

[                    ]  
**HOMEOWNER’S ASSOCIATION, INC.**

**Drones and Unmanned Aircraft**

**WHEREAS**, the Board of Directors (the “Board”) of [                    ] Homeowner’s Association, Inc. (the “Association”) wishes to adopt reasonable guidelines to establish a Drones and Unmanned Aircraft Policy; and

**WHEREAS**, the Board wishes to adopt these reasonable guidelines regarding restrictions for Drone and Unmanned Aircraft; and

**WHEREAS**, the Board intends to file these guidelines in the real property records of each county in which the subdivision is located, in compliance with Section 209.005 of the Texas Property Code; and

**WHEREAS**, this policy may be amended at any time and from time to time by the Board of Directors by Resolution without consent or joinder of the Members, notwithstanding, notice to Owners regarding the adoption, amendment, or rescinding of any policy is required; and

**NOW, THEREFORE, IT IS RESOLVED** that the following guidelines for Drones and Unmanned Aircraft are established by the Board:

1. Drone and Unmanned Aircraft Use is subject to Government Code Title 4, Subtitle B, and Chapter 423 of the Texas Statute.
2. Any Owner operating or using a drone or unmanned aircraft within the Property and related airspace must register such drone or unmanned aircraft with the Federal Aviation Administration (“FAA”), to the extent required under applicable FAA rules and regulations, and mark such done or unmanned aircraft prominently with the serial number or registration number on the drone or unmanned aircraft for identification purposes. Any use of a drone or unmanned aircraft contrary to the lawful uses as set forth in Chapter 423 of the Government Code is subject to violation, monetary fine, and shall be reported to local law enforcement or governmental agencies governing the illegal use of drones or unmanned aircraft.
3. BY ACCEPTANCE OF TITLE TO ANY PORTION OF THE PROPERTY, EACH OWNER ACKNOWLEDGES THAT USE OF A DRONE OR UNMANNED AIRCRAFT TO TAKE IMAGES OF PRIVATE PROPERTY OR PERSONS WITHOUT CONSENT MAY BE A VIOLATION OF TEXAS LAW AND CLASS C MISDEMEANOR SUBJECT TO LEGAL ACTION AND FINES UP TO \$10,000. IT IS YOUR RESPONSIBILITY TO KNOW AND COMPLY WITH ALL LAWS APPLICABLE TO YOUR DRONE AND/OR UNMANNED AIRCRAFT USE. “Image” means any capturing of sound waves, thermal, infrared, ultraviolet, visible light, or other electromagnetic waves, odor, or other conditions on or about real property in the state of Texas or an individual located on the Property.

**[Signature Page to Follow]**

**IT IS FURTHER RESOLVED**, that this Policy replaces and supersedes, in all respects, all prior policies and resolutions addressing the Drones and Unmanned Aircraft Policy filed by the Association, and is effective upon its filing with the office of the county clerk, and shall remain in force and effect until revoked, modified, or amended by the Board.

**IN WITNESS WHEREOF**, the Board has caused this Policy to be executed by its duly authorized representative as of the \_\_\_\_ of \_\_\_\_\_, 20\_\_.

[ ] Homeowner’s Association, Inc., a Texas non-profit corporation

Name: \_\_\_\_\_

Title: [ ], Board President

The undersigned, being the duly appointed and authorized Secretary of [ ] (the “Association”), a Texas nonprofit corporation, do hereby certify that this Drones and Unmanned Aircraft Policy was adopted by the Board of Directors by at least majority of the Board on the [ ] day of [ ] 20\_\_, and are in full force and effect.

By: \_\_\_\_\_  
[ ], Board Secretary