

MARY LOUISE GARCIA

COUNTY CLERK



100 West Weatherford Fort Worth, TX 76196-0401

PHONE (817) 884-1195

PARK HOLLOW HOA C/O CSM  
P O BOX 26941  
CHARLOTTE, NC 28221

Submitter: BRUCE R BAXTER

**DO NOT DESTROY**  
**WARNING - THIS IS PART OF THE OFFICIAL RECORD.**

Filed For Registration: 11/9/2015 12:21 PM

Instrument #: D215252970

N

5

PGS

\$28.00

By: Mary Louise Garcia

D215252970

ANY PROVISION WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY  
BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.

**NOTICE OF FILING OF DEDICATORY INSTRUMENTS  
FOR  
Park Hollow Homeowners Association**

STATE OF TEXAS

COUNTY OF TARRANT

KNOW ALL MEN BY THESE PRESENTS:

THIS NOTICE OF FILING OF DEDICATORY INSTRUMENTS FOR Park Hollow Homeowners Association is made this 18<sup>th</sup> day of October, 2015, by Park Hollow Homeowners Association.

**WITNESSETH:**

**WHEREAS**, Park Hollow Homeowners Association prepared and recorded an instrument entitled "Declaration of Covenants, Conditions & Restrictions" dated on or about March 18, 1999, Instrument number **D199067463**, Real Property Records of Tarrant County, Texas together with any other filings of record (if any).

**WHEREAS**, the Association is the property owners' association created by the Declarant to manage or regulate the planned development covered by the Declaration, as stated and recorded above; and

**WHEREAS**, Section 202.006 of the Texas Property Code provides that a property owners' association must file each dedicatory instrument governing the association that has not been previously recorded in the real property records of the county in which the planned unit development is located; and

**WHEREAS**, the Association desires to record the attached dedicatory instruments in the Real Property Records of Tarrant County, Texas, pursuant to and in accordance with Section 202.006 of the Texas Property Code.

**NOW, THEREFORE**, the dedicatory instruments attached hereto as **Exhibit "A"** are true and correct copies of the originals are hereby filed of record in the Real Property Records of Tarrant County, Texas, in accordance with the requirements of Section 202.006 of the Texas Property Code.

**IN WITNESS WHEREOF**, the Association has caused this Notice to be executed by its duly authorized agent as of the date first above written.

**PARK HOLLOW HOMEOWNERS ASSOCIATION**

By:   
Duly Authorized Agent

**ACKNOWLEDGMENT**

STATE OF TEXAS

§

§

COUNTY OF TARRANT


§

**BEFORE ME**, the undersigned authority, on this day personally appeared Bruce Baxter, Duly Authorized Agent of Park Hollow Homeowners Association, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that (s)he executed the same for the purposes and consideration therein expressed on behalf of said corporation.

**SUBSCRIBED AND SWORN TO BEFORE ME** on this 19<sup>th</sup> day of October, 2015.

**AFTER RECORDING, RETURN TO:**

Park Hollow HOA % CSM  
PO Box 26941  
Charlotte, NC 28221

  
Notary Public, State of Texas

March 2, 2019  
My Commission Expires



**Amendment to the Certificate of Ratification and Promulgation of Community Association Violation Enforcement Policy for the Park Hollow Homeowner's Association, Inc. dated 29 September 2005.**

**Henceforth and until changed by the Park Hollow Homeowner's Association (HOA), the Park Hollow HOA and its representatives shall follow the guidelines below, hereafter referred to as the Park Hollow HOA Solar Device Policy.**

**Solar Device Policy**

Note: Texas statutes presently render null and void any restrictions in the Park Hollow Homeowner's Association, Inc.'s Bylaws and Covenants, Conditions, and Restrictions, which prohibit the installation of solar devices or energy efficient roofing on a residential lot. The Park Hollow Homeowner's Association Board and Architectural Control Committee has adopted this policy in lieu of any express prohibition against solar devices or energy efficient roofing, or any provisions in the Park Hollow Homeowner's Association, Inc.'s Bylaws and Covenants, Conditions, and Restrictions which conflict with Texas law.

**A. DEFINITIONS AND GENERAL PROVISIONS**

1. Solar Energy Device Defined. 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. Energy Efficient Roofing Defined. As used in this Policy, "**Energy Efficient Roofing**" means shingles that are designed primarily to: (a) be wind and hail resistant; (b) provide heating and cooling efficiencies greater than those provided by customary composite shingles; or (c) provide solar generation capabilities.
3. Architectural Review Approval Required. Approval by the Architectural Control Committee (the "ACC"), established under the Park Hollow Homeowner's Association, Inc.'s Bylaws and Covenants, Conditions, and Restrictions, is required prior to installing a Solar Energy Device or Energy Efficient Roofing. The ACC is not responsible for: (a) errors or omissions in the application submitted to the ACC for approval; (b) supervising the installation or construction to confirm compliance with an approved application; or (c) the compliance of an ACC approved application with governmental codes and ordinances and or any local, state, and federal laws.

**B. SOLAR ENERGY DEVICE PROCEDURES AND REQUIREMENTS**

During any period during which the Park Hollow Homeowner's Association, Inc.'s Bylaws and Covenants, Conditions, and Restrictions, are under development or revision, the ACC need not adhere to the terms and provisions of this Solar Device Policy and may approve, deny, or further restrict the installation of any Solar Device. A development period continues for so long as the Declarant has reserved the right to facilitate the development, construction, size, shape, composition, and marketing of the community.

