

**CERTIFICATE OF ADOPTION
OF
RAINWATER HARVESTING SYSTEM GUIDELINES
OF
VILLAGE OF DIAMOND BAY HOMEOWNERS ASSOCIATION, INC.**

WHEREAS, the Board of Directors (the "Board") of the Village of Diamond 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 Fort Bend County, Texas under Clerk's File No. 2005017655, as said instrument has been or may be amended or supplemented from time to time, encumbering the Village of Diamond Bay community in Shadow Creek Ranch; and

WHEREAS, Chapter 202 of the Texas Property Code was amended effective September 1, 2011, to add Section 202.007(d)(6) and 202.00(d)(7) (collectively "Section 202.007(d)") thereto; and

WHEREAS, Section 202.007(d) allows a property owners' association to adopt and enforce rules and regulations regarding rain barrel or rainwater harvesting systems (herein called "Rainwater Harvesting System" or "Rainwater Harvesting Systems"); and

WHEREAS, the Board has determined that in connection with providing rules and regulations regarding Rainwater Harvesting Systems, it is appropriate for the Association to adopt guidelines regarding Rainwater Harvesting Systems; 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 the Directors at a meeting at which a quorum is present is the action of the Board; and

WHEREAS, the Board held a meeting on _____, 2011, at which at least a majority of the Directors were present and duly passed guidelines regarding Rainwater Harvesting Systems described herein below (the "Rainwater Harvesting System Guidelines").

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 _____, 2011, at which at least a majority of the Directors were present, the Board duly adopted the Rainwater Harvesting System Guidelines. The Rainwater Harvesting System Guidelines are effective upon recordation of this Certificate in the Official Public Records of Fort Bend County, Texas, and supersede any guidelines regarding Rainwater Harvesting Systems which may have previously been in effect for the Village of Diamond Bay community in Shadow Creek Ranch. The Rainwater Harvesting System Guidelines are as follows:

Rainwater Harvesting Systems and all related equipment shall not be erected, constructed, placed, or permitted to remain on any lot unless they strictly comply with the following minimum conditions:

- a. The Rainwater Harvesting System and any related equipment shall not be constructed or placed or permitted to remain on property owned by the Association or between the front of the property owner's home and an adjoining or adjacent street.
- b. The color of the Rainwater Harvesting System and related equipment must be consistent with the color scheme of the property owner's house.
- c. No advertising slogans, logo, printing or illustration shall be permitted upon the Rainwater Harvesting System or related equipment, other than the standard logo, printing or illustration which may be included by the applicable manufacturer for the Rainwater Harvesting System or any related equipment.
- d. To the extent that the Rainwater Harvesting System and any related equipment is located on the side of the house or at any other location that is visible from a street, the size, type, and shielding of, and the materials used in the construction must be submitted to the Association's Architectural Control Committee for prior written approval.
- e. Any Rainwater Harvesting System or related equipment installed hereunder shall be installed in a manner that complies with all applicable laws and regulations and manufacturer's instructions.

EXECUTED on the date of the acknowledgement set forth herein below, to be effective as set forth above.

VILLAGE OF DIAMOND BAY HOMEOWNERS ASSOCIATION, INC., a Texas non-profit corporation

By: _____
Brad Todes, President

THE STATE OF _____ §
§
COUNTY OF _____ §

This instrument was acknowledged before me on _____, 2011, by Brad Todes, President of the Village of Diamond Bay Homeowners Association, Inc., a Texas non-profit corporation, on behalf of said corporation.

Notary Public, State of _____

WHEN RECORDED, RETURN TO:

Sarah Ann Powers
Hoover Slovacek LLP
5847 San Felipe, Suite 2200
Houston, Texas 77057
File No. 351074-18