

**RESOLUTION of the Board of Directors of SpringPointe Homeowners Association, Inc.
Regarding responsibilities for insurance and for maintenance of solar energy devices**

RECITALS – WHEREAS:

- A. The governing documents of the SpringPointe Homeowners Association (“the Association”), an Arizona non-profit corporation, define the terms “Owner,” “ Dwelling Unit or Unit,” and “Lot” as used herein.
- B. Arizona statute 33-1816 regulates a homeowners association’s authority over the installation or use of a “solar energy device,” as defined in Arizona statute 44-1761.
- C. All Dwelling Units at SpringPointe were originally built and equipped with connections to an available electrical power utility system, and none were originally built or equipped with solar energy devices.
- D. The Covenants, Conditions and Restrictions for SpringPointe (“CC&Rs”) do not mention solar energy devices and none were installed when the CC&Rs were adopted in 2003.
- E. The governing documents of the Association state that the Association shall obtain and maintain in force certain policies of insurance.
- F. Article 7 of the CC&Rs, as amended, prescribes the type of insurance and specifies the responsibilities of the Association and the Owners to place and maintain in force at all time appropriate insurance to protect the Owners and the Association.
- G. Article 5.5 of the CC&Rs describes the Owner’s responsibility for exterior maintenance and repair of Dwelling Units.
- H. It is now the intent of the Association’s Board of Directors to clarify responsibilities for insurance coverage for any solar energy device installed or used at an Owner’s Dwelling Unit and/or Lot. Further, it is the intent of the Association’s Board of Directors to clarify maintenance and repair responsibilities with regard to solar energy devices.

RESOLUTION – NOW THEREFORE BE IT RESOLVED THAT, in consideration of the Recitals above, the following be adopted and fully in effect on the date below:

- A. Solar energy devices as defined in Arizona statute 44-1761 are not included, or intended to be included, among the insured elements in SpringPointe CC&Rs section 7.1.2.1 (first amendment, recorded 09/05/2003).
- B. The Association shall have no responsibility or obligation to obtain or maintain property loss or damage insurance for any solar energy device installed or used on any Owner’s Dwelling Unit and/or Lot.
- C. Owners are advised to obtain and maintain their own property loss or damage insurance for any solar energy device installed or used on their Dwelling Unit and/or Lot.
- D. Owners who have a solar energy device on their Dwelling Unit or Lot shall be solely responsible for the maintenance and repair of such device, and for the repair or replacement to the Unit resulting from damage caused by installation, operation, and/or removal of the solar energy device.

Approved by majority vote of the SpringPointe Homeowners Association Board of Directors and dated

on this 4th day of April, 2022 by: James S. Armstrong
James S. Armstrong, President

Attested by: James Erwin
James Erwin, Secretary