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**FOX RUN MAINTENANCE ASSOCIATION, INC.**  
**C/O CONSOLIDATED MANAGEMENT SERVICES**  
2204 Timberloch Place, Suite 245  
The Woodlands, Texas 77380  
✓ Phone: 281.296.9775 Fax: 281.296.9788  
e-mail: conmgsvc@swbell.net

**ASSOCIATION'S POLICIES/GUIDELINES**  
**[Recorded Pursuant to Sections 202.007, 202.009, 202.010, 202.011**  
**and 202.018, Title 11, Texas Property Code]**

- I. The name of the Subdivision is Fox Run.
- II. The name of the Association is FOX RUN MAINTENANCE ASSOCIATION, INC. (the "Association")
- III. The recording data (i.e., Map or Plat reference) for each Section of the Subdivision, and the recording data for the Declaration (i.e., Deed Restrictions) for each Section of the Subdivision is as follows:

**Maps or Plats (Map Records of Montgomery County, Texas)**

Section One - Plat Cabinet A, Sheet 100A.  
Section Two - Plat Cabinet B, Sheet 30.  
Section Three - Plat Cabinet B, Sheet 25.  
Section Four - Plat Cabinet B, Sheet 30.  
Section Five - Plat Cabinet G, Sheets 023A and 023B.  
Section Six - Plat Cabinet G, Sheets 199A and 199B.  
Section Seven - Plat Cabinet J, Sheets 168 and 169.  
Section Eight - Plat Cabinet N, Sheets 168 and 169.  
Section Nine - Plat Cabinet P, Sheet 105  
Section Ten - Plat Cabinet S, Sheets 166 and 167.  
Section Eleven - Plat Cabinet S, Sheet 153.  
Section Twelve - Plat Cabinet W, Sheet 95.

**Deed Restrictions (Deed Records of Montgomery County, Texas)**

Section One - County Clerk's File No. 750133; and Amendment County Clerk's File No. 8036859.  
Section Two - County Clerk's File No. 7713620; Amendment County Clerk's File No. 8036859; and Amendment County Clerk's File No. 2003-013988.  
Section Three - County Clerk's File No. 750133; recorded Warranty Deed(s); and Amendment County Clerk's File No. 8036859.  
Section Four - County Clerk's File No. 7713620; Amendment County Clerk's File No. 8036859; and Amendment County Clerk's File No. 2003-013988.  
Section Five - County Clerk's File No. 9229631.  
Section Six - County Clerk's File No. 9440426.  
Section Seven - County Clerk's File No. 9821167.  
Section Eight - County Clerk's File No. 2000-025454.  
Section Nine - County Clerk's File No. 2001-027661.  
Section Ten - County Clerk's File No. 2003-040674.  
Section Eleven - County Clerk's File No. 2002-118319.  
Section Twelve - County Clerk's File No. 2004-100703.



IV. ASSOCIATION'S POLICIES/GUIDELINES REGARDING: (I) U. S. FLAGS, TEXAS FLAGS AND CERTAIN MILITARY FLAGS; (II) SOLAR PANELS/SOLAR ENERGY DEVICES; (III) STORM, SOLAR AND/OR ENERGY EFFICIENT ROOF SHINGLES; (IV) RAIN BARRELS AND/OR RAINWATER HARVESTING SYSTEMS; (V) RELIGIOUS DOOR AND/OR ENTRYWAY DISPLAYS; AND (VI) POLITICAL SIGNS: The following Association Policies/Guidelines were approved by at least a majority vote of the Board of Directors of the FOX RUN HOMEOWNERS ASSOCIATION, INC. (the "Board"), at a duly called Meeting of the Board held on the 13<sup>TH</sup> day of February, 2012, at which Meeting a quorum was present:

a) Policies/Guidelines regarding Flags and Flag Poles:

1. Prior to installation of a flagpole, the advance written approval of the Association's Architectural Control Committee is required as set forth in the Restrictions.
2. The following flags may be displayed by an Owner or Resident of an occupied premises: 1) one flag of the United States of America; 2) one flag of the State of Texas; and 3) one official or replica flag of any branch of the United States armed forces.
3. The flag of the United States must be displayed in accordance with *4 USC Sections 5-10*.
4. The flag of the State of Texas must be displayed in accordance with *Chapter 3100, Texas Government Code*.
5. A flagpole attached to a dwelling or a freestanding flagpole must be constructed of permanent, long-lasting materials, with a finish appropriate to the materials used in the construction of the flagpole and harmonious with the dwelling.
6. The display of a flag and/or the location and construction of the supporting flagpole must comply with any and all applicable easements and setbacks of record.
7. A displayed flag and the flagpole on which it is flown must be maintained in good condition. Further, any deteriorated flag or deteriorated or structurally unsafe flagpole must be timely repaired, replaced or removed.
8. Only one of each type of flag identified in item "2" above may be displayed at an occupied premises.
9. No flags may be displayed at any unoccupied (i.e., vacant) premises;
10. Any displayed flag may be no larger than 3 ft. x 5 ft. in size, and must be flown

from an approved flagpole attached to a dwelling or from an approved freestanding flagpole. A freestanding flagpole may not exceed twenty feet (20') in height. The diameter, design, materials, color and location of any flagpole (whether attached to a dwelling or freestanding) must be approved in advance, and in writing, by the Association's Architectural Control Committee.

11. The intensity of any lights installed to illuminate a flag or flags is subject to approval by the Association so as to avoid a potential nuisance or annoyance to the neighborhood. Further, no flag may be installed or displayed in such a manner as to create excessive noise caused by an external halyard of a flagpole.
12. Unless installed or displayed by the Association, a flag or flags may not be displayed on any property owned or maintained by the Association.

**b. Policies/Guidelines regarding Solar Panels and/or Solar Energy Devices:**

1. Prior to installation of any solar panel or any other solar energy device, the advance written approval of the Association's Architectural Control Committee is required as set forth in the Restrictions.
2. A solar panel and/or any other solar energy device is not allowed if it threatens the public health or safety and/or if it violates any Federal, State or local law.
3. Any approved solar panel and/or any other approved solar energy device must be installed on the roof of the home or of another structure allowed under the Restrictions or, alternatively, in a fenced yard or patio owned and maintained by the property owner.
4. The following solar panels and/or other solar energy devices are prohibited:
  - a. if installed on the roof of the home: (i) it extends higher than or beyond the roofline; (ii) it is located in an area other than an area designated by the Association, unless the alternate location increases the estimated annual energy production of the device, as determined by using a publicly available modeling tool provided by the National Renewable Energy Laboratory, by more than ten percent (10%) above the energy production of the device if located in an area designated by the Association; (iii) it does not conform to the slope of the roof and has a top edge that is not parallel to the roofline; and/or (iv) it has a frame, a support bracket, or visible piping or wiring that is not in a silver, bronze, or black tone commonly available in the marketplace;
  - b. if installed in a fenced yard or patio, it is taller than the fence line;
  - c. if as installed, it voids material warranties;

- d. if it was installed without the property owner first receiving the advance written approval of the Association's Architectural Control Committee; and/or
  - e. if the Association or its Architectural Control Committee determines in writing that placement of the device as proposed by the property owner constitutes a condition that substantially interferes with the use and enjoyment of land by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities (*note*: for the purpose of making a determination under this sub-paragraph "e," the written approval of the proposed placement of the device by all property owners of adjoining property constitutes *prima facie* evidence that such a condition does not exist).
3. Unless installed by the Association, a solar panel and/or any other solar energy device may not be installed on any property owned or maintained by the Association.

**c. Policies/Guidelines regarding Storm, Solar and/or Energy Efficient Roof Shingles (i.e., roof shingles designed primarily to be wind and hail resistant, provide heating and cooling efficiencies greater than those provided by customary composite shingles, and/or provide solar generation capabilities):**

1. Prior to installation of storm, solar and/or energy efficient roof shingles, the advance written approval of the Association's Architectural Control Committee is required as set forth in the Restrictions.
2. When installed, any such shingles must: (a) resemble the shingles used or otherwise authorized for use on property in the Subdivision; and (b) are more durable than and are of equal or superior quality to shingles used or otherwise authorized for use on property in the Subdivision.
3. When installed, any such shingles must match the aesthetics of the property surrounding the owner's property.

**d. Policies/Guidelines regarding Rain Barrels and/or Rainwater Harvesting Systems:**

1. Prior to installation of a rain barrel(s) and/or rainwater harvesting system, the advance written approval of the Association's Architectural Control Committee is required as set forth in the Restrictions.
2. A rain barrel(s) and/or rainwater harvesting system is not allowed if: (i) it is located between the front of the property owner's home and an adjoining or adjacent street; (ii) the barrel(s) or system is of a color other than a color consistent with the color scheme of the property owner's home; and/or (iii) the

barrel(s) or system displays any language or other content that is not typically displayed by such a barrel or system as it is manufactured.

3. The Association may regulate the size, type, and shielding of, and the materials used in the construction of, a rain barrel, rainwater harvesting device, or other appurtenance that is located on the side of a house or at any other location that is visible from a street, another lot, or a common area if: (a) the regulation (or restriction) does not prohibit the economic installation of the device or appurtenance on the property owner's property; and (b) there is a reasonably sufficient area on the property owner's property in which to install the device or appurtenance.
4. Unless installed by the Association, a rain barrel(s) and/or rainwater harvesting system may not be installed on any property owned or maintained by the Association.

**e. Policies/Guidelines regarding Religious Door and/or Entryway Displays:**

1. To the extent allowed by the U. S. Constitution and the Texas Constitution, the following religious displays are prohibited: (i) displays that threaten the public health or safety; (ii) displays that violate a Federal, State or local law; (iii) displays that contain language, graphics, or any display that is patently offensive to a passerby; (iv) a display(s) in a location other than the entry door or door frame or extends past the outer edge of the door frame of the Owner's or resident's dwelling; and/or (v) individually or in combination with each other religious items displayed or affixed on the entry door or door frame which has/have a total size of greater than twenty-five (25) square inches.
2. An Owner or resident may not use a material or color for an entry door or door frame of the owner's or resident's dwelling or make an alteration to the entry door or door frame that is not authorized by the restrictive covenants governing the dwelling.
3. The Association may remove a religious item displayed in violation of a restrictive covenant.

**f. Policies/Guidelines regarding Political Signs:**

1. A property owner may display on the owner's property (i.e., Lot) one or more signs advertising a political candidate or ballot item for an election only on or after the 90th day before the date of the election to which the sign relates until the 10th day after that election date.
2. Any such political sign must be ground-mounted, and a property owner(s) may display on his and/or her Lot only one sign for each candidate or ballot item.

3. Prohibited political signs include any sign that: (1) contains roofing material, siding, paving materials, flora, one or more balloons or lights, or any other similar building, landscaping, or nonstandard decorative component; (2) is attached in any way to plant material, a traffic control device, a light, a trailer, a vehicle, or any other existing structure or object; (3) includes the painting of architectural surfaces; (4) threatens the public health or safety; (5) is larger than four feet by six feet; (6) violates a law; (7) contains language, graphics, or any display that would be offensive to the ordinary person; or (8) is accompanied by music or other sounds or by streamers or is otherwise distracting to motorists.
4. The Association may remove, or cause to be removed, a sign displayed in violation of the foregoing Policy for Political Signs.

### CERTIFICATION

"I, the undersigned, being the President of the FOX RUN MAINTENANCE ASSOCIATION, INC., hereby certify that the foregoing Association Policy/Guidelines were adopted by at least a majority of the Association's Board of Directors, and such Policy/Guidelines have never been modified or repealed, and is now in full force and effect."

**FOX RUN MAINTENANCE ASSOCIATION, INC.**

By: 

\_\_\_\_\_  
Roger Fleming, President

ACKNOWLEDGMENT

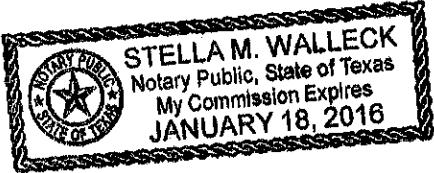
THE STATE OF TEXAS     §  
  §  
COUNTY OF MONTGOMERY

BEFORE ME, A NOTARY PUBLIC, on this day personally appeared Roger Fleming, President of FOX RUN MAINTENANCE ASSOCIATION, INC., a Texas Non-Profit Corporation, known to me to be the person whose name is subscribed to the foregoing instrument and, being by me first duly sworn and declared that he executed same in the capacity and for the consideration therein expressed, and as the act and deed of such Corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 13th day of Feb,  
~~2011.~~ 2012.

*Stella Walleck*

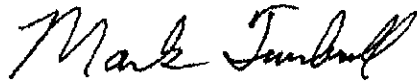
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS



Fox Run/Guidelines regarding Flags, Flagpoles, Solar Panels, Solar Energy Devices, Storm Roof Shingles, Solar Roof Shingles, Energy Efficient Roof Shingles, Rain Barrels, Rainwater Harvesting Systems, Religious Door and/or Entryway Displays, and Political Signs

**FILED FOR RECORD**

03/09/2012 3:58PM



COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

**RECORDER'S MEMORANDUM:**

At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All black-outs, additions and changes were present at the time the instrument was filed and recorded.

STATE OF TEXAS  
COUNTY OF MONTGOMERY

I hereby certify this instrument was filed in file number sequence on the date and at the time stamped herein by me and was duly RECORDED in the Official Public Records of Montgomery County, Texas.

**03/09/2012**



County Clerk  
Montgomery County, Texas