

**BRIAR MEADOWS CREEK OWNERS ASSOCIATION, INC.**  
**RAIN BARRELL POLICY**

STATE OF TEXAS           §  
  §           KNOW ALL PERSONS BY THESE PRESENTS:  
COUNTY OF BRAZOS       §

WHEREAS, the Briar Meadows Creek Owners Association, Inc. (“Association”) is charged with enforcing those certain covenants, conditions and restrictions contained in the recorded Declarations for the various sections of the community (referred to collectively as “Declarations”); and

WHEREAS, chapter 202 of the Texas Property Code was amended effective June 17, 2011, to add Sections 202.007 (“Section 202.007”) thereto regarding regulation of Rain Barrel Policy (“Rain Barrel Policy”); and

WHEREAS, the Board of Directors of the Association (“Board”) desires to establish a policy to regulate Rain Barrel Policy consistent with Section 202.007 Texas Property Code and to provide clear and definitive guidance to owners.

WHEREAS, any reference made herein to approval by the Architectural Control Committee (“ACC”), means prior written approval by the ACC.

NOW THEREFORE, the Board has duly adopted the following *Rain Barrel Policy*:

An application must be submitted for review by the ACC, and formal written approval from the ACC shall be required before installation may begin.

**I. RAIN BARRELS**

A. Prohibited Rainwater Harvesting systems/Rain Barrels

Rainwater Harvesting systems or rain barrels (collectively referred to herein as (“Rain Barrels”)) are prohibited in the following circumstances:

1. Rain Barrels that are located on property owned by the Association;
2. Rain Barrels that are located on Property that is owned in common by the members of the Association;
3. Rain Barrels that are located between the front of the owner’s home and an adjoining or adjacent street;
4. Rain Barrels that are of a color not consistent with the color scheme of the home; and
5. Rain Barrels that display language or content other than the manufacturer’s typical display.

**B. Rain Barrels Located in Area Visible from a Street, Lot, or Common Area:**

Rain Barrels that are located on the side of a house or at any other location that is visible from a street, lot or a common area must comply with the following:

1. Rain Barrels must have adequate screening, as determined by the ACC;
2. Only commercial and professional grade Rain Barrels are permitted;
3. All Rain Barrels must be fully enclosed and have a proper screen or filter to prevent mosquito breeding and harboring; and
4. Rain Barrels may not create unsanitary conditions or be of nuisance to any neighboring properties.

**II. ACC APPROVAL**

Applicant's submission of plans must include a completed application for ACC review and a site plan showing the proposed location of the improvement, along with pictures showing the location of the modification and the manufacturer's brochures or sample of material, if applicable. The color of the materials being used in relation to the house color, the visibility from public streets and neighboring properties/common areas and any noise created are of specific concern to the Association and the ACC.

Any installation not in compliance with this Policy will be considered a deed restriction violation.

This Rain Barrel Policy does not apply to property that is owned or maintained by the Association.

**CERTIFICATION**

I hereby certify that , as President of the Briar Meadows Creek Owners Association, Inc. , the foregoing Rain Barrel Policy was approved on the 5 day of July, 2016, at a meeting of the Board of Directors at which a quorum was present.

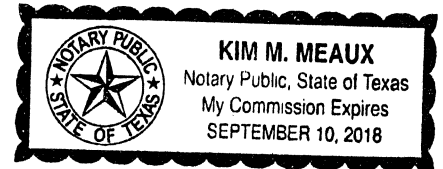
Frank Dworaczyk  
Frank Dworaczyk  
Title: President

STATE OF TEXAS §  
§  
COUNTY OF BRAZOS §

BEFORE ME, on this day personally appeared Frank Dworaczyk, the President of the Briar Meadows Creek Owners Association, Inc. , known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that s/he executed the same for the purposes herein expressed and in the capacity herein stated, and as the act and deed of said corporation.

Given under my hand and seal this the 5th day of July, 2016.

Kim M. Meaux  
Notary Public-State of Texas



*AFTER RECORDING, PLEASE RETURN TO:*  
Briar Meadows Creek Owners Association, Inc.  
c/o Association Services  
427 Dellwood St.  
Bryan, TX 77801 USA