

NOTICE
C

20120124927
03/23/2012 ER \$28.00

**CERTIFICATE OF ADOPTION
OF
UNITED STATES, STATE OF TEXAS AND UNITED STATES ARMED FORCES
FLAG DISPLAY GUIDELINES
OF
VILLAS AT LAKEWOOD PARK COMMUNITY ASSOCIATION, INC.**

STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF HARRIS §

WHEREAS, the Board of Directors (the "Board") of Villas at Lakewood Park Community Association, Inc., a Texas non-profit corporation (the "Association") is charged with administering and enforcing those certain covenants, conditions, and restrictions encumbering the Villas at Lakewood Park community (the "Community"); and

1EE

WHEREAS, Chapter 202 of the Texas Property Code was amended effective June 17, 2011, to add Section 202.011 ("Section 202.011") thereto; and

WHEREAS, Section 202.011 allows a property owners' association to adopt and enforce reasonable rules and regulations regarding the display of flags of the United States, the State of Texas and any branch of the United States armed forces (herein, collectively called "flags" and individually called "flag"); and

WHEREAS, the Board has determined that in connection with providing reasonable rules and regulations regarding the display of flags, it is appropriate for the Association to adopt flag display guidelines; and

WHEREAS, the Bylaws of the Association provide that a majority of the members of the Board shall constitute a quorum for the transaction of business and that the action of a majority of the members of the Board at a meeting at which a quorum is present is the action of the Board; and

WHEREAS, the Board held a meeting on March 1, 2012 (the "Adoption Meeting"), at which at least a majority of the members of the Board were present and duly passed the flag display guidelines described herein below (the "Flag Display Guidelines").

NOW, THEREFORE, to give notice of the matters set forth herein, the undersigned, being the President of the Association, does hereby certify that at the Adoption Meeting, at least a majority of the members of the Board were present and the Board duly adopted the Flag Display Guidelines. The Flag Display Guidelines are effective upon recordation of this Certificate in the Official Public Records, and supplement any restrictive covenants, guidelines or policies regarding the display of flags which may have previously been in effect for the Community unless such restrictive covenants, guidelines or policies are in conflict with the Flag Display Guidelines, in which case the terms of the Flag Display Guidelines will control. The Flag Display Guidelines are as follows:

ER 031 - 13 - 0652

CATEGORY 1***(HOUSE OR GARAGE MOUNTED FLAGPOLES)***

Flagpoles six feet (6') in length or less must be mounted on the house or garage using a bracket manufactured for flagpoles. Flagpoles must be constructed of long lasting materials with a finish appropriate to the material used in the construction of the flagpole and harmonious with the dwelling. The flag may not exceed three (3') feet in height by five (5') feet in width. The flagpole must be removed when the flag is not displayed.

CATEGORY 2***(IN-GROUND MOUNTED FLAGPOLES)***

Flagpoles longer than six (6') feet must be mounted in-ground. Permanent in-ground flagpoles are generally defined as those that are installed in an appropriate footing (usually concrete) and are not meant to be removed unless the flagpole is being replaced. Temporary in-ground flagpoles are generally defined as those poles that are installed in the ground by a sleeve system that is designed to allow the easy removal and reinsertion of the pole. In-ground flagpoles must be in compliance with applicable easements, set backs and ordinances. Flagpoles must be constructed of metal with a finish appropriate to the materials used in the construction of the flagpole and harmonious with the dwelling. Flagpoles may only be installed in front yards and within the established building lines.

If a flag is to be displayed daily (from dusk till dawn), then a permanent in-ground flagpole must be installed. If a flag is only going to be displayed on specific holidays (as per the United States Flag Code [4 U.S.C. Section 1, *et. seq.*] [the "Flag Code"]) or less frequently than every day, then the flagpole must be a temporary in-ground flagpole and the flagpole must be removed from the ground on those days that a flag is not being displayed.

The top of in-ground flagpoles may not be taller than twenty (20') feet when measured from ground level (including all flagpole ornamentation). The size of the flag must be appropriate for the height of the flagpole, but, in any event, may not exceed four (4') feet in height by six (6') feet in width for flags mounted on in-ground flagpoles taller than fifteen (15') feet but no taller than twenty (20') feet when measured from ground level (including all flagpole ornamentation). The size of the flag mounted on in-ground flagpoles shorter than fifteen (15') feet when measured from ground level (including all flagpole ornamentation) may not exceed three (3') feet in height by five (5') feet in width. Flagpole halyards must be of a type which do not make noise and must be securely fastened. Flagpoles must be mounted on an appropriate footing and, if this footing is visible, it must be screened with adequate landscaping.

MINIMUM CONDITIONS

In addition to the foregoing requirements, no flagpole shall be erected, constructed, placed, or permitted to remain on any lot and no flag shall be displayed on any lot unless such installation and display strictly complies with the following minimum conditions:

- a. The proposed location of the flagpole must be submitted to the Association's Architectural Control Committee for prior written approval, but, in any event, may not be closer than ten (10') feet to any street curb.

- b. No more than one (1) in-ground mounted flagpole per lot may be installed. No more than one (1) flag per property may be displayed at any one (1) time.
- c. The one (1) displayed flag may be (1) the flag of the United States of America displayed in accordance with 4 U.S.C. Sections 5-10; (2) the flag of the State of Texas displayed in accordance with Chapter 3100, Texas Government Code; or (3) an official or replica flag of any branch of the United States armed forces.
- d. If the flag is to be flown after dusk, it must be properly illuminated per the Flag Code. It may be lit with an in-ground light (maximum of two [2] bulbs) with a total of no more than 150 watts. The light must shine directly up at the flag. It cannot cause any type of light spillage onto adjoining properties or into the street. All exterior lighting must be submitted to the Association's Architectural Control Committee for prior written approval.
- e. The flag and flagpole must be properly maintained in good condition at all times. Should the flag become faded, frayed or torn, it must be replaced immediately. If the flagpole becomes scratched, dented, leaning, or structurally unsafe, or if the paint is chipped or faded, it must be replaced, repaired or removed immediately.
- f. No advertising slogan, logo printing or illustration shall be permitted upon the flag or flagpole, other than the standard logo, printing or illustration which may be included by the applicable manufacturer for the flag or flagpole.
- g. Any flagpole shall be installed in a manner that complies with all applicable laws and regulations (including but not limited to, applicable zoning ordinances, easements and setbacks of record) and manufacturer's instructions.
- h. The flag and flagpole must be located wholly within the owner's lot and not on property that is owned or maintained by the Association.

EXECUTED on the date of the acknowledgement set forth herein below, to be effective as set forth above.

Villas at Lakewood Park community Association, Inc.,
a Texas non-profit corporation

10R

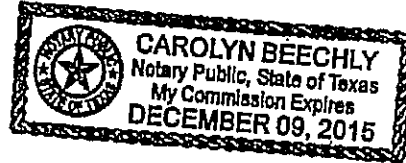
By: Don Reitz
Don Reitz, President

ER 031 - 13 - 0655

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on March 5, 2012, by Don Reitz, President of Villas at Lakewood Park Community Association, Inc., a Texas non-profit corporation, on behalf of said corporation.

Carolyn Beechly
Notary Public, State of Texas



WHEN RECORDED, RETURN TO:

Hoover Slovacek LLP
5847 San Felipe, Suite 2200
Houston, Texas 77057

File No. 122479-13 (770789)
755351

ER 031 - 13 - 0656

20120124927
Pages 5
03/23/2012 11:14:56 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
STAN STANART
COUNTY CLERK
Fees 28.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



Stan Stanart
COUNTY CLERK
HARRIS COUNTY, TEXAS