

**CERTIFICATE OF ADOPTION
OF
SHINGLE CRITERIA
OF
VILLAGE OF BISCAYNE BAY HOMEOWNERS ASSOCIATION, INC.**

WHEREAS, the Board of Directors (the "Board") of the Village of Biscayne Bay Homeowners Association, Inc., a Texas non-profit corporation (the "Association") is charged with administering and enforcing those certain covenants, conditions, and restrictions contained in that certain instrument recorded in the office of the County Clerk of Brazoria County, Texas under Clerk's File No. 2004034202, as said instrument has been or may be amended or supplemented from time to time, encumbering the Village of Biscayne Bay community in Shadow Creek Ranch; and

WHEREAS, Chapter 202 of the Texas Property Code was amended effective September 1, 2011, to add Section 202.011 ("Section 202.011") thereto; and

WHEREAS, Section 202.011 requires a property owners' association to allow certain types of shingles if certain criteria is met; and

WHEREAS, the Board has determined that in connection with providing criteria regarding certain types of shingles, it is appropriate for the Association to adopt the criteria described herein below; and

WHEREAS, the By-Laws of the Association provides that a majority of the number of Directors shall constitute a quorum for the transaction of business and that the action of a majority of Directors at a meeting at which a quorum is present is the action of the Board; and

WHEREAS, the Board held a meeting on September 13, 2011, at which at least a majority of the Directors were present and duly passed the criteria described herein below (the "Shingle Criteria").

NOW, THEREFORE, to give notice of the matters set forth herein, the undersigned, being the President of the Association, does hereby certify that at a meeting of the Board held on September 13, 2011, at which at least a majority of the Directors were present, the Board duly adopted the Shingle Criteria. The Shingle Criteria is effective upon recordation of this Certificate in the Official Public Records of Brazoria County, Texas, and supersedes any criteria regarding the type of shingles described in the Shingle Criteria which may have previously been in effect for the Village of Biscayne Bay community in Shadow Creek Ranch. The Shingle Criteria is as follows:

Subject to the criteria set forth below, owners may install shingles (the "Acceptable Shingles") on the roof of the owner's dwelling and other improvements located upon the owner's property that are designed primarily to: (i) be wind and hail resistant; (ii) provide heating and cooling efficiencies greater than those provided by customary composite shingles; or (iii) provide

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JOYCE HUDMAN
COUNTY CLERK
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Joyce Hudman