



GENERATOR POLICY

Sienna Community Association Sienna Residential Association

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

I. PURPOSE

The purpose of this Generator Policy (“Policy”) is to assist owners in complying with the deed restrictions when installing generators on their property, as authorized by Texas Property Code Section 209.016.

II. APPLICABILITY AND AUTHORITY

This Policy pertains to the following entities and encumbers that property restricted by the Covenant and the Declaration (defined below):

1. Sienna Plantation Community Association, Inc., sometimes doing business as Sienna Community Association (“SCA”) as referenced in the Sienna Plantation Amended and Restated Master Covenant (Sienna Plantation Community Association, Inc.), recorded under Clerk’s File No. 2019035843 in the Official Public Records of Fort Bend County, Texas (“Covenant”), as same has been or may be amended from time to time and any other property which has been or may be subsequently annexed thereto and made subject to the authority of SCA.
2. Sienna Plantation Residential Association, Inc., sometimes doing business as Sienna Residential Association (“SRA”) as referenced in the Second Amended and Restated Declaration of Covenants, Conditions and Restrictions for Sienna Plantation (Sienna Plantation Residential Association, Inc.), recorded under Clerk’s File No. 2012104699 in the Official Public Records of Fort Bend County, Texas (“Declaration”), as same has been or may be amended from time to time, and any other property which has been or may be subsequently annexed thereto and made subject to the authority of SRA.

Any reference in this Policy to “Board”, “Boards”, “Association” or “Associations” applies to all of the above-mentioned entities. Any reference in this Policy to “Sienna” collectively means that property encumbered by the Declaration and the Covenant.

Each Board is authorized by its respective dedicatory instruments to adopt policies pertaining to the governance of the Association that it serves. Invalidation of any one or more of the covenants, restrictions, conditions, or provisions contained in this Policy shall in no way affect any of the other covenants, restrictions, conditions, or provisions which shall remain in full force and effect.

III. DEFINITION

“Standby Electric Generator” (“**Generator**”) means a device that converts mechanical energy to electrical energy and is: (i) powered by natural gas, liquefied petroleum gas, diesel fuel, biodiesel fuel, or hydrogen; (ii) fully enclosed in an integral manufacturer-supplies sound attenuating enclosure; (iii) connected to the main electrical panel of a residence by a manual or automatic transfer switch; and (iv) rated for a generating capacity of not less than seven (7) kilowatts.

IV. APPROVAL REQUIRED

As part of the installation and maintenance of a generator on an Owner’s Lot, an Owner may submit plans for and install a generator upon written approval by the Residential Review Committee (RRC).

V. APPLICATION REQUIREMENTS

To obtain the approval for a Generator, the Owner shall provide the RRC with the following information: (i) the proposed site location of the Generator on the Owner’s Lot; (ii) a description of the Generator, including a photograph or other accurate depiction; and (iii) the size of the Generator (the “**Generator Application**”). A Generator Application may only be submitted by a tenant if the Owner’s tenant provides written confirmation at the time of submission that the Owner consents to the Generator Application. The RRC is not responsible for: (i) errors or omissions in the Generator Application submitted for approval; (ii) supervising installation or construction to confirm compliance with an approved Generator Application or (iii) the compliance of an approved application with Applicable Law.

VI. PARAMETERS FOR APPROVAL

The installation and operation of permanently installed generators are permitted, subject to approval by the RRC, under the following parameters:

1. Generators must be installed and maintained in compliance with:
 - (a) the manufacturer's specifications; and
 - (b) applicable governmental health, safety, electrical, and building codes;
2. All electrical, plumbing, and fuel line connections for Generators shall be installed only by licensed contractors;
3. All electrical connections for Generators shall be installed in accordance with applicable governmental health, safety, electrical, and building codes;

4. All natural gas, diesel fuel, biodiesel fuel, or hydrogen fuel line connections for Generators shall be installed in accordance with applicable governmental health, safety, electrical, and building codes;
5. All liquefied petroleum gas fuel line connections for Generators shall be installed in accordance with rules and standards promulgated and adopted by the Railroad Commission of Texas and other applicable governmental health, safety, electrical, and building codes;
6. Nonintegral Generator fuel tanks shall be installed and maintained to comply with applicable municipal zoning ordinances and governmental health, safety, electrical, and building codes;
7. All Generators and their electrical lines and fuel lines shall be maintained in good condition;
8. Any deteriorated or unsafe component of a Generator, including electrical or fuel lines, shall be repaired, replaced, or removed, as appropriate;
9. A Generator shall be screened if it is:
 - (a) visible from the street that the residence faces;
 - (b) located in an unfenced side or rear yard of a residence and is visible either from an adjoining residence or from adjoining property owned by the Association; or
 - (c) located in a side or rear yard fenced by a wrought iron or residential aluminum fence and is visible through the fence either from an adjoining residence or from adjoining property owned by the Association;
10. Periodic testing of Generators should be in accordance with the manufacturer's recommendations, and shall occur no more than once a month, between the hours of 10:00 a.m. and 4:00 p.m.
11. The preferred location for Generators is:
 - (a) at the side or back plane of the home;
 - (b) outside of any easements located upon such Unit; and
 - (c) outside of all side setback lines for such Unit.

