

**CERTIFICATE OF ADOPTION  
OF  
SHINGLE CRITERIA  
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 202.011 ("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 \_\_\_\_\_, 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 \_\_\_\_\_, 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 Fort Bend 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 Diamond 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

solar generation capabilities. Provided however, the Acceptable Shingles, when installed: (i) must resemble the shingles used or otherwise authorized for use on property in the Village of Diamond Bay community in Shadow Creek Ranch; (ii) must be more durable than and of equal or superior quality to the shingles used or otherwise authorized for use on property in the Village of Diamond Bay community in Shadow Creek Ranch; and (iii) must match the aesthetics of the properties surrounding the owner's property.

**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 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