**BK: 5470 PG: 96**
**Recorded: 2/2/2016 at 10:25:17.337 AM**
**Fee Amount: $17.00**
**Revenue Tax:**
**Kim Painter RECORDER**
**Johnson County, Iowa**

**Prepared By and Return to: Thomas H. Gelman, 321 E. Market, P.O. Box 2150, Iowa City, IA, Phone: 319/354-1104**

# SOLAR PANEL POLICY

## Walnut Ridge Homeowners Association

## Applicable to Walnut Ridge Subdivision, Parts 1-10, Iowa City, Iowa According to the recorded Plats thereof

1. The *Declaration of Covenants, Conditions and Restriction* ("Covenants") applicable to Walnut Ridge Subdivision, Parts 1 – 10, Iowa City, Iowa, among other matters provides:

> 5.1 Plan Approval. No Building, fence, wall or other structure shall be commenced, erected or maintained within the Subdivision, nor shall any exterior addition to or change or alteration therein, be made until the plans and specifications showing the nature, kind, shape, height, materials, and location of the same shall have been submitted to and approved by the Developer as hereinafter provided.
>
> 5.2. Contents of Approved Plan. Complete plans and specifications for the proposed construction shall be submitted to the Developer or its nominee or assignee for approval. In addition to the plans and specifications for proposed structures, the application for approval shall show the location and types of any fences, parking areas, plantings, landscaping, exterior lighting and other relevant matters, including the location on the lot of all proposes improvements, the materials to be used and the color scheme proposed. The application shall also set forth a time schedule for the construction of such improvements, and in no event will the application be approved when the proposed construction will not commence within one (1) year from the date of the application.

2. The Walnut Ridge Homeowners Association ("Association") is the assignee and successor to the Developer for reviewing applications for improvements to the lots ("Applications") within Walnut Ridge Subdivision, which review authority is exercised through the Association's Board of Directors ("Board")

as authorized in Section 11.2 of the Covenants, and in accordance with the procedures set out in the Association's bylaws ("Bylaws").

3. In order to inform lot owners within Walnut Ridge Subdivision of certain guidelines that will be applicable to the Board's review of Applications, from time to time the Board will adopt one or more policies ("Policy" or "Policies") intended to be applicable to certain kinds of improvements that might be initially or subsequently installed by a lot owner.

4. At the Board's duly called meeting on Jan. 29, 2016, at which a quorum of the Board was present, by the requisite majority vote the Board approved the following Policy regarding how the Board will review applications for or including active (electricity generating) or passive (heat generating) solar panels:

## Walnut Ridge Subdivision Solar Panel Review Policy

1) Roof mounted solar panels will generally be acceptable if installed in compliance with the remainder of this Policy.

2) Every reasonable effort should be made by the owner (or owner's representatives) to choose panels that match, closely approximate or blend with roof color and materials to facilitate a coordinated, cohesive and visually neutral appearance.

3) Ground array or pole mounted solar panels will be subject to closer Board Scrutiny for safety, interference with views, neighborhood aesthetics, visual implications for neighboring properties, and other factors affecting the health, safety, property values and general welfare of persons residing in the Subdivision and particularly in the vicinity of such panels.

4) Any and all required permits for solar panels and their installation must be obtained prior to installation. All Solar panels must be installed by a licensed contractor in accordance with applicable building code requirements and manufacture's recommendations if more stringent. All required or recommended measures intended to prevent panels from detaching during severe storms must be followed. It shall be the sole responsibility of the lot owner(s) and his/her/their representatives to ensure that these and any other installation requirements are appropriately met.

5) Nothing in this Policy is intended to relieve an owner of the obligation to submit an Application to the Board, in accordance with the Covenants, for any solar panel installation.

5. This Policy will be in effect unless and until duly revoked, amended or otherwise modified by the Board in accordance with the Bylaws and Covenants.

6. This Policy is to be effective upon adoption. The Board will endeavor to distribute copies of this Policy to owners of all of the Lots in Walnut Ridge Subdivision at the time of adoption. The Board may file this Policy in the Office of the Johnson County Recorder, but such recording is not a condition for the Board's implementation.

[Signature and Acknowledgement Page Follows]

Duly Adopted by the Board on Jan. 29, 2016

Sara Braverman, Board President
Walnut Ridge Homeowners Association

ATTEST:

Board Secretary
Walnut Ridge Homeowners Association

**State of Iowa, County of Johnson) SS**

The foregoing instrument was acknowledged before me on Jan 29th, 2016 by Sara Braverman as President of Walnut Ridge Homeowners Association.

BRUCE D. KOUT
Commission Number 702280
My Commission Expires
March 16, 2018

Notary Public in the State of Iowa
My commission expires on: 3-16-18

**State of Iowa, County of Johnson) SS**

The foregoing instrument was acknowledged before me on Jan 29th, 2016 by [illegible] as Secretary of Walnut Ridge Homeowners Association.

BRUCE D. KOUT
Commission Number 702280
My Commission Expires
March 16, 2018

Notary Public in the State of Iowa
My commission expires on: 3-16-18