1. Approval Application. To obtain ACC approval of a Solar Energy Device, the Owner shall provide the ACC with the following information: (a) the proposed installation location of the Solar Energy Device; and (b) a description of the Solar Energy Device, including the dimensions, manufacturer, manufacturer's written installation instructions, and representative images including, but not limited to, photographs or other accurate pictorial descriptions, and



written approval of the proposed installation by all Owners of property immediately adjacent to the property for which the installation is proposed (the “**Solar Application**”). A Solar Application may only be submitted by an Owner unless the Owner’s tenant provides written confirmation at the time of submission that the Owner consents to the Solar Application.

2. Approval Process. The decision of the ACC will be made within a reasonable time, or within the time period otherwise required by the Park Hollow Homeowner’s Association, Inc.’s Bylaws and Covenants, Conditions, and Restrictions which govern the review and approval of improvements. The ACC will approve a Solar Energy Device if the Solar Application complies with Section B.3 below **UNLESS** the ACC makes a written determination that placement of the Solar Energy Device, despite compliance with Section B.3 of this Policy, will create a condition that substantially interferes with the use and enjoyment of the property within the community by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities. A Solar Application submitted to install a Solar Energy Device on property owned or maintained by the Association or property owned in common by members of the Association will not be approved despite compliance with Section B.3 of this Policy. Any proposal to install a Solar Energy Device on property owned or maintained by the Association or property owned in common by members of the Association must be approved in advance and in writing by the Board, and the Board need not adhere to this policy when considering any such request.

Each Owner is advised that if the Solar Application is approved by the ACC, installation of the Solar Energy Device must: (a) strictly comply with the Solar Application; (b) commence within thirty (30) days of Solar Application approval; (c) be conducted by a contractor licensed in the State of Texas to perform such work; (d) be installed in a manner which preserves all manufacturer’s warranties; and (e) be diligently prosecuted to completion. If the Owner fails to cause the Solar Energy Device to be installed in accordance with the approved Solar Application, the ACC may require the Owner to: (a) modify the Solar Application to accurately reflect the Solar Energy Device installed on the property for subsequent review; or (b) remove the Solar Energy Device and reinstall the device in accordance with the approved Solar Application. Failure to install a Solar Energy Device in accordance with the approved Solar Application or an Owner’s failure to comply with the post-approval requirements constitutes a violation of this Policy and may subject the Owner to fines and penalties. Any requirement imposed by the ACC to resubmit a Solar Application or remove and reinstall a Solar Energy Device in accordance with the approved Solar Application shall be at the Owner’s sole cost and expense.

3. Approval Conditions. Unless otherwise approved in advance and in writing by the ACC, each Solar Application and each Solar Energy Device to be installed in accordance therewith must comply with the following:

- a. The Solar Energy Device must be located in one of the following locations: (a) on the roof of the residence located on the Owner’s lot; (b) entirely within a fenced area of the Owner’s lot; or (c) entirely within a fenced patio located on the Owner’s lot. If the Solar Energy Device will be located on the roof of the residence, the ACC may designate the location for placement unless the location proposed by the Owner increases the estimated annual energy production of the Solar Energy Device, as determined by using a publicly available modeling tool provided by the National Renewable Energy Laboratory, by more than ten (10) percent above the energy production of the Solar Energy Device if installed in the location designated by the ACC. If the Owner desires to contest the alternate location proposed by the ACC, the Owner should submit information to the ACC which demonstrates that the Owner’s proposed location meets the foregoing criteria. If the Solar Energy Device will be located in the fenced area of the Owner’s lot or patio, no portion of the Solar Energy Device may extend above the fence line.
- b. If the Solar Energy Device is mounted on the roof of the principal residence located on the Owner’s lot, then: (a) the Solar Energy Device may not extend higher than, or beyond, the roofline; (b) the Solar Energy Device must conform to the slope of the roof and the top edge of the Solar Energy Device must be parallel to the roofline; and (c) the frame, support brackets, or visible piping or wiring associated with the

Solar Energy Device must be silver, bronze, or black.

**C. ENERGY EFFICIENT ROOFING**

The ACC will not prohibit an Owner from installing Energy Efficient Roofing provided that the Energy Efficient Roofing shingles: (a) resemble the shingles used or otherwise authorized for use within in the community; (b) are more durable than, and are of equal or superior quality to, the shingles used or otherwise authorized for use within the community; and (c) match the aesthetics of adjacent properties.

An Owner who desires to install Energy Efficient Roofing will be required to comply with the architectural review and approval procedures set forth in the Park Hollow Homeowner's Association, Inc.'s Bylaws and Covenants, Conditions, and Restrictions. In conjunction with any such approval process, the Owner should submit information which will enable the ACC to confirm the criteria set forth in the previous paragraph.

Executed to be effective as of the 18<sup>th</sup> day of OCTOBER, 2015.

Park Hollow Homeowner's Association, Inc.

By: 

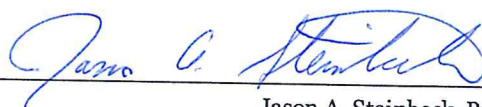
Bruce Baxter, Treasurer

**CERTIFICATION OF APPROVAL**

I, Jason A. Steinbeck, the duly-elected President of the Park Hollow Homeowner's Association, Inc., hereby certify:

That the above Foreclosure Policy for the Park Hollow Homeowner's Association, Inc. was approved by the affirmative vote of the majority of the Board of Directors, and that the same does now constitute an official Policy of the Park Hollow Homeowner's Association, Inc. and shall be filed of record with the office of the Tarrant County Clerk.

IN WITNESS WHEREOF, I heretofore subscribe my hand on this 18<sup>th</sup> day of OCTOBER, 2015.



Jason A. Steinbeck, President

WITNESS the hand and seal of the above individuals signed this 18<sup>th</sup> day of October, 2015.

Notary Public: 

My Commission Expires: Jan 30, 2017

