

**BRIAR MEADOWS CREEK OWNERS ASSOCIATION, INC.
SATELLITE DISH ANTENNA 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, the Board of Directors of the Association ("Board") desires to establish a policy to regulate *Satellite Dish Antenna Policy* to provide clear and definitive information to owners.

WHEREAS, the Board recognizes until January 1, 1997, homeowner associations could prohibit a homeowner from installing a satellite dish antenna on his property and could enforce restrictions for installation and placement. With passage of the Telecommunications Act of 1996, home owners associations are prohibited from enforcing covenant banning, or even delaying installation of, a satellite dish antenna that is less than 39 inches (1 meter) in diameter. The Board cannot require property owners to request permission to have a dish installed unless it could cause a safety Hazard, which the Board must prove to the Federal Communications Commission (FCC).

In passing this new law, Congress believed that local restrictions were preventing viewers from choosing satellite TV reception because of the additional burdens that the restrictions imposed. To implement this legislation, on August 5, 1996, the Commission adopted a new rule that is intended to eliminate unnecessary restrictions on satellite TV reception antenna placement and use while minimizing any interference caused by local governments and associations.

The new rule prohibits restrictions that impair the installation, maintenance or use of antennas used to receive video programming. These antennas include satellite dishes for TV reception that are less than one meter (39") in diameter and TV antennas. The rule prohibits most restrictions that: (1) unreasonably delay or prevent installation, maintenance or use, (2) unreasonably increase the cost of installation, maintenance or use, or (3) preclude reception of an acceptable quality signal. This rule means that, in most circumstances, viewers will be able to install, use and maintain an antenna on their property if they directly own the property on which the antenna will be located.

The Telecommunications Act and this new rule are designed to promote competition among video programming service providers, enhance consumer choice, and assure wide access to communications.

The rule does not prohibit safety restrictions.

NOW THEREFORE, the Board has duly adopted the following *Satellite Dish Antenna Policy*:

I. SATELLITE DISH ANTENNA

A. Installation, Placement, and Maintenance of Satellite Dish

The following applies to Satellite Dish ("Dish") antenna reception only. All other conditions remain in effect.

1. For safety, satellite dish installation and placement will be accomplished by a licensed and insured professional satellite dish company or its agent.
2. Preferred Installation and Placement – Install Dish no further forward toward the street from where an existing cable organization box is placed. (Previously placed by another TV viewing service.) or, behind a fence facing a street. These preferred methods are in the event reception is not impaired. In the event of no cable organization box, the preferred method is behind a fence facing a street.
3. No Dish shall intrude on another association member property or common area managed by the Association.
4. Dish installation, placement, and maintenance will not provide safety hazards and will be in compliance with all local, state and federal law and policy.

CERTIFICATION

I hereby certify that, as President of the Briar Meadows Creek Owners Association, Inc., the foregoing *Satellite Dish Antenna Policy* was approved on the 10 day of January, 2018, at a meeting of the Board of Directors at which time a quorum was present.


Claude A. Cash
President

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

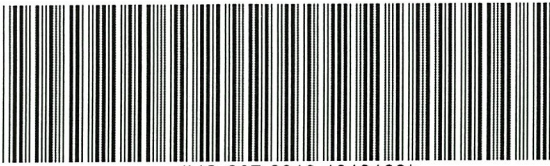
BEFORE ME, on this day personally appeared Claude A. Cash, the President of the Briar Meadows Creek Owners Association, Inc., known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that he executed the same for the purposes herein expressed and in the capacity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

Given under my hand and seal on the 11 day of January, 2018.





AFTER RECORDING, PLEASE RETURN TO:
Briar Meadows Creek Owners Association, Inc.
c/o Association Services
427 Dellwood Street
Bryan, Texas 77801



VG-267-2018-1319163

**Brazos County
Karen McQueen
County Clerk**

Instrument Number: 1319163

Volume : 14462

Real Property Recordings

Recorded On: January 22, 2018 01:56 PM

Number of Pages: 4

" Examined and Charged as Follows: "

Total Recording: \$34.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 1319163
Receipt Number: 20180122000101
Recorded Date/Time: January 22, 2018 01:56 PM
User: Ashlie P
Station: CCLERK08

Record and Return To:

Briar Meadows Creek Owners Association, Inc.
c/o Association Services
427 Dellwood
Bryan TX 77801



STATE OF TEXAS
COUNTY OF BRAZOS

I hereby certify that this Instrument was FILED In the File Number sequence on the date/time
printed hereon, and was duly RECORDED in the Official Public Records of Brazos County, Texas.

Karen McQueen
County Clerk
Brazos County, TX