

RANCHO ESCONDIDO COMMUNITY IMPROVEMENT ASSOCIATION, INC.'S

FLAG DISPLAY POLICY

STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

WHEREAS, the property encumbered by this Flag Display Policy is that property initially restricted by the First Amended and Restated Restrictions and Covenants Applicable to Rancho Escondido Subdivision recorded under Montgomery County Clerk’s File No. 2009-036937, as same has been and may be amended from time to time (referred to hereinafter as the “Restrictions”), and any other property which has been or may be annexed thereto and made subject to the authority of the Rancho Escondido Community Improvement Association, Inc. (“Association”); and

WHEREAS, any reference made herein to approval by the Architectural Review Committee (“ACC”), means prior written approval by the ACC.

NOW THEREFORE, pursuant to the authority granted in Section 202.011 of the Texas Property Code, the Board of Directors (the “Board”), hereby adopts this Flag Display Policy (“Policy”), which shall run with the land and be binding on all owners and lots within the subdivision. This Policy replaces any previously recorded or implemented policy that addresses the subjects contained herein.

I. FLAG DISPLAY

The display of flags is permitted under the following parameters:

1. Owners may have a total of one (1) flagpole per lot. Flags must be attached to a flagpole in order to be displayed;
2. Any of the following flags may be displayed on the single permitted flagpole:
 - a. U.S. flag;
 - b. Texas flag; or
 - c. An official or replica flag of a branch of the US armed forces
3. The U.S. flag must be displayed in accordance with federal law, and the Texas flag must be displayed in accordance with Texas state law;
4. Flagpoles may be either freestanding or mounted to the dwelling, under the following parameters:
 - a. Freestanding flagpoles must be located in the backyard and may not be taller than twenty feet (20’) when measured from the ground level (including the pole ornamentation).

- b. Flagpoles no greater than five feet (5') in length may be attached to the front or back of a dwelling.
5. All flagpoles must be constructed of permanent, long-lasting materials, with a finish appropriate to the materials used in the construction of the flagpole and harmonious with the dwelling;
6. No flagpole can be placed within an easement on the owner's lot, or in a location that encroaches on a setback on the owner's lot;
7. All flags and flagpoles must be properly maintained at all times, including, but not limited to, immediate replacement of faded, frayed or torn flags and replacement of poles that are scratched, bent, rusted, faded, leaning or damaged in any way;
8. If evening display of the flag is desired, the flag may be lit from the base of the flagpole (maximum of two bulbs) with a total of no more than 150 watts. The light must shine directly up at the flag, and cannot cause any type of light spillover onto adjoining properties. All exterior lighting must be submitted to the ACC for prior approval;
9. Flagpoles mounted to a dwelling or garage must be removed from view when no flag is displayed;
10. The size of the flag must be appropriate for the length of the flagpole;
11. Flagpole halyards must not make noise under any conditions. Halyards must be securely fastened at all times;
12. Freestanding flagpoles must be mounted on an appropriate footing;
13. All flagpoles must be installed per the manufacturer's guidelines;
14. Owners are prohibited from locating a flag or flagpole on property owned or maintained by the Association; and
15. Owners are prohibited from locating a flag or flagpole on property owned in common by the members of the Association.

II. ACC APPROVAL

Flagpoles mounted to a dwelling do not require approval from the ACC, provided the terms of this Policy are complied with. Any installation of a flagpole to a dwelling not in compliance with this Flag Display Policy will be considered a deed restriction violation.

Freestanding flagpoles require submission of a completed application to the ACC with a site plan showing the proposed location of the improvement, along with pictures showing the location of the modification and the manufacturer's brochures or sample of material, if

E-FILED FOR RECORD

10/05/2011 9:05AM



COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

**STATE OF TEXAS
COUNTY OF MONTGOMERY**

**I hereby certify this instrument was e-FILED in
file number sequence on the date and at the time
stamped herein by me and was duly e-RECORDED in
the Official Public Records of Montgomery County, Texas.**

10/05/2011



County Clerk
Montgomery County, Texas