

**RESOLUTION ADOPTING FLAG DISPLAY POLICY
MESA TRAILS HOMEOWNERS ASSOCIATION
(the "Association")**

WHEREAS, Texas Property Code § 202.011 (or other numbered sections subsequently used to prevent confusion by the enacting of identically numbered, separate provisions) is currently in effect, allowing owners in property owner associations the limited right to display certain flags; and

WHEREAS, the Texas legislature has recently passed legislation to modify these sections pertaining to the display of certain flags; and

WHEREAS, the Association desires to amend its previous resolution setting forth guidelines on the enforcement of its current conditions, covenants, restrictions, and rules, and the display of flags.

BE IT RESOLVED, that, to the extent any dedicatory instrument of the Association prohibits the display of flags in contravention of Texas Property Code § 202.011 (or other numbered sections subsequently used to prevent confusion by the enacting of identically numbered, separate provisions), or allows the Association to restrict the display of flags by the enforcement of its various restrictions and covenants requiring certain modifications or improvements to be approved by the architectural committee or board of directors for the Association, the Association shall enforce that restriction, covenant, or rule only to the extent allowable by law, and therefore adopts the following guidelines as follows:

1. Flags permitted to be displayed include, but are not limited to, the flag of the United States of America, the flag of the State of Texas, the flag of any governmental subdivision of the State of Texas, and the flag of any branch of the United States armed forces.
2. Flag displays shall be permitted only on property owned by the owner or over which the owner has exclusive control and use.
3. With respect to the United States flag, any such display must be in accordance with 4 U.S.C. Sections 5-10.
4. With respect to the Texas flag, any such display must be in accordance with Chapter 3100, Government Code.
5. A flagpole attached to a dwelling or a freestanding flagpole must be constructed of a permanent, long-lasting material, with a finish appropriate to the materials used in the construction of the flagpole and harmonious with the dwelling.
6. The display of a flag, or the location and construction of the supporting flagpole, must comply with applicable zoning ordinances, easements, and set backs of record.
7. A displayed flag and the flagpole on which it is flown must be maintained in good condition. Any deteriorated flag or deteriorated or structurally unsafe flagpole must be repaired or removed.
8. No more than one flagpole may be constructed on any property, and no flagpole shall exceed more than 20 feet in height.
9. No freestanding flagpole may be erected in the front yard of the property unless the lot has a front building setback line with a setback of not less than fifteen feet (15') extending the full width of the lot between the front lot line and the front building setback line.
10. Flags may not be displayed that exceed a dimension of 8 feet in height by 5 feet in width.
11. Lighting used to illuminate any displayed flag shall not operate to create a nuisance, and shall not illuminate any property other than the owner of such displayed flags property, nor shall it illuminate the interior of any dwelling at any time.
12. No Owner shall allow the external halyard of a flagpole to create noise that can be heard more than twenty-five feet (25') from the flagpole.

To the extent these guidelines contradict with any previous guidelines, rules, covenants, or restrictions, these guidelines shall control. These guidelines are supplementary and are in addition to any and all other covenants, conditions, restrictions, rules, and guidelines in effect for the Association.

This resolution was passed by a unanimous vote of the Board of Directors of the Association on the date set forth below to be effective immediately.

Executed this the 7th day of October, 2013.

By: *Larry A. Lerche*
Name: LARRY A. LERCHE
Title: PRESIDENT

STATE OF TEXAS)
COUNTY OF Travis)

This instrument was acknowledged before me on this the 7th day of October, 2013, by Larry A. Lerche, President of and for the Association, for the purposes therein expressed.

Notary Public, State of Texas

AFTER RECORDING PLEASE RETURN TO:

Goodwin Management Inc.
11149 Research Blvd, Ste 100
Austin TX 78750



FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dana Debeauvoir

DANA DEBEAUVOIR, COUNTY CLERK
TRAVIS COUNTY, TEXAS

October 17 2013 03:27 PM

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