



# Exhibit "A"

## POLICY REGARDING STANDBY ELECTRIC GENERATORS

### Article I: Right of Installation and Use

- 1.1 Pursuant to Texas Property Code § 202.019 *et seq.*, effective as of September 1, 2015, Owners have been given the limited right to own, operate, install and maintain a permanently installed standby electric generator ("Generator"), which is defined as a device that converts mechanical energy to electrical energy and is:
  - a. powered by natural gas, liquefied petroleum gas, diesel fuel, biodiesel fuel, or hydrogen;
  - b. fully enclosed in an integral manufacturer-supplied sound attenuating enclosure;
  - c. connected to the main electrical panel of a residence by a manual or automatic transfer switch; and
  - d. rated for a generating capacity of not less than seven kilowatts.
- 1.2 Prior to any such installation, an Owner must submit a completed home improvement application to the Architectural Control Committee, which must contain a detailed site plan or plot plan for the installation of such Generator. Such plan must contain:
  - a. Location of the Generator, including a graphic depiction (i.e. scale drawings) showing location, number, size, make and manufacturer of any such Generator;
  - b. Location of fuel storage containers, if any, including a graphic depiction (i.e. scale drawings) showing location, number, size, make and manufacturer of any such containers;
  - c. A description of the proposed installation method of the Generator, including a general description of power and fuel requirements;
  - d. The type of screening to be used (if any);
  - e. A copy of the equipment manufacturer's brochures.

### Article II: Installation and Operation Regulations

- 2.1 **General Regulations:** Any Generator owned, operated, installed or maintained within the Association must comply with all manufacturer's specifications, and all applicable governmental health, safety, electrical, and building codes.
- 2.2 **Professional Installation Required:** Any Owner seeking to operate, install or maintain a Generator within the Association must utilize licensed contractors to install any and all electrical, plumbing, and fuel line connections.
  - 2.2.1 Any and all electrical connections to any Generator must be installed in accordance with all applicable governmental health, safety, electrical and building codes.

- 2.2.2 Any and all natural gas, diesel fuel, biodiesel fuel, or hydrogen fuel line connections to any Generator must be installed in accordance with all applicable governmental health, safety, electrical, plumbing and applicable building codes.
- 2.2.3 Any and all liquefied petroleum gas fuel line connections to any Generator must be installed in accordance with rules and standards promulgated and adopted by the Railroad Commission of Texas and other applicable governmental health, safety, electrical, plumbing and applicable building codes.
- 2.3 **Maintenance:** For any and all Generators located within the Association, all such Generators and their respective electrical lines and fuel lines must be maintained in good condition at all times.
- 2.3.1 Any and all non-integral standby electric generator fuel tanks for any Generator must be installed and maintained in compliance with applicable municipal zoning ordinances and governmental health, safety, electrical, and building codes.
- 2.3.2 The Association requires that the Owner of any Generator immediately, replace, or remove any deteriorated or unsafe component of a standby electric generator, including electrical or fuel lines.
- 2.4 **Testing:** The Owner of any Generator within the Association must perform periodic tests of the Generator in accordance with the recommendations of the National Fire Protection Association, pursuant to NFPA 110: Standard for Emergency and Standby Power Systems. Such testing may only take place between the hours of 9:00 a.m. and 8:00 p.m.
- 2.5 **Use Prohibition:** No Owner may utilize any Generator to generate all or substantially all of the electrical power to a residence, except when utility-generated electrical power to the residence is not available or is intermittent due to causes other than nonpayment for utility service to the residence.
- 2.6 **Location:**
- 2.6.1 No owner may install a Generator on the property owned or maintained by the Association, including but not limited to general common elements or limited common elements.
- 2.6.2 No owner may install a Generator on the property owned in common by the members of the Association, including but not limited to general common elements or limited common elements.
- 2.6.3 The Generator and related electrical, plumbing and fuel lines must serve only improvements on the particular lot in which they are located and no portion of the Generator may encroach on adjacent properties.
- 2.6.4 Generators shall not be installed (a) less than eighteen inches (18") from the owner's house or improved structure; (b) less than five feet (5') from any windows or doors; and (c) less than three feet (3') from the adjoining property or fence.

2.6.5 The preferred location for the Generator is: (a) at the side or back plane of the home; (b) outside of any easements located upon such lot; and (c) outside of all side setback lines for such lot. However, in the event that the foregoing preferred location either (i) increases the cost of installing the Generator by more than ten percent (10%), or (ii) increases the cost of installing and connecting the electrical and fuel lines for the Generator by more than twenty percent (20%), then the Generator shall be located on the lot in a position that complies as closely as possible with the preferred location without violating either (i) or (ii) herein.

These guidelines are supplementary and are in addition to any and all other covenants, conditions, restrictions, rules, and guidelines in effect for the Association.

THEREFORE, BE IT RESOLVED THAT, Willow Pointe Homeowners Association, Inc. adopts a uniform Policy to apply to all Owners within Willow Pointe Homeowners Association, Inc.;

BE IT FURTHER RESOLVED THAT, the Policy approved by this resolution touches and concerns all Lots within Willow Pointe Homeowners Association, Inc. and shall run with the land to all subsequent Owners of said Lots;

The Board of Directors of Willow Pointe Homeowners Association, Inc. hereby memorializes in its minutes its formal resolution providing a uniform policy for all lots within Willow Pointe Homeowners Association, Inc.

AFTER RECORDING, RETURN TO: ✓✓

LAMBRIGHT ★ MCKEE  
940 Corbindale Rd.  
Houston, Texas 77024

FILED FOR RECORD

11:29:41 AM

Monday, October 31, 2022



COUNTY CLERK, HARRIS COUNTY, TEXAS

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

Monday, October 31, 2022



COUNTY CLERK  
HARRIS COUNTY, TEXAS