

**Placement**

If the solar energy device is one of the devices listed in A.R.S. § 44-1761, the placement of the solar energy device must be approved in advance by the Architectural Control Committee. Such solar energy device must comply with the following regulations, to the extent that they do not impair the functioning of the device, or adversely affect the cost or efficiency of the device:

- A. No solar energy device may encroach upon the Common Area or the property of another Owner.
- B. A solar energy device must be placed in the back yard or on a portion of the roof facing away from the streets and Common Area to the maximum extent possible.
- C. The solar energy device must be shielded from view from adjacent properties to the maximum extent possible. The landscaping or structure used to shield the solar energy device must be approved in advance by the Architectural Control Committee.
- D. The solar energy device must comply with all applicable city, county and state laws, regulations and codes. The Association must be provided with a copy of any applicable governmental permits.
- E. Placement and installation must be pursuant to the manufacturer's instructions.
- F. In order to protect against personal injury and property damage, the solar energy device may not be placed in a location where it may come into contact with a power line.
- G. In order to protect against personal injury and property damage, all solar energy devices must be properly grounded and secured.
- H. In order to protect against personal injury, solar energy devices may not block or obstruct any driver's view of an intersection or street.

**IV. Maintenance**

- A. The owner is responsible for all costs associated with the installation and maintenance of the solar energy device
- B. The owner is responsible for all damage caused by or connected with the solar energy device. If damage is caused to the roof, owner is responsibly for void in warrantee.
- C. The owner must hold the Association harmless and indemnify the Association in the event that someone is injured by the solar energy device.
- D. The owner shall keep the solar energy device in good repair so that it does not violate any portion of this Resolution and Policy.

**V. Fees; Enforcement**

- A. The design review fee, if any, shall be waived for applications for Architectural Control Committee review of solar energy devices.
- B. The Board of Directors shall have the authority to enforce the provisions of this Resolution in any manner provided by law.
- C. Notwithstanding anything contained in this Resolution, the Architectural Standards, the Declaration, or any other document governing the Association, this Resolution shall not be enforced in a way that ( 1) prevents the installation of a solar energy device; (2) impairs the functioning a solar energy device; (3) restricts the use of a solar energy device; or ( 4) adversely affects the cost or efficiency a solar energy device.

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**HOMEOWNER ACCEPTED TERMS & CONDITIONS**

**Printed Name:** \_\_\_\_\_ **Signature:** \_\_\_\_\_

**Address:** \_\_\_\_\_ **Date:** \_\_\_\_\_