*

County Clerk,  
Montgomery County, Texas

STATE OF TEXAS,  
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number sequence on the date and time stamped herein by me and was duly e-RECORDED in the Official Public Records of Montgomery County, Texas.

**10/30/2025**



*L. Brandon Steinmann*

County Clerk,  
Montgomery County, Texas