

MARGARET L BAILEY
DORCHESTER COUNTY
REGISTER OF DEEDS

201 Johnston Street ~ Saint George, SC 29477 (843) 563-0181

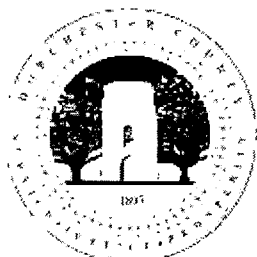
***** THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE *****



Instrument #:	2023002108		
Receipt Number:	162576	Return To:	SIMONS & DEAN
Recorded As:	MISCELLANEOUS		
Recorded On:	February 06, 2023		
Recorded At:	11:41:33 AM	Received From:	SIMONS & DEAN
Recorded By:	BS	Parties:	
Book/Page:	RB 14574: 155 - 159		Direct- SUMMERVILLE PLACE HOMEOWNERS
Total Pages:	5		Indirect- SUMMERVILLE PLACE HOMEOWNERS

***** EXAMINED AND CHARGED AS FOLLOWS *****

Recording Fee: \$25.00
Tax Charge: \$0.00



Margaret Bailey

Margaret Bailey - Register of Deeds

Summerville Place Homeowners Association, Inc.

**RESOLUTION/MINUTES OF ACTION
BOARD OF DIRECTORS**

**Solar Policy
January 2023**

WHEREAS, the Board of Directors ("Board") of Summerville Place Homeowners Association, Inc. ("Association") is responsible for management, operation and control of the community and the Association, and is also responsible for exercising for the Association all powers, duties and authority vested in or delegated to the Association and not reserved to the membership by provisions of the Declaration of Covenants, Conditions and Restrictions for the Summerville Place ("Declaration") recorded January 21, 1988, in Volume 602 at Page 79 in the Dorchester County Register of Deeds, the Supplementary Declaration of Covenants, Conditions, Easements and Restrictions of Summerville Place Subdivision ("Supp. Declaration") recorded January 21, 1988, in Volume 602 at Page 67, and the By-Laws of Summerville Place Homeowners Association, Inc. ("Bylaws") recorded July 6, 2021, in Volume RB13480 at Page 164 with the Dorchester County Register of Deeds. The Bylaws were amended by the First Amendment to By-Laws of Summerville Place Homeowners Association, Inc. recorded January 5, 2022, in Volume Book RB 13910 at Page 320 with the Dorchester County Register of Deeds. The Bylaws as amended and/or supplemented by the foregoing hereinafter individually and collectively also the "Bylaws". Also applicable: Violation Policy December 2018 recorded December 31, 2018, in Volume RB11688 at Page 129 and Violation Policy May 2019 recorded August 29, 2022, in Volume RB14351 at Page 306 with the Dorchester County Register of Deeds. The Articles of Incorporation, Declaration, Supp. Declaration, Bylaws and any promulgated rules, regulations, guidelines, policies and the like, as each may be amended or supplemented, collectively hereinafter referred to as "Governing Documents".

WHEREAS, the Board has determined it is in the best interest of the Association and its members/owners and residents, and the community as a whole, to adopt a solar policy.

WHEREAS, Section 1(a) Article VIII, of the Bylaws provides that the Board shall have the power to "make, modify, repeal and enforce reasonable rules, regulations, policies, guidelines and the like governing the conduct on, and use and enjoyment of, the Lot, Common Area and Properties, and to establish penalties for the infraction thereof."

WHEREAS, pursuant to Article VII, Section 3 of the Bylaws, a "majority of the number of directors shall constitute a quorum for the transaction of business. Every act or decision done or made by a majority of the directors present at a duly held meeting at which quorum is present is present shall be regarded as an act of the Board."

WHEREAS, a duly held and authorized meeting of the Board was held and this Resolution and the Solar Policy January 2023, attached hereto as Exhibit A and incorporated herein, were put to a vote of the Board. The required quorum was present and the within Resolution and the attached Solar Policy January 2023 were affirmed, adopted and approved by the requisite members of the Board.

Return to:
Simons & Dean
147 Wappoo Creek Drive, Suite 604
Charleston, SC 29412

NOW THEREFORE, BE IT RESOLVED, in order to protect and assure an attractive, high-quality community, and to best maintain and preserve the community, the Board hereby affirms, approves and adopts this Resolution and the Solar Policy January 2023, attached hereto and incorporated herein as Exhibit A, as follows:

1. The foregoing whereas paragraphs and recitals are and shall be deemed material and operative provisions of this Resolution, and not mere recitals, and are fully incorporated herein by this reference.
2. All capitalized terms used herein shall have the same meaning ascribed to them in the Declaration, Supp. Declaration and Bylaws, unless the context shall clearly suggest or imply otherwise.
3. Each member of the Board expressly waives notice requirement, if any, for the meeting.
4. This Resolution and the Solar Policy January 2023, attached hereto as Exhibit A and incorporated herein, were affirmed, adopted and approved by the Board on November 9, 2022.
5. Distribution. The Association and/or its property manager is authorized and directed to circulate a copy of this Resolution and the Solar Policy January 2023, attached hereto as Exhibit A and incorporated herein, to all Members/Owners. MEMBERS/OWNERS ARE RESPONSIBLE FOR DISTRIBUTING THE SAME TO ALL TENANTS, OCCUPANTS AND RESIDENTS.

Each Director voting in favor of this Resolution and Solar Policy has signed his/her name below.

BOARD OF DIRECTORS OF SUMMERVILLE PLACE HOMEOWNERS ASSOCIATION, INC.:

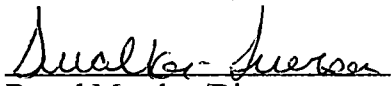
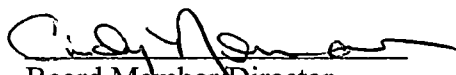
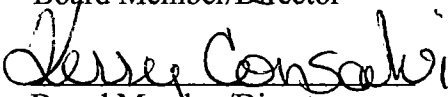
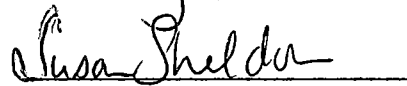
	<u>1/11/23</u>	_____	_____
Board Member/Director	Date	Board Member/Director	Date
	<u>1/11/23</u>	_____	_____
Board Member/Director	Date	Board Member/Director	Date
	<u>1/11/23</u>	_____	_____
Board Member/Director	Date	Board Member/Director	Date
	<u>1/12/23</u>	_____	_____
Board Member/Director	Date	Board Member/Director	Date

Exhibit A**Summerville Place Homeowners Association, Inc.****Solar Policy**

January 2023

1. All capitalized terms used herein shall have the same meaning ascribed to them in the Declaration and Bylaws, unless defined herein or the context shall clearly suggest or imply otherwise.

2. The installation of a solar array/device system and components requires the prior, written approval by the Architectural Review Board (ARB) prior to the commencement of any work. An initial application will be considered by the ARB without the applicable approvals from the governing authorities and utilities; however, final ARB written approval cannot be issued without the ARB's receipt of copies of the building permit and approvals from the governing authorities and utilities, as may be applicable. The ARB shall have the right to disapprove the application, to approve the application with conditions or to approve the application, as well as to grant variances from the within Policy, based on whatever information and circumstances it deems necessary, including for purely aesthetic reasons.

3. The size of the solar array/device must be limited to that which provides usable energy generation for the home on which it is installed and is within the limits of the current net metering code.

4. The preferred location for the solar array is either a ground-mounted system or a rear-facing roof. A solar array shall not be visible from either the street behind or to the side of the home. Placement on front-facing roofs shall not be approved. Final placement must be approved by the ARB in writing.

Panels must be installed flush to the roof with no more than a four-inch (4") rise in elevation above the roof, and the entire array shall be lower than the top ridge of the roof. Panels must be flat with no ridges, curves, or external piping. Motorized sun tracking systems shall not be allowed.

Only commercially or professionally made devices and systems are allowed, and must possess Solar Rating Certificate Corporation (SRCC) certification to assure quality standards. "Homemade" devices and systems shall not be permitted due to the safety and aesthetics aspects of such devices.

5. The visibility of the solar array/device system and components to public view (from the street, from neighboring lots, from common areas, etc.) must be minimized, and an Owner may be required to: (a) screen some or all of the solar array/device system and components in a manner approved by the ARB, and/or (b) conform the colors of the solar array/device system and components to the surrounding or adjacent materials, as approved by the ARB, including without limitation and as determined by the ARB, conforming to the color of the roof materials and/or home's exterior cladding materials as closely as possible, either through paint or powder-coat, or other means.

6. No signs or the like advertising the finished product or work will be allowed.
7. Separate, prior applicable approvals from the governing authorities must be obtained for any proposed tree removal.
8. Owners shall properly and timely maintain and/or replace all surfaces and parts of the solar array/device system and components, to keep all in good condition and working order, to prevent peeling and cracking of paint, loss of coloration or other deterioration, and to prevent the same from becoming unsightly and/or incompatible with the aesthetic standards of the community.
9. Owners must use licensed installers and contractors. Owners are solely responsible for ensuring that all permits and licenses are obtained prior to installation. All federal, state and local standards, statutes, codes, ordinances and laws must be met. The Association assumes no liability in ensuring that these requirements are met.
10. Owners are urged to check with their builder or other contractor and/or their insurance company prior to installation of any solar array/device system and components regarding the impact any such installation may have on the home, any warranty and/or any insurance. Neither the ARB, the Board of Directors or the Association shall have any liability to an Owner for any loss or damage relating any to any solar array/device system and components, or any approvals issued or not issued. Any such approval by the ARB is not a representation that any materials or work chosen by the Owner are safe, appropriate or compatible with such Owner's needs, desires, use, home, improvements or property, and the Owner assumes and bears all risks regarding the same.
11. To the extent this Policy conflicts with the Declaration, Supp. Declaration, Bylaws or applicable law, the Declaration, Supp. Declaration, Bylaws or applicable law shall control.