

STATE OF TEXAS §

COUNTY OF TRAVIS §

ADOPTION OF RULES AND REGULATIONS
OF
NORTH PARK PATIO HOME OWNERS ASSOCIATION, INC.

Document reference. Reference is hereby made to that certain Enabling Declaration for Establishment of a Condominium for North Park Patio Homes, filed at Vol. 9305, Pg. 725 in the Real Property Records of Travis County, Texas (together with all corrections, amendments and supplements filed of record, the "**Declaration**").
Reference is further made to the Bylaws of North Park Patio Homes, attached as Exhibit B to the Declaration filed at Vol. 9305, Pg. 725 in the Real Property Records of Travis County, Texas (the "**Bylaws**").

The Declaration provides that owners of condominium units subject to the Declaration are automatically made members of North Park Patio Home Owners Association, Inc. (the "**Association**");

The Association, acting through its board of directors (the "**Board**"), is authorized to adopt and amend rules and regulations governing the use of the units and common elements, pursuant to Section 82.102(a) of the Texas Uniform Condominium Act (the "**Act**"); and

The Board has voted at a properly noticed meeting to adopt the Rules as provided herein

The following Rules are approved and adopted:

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SECTION I. FLAGS

1. **Prior Approval Required.** All flags, flag mounts, and related installations (e.g., flag lighting) must be approved in advance by the Association's Board. An Owner desiring to display a permitted flag must submit plans to the Board for each installation detailing the dimensions, type, location, materials, and style/appearance of the flag(s), flag mount(s), any lighting, and related installations. The Association's Board shall have the sole discretion of approving, denying, or conditionally approving flag displays and installations.

2. **Flag Mounts.** An Owner may install, subject to prior approval from the Association's Board, up to two permitted flags by means of flag mounts attached to the exterior of the residence subject to the following conditions:
 - a. No more than two flag mounts are used;
 - b. Each flag mount is no longer than 48" with a diameter of no more than 2";
 - c. Each flag mount must be installed on either the front or side of the residence;
 - d. If two flag mounts are used, each flag mount (i) must be the same in size, material, and appearance, (ii) oriented in the same manner with regard to height and angle, (iii) located in a similar, adjacent, and complimentary location on the residence (e.g., one flag mount on each side of the front door), and (iv) may contain only one flag with flags of a substantially similar size; and
 - e. The flag mounts and related flags comply with all other applicable provisions of this Section I

3. **Permitted Flags.** An Owner is permitted to display wholly within property owned and maintained by the Owner the flag of the United States of America, the flag of the State of Texas, and/or an official or replica flag of any branch of the United States armed forces, subject to the restrictions contained in this Section I. Owners may also display holiday and school flags as described below. In no event may more than two flags at any one time be displayed.

Display of all other flags is prohibited. A pennant, banner, plaque, sign or other item that contains a rendition of a permitted flag does not qualify as a permitted flag under this Section I.

Holiday and School Flags: An Owner may display holiday and school flags so long as the flag:
 - a. does not contain any symbols, insignias, or language that are commercial in nature or deemed by the Board, in its sole discretion, to be potentially offensive to a person of ordinary sensibilities; and
 - b. is displayed in a location and manner that has been pre-approved by the Association's Board.

4. **Additional Requirements Related to Flags**
 - a. Flags must be displayed on an approved flag mount. Flags may not be displayed in any other manner (flag poles are prohibited)
 - b. The U.S. and Texas flags must be hoisted, flown, and lowered in a respectful manner.
 - c. The U.S. and Texas flags must never be flown upside down and must never touch the ground.
 - d. No mark, sign, insignia, design, or advertising of any kind may be added to a flag.
 - e. If both the U.S. and Texas flags are displayed, they must be of approximately equal size.
 - f. Only all-weather flags may be displayed during inclement weather.
 - g. Flags must be no larger than 3'x5' in size.

5. **Materials and Appearance of Flag Mounts.** A flag mount attached to a dwelling must be constructed of permanent, long-lasting materials, with a finish appropriate to the materials used in the construction of the mount and harmonious with the dwelling

6. **Lighting of Flag Displays.** Any lights installed for the purpose of illuminating a flag must be pre-approved by the Association. Such light installations must be of a reasonable size and intensity

7. Maintenance An Owner is responsible for ensuring that a displayed flag, flag mount(s), lighting and related installations are maintained in good and attractive condition at all time at the Owner's expense. Any flag, flag mount, light, or related installation or item that is in a deteriorated or unsafe condition must be repaired, replaced, or removed promptly upon the discovery of its condition

SECTION II. SOLAR ENERGY DEVICES

1. Prior Approval Required. **An Owner may install solar energy devices only with prior permission from the Board. Permission may be approved, denied, or conditionally approved in the Board's sole discretion.** Prior to installation of any solar energy device, the Owner must submit plans for the device and all appurtenances thereto to the Board. The plans must provide an as-built rendering, and detail the location, size, materials, and color of all solar devices, and provide calculations of the estimated energy production of the proposed devices.
2. Definition. In this section, "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. All solar devices not meeting this definition are prohibited
3. Prohibited Devices. Owners may not install solar energy devices that:
 - a. threaten the public health or safety;
 - b. violate a law;
 - c. are located in an area on the property Owner's property other than in a roof garden or enclosed courtyard or patio maintained by the Owner
 - d. are installed in a manner that voids material warranties;
 - e. are installed without prior approval by the Board; or
 - f. substantially interfere with the use and enjoyment of land by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities. *This determination may be made at any time, and the Board may require removal of any device in violation of this requirement.* The Board may attempt to contact the Owners of adjoining and other properties in close proximity (adjoining properties will include all properties sharing a boundary line with the applicant, including those that would share a boundary line but for a street) and provide them with a copy of the plans and determine their opinion as to whether they might consider the device(s) an unreasonable interference with their use and enjoyment of their property

SECTION III. RAIN BARRELS AND RAINWATER HARVESTING SYSTEMS

1. Rain Barrels and Rainwater Harvesting Systems. Owners may install rain barrels or rainwater harvesting systems only with pre-approval from the Association, and only in accordance with the restrictions described in this rule. Owners must receive prior approval from the Board prior to installation of any rain barrels or related equipment. Approval may be granted, denied, or conditionally approved in the Board's sole discretion.
2. Plan submittal. Owners wishing to install such systems must submit plans showing the proposed location, color(s), material(s), shielding, dimensions of the proposed improvements, and whether any part of the proposed improvements will be visible from the street, another lot, or a common area (and if so, what part(s) will be visible). The location information must provide information as to how far (in feet and inches) the improvement(s) will be from the side, front, and back property line of the Owner's property
3. Color and Other Appearance Restrictions. Owners are prohibited from installing rain barrels or rainwater harvesting systems that:

- a. are of a color other than a color consistent with the color scheme of the Owner's home;
- b. display any language or other content that is not typically displayed by such a barrel or system as it is manufactured; or
- c. are not constructed in accordance with plans approved by the Association.

The Association may impose restrictions on the size, type, materials, shielding of, and all other aspects of the improvement(s) (through denial of plans or conditional approval of plans)

SECTION IV. RELIGIOUS DISPLAYS

1. **General**. Residents may display on the entry door or door frame of the resident's dwelling one or more religious items, subject to the restrictions outlined in paragraph (2) below. Allowed "religious items" are limited to those items that the display of which is motivated by the resident's sincere religious belief.
2. **Prohibited Items**. No religious item(s) displayed may:
 - a. threaten the public health or safety;
 - b. violate a law;
 - c. contain language, graphics, or any display that is patently offensive to a passerby;
 - d. be located anywhere other than the main entry door or main entry door frame of the dwelling;
 - e. extend past the outer edge of the door frame of the door; or
 - f. have a total size (individually or in combination) of greater than 25 square inches.
3. **Remedies for Violation of this Section IV**. Per state statute, if a religious item(s) is displayed in violation of this Section IV, the Association may remove the offending item without prior notice. This remedy is in addition to any other remedies the Association may have under its other governing documents or State law.
4. **Seasonal Religious Holiday Decorations**. This rule will not be interpreted to apply to otherwise-permitted temporary seasonal religious displays such as Christmas lighting or Christmas wreaths. What is considered a Seasonal Religious Holiday Decoration shall be in the sole discretion of the Board, and the Board may impose time limits and other restrictions on the display of Seasonal Religious Holiday Decorations in its discretion. Seasonal Religious Holiday Decorations must comply with all other provisions of the governing documents, but are not subject to this Section IV.

SECTION V. TRANSFER FEES

1. **Transfer Fees**. In addition to fees for issuance of a resale certificate, fees are due upon the sale of any property in accordance with the then-current fee schedule, including any fee charged by the Association's managing agent.

SECTION VI. EMAIL ADDRESSES

1. **Email Addresses**. An Owner is required to keep a current email address on file with the Association if the Owner desires to receive email communications from the Association. Failure to supply an email to the Association or to update the address in a manner required by these rules may result in an Owner not receiving Association emails. The Association has no duty to request an updated address from an Owner, in response to returned email or otherwise. The Association may require Owners to sign up for a group email, email list serve or other such email subscription service in order to receive Association emails.

2. Updating Email Addresses An Owner is required to notify the Association when email addresses change. Such notice must be in writing and delivered to the Association's managing agent by fax, mail, or email. The notice must be for the sole purpose of requesting an update to the Owner's email address. For example, merely sending an email from a new email address, or including an email address in a communication sent for any other purpose other than providing notice of a new email address, does not constitute a request to change the Owner's email in the records of the Association.

**NORTH PARK PATIO
HOME OWNERS ASSOCIATION, INC.**
Acting by and through its Board of Directors

Doris C. Bryan
By: Doris C. Bryan
Title: President BOD

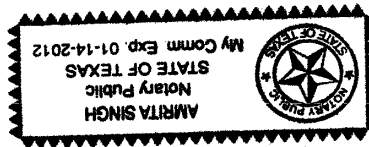
Acknowledgement

STATE OF TEXAS §
COUNTY OF Travis §

This instrument was executed before me on the 16 day of September, 2011,
by Doris C. Bryan in the capacity stated above.

[Signature]
Notary Public, State of Texas

After recording, please return to:
Niemann & Heyer, L L P
Attorneys At Law
Westgate Building, Suite 313
1122 Colorado Street
Austin, Texas 78701



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**FILED AND RECORDED
OFFICIAL PUBLIC RECORDS**

[Signature]

DANA DEBEAUVOIR, COUNTY CLERK
TRAVIS COUNTY, TEXAS

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