

**AMENDED ROOFING MATERIALS POLICY**  
**FOR AUSTIN'S COLONY HOMEOWNERS ASSOCIATION OF BRYAN, INC.**

STATE OF TEXAS           §  
  §                                   KNOW ALL PERSONS BY THESE PRESENTS:  
COUNTY OF BRAZOS      §

WHEREAS, the Austin's Colony Homeowners Association of Bryan, Inc. ("Association") is charged with enforcing those certain covenants, conditions and restrictions contained in the recorded Declarations for the various sections of the community (referred to collectively as "Declarations"); and

WHEREAS, chapter 202 of the Texas Property Code was amended effective June 17, 2011, to add Section 202.011 ("Section 202.011") thereto regarding regulation of certain roofing materials ("Roofing Materials"); and

WHEREAS, the Board of Directors of the Association ("Board") desires to establish a policy to regulate Roofing Materials consistent with Section 202.011 and to provide clear and definitive guidance to owners.

NOW, THEREFORE, the Board has duly adopted the following *Amended Roofing Material Policy*:

1. **Prohibited Regulations.** Section 202.011 of the Texas Property Code provides that a property owners' association may not enforce a provision in a dedicatory instrument that prohibits or restricts a property Owner from installing shingles that:
  - a. are designed to:
    - i. be wind and hail resistant;
    - ii. provide heating and cooling efficiencies greater than those provided by customary composition shingles; or
    - iii. provide solar generation capabilities; and
  - b. when installed:
    - i. resemble shingles used or otherwise authorized for use on property in the subdivision;
    - ii. are more durable than and are of equal or superior quality to the shingles described below; and
    - iii. match the aesthetics of the property surrounding the Owner's property.
  
2. **Austin's Colony Subdivision Regulations.** In accordance with the Covenants, Conditions and Restrictions of the Austin's Colony Subdivision, all wood exterior for all structures and all roofing materials must be approved as to type, color and weight by the Architectural Control Committee and roofing shingle weight must be a minimum of 240 pounds per square unless otherwise specially approved by the Architectural Control Committee on a lot by lot basis, in its sole and absolute discretion. Accordingly, when installed, storm and energy efficient shingles must resemble, be more durable than, and be of equal or superior

quality to the types of shingles otherwise required or authorized for use in the Austin's Colony Subdivision. In addition, the storm or energy efficient shingles must match the aesthetics of the Lots surrounding the Lot in question.

- 3. **Architectural Control Committee Approval.** In order to confirm the proposed shingles conform to the foregoing Guidelines, Owners are required to apply to the ACC for prior approval. The Association may require an Owner to remove shingles that do not comply with these Guidelines.

This policy is effective upon recordation in the Public Records of Brazos County, and supersedes any policy regarding the regulation of certain roofing materials which may have previously been in effect. Except as affected by Section 202.011 and/or this Policy, all other provisions contained in the Declarations or any other dedicatory instruments of the Association shall remain in full force and effect.

I hereby certify that I am the duly elected, qualified and acting President of the Association and that the foregoing Amended Roofing Materials Policy was approved by a majority vote of the Board of Directors as set forth above and now appears in the books and records of the Association, to be effective upon recording in the Official Public Records of Real Property of Brazos County, Texas.

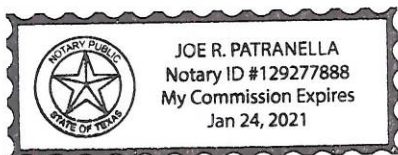
Approved and adopted by the Board on this 18<sup>th</sup> day of August, 2017.

AUSTIN'S COLONY HOMEOWNERS ASSOCIATION OF BRYAN, INC.

By: [Signature]

STATE OF TEXAS §  
  §  
COUNTY OF BRAZOS §

BEFORE ME, the undersigned notary public, on this 18<sup>th</sup> day of August, 2017 personally appeared Charles Grimes, President of Austin's Colony Homeowners Association of Bryan, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purpose and in the capacity therein expressed.



[Signature]  
Notary Public, State of Texas