

FLAG DISPLAY GUIDELINES

WHEREAS, Section 202.012 of the Texas Property Code, as amended, precludes property owners' associations from adopting or enforcing a prohibition or restriction on certain flag displays; and

WHEREAS, pursuant to Section 202.012 of the Texas Property Code, as amended, the Board of Directors of **Tanglewood Estates Property Owners Association, Inc.**, a Texas nonprofit corporation, (the "Association") is permitted to adopt specific limitations on certain flag displays within Tanglewood Estates Addition, Phase 1A, an Addition to the City of Woodway, McLennan County, Texas (the "Subdivision").

RESOLVED, in order to comply with Section 202.012 of the Texas Property Code, as amended, the Board of Directors of the Association adopts the following guidelines for flag displays which shall run with the land contained within the Subdivision and be binding on all Owners and Tracts within the Subdivision.

- A. An Owner or resident may only display:
 - 1. the flag of the United States of America;
 - 2. the flag of the State of Texas;
 - 3. an official or replica flag of any branch of the United States armed forces; and
 - 4. no more than one (1) seasonal/holiday flag or no more than one (1) flag of a recognized parochial or secular school, college or university if the Owner obtains the prior written approval of such flag from the Architectural Committee which approval shall be in the sole and absolute discretion of the Architectural Committee. The Architectural Committee has sole discretion in determining which seasonal/holiday flags and school, college or university flags may be displayed and the length of time of any such display.

- B. An Owner may only display a flag described in Section A above if such display meets the following criteria:
 - 1. a flag of the United States must be displayed in accordance with 4 U.S.C. Sections 5-10;
 - 2. a flag of the State of Texas must be displayed in accordance with Chapter 3100 of the Texas Government Code;
 - 3. a flagpole attached to a Living Unit or a freestanding flagpole 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 Living Unit;
 - 4. the display of a flag or the location and construction of the supporting flagpole must comply with applicable zoning ordinances, easements and setbacks of record; and
 - 5. a displayed flag and the flagpole on which it is flown must be maintained in good condition and any deteriorated flag or deteriorated or structurally unsafe flagpole must be repaired, replaced or removed.

- C. The Association hereby adopts the following additional restrictions on the display of flags on an Owner's Lot:
1. an Owner may not install a flagpole which is greater than twenty feet (20') in height;
 2. an Owner may only locate a flagpole in the front of the Owner's Living Unit which location shall be subject to applicable zoning ordinances, easements and setbacks of record;
 3. an Owner may not install more than one flagpole (whether freestanding or attached to the Living Unit) on the Owner's Lot;
 4. any flag displayed must not have dimensions greater than 3' x 5' in size;
 5. an Owner may install lights to illuminate a displayed flag so long as (a) such lighting does not constitute a nuisance, (b) such lighting does not illuminate any Lot, other than the Lot of such Owner, and (c) such lighting does not illuminate the interior of any Living Unit at any time;
 6. an Owner may not locate a displayed flag or flagpole on property that is:
 - (a) owned or maintained by the Association; or
 - (b) owned in common by the Members of the Association; and
 7. an Owner shall not allow the external halyard of any Owner's flagpole to create a noise which can be heard more than twenty-five feet (25') from the flagpole.
- D. Prior to erecting or installing a flag or flagpole, an Owner must first submit plans and specifications to and receive the written approval of the Board of Directors or the Architectural Committee of the Association. The plans and specifications must show the proposed location, material, size and type of such flag and flagpole and all parts thereof, including any lights to illuminate a displayed flag.
- E. The definitions contained in the Association's dedicatory instruments are hereby incorporated herein by reference, including, (a) that certain Declaration of Protective Covenants, Conditions and Restrictions dated March 3, 2021, recorded on March 11, 2021, as McLennan County Clerk's Document No. 2021008795 in the Official Public Records of McLennan County, Texas, pertaining to Tanglewood Estates Addition, an Addition to the City of Woodway, McLennan County, Texas, and (b) the Bylaws of the Association.

FURTHER RESOLVED, that these Flag Display Guidelines are effective upon adoption hereof, to remain in force and effect until revoked, modified or amended.

FURTHER RESOLVED, that to the extent these Flag Display Guidelines contradict any previous guidelines, rules, covenants or restrictions, these Flag Display Guidelines shall control and be controlling. These Flag Display Guidelines are supplementary and are in addition to any and all other covenants, conditions, restrictions, rules and guidelines in effect for the Association and the Subdivision.

IN WITNESS WHEREOF, the undersigned, being all of the members of the Board of Directors of the Association, do hereby adopt these Flag Display Guidelines to be effective as of, although not necessarily on, March 16, 2021, at a duly called open meeting of the Board of Directors of the Association.

DIRECTORS:



David Mercer



Aaron McMillan



Weldon E. Ratliff, Jr.