

TRAILS HOMEOWNERS ASSOCIATION I

GUIDELINES FOR RAINWATER RECOVERY DEVICES

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

KNOW ALL PERSONS BY THESE PRESENTS:

WHEREAS, the Trails Homeowners Association I ("Association") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the First Amended and Restated Declaration of Covenants and Restrictions for The Trails (Part B), filed of record on February 15, 1996, as Instrument No. 199600330616, Volume 96033, Page 2694, *et seq.*, Deed Records, Dallas County, Texas (the "Declaration"), as such may be amended and/or supplemented from time to time; and

WHEREAS, Chapter 202 of the Texas Property Code was amended to add Section 202.007(d) thereto dealing with the regulation of rainwater recovery devices; and

WHEREAS, the Board of Directors (the "Board") of the Association has determined that in connection with maintaining the aesthetics and architectural harmony of the community, and to provide clear and definitive guidance regarding rainwater recovery devices therein, it is appropriate for the Association to adopt guidelines regarding rainwater recovery devices within the community.

NOW, THEREFORE, the Board has duly adopted the following *Guidelines for Rainwater Recovery Devices*.

1. An owner may not install a rain barrel or rainwater harvesting system if:
 - a. such device is to be installed in or on property:
 - (i) owned by the Association;
 - (ii) owned in common by the members of the Association; or
 - (iii) located between the front of the owner's home and an adjoining or adjacent street; or
 - b. the barrel or system:
 - (ii) is of a color other than a color consistent with the color scheme of the owner's home; or
 - (ii) displays any language or other content that is not typically displayed by such a barrel or system as it is manufactured.
2. The Association may regulate the size, type, and 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 if:

- a. the restriction does not prohibit the economic installation of the device or appurtenance on the owner's property; and
 - b. there is a reasonably sufficient area on the owner's property in which to install the device or appurtenance.
3. An owner must receive written approval from the Board or the architectural control or review committee (if one exists) prior to installing any rain barrel or rainwater harvesting system. Accordingly, an owner must submit plans and specifications to receive the written approval of the Board or architectural control/review committee.

The plans and specifications must show the proposed location, color, material, shielding devices, size and type of such system or device (and all parts thereof). The plans should also identify whether the device or any part thereof will be visible from any street, other lot or common area.

This Policy is effective upon recordation in the Public Records of Dallas County, Texas and supersedes any policy regarding rainwater recovery devices which may have previously been in effect. Except as affected by Section 202.007(d) and/or by this Policy, all other provisions contained in the Declaration or any other dedicatory instrument of the Association shall remain in full force and effect.

This is to certify that the foregoing Policy was adopted by the Board at a meeting of the same held 5-10-12, and has not been modified, rescinded or revoked.


Name
Title President
Trails Homeowners Association I

Filed and Recorded
Official Public Records
John F. Warren, County Clerk
Dallas County, TEXAS
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