

**FAIRWAY HOMEOWNER'S ASSOCIATION, INC.
RULES FOR INSTALLATION
OF SATELLITE DISHES AND ANTENNAS**

I. Preamble

These rules are adopted by the Board of Directors of Fairway Homeowner's Association, Inc. on the first day of April, 1998.

WHEREAS, Fairway Homeowner's Association, Inc. ("the Association") is responsible for governance and maintenance of the Fairway Townhomes ("the Community"); and

WHEREAS, the Association is authorized to adopt and enforce reasonable rules and regulations in the best interests of the Community, pursuant to the Bylaws, Article VIII, Section 1(a) and the Texas Property Code, Section 204.010(6); and

WHEREAS, the Federal Communications Commission ("the FCC") adopted a rule effective October 14, 1996, preempting certain restrictions in the governing documents concerning the installation, maintenance, and use of direct broadcast satellite dishes, television antennas, and multipoint distribution service dishes ("dishes or antennas"); and

WHEREAS, the Association desires and intends to adopt reasonable restrictions governing installation, maintenance, and use of antennas in the best interests of the Community and consistent with the FCC rule.

NOW THEREFORE, the Association adopts the following restrictions and regulations for the Community, hereinafter referred to as the "Rules", which shall be binding upon all owners and their grantees, lessees, tenants, occupants, successors, heirs, and assigns who currently or in the future may possess an interest in the Community, and which shall supersede any previously adopted rules on the same subject matter.

II. Installation Rules

A. Size and Type

1. Direct broadcast satellite dishes and multipoint distribution service dishes that are one meter or less in diameter may be installed. Dishes larger than one meter are prohibited.
2. Antennas designed to receive television broadcast signals may be installed.
3. Installation of transmission antennas are prohibited.
4. **All antennas not covered by the FCC rule are prohibited.**

B. Location

1. If acceptable quality signals may be received by placing antennas inside a dwelling, without unreasonable delay or unreasonable cost increase, then outdoor installation may be prohibited.
2. Dishes and antennas shall be located in a place shielded from view from the street or from other lots to the maximum extent possible.
3. Dishes and antennas shall be installed solely on individually-owned property and shall not encroach upon common areas or any other owner's property.

C. Installation

1. Dishes and antennas shall be no larger nor installed higher than is absolutely necessary for reception of an acceptable-quality signal.
2. All installations shall be completed so that they do not damage the common areas of the Association or the lot of any other resident, or void any warranties of the Association or other owners, or in any way impair the integrity of buildings on common areas or lots.
3. Owners are responsible for all costs associated with the dish or antenna, including but not limited to costs to do the following:
 - a. Place (or replace), repair, maintain, and move or remove them;
 - b. Repair damages to the common property, other lots, and any other property damaged by dish or antenna installation, maintenance or use;
 - c. Pay medical expenses incurred by persons injured by dish or antenna maintenance, or use;
 - d. Reimburse residents or the Association for damages caused by installation, maintenance, or use.
4. Dishes and antennas must be secured so that they do not jeopardize the soundness or safety of any other owner's structure or the safety of any person at or near antennas, including damage from wind velocity based upon a unique location.

D. Maintenance

1. Owners shall not permit their dishes or antennas to fall into disrepair or to become safety hazards.
2. Owners shall be responsible for dish or antenna maintenance and repair.
3. Owners shall be responsible for repainting or replacement if the exterior surface of dishes or antennas deteriorates.

III. Antenna Camouflaging

- A. Dishes situated on the ground and visible from the street or from other lots must be camouflaged by existing

landscaping or fencing if an acceptable quality signal may be received from such placement. If no such existing landscaping or screening exists, the Association may require the dish to be screened by new landscaping or screening of reasonable cost.

- B. Unless the manufacturer asserts that painting may prevent the receipt of an acceptable quality signal, dishes and any visible wiring must be painted to match the color of the structure to which it is installed.

IV. Association Maintenance of Locations upon Which Antennas Are Installed

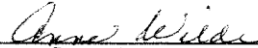
- A. If dishes or antennas are installed on property for which the Association has maintenance responsibility, owners retain responsibility for dish or antenna maintenance. Owners must not install dishes or antennas in a manner that will result in increased maintenance costs for the Association or for other residents. If such damage occurs, owners are responsible for these costs.
- B. If maintenance requires dish or antenna removal, the Association shall provide owners with 10 days' written notice. Owners shall be responsible for removing dishes or antennas before maintenance begins. If owners do not remove them by the required time, then the Association may do so, at owners' expense. The Association is not liable for any resulting damage to dishes or antennas.

V. Enforcement

If these rules are violated, the Association may, after giving notice and an opportunity to be heard, bring an action to enforce the rules in the same manner that any other violation of the restrictions or rules may be enforced, including a request for civil damages and/or injunctive relief.

XI. Severability

If any provision is ruled invalid, the remainder of these rules shall remain in full force and effect.


Secretary