

DISPLAY OF RELIGIOUS ITEMS POLICY  
*for*  
BENDERS LANDING PROPERTY OWNERS ASSOCIATION

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STATE OF TEXAS §  
COUNTY OF MONTGOMERY §

I, S. FRANKLIN-THOMAS, Secretary of Benders Landing Property Owners Association (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 25 day of August, 2021, with at least a quorum of the Board members being present and remaining throughout, and being duly authorized to transact business, the following Display of Religious Items Policy was duly approved by a majority vote of the members of the Board:

**RECITALS:**

1. The property encumbered by this Display of Religious Items Policy is that property restricted by the (1) Declaration of Covenants, Conditions and Restrictions for Benders Landing - Section 1 recorded in the Official Public Records of Montgomery County, Texas, under County Clerk's File No. 2001-024582; (2) the Declaration of Covenants, Conditions, and Restrictions for Benders Landing - Section 2 recorded in the Official Public Records of Montgomery County, Texas, under County Clerk's File No. 2002-029410; and (3) the Declaration of Covenants, Conditions, and Restrictions for Benders Landing - Section 3 recorded in the Official Public Records of Montgomery County, Texas, under County Clerk's File No. 2004-127533, as same has been or may be amended and/or supplemented from time to time ("Declaration"), and any other property which has been or may be subsequently annexed thereto and made subject to the authority of the Association.

2. Section 202.018 of the Texas Property Code (the "Code") gives owners and residents certain statutory rights to install religious items subject to the right of the Association to adopt certain rules and regulations regulating the religious items and placement.

3. The Board of Directors of the Association desires to adopt a display of religious items policy consistent with the provisions of Section 202.018 of the Code.

4. This Display of Religious Items Policy replaces and supersedes any previously recorded or implemented policy that addresses the subjects contained herein, if any, adopted by the Association.

**POLICY:**

Owners and residents are generally permitted to display or affix one or more religious items on the owner's or resident's property or dwelling, the display of which is motivated by the

owner's or resident's sincere religious belief.

**ACC Application Required.** Before a religious display contemplated by the Code is displayed or affixed on an owner's or resident's property, an ACC application must be submitted to the Association and approved in writing in accordance with the Declaration. The following information must be included with the application:

- a. Type and description of religious display;
- b. Site plan indicating the location of the proposed religious display with respect to any applicable building line, right-of-way, setback or easement on the owner's or resident's property.

Notwithstanding the foregoing, one or more religious items displayed or affixed on the entry of an owner's or resident's dwelling, not exceeding twenty-five (25) square inches, shall not require ACC approval. All other religious displays shall require ACC approval as set forth above.

The display or affixing of a religious item on the owner's or resident's property or dwelling is prohibited under the following circumstances:

1. The item threatens the public health or safety;
2. The item violates a law other than a law prohibiting the display of religious speech;
3. The item contains language, graphics or any display that is patently offensive to a passerby for reasons other than its religious content;
4. The item is installed on property:
  - a. owned or maintained by the Association; or
  - b. owned in common by members of the Association.
5. The item violates any building line, right-of-way, setback or easement that applies to the religious item pursuant to a law or the Association's dedicatory instruments; or
6. The item is attached to a traffic control device, street lamp, fire hydrant or utility sign, pole or fixture.

Any installation not in compliance with this Policy will be considered a violation of the dedicatory instruments governing the subdivision.

I hereby certify that I am the duly elected, qualified and acting Secretary of the Association and that the foregoing Display of Religious Items Policy was approved by a majority 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 Montgomery County, Texas.

TO CERTIFY which witness my hand this the 28 day of August, 2021.

BENDERS LANDING PROPERTY OWNERS  
ASSOCIATION

By: Franklin Thomas

Printed: S. Franklin Thomas

Its: Secretary

THE STATE OF TEXAS     §  
  §  
COUNTY OF Montgomery §

BEFORE ME, the undersigned notary public, on this 28 day of August, 2021 personally appeared S. Franklin Thomas Secretary of Benders Landing Property Owners Association known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and in the capacity therein expressed.

Katherine A Piper  
Notary Public in and for the State of Texas