However, in the event that the foregoing preferred location either (i) increases the cost of installing the Generator by more than 10 percent, or (ii) increases the cost of installing and connecting the electrical and fuel lines for the standby electric generator by more than 20 percent, then the Generator shall be located on the Unit in a position that complies as closely as possible with the preferred location without violating either (i) or (ii) noted herein.

VII. PROHIBITIONS

1. Generators shall not be used to generate all or substantially all of the electrical power to a residence, except when utility-generated electrical power to the residence is not available or is intermittent due to causes other than nonpayment for utility service to the residence.

2. Owners are prohibited from locating Generators on property owned or maintained by the Association.

| Policy Name | Approved/Finalized | Revised |
|---|---------------------------|---------------------|
| Generator Policy | | May 10 and 11, 2022 |
| SPCAI Generator Policy | April 17, 2019 | |
| SPRAI Standby Electric Generator Policy | August 17, 2015 | |

CERTIFICATION

SIENNA COMMUNITY ASSOCIATION/TOLL-GTIS PROPERTY OWNER, LLC

I hereby certify that, as President of the Sienna Plantation Community Association, Inc., a Texas non-profit corporation, the foregoing Policy was approved on the 11th day of May, 2022, at a meeting of the Board of Directors at which a quorum was present.

DATED, this the 11th day of May, 2022

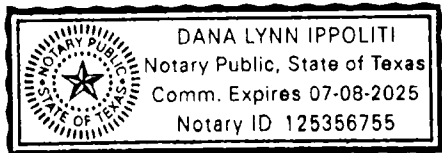
By: _____
Print Name: Jimmie F. Jenkins
Title: President

STATE OF TEXAS §

COUNTY OF FORT BEND §

BEFORE ME, on this day personally appeared Jimmie F. Jenkins, the President of Sienna Plantation Community Association, Inc., a Texas non-profit corporation, 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, in the capacity herein stated, and as the act and deed of said corporation.

Given under my hand and seal this the 11th day of May, 2022



Dana Ippoliti
Notary Public – State of Texas

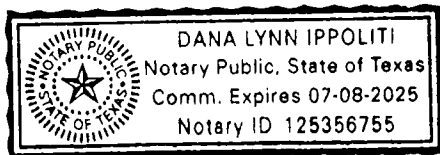
APPROVED, this the 11th day of May, 2022

TOLL-GTIS PROPERTY OWNER, LLC, a Texas limited liability company

By: _____
Print Name: Jimmie F. Jenkins
Title: Authorized Representative

THE STATE OF TEXAS §
COUNTY OF Fort Bend §

This instrument was acknowledged before me this 11th day of May, 2022 by Jimmie F. Jenkins Authorized Rep. of Toll-GTIS Property Owner, LLC, a Texas limited liability company, on behalf of said company.



Dana Ippoliti
Notary Public – State of Texas

CERTIFICATION
SIENNA RESIDENTIAL ASSOCIATION

I hereby certify that, as Secretary of the Sienna Plantation Residential Association, Inc., a Texas non-profit corporation, the foregoing Policy was approved on the 10th day of May, 2022 at a meeting of the Board of Directors at which a quorum was present.

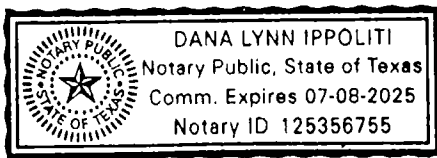
DATED, this the 10th day of May, 2022.

By: [Signature]
Print Name: Derek Goff
Title: Secretary

STATE OF TEXAS §
§
COUNTY OF FORT BEND §

BEFORE ME, on this day personally appeared Derek Goff, the Secretary of Sienna Plantation Residential Association, Inc., a Texas non-profit corporation, 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, in the capacity herein stated, and as the act and deed of said corporation.

Given under my hand and seal this the 10th day of May, 2022.



[Signature: Dana Ippoliti]
Notary Public – State of Texas

After Recording, Return To:
Dana Ippoliti
9600 Scanlan Trace
Missouri City, TX 77459