

Solar Panel Rules, Regulations and Energy Policy Statement

At a Special Zoom Meeting of owners of East Peoria Harbor Pointe Homeowners' Association, Inc. (HOA), as called by the President of its Board of Directors (Directors) on the 14th day of November, 2022, at 6:00 PM, after due and proper Notice to all owners of Units at said East Peoria Harbor Pointe pursuant to Article III, Sections 2 and 4 of the HOA's 2021 By Laws, as recoded in Tazewell County, Illinois on October 8, 2021, as Document Number 202100018453, and there being a quorum of owners present virtually via Zoom or through their validly executed proxies, which were submitted before said meeting, the following Energy Policy Statement, Rules and Regulations were passed by the Board pursuant to Article IV, Section 10, of those 2021 By Laws with respect to accepting and dealing with any properly written and submitted requests by owners to install solar panels on the roofs of their Units, including attached garages:

1. The Board hereby acknowledges, accepts and encourages the use, terms and conditions of Illinois Statute 765 ILCS 165, as has been, or may hereafter be, implemented from time to time by the Illinois General Assembly, and it hereby establishes these Rules, Regulations and the HOA's Policy Statement.

2. Any present or future owner of any Unit in Harbor Pointe that does not have a shared roof (defined by Illinois Statutes as one that does not serve more than one Unit, including, but not limited to, a contiguous roof serving adjacent Units) may submit in writing to the Board, through its Property Management Firm, Core3, which is currently located at 751 W. Joan Court, Peoria, Illinois 61614, telephone number 309-839-0743, e mail "appeoria@core3pm.com", an Application to install and maintain, at the owner's sole expense, solar panels on the roof of the owner's single roof

Unit, including attached garages, together with appropriate or requested documents, including, but not limited to, a copy of the proposal from Legacy Solar to be executed by the owner for obtaining, installing and maintaining said solar panels, drawings of the placement of said solar panels, descriptions and photos reflecting the size of the panels and their height over the roof of said Unit or garage, their color and shape, a written statement executed by the owner that no work will begin until Legacy Solar and the owner have obtained all required permits, including a written architectural feasibility approval and written approval by all Governmental agencies that its standards and requirements have been met by said owner, and that the owner may proceed.

3. The Board shall within 30 days after receiving the above owner's written request and attached documents make a written determination as to the approval or rejection of that owner's request stating its reasons for any rejection, together with any alternative suggestions the Board might make, provided those other suggestions do not diminish or reduce the expected production of the requested solar system by 10% or more, as determined by the HOA's preferred design and installation company, Legacy Solar.

4. The Board, in its review of an owner's application, may consult with the roofing company then servicing its Units, which company is presently Massey Roofing of Peoria, Illinois, and/or with its preferred solar design and installation company, Legacy Solar or SunPower (the company making the solar panels), as well as with representatives of the City of East Peoria and/or the State of Illinois.

5. Should the owner, after Board approval, install solar panels on the roof of the owner's Unit, including an attached garage roof, the owner shall be solely responsible for all lease, sale or other payments for the lease or purchase of said solar panel system, as well as for all of their maintenance and upkeep. In addition, the owner shall at all times hold the HOA harmless from any liens against said Unit or attached garage and from any such payments or obligations under the owner's leasing or purchasing agreement.

6. The owner shall, at the owner's sole expense, pay for the removal and reinstallation of said solar panel systems if the Board, in its sole discretion, determines that the roof under the panels needs repairs and/or replacement, and that any damage to the Unit's roof or attached garage roof or to other outside structures and landscaping caused by said removal and replacement shall be repaired to satisfaction of the Board at the owner's sole expense.

7. Should the present or any subsequent owner of the Unit or the owner's bank, seller or other financial institution choose to remove the solar panel systems from said Unit, for any reason, any and all damage to the roof of said Unit or attached garage, to any outside structures and/or to landscaping shall be immediately repaired to the Board's sole approval by the party causing said removal.

8. Owner shall, immediately after completion of a solar panel system, add to the owner's homeowner's insurance policy coverage for all parts of the installed solar panel system. The owner will immediately thereafter provide to the HOA Board, through its Property Management Company, Core3, written confirmation thereof from the owner's insurance company that the solar panel system is covered for fire, water, wind, hail, etc. damage. Owner shall simultaneously acknowledge in writing that the installed solar panel system is not by any means covered by any HOA insurance, and that the HOA is not responsible in any way for any present or future repair or maintenance of the owner's solar panel system.

9. Should it become necessary for the Board to enforce any provisions contained herein against any owner, an owner's purchaser(s), successors, assigns, lessors, sellers or financial institutions, Paragraph 15 of the HOA's 2017 Rules shall become effective, including the collection of attorneys' fees, court costs and/or other expenses incurred by the Board in its enforcement.

Acknowledgement:

The adoption of the above Rules, Regulations and Energy Policy Statement became effective and binding on February 1, 2023, which was more than 60 days after the adoption of these Rules, Regulations and Energy Policy Statement on November 14th, 2022, because there were no vetos by owners of Harbor Pointe Units and no Special Meetings were called by any owners of those Units as provided and allowed in Article IV, Section 10, of said HOA's By Laws.

And, the undersigned, under oath, hereby verifies and states that the above described Solar Panel Rules, Regulations and Energy Statement, and its effective date are true and correct, and that they shall immediately be posted in the HOA's web page by its Secretary.

Dated this 1ST day of February, 2023.

James Carmany HOA President
James Carmany

Subscribed and sworn to before me this 1ST day of February, 2023.

Sandra L. Corser
Notary Public

