

STONEHENGE III ASSOCIATION, INC.  
DEED RESTRICTION ENFORCEMENT GUIDELINES  
RE: FLAGS AND FLAGPOLES

WHEREAS, Section 202.011 of the Texas Property Code requires property owners' associations to allow property owners to display certain flags on their property, and authorizes the Association to regulate the display of such flags; and

WHEREAS, the Association, through its Board of Directors, has and may exercise discretionary authority concerning restrictive covenants, rules, and regulations in the Subdivision;

now, therefore, it is **RESOLVED**, that

Property owners may display flags on their property subject to the following