

COLLEGE SQUARE ASSOCIATION, INC.
d/b/a COLLEGE SQUARE CONDOMINIUM
DATE ADOPTED: 27 June 2023
BOARD OF DIRECTORS POLICY RESOLUTION
RELATING TO SOLAR ENERGY COLLECTION DEVICES

WHEREAS, College Square Association Inc, (hereinafter "Association" was created by the recordation in the Clerk's Office) of the Circuit Court of the City of Suffolk , Virginia, of various Declarations beginning on June 20, 1985, and recorded at Deedbook 149, Page 660 (hereinafter "Declaration ") and

WHEREAS, the Association has adopted Bylaws (hereinafter "Bylaws" which govern the Association and which are recorded in the Circuit Court of the City of Suffolk at Deedbook, 149, page 689; and

WHEREAS, Article VI, Section 2 of the Bylaws states that the Board of Directors (hereinafter "Board") shall have the powers and duties necessary for the administration of the affairs of the Association...; and

WHEREAS, the Bylaws state the Board shall have the power from time to time to adopt any Rules and Regulations deemed necessary for the benefit of the Association; and

WHEREAS, Section 55.1-1951.1 of the Code of Virginia (hereinafter "Code") expressly permits a Unit Owners Association to prohibit the installation of solar energy collection devices on the common elements or common area; and

WHEREAS, Section 55.1-1951.1 of the Code permits a Unit Owner's Association to place reasonable restrictions on the size, placements, and manner of placement of solar energy collection devices on the common elements/areas and in areas intended for individual ownership and use; and

WHEREAS, the front and back yards of the owners are considered to be Common Elements, specifically, Limited Common Elements, in that they are Common Elements intended for the exclusive use of one or more, but less than all of the Unit Owners; and

NOW, THEREFORE BE IT RESOLVED THAT, the Board of Directors of College Square Association, Inc. adopts the following Policy Resolution Relating to Solar Energy Collection Devices as follows:

- I. Definitions
 - a. The term "Solar Energy Collection Device" means any device manufactured and sold for the purpose of facilitating the collection and beneficial use of solar energy, including passive heating panels or building components and solar photovoltaic apparatus as per Section 55.1-1951.1 of the Code.
 - b. The term "Common Area" means all real property controlled and managed by the Association for the common use and enjoyment of the members of the Association ... as per Article II , Section 3 of the Bylaws.
 - c. The term "Unit" shall mean and refer to a portion of the condominium designed and intended for individual ownership and use, as per Article II, Section 4 of the Bylaws.

- II. Solar Energy Collection Devices Regulations:
- a. The Board expressly prohibits the installation of Solar Energy Collection Devices on the Common Elements or in the Common Area, as per Section 55.1-1951.1 of the Code. This prohibition includes, but is not limited to, roofs, porches, brick or wooden siding, trim, doors, windows, gutters, fences, or gates of the Units as per Article III of the Declaration.
 - b. Solar Energy Collection Devices may be installed in the back yard(s) of any Unit within the Association using a metal pole or bracket secured in a concrete foundation the total height of which may not exceed ten (10) feet above the level ground surface.
 - c. Solar Energy Collection Devices may not be installed in the front yard of any Unit within the Association.
 - d. All solar panel collections devices must comply with established architectural standards and maintain harmony among all Units within the Association.
- III. Conflict between this Resolution, the Association's Declaration and Bylaws and the Virginia Code. In the event of any conflict between the provisions of this Resolution , the Association's Declaration and Bylaws and /or the Code, said conflicts will be resolved as follows: The Code will take priority, then the Declaration, then the Bylaws, and finally this Resolution.

BE IT FURTHER RESOLVED, this Policy Resolution Relating to Solar Energy Collection Devices shall be effective July 31, 2023; and

BE IT FURTHER RESOLVED, effective upon execution of this Resolution, the Board Members, Officers, and Association Managing Agent are authorized to perform all acts authorized by and to perform all duties and satisfy all obligations existing pursuant to this Resolution; and

BE IT FURTHER RESOLVED, any person or entity transacting business with the Association shall be entitled to rely on this Resolution until such Resolution is amended, modified, or revoked.

SIGNED, ADOPTED, APPORVED, RATIFIED, AND ACCEPTED BY THE Board of Directors for College Square Association, Inc.

PRESIDENT'S CERTIFICATION:

I, Edgar Herndon, the President of College Square Association, Inc., do hereby certify that this Policy Resolution was signed, adopted, ratified, and accepted by a majority of the Board of Directors.

Edgar Herndon

President

COMMONWEALTH OF VIRGINIA
CITY OF SUFFOLK, TO WIT:

I, Ashley Jones, a Notary Public in and for the City aforesaid, in the Commonwealth of Virginia, do hereby certify that Edgar Herndon, President, College Square Association, Inc., whose name is signed to the above Policy Resolution bearing date on the 27 day of June, 2023, has acknowledged the same before me in my City aforesaid.

Given under my hand this 27 day of June, 2023.

NOTARY PUBLIC

MY COMMISSION EXPIRES:

MY REGISTRATION NUMBER IS:



SECRETARY'S CERTIFICATION:

I, Molly Feanny, the Secretary of College Square Association, Inc., do hereby certify that this Policy Resolution was signed, adopted, ratified, and accepted by a majority of the Board of Directors.

M Feanny

Secretary

COMMONWEALTH OF VIRGINIA
CITY OF SUFFOLK, TO WIT:

I, Ashley Jones, a Notary Public in and for the City aforesaid, in the Commonwealth of Virginia, do hereby certify that Molly Feanny, Secretary, College Square Association, Inc., whose name is signed to the above Policy Resolution bearing date on the 27 day of June, 2023, has acknowledged the same before me in my City aforesaid.

Given under my hand this 27 day of June, 2023.

NOTARY PUBLIC
MY COMMISSION EXPIRES:
MY REGISTRATION NUMBER IS:

