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December 17, 2014

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Nipendra Patel
106 Powder Horn Road
Bastrop, Texas 78602

**Re: *The Colony Homeowners Association, Inc./Patel – 106 Powder Horn Road,
Bastrop, Texas 78602.***

CEASE AND DESIST

Property: Lot 22, Block B, The Colony Section Two, according to the map or plat thereof recorded under Cabinet 4, Page 9B, of the Plat Records of Bastrop County, Texas, more commonly known as 106 Powder Horn Road, Bastrop, Texas 78602 (the "**Property**")

Association: The Colony Homeowners Association, Inc. (the "**Association**")

Dear Mr. Patel:

This Firm represents The Colony Homeowners Association, Inc., a Texas non-profit corporation (the "**Association**"). We are writing specifically with regard to the installation of solar panels on your Property.

It has been observed that you have commenced construction of solar panels on your Property that are in violation with the plans approved by the architectural review authority under the Declaration (the "**ACC**"). We request that you cease any further construction of the solar panels. As you are aware, The Colony and your Property is subject to and encumbered by the terms and conditions of the Amended Declaration of Covenants, Conditions and Restrictions for The Colony, recorded under Document No. 200005647 of the Official Public

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Records of Bastrop County, Texas, as amended (the "**Declaration**") and The Colony Community Manual, recorded in Book 2115, Page 1 of the Official Public Records of Bastrop County, Texas (the "**Community Manual**") (collectively referred to as the "**Restrictions**"). The Solar Device Policy for The Colony is set forth in Attachment 4 to the Community Manual. The Declaration is a contractual obligation assumed by you upon your purchase of the Property. The Community Manual was adopted by the Board of the Association pursuant the terms and conditions of the Declaration.

The Colony is presently controlled by the Developer/Declarant, and The Colony is within the development period. As permitted by Chapter 202 of the Texas Property Code and as set forth in Section B of the Solar Device Policy, during the development period, the ACC need not adhere to the terms of the Solar Device Policy and may approve, deny, or further restrict installation of any solar device. The ACC has approved installation of the panels on the rear of your home only.

Continued installation of solar panels that have not been expressly approved by the ACC will result in a violation of certain covenants contained in the Declaration. In particular, installation of unapproved solar panels would be in violation of *Section 3.06* of the Declaration.

Section 3.06 Construction of Improvements.

"No Improvements shall hereafter be constructed upon any portion of the Property without the prior written approval of the ACC. . . The positioning of all Improvements upon Lots within the Property is hereby expressly made subject to ACC review and approval."

YOU ARE HEREBY DIRECTED TO CEASE AND DESIST IMMEDIATELY THE CONSTRUCTION OF THE SOLAR PANELS ON YOUR PROPERTY AND TO IMMEDIATELY REMOVE THE CONSTRUCTION TO DATE RELATED TO SUCH SOLAR PANELS THAT IS IN VIOLATION OF THE PLANS APPROVED BY THE ACC. NO FURTHER NEW CONSTRUCTION OR MODIFICATIONS MAY BE MADE OR COMMENCED WITHOUT COMPLIANCE WITH THE RESTRICTIONS, INCLUDING SUBMISSION OF PLANS AND WRITTEN APPROVAL OF SUCH CONSTRUCTION BY THE ACC OF THE ASSOCIATION.

Your immediate attention to this matter is required. **Your failure to cease and desist the installation of the solar panels on your Property and remove the construction in violation of the ACC's approval within ten (10) days from this letter will result in the Association seeking reimbursement from you for all reasonable attorney's fees and costs incurred by the Association** which relate to enforcing the terms and conditions of the Restrictions. This notice is not intended to advise you of your legal rights or obligations. You should consult an attorney of your choice to protect your interests. Please let us know immediately if you have or will retain the services of legal counsel in this matter. All future correspondence and

communications in this matter from you or your attorney must be directed to me at the letterhead address and telephone number.

Thank you for your time and attention to this matter.

Sincerely,
WINSTEAD PC



Robert D. Burton, Shareholder

Cc: The Colony Homeowners Association, Inc.