

VG-342-2016-98622

Denton County
Juli Luke
County Clerk

Instrument Number: 98622

Real Property Recordings

MISCELLANEOUS

Recorded On: August 15, 2016 09:12 AM

Number of Pages: 6

**** Examined and Charged as Follows: ****

Total Recording: 46.00

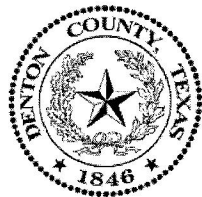
***** **THIS PAGE IS PART OF THE INSTRUMENT** *****
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 98622
Receipt Number: 20160815000023
Recorded Date/Time: August 15, 2016 09:12 AM
User: TJ D
Station: Station 9

Record and Return To:

SOUTHRIDGE ESTATES HOA INC
PO BOX 668
DENTON TX 76202



STATE OF TEXAS
COUNTY OF DENTON

I hereby certify that this Instrument was FILED In the File Number sequence on the date/time
printed hereon, and was duly RECORDED in the Official Records of Denton County, Texas.

Juli Luke
County Clerk
Denton County, TX

SOUTHRIDGE ESTATES HOMEOWNERS ASSOCIATION, INC.
FLAG POLICY

THE STATE OF TEXAS §

COUNTY OF DENTON §

I, Michelle A. Emick, Secretary of Southridge Estates Homeowners Association, Inc. (the “**Association**”), do hereby certify that at a meeting of the Board of Directors of the Association (the “**Board**”) duly called and held on the eighth day of August, 2016, with at least a quorum of the Board being present and remaining throughout, and being duly authorized to transact business, the following Flag Policy (this “**Policy**”) was duly approved by a unanimous vote of the members of the Board in attendance:

RECITALS:

1. Chapter 202 of the Texas Property Code was amended to add sections relating to the display of Flags.
2. The Board of Directors of the Association desires to adopt a Policy relating to the display of Flags, consistent with the applicable provisions in Chapter 202 of the Texas Property Code.

POLICY PROVISIONS:

Section 1. Definitions. Capitalized terms used in this Policy have the following meanings:

- 1.1. **Declaration** – The Declaration of Covenants, Conditions and Restrictions for Southridge Estates, Denton, Texas recorded on June 29, 1995 under Clerk’s File No. 95-R0038519 of the Official Public Records of Real Property of Denton County, Texas, and as later supplemented or amended.
- 1.2. **Dedictory Instrument (or dedicatory instrument)** - Each document governing the establishment, maintenance or operation of the properties within Southridge Estates, as more particularly defined in Section 202.001 of the Texas Property Code.
- 1.3. **Governmental Flags** - is strictly and exclusively defined to mean:
 - 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.
- 1.4. **Policies** - These Policies for Southridge Estates Homeowners Association, Inc., relating to the display of Flags.
- 1.5. **Modifications Committee** – The Modifications Committee for Southridge Estates Homeowners Association, Inc., as identified in the Declaration.

- 1.6. **Southridge Estates** – A subdivision in Denton County, Texas. The recording data for the Subdivision Development are as follows: Phase 1 in Cabinet K, Pages 398-99 (Document 94-R0092111), Document 95-R0012284 (Correction), and Cabinet N, Page 381 (Document 97-R0067976); Phase 2 in Cabinet M, Pages 97-98 (Document 96-R0028050); and Phase 3 in Cabinet O, Page 268 (Document 98-R0024875) in the Plat Records of Denton County, Texas.

Other capitalized terms used in this Policy have the same meanings as that ascribed to them in the Declaration.

Section 2. Flags and Poles. Notwithstanding any other provision contained within the Declaration, it is intended that the restrictions herein be interpreted, applied and enforced in full compliance with, and subject to the limitations of, §202.012 of the Texas Property Code, as that provision may hereafter be amended or superseded.

- 2.1 Flag Size. Governmental Flags may not exceed three feet (3') in height or five feet (5') in width.
- 2.2 Display Restrictions. Governmental Flags may not be displayed unless flown from either a pole attached to a structure or a free-standing pole. Governmental Flags may not be draped over or directly attached to structures.
- A. Flagpoles. Flagpoles must be constructed of permanent, long-lasting materials with an appropriate finish that is harmonious with the dwelling.
1. Flagpoles Attached to a Structure. Only one Governmental Flag may be flown from a Flagpole attached to a structure.
- a. A Flagpole attached to a structure may not exceed six feet (6') in length and must be securely attached with a bracket at an angle of 30 to 45 degrees down from vertical.
- b. The Flagpole must be attached in such a manner as to not damage the structure.
- c. One attached Flagpole is allowed on any portion of a structure facing a street. Brackets which accommodate multiple Flagpoles are not allowed.
2. Free-standing Flagpole. No more than two Governmental Flags may be displayed on an approved free-standing Flagpole.
- a. Height restriction. The maximum height of a free-standing Flagpole is twenty feet (20'), including any ornamental caps, measured from the finished floor elevation of the main structure.
- b. Installation. Free-standing Flagpoles must be permanently installed in the ground according to manufacturer's instructions.

- c. Number. No more than one (1) free-standing Flagpole is allowed in the portion of the property between the main residential structure and any street, and no more than one (1) free-standing Flagpole is allowed in the rear or backyard portion of a property.
 - d. Advance approval of the Modifications Committee is required for any free-standing Flagpole.
 - e. Free-standing Flagpoles may not be installed in any of the following locations:
 - i. in a location other than the Owner's property;
 - ii. within a ground utility easement or encroaching into an aerial easement;
 - iii. 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);
 - iv. 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
 - v. 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).
- B. Illumination. Illumination of Flags and poles is prohibited.
- C. Noise. Flags and Flagpoles must not generate unreasonable noise levels which would disturb the quiet enjoyment of other residents. Each Flagpole Owner must take steps to reduce noise levels by using vinyl or plastic snap hooks, installing snap hook covers, securing a loose halyard (rope) around the Flagpole with a Flagpole clasp, or take other appropriate measures to avoid disturbing neighbors.
- D. Dignity. Flags must be displayed in a respectful manner in accordance with the current relevant federal, state or military code. Proper United States Flag etiquette must be followed.
- E. U.S. Flag. See 4 U.S.C. §§5-10.
- F. Texas Flag. See Chapter 3100, Texas Government Code.

- H. Maintenance. 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.
- I. Nonuse and removal. Flagpoles are allowed solely for the purpose of displaying Governmental Flags in accordance with this Section. If a Flagpole is no longer used on a daily basis, it must be removed.

Section 3. Modifications Committee Approval. A Flagpole that does not comply with all setbacks, above-ground Flagpole stands and/or footings, and illumination per Section 5.6 must be approved in writing by the Modifications Committee. Additionally, in order to confirm that a proposed Flagpole conforms to the following standards, Owners are encouraged to apply to the Modifications Committee for prior approval. Flags other than Governmental Flags may not be displayed without prior approval of the Modifications Committee, and may not be displayed by any means other than by a permitted Flagpole attached to a structure in accordance with Section 2.2(a)(1). The Association may require an Owner to remove Flagpoles, Flagpole footings, or Flags that do not comply with this Policy.

Section 4. Conflicts. In the event of a conflict between a provision in the Declaration and a provision in this policy that is based upon applicable law, the provisions in this Policy shall control.

CERTIFICATION

I hereby certify that I am the duly elected, qualified and acting Secretary of the Association and that the foregoing Flag Policy was approved by a unanimous vote of the Board of Directors as set forth above and now appears in the books and records of the Association, to be effective upon recording in the Official Public Records of Real Property of Denton County, Texas.

TO CERTIFY which, witness my hand this the 12th day of August, 2016.

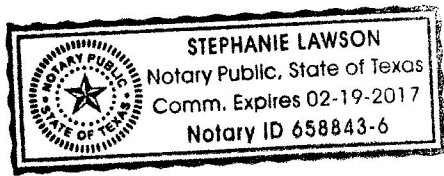
SOUTHRIDGE ESTATES

**HOMEOWNERS
ASSOCIATION, INC.**

By: Michelle A. Emick
Print Name: Michelle A. Emick
Secretary

THE STATE OF TEXAS §
 §
COUNTY OF DENTON §

BEFORE ME, the undersigned notary public, on this 12th day of August, 2016, personally appeared Michelle A. Emick, Secretary of Southridge Estates Homeowners Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purpose and in the capacity therein expressed.



Stephanie Lawson
Notary Public in and for the State of Texas

Return to:
Southridge Estates Homeowners Association, Inc.
P.O. Box 668
Denton, Texas 76202-0668