

**WHITE OAK LANDING, SECTION III COMMUNITY
IMPROVEMENT ASSOCIATION, INC.**

**RESOLUTION AND GUIDELINES REGARDING
REGULATION OF FLAG DISPLAY**

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

WHEREAS, WHITE OAK LANDING, SECTION III COMMUNITY IMPROVEMENT ASSOCIATION, INC. (the “Association”) is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declarations for the various sections of the community (collectively referred to as the “Declarations”);

WHEREAS, Section 202.011 of the Texas Property Code provides for the regulation of flag display by a property owners’ association;

WHEREAS, Chapter 204, Section 204.010(a)(6) of the Texas Property Code empowers the Association acting through its Board of Directors, to regulate the use, maintenance, repair, replacement, modification, and appearance of the subdivision and to implement written architectural control guidelines; and,

WHEREAS, the Board of Directors (the “Board”) has determined that in connection with maintaining the aesthetics and architectural harmony of the community, and to provide clear and definitive guidance regarding the display of flags therein, it is appropriate for the Association to adopt guidelines regarding the display of flags within the community.

NOW, THEREFORE, BE IT RESOLVED THAT the following Guidelines are adopted by the Board of Directors.

GUIDELINES

- I.** These Guidelines apply to the display of flags (“Permitted Flags”)¹:
 - a. the flag of the United States;
 - b. the flag of the State of Texas; and
 - c. the official flag of any branch of the United States armed forces.

- II.** The flag of the United States shall be displayed in accordance with 4 U.S.C. Sections 5-10.

- III.** The flag of the State of Texas shall be displayed in accordance with Chapter 3100, Texas Government Code.

¹ “Flags” shall be referred to as defined in Texas Property Code Section 202.011 (a).

- IV.** These Guidelines do not apply to any flags other than the Permitted Flags listed in Section 1 above including, but not limited to:
- a. flags for schools, sports teams, businesses or foreign countries; or
 - b. flags with marketing, seasonal, historical, commemorative, nautical, political or religious themes; or
 - c. historical versions of flags permitted in section 1 above.
- V.** Permitted Flags may be displayed subject to these guidelines. Advance written approval of the Architectural Control Committee is required for any free-standing flagpole and any additional illumination associated with the display of Permitted Flags.
- VI.** Permitted Flags must be displayed in a respectful manner in accordance with the current relevant federal, state or military code.
- VII.** Permitted Flags must be displayed from a pole attached to a structure or to a free-standing pole. Permitted Flags may not be draped over or directly attached to structures. For example, a Permitted Flag may not be laid across a fence or stapled to a garage door.
- VIII.** Permitted Flags shall be no larger than three foot (3') by five foot (5') in size.
- IX.** Only one Permitted Flag may be displayed on a flagpole attached to a structure. Up to two Permitted Flags may be displayed on an approved free-standing flagpole that is at least fourteen feet (14') tall.
- X.** Flagpoles must be constructed of permanent, long-lasting materials with an appropriate finish that is harmonious with the dwelling.
- XI.** A flagpole attached to a structure may be up to six feet (6') long and must be securely attached with a bracket with an angle of 30 to 45 degrees down from vertical. The flagpole must be attached in such a manner as to not damage the structure. One attached flagpole is allowed on any portion of a structure facing a street and one attached flagpole is allowed on the rear or backyard portion of a structure. Brackets which accommodate multiple flagpoles are not allowed.
- XII.** Free-standing flagpoles may be up to twenty feet (20') tall, including any ornamental caps. Free-standing flagpoles must be permanently installed in the ground according to manufacturer's instructions. One free-standing flagpole is allowed in the portion of the owner's property between the main residential dwelling and any street and one free-standing flagpole is allowed in the rear or backyard portion of a property.
- XIII.** The display of a flag, or the location and construction of the supporting flagpole shall comply with applicable zoning ordinances, easements, and setbacks of record.

- XIV.** Free-standing flagpoles may not be installed in any location described below:
- a. in any location other than the Owner's property; or
 - b. within a ground utility easement or encroaching into an aerial easement; or
 - c. beyond the side or rear setback lines (for example, on a lot with a 10' side setback line, a flagpole may not be installed closer than 10' from the side property line); or
 - d. beyond half the distance of the front setback line (for example, on a lot with a 30' front setback line, a flagpole may not be installed closer than 15' from the front property line); or
 - e. closer to a dwelling on an adjacent lot than the height of the flagpole (for example, a 20' flagpole cannot be installed closer than 20' from an adjacent house).
- XV.** No owner shall display a flag or flagpole on property that is owned or maintained by the Association or owned in common by the members of the Association.
- XVI.** Lighting may be installed to illuminate Permitted Flags if they will be displayed at night and if existing ambient lighting does not provide proper illumination. Flag lighting must:
- a. be ground mounted in the vicinity of the flag; and
 - b. utilize a fixture that screens the bulb and directs light in the intended direction with minimal spillover; and
 - c. point towards the flag and face the main structure on the property or to the center of the property if there is no structure; and
 - d. provide illumination not to exceed the equivalent of a 60 watt incandescent bulb.
- XVII.** Flagpoles must not generate unreasonable noise levels which would disturb the quiet enjoyment of other residents. Each flagpole owner should take steps to reduce noise levels by using vinyl or plastic snap hooks, installing snap hook covers or securing a loose halyard (rope) around the flagpole with a flagpole clasp.
- XVIII.** Flagpoles are allowed solely for the purpose of displaying Permitted Flags. If a flagpole is no longer used on a daily basis, it must be removed.
- XIX.** All flags and flagpoles must be maintained in good condition. Deteriorated flags must be removed and promptly replaced. Deteriorated or structurally unsafe flagpoles must be promptly repaired, replaced or removed.

These guidelines are effective upon recordation in the Public Records of Harris County, and supersede any related guidelines which may have previously been in effect. Except as affected by Section 202.011 of the Texas Property Code and/or by these guidelines, all other provisions contained in the Declarations or any other dedicatory instruments of the Association shall remain in full force and effect.

ADDITIONAL DEDICATORY INSTRUMENT

for

**WHITE OAK LANDING, SECTION III
COMMUNITY IMPROVEMENT ASSOCIATION, INC.**

THE STATE OF TEXAS §

§

COUNTY OF HARRIS §

Paula L Brown BEFORE ME, the undersigned authority, on this day personally appeared Paula L Brown, who, being by me first duly sworn, states on oath the following:

My name is Paula L Brown, I am over twenty-one (21) years of age, of sound mind, capable of making this affidavit, authorized to make this affidavit, and personally acquainted with the facts herein stated:

I am the Secretary of WHITE OAK LANDING, SECTION III COMMUNITY IMPROVEMENT ASSOCIATION, INC. Pursuant with Section 202.006 of the Texas Property Code, the following documents are copies of the original official documents from the Association's files:

**RESOLUTION AND GUIDELINES REGARDING
REGULATION OF FLAG DISPLAY**

OF

**WHITE OAK LANDING, SECTION III
COMMUNITY IMPROVEMENT ASSOCIATION, INC.
A TEXAS NON-PROFIT CORPORATION**

DATED this 10 day of November, 2011.

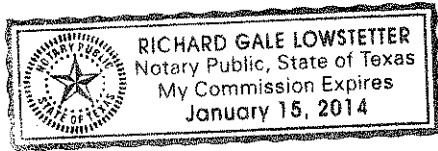
WHITE OAK LANDING, SECTION III
COMMUNITY IMPROVEMENT ASSOCIATION,
INC.

BY: Paula L Brown

Paula L Brown, Secretary
(Printed Name)

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

THIS INSTRUMENT was **acknowledged** before me on this the 12 day of November 2011 by the said Paula L Brown, Secretary of **WHITE OAK LANDING, SECTION III COMMUNITY IMPROVEMENT ASSOCIATION, INC.**, a Texas non-profit corporation, on behalf of said corporation.



Richard Gale Lowstetter
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

After Recording Return To:
Daughtry & Jordan, P.C.
17044 El Camino Real
Houston, Texas 77058
ATTN: MRM

- ii. is located in an area other an area designated by the Association, unless the alternate location increases the estimated annual energy production of the device, as determined by using a publicly available modeling tool provided by the National Renewable Energy Laboratory, by more than ten percent (10%) above the energy production of the device if located in an area designated by the Association;
 - iii. does not conform to the slope of the roof and has top edge that is no parallel to the roofline; or
 - iv. has a frame, a support bracket, or visible piping or wiring that is not in a silver, bronze, or black tone commonly available in the marketplace;
 - f. if located in a fenced yard or patio, is taller than the fence line;
 - g. as installed, voids material warranties; or
 - h. was installed without prior approval by the Architectural Control Committee.
2. The Architectural Control Committee shall not withhold approval of a solar energy device if it meets the provisions of this policy unless the Architectural Control Committee determines in writing that placement of the device as proposed by the owner constitutes a condition that substantially interferes with the use and enjoyment of land by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities. For purposes of making this determination, the written approval of the proposed placement of the device by all property owners of adjoining property constitutes prima facie evidence that such a condition does not exist.

These guidelines are effective upon recordation in the Public Records of Harris County, and supersede any related guidelines which may have previously been in effect. Except as affected by Section 202.010 of the Texas Property Code and/or by these guidelines, all other provisions contained in the Declarations or any other dedicatory instruments of the Association shall remain in full force and effect.

Duly approved and adopted at a meeting held by the Board of Directors of White Oak Landing, Section III Community Improvement Association, Inc this 10 day of November 2011

Effective Date: 11-10, 2011

Signed:

Chum M. Neely
President, Board of Directors

Attest:

Paola L Brown
Secretary, Board of Directors

Duly approved and adopted at a meeting held by the Board of Directors of WHITE OAK LANDING, SECTION III COMMUNITY IMPROVEMENT ASSOCIATION, INC., this 10 day of NOV 9 3-11, 2011.

Effective Date: 11-10-11, 2011.

Signed:

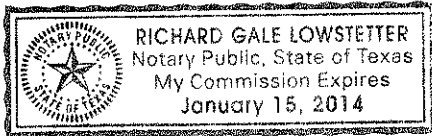
Cherene M. Niedzpet
President, Board of Directors

Attest:

Paula L Brown
Secretary, Board of Directors

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

THIS INSTRUMENT was **acknowledged** before me on this the 10 day of NOV 9 3-11 2011, by Cherene Niedzpet, President of WHITE OAK LANDING, SECTION III COMMUNITY IMPROVEMENT ASSOCIATION, INC., a Texas non-profit corporation, on behalf of said corporation.



Richard Gale Lowstetter
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

THIS INSTRUMENT was **acknowledged** before me on this the 10 day of NOV 9 3-11 2011, by Paula L Brown, Secretary of WHITE OAK LANDING, SECTION III COMMUNITY IMPROVEMENT ASSOCIATION, INC., a Texas non-profit corporation, on behalf of said corporation.

Richard Gale Lowstetter
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS