

RAINWATER COLLECTION DEVICE GUIDELINES

WHEREAS, Section 202.007 of the Texas Property Code, as amended, precludes property owners' associations from adopting or enforcing certain prohibitions or restrictions on rain barrels and rainwater harvesting systems; and

WHEREAS, pursuant to Section 202.007(d) of the Texas Property Code, as amended, the Board of Directors of **Tanglewood Estates Property Owners Association, Inc.**, a Texas nonprofit corporation, (the "Association") is permitted to adopt specific limitations on rain barrels and water harvesting systems within Tanglewood Estates Addition, Phase 1A, an Addition to the City of Woodway, McLennan County, Texas (the "Subdivision").

RESOLVED, pursuant to the authority granted in Section 202.007(d) of the Texas Property Code, as amended, the Board of Directors of the Association adopts the following guidelines for rain barrels and rainwater harvesting systems which shall run with the land contained within the Subdivision and be binding on all Owners and Tracts within the Subdivision.

A. An Owner may not install rain barrels or rainwater harvesting systems and related appurtenances (collectively, "Rainwater Harvesting System") if:

1. the Rainwater Harvesting System is to be installed in or on property:
 - (a) owned by the Association;
 - (b) owned in common by the Members of the Association; or
 - (c) located between the front of the Owner's Living Unit and an adjoining or adjacent street; or
2. the Rainwater Harvesting System:
 - (a) is of a color other than a color consistent with the color scheme of the Owner's Living Unit; or
 - (b) displays any language or content other than the manufacturer's typical display.

B. The Association may regulate the size, type, and shielding of, and the materials used in the construction of, a Rainwater Harvesting System which is located on the side of a Living Unit or at any other location that is visible from a street, another Lot or any Common Area and Facilities if:

1. the restriction does not prohibit the economic installation of the device or appurtenance on the Owner's Lot; and
2. there is a reasonably sufficient area on the Owner's Lot in which to install the device or appurtenance.

C. Without limiting the foregoing, (1) only a Rainwater Harvesting System of commercial and professional grade shall be permitted, (2) any Rainwater Harvesting System shall have proper screening or filters to prevent mosquito breeding and harboring, and (3) any Rainwater Harvesting System shall not create unsanitary conditions or be a nuisance to any neighboring properties.

- D. In order to enforce these regulations, an Owner must receive written approval from the Board of Directors of the Association or the Architectural Committee prior to installing any Rainwater Harvesting System. Accordingly, prior to installation, an Owner must submit plans and specifications to and receive the written approval of the Board of Directors or Architectural Committee. The plans and specifications must show the proposed location, color, material, shielding devices, size and type of Rainwater Harvesting System and all appurtenances thereof. The plans should also identify whether the Rainwater Harvesting System or any appurtenances thereof will be visible from any street, other Lot or Common Area and Facilities and Facilities.
- E. The definitions contained in the Association's dedicatory instruments are hereby incorporated herein by reference, including, (a) that certain Declaration of Protective Covenants, Conditions and Restrictions ("Declaration") dated March 3, 2021, recorded on March 11, 2021, as McLennan County Clerk's Document No. 2021008795 in the Official Public Records of McLennan County, Texas, pertaining to Tanglewood Estates Addition, Phase 1A, an Addition to the City of Woodway, McLennan County, Texas, and (b) the Bylaws of the Association.

FURTHER RESOLVED, that these Rainwater Collection Device Guidelines are effective upon adoption hereof, to remain in force and effect until revoked, modified or amended.

FURTHER RESOLVED, that to the extent these Rainwater Collection Device Guidelines contradict any previous guidelines, rules, covenants or restrictions, these Rainwater Collection Device Guidelines shall control and be controlling. These Rainwater Collection Device Guidelines are supplementary and are in addition to any and all other covenants, conditions, restrictions, rules and guidelines in effect for the Association and the Subdivision.

IN WITNESS WHEREOF, the undersigned, being all of the members of the Board of Directors of the Association, do hereby adopt these Rainwater Collection Device Guidelines to be effective as of, although not necessarily on, March 16, 2021, at a duly called open meeting of the Board of Directors of the Association.

DIRECTORS:



David Mercer



Aaron McMillan



Weldon E. Ratliff, Jr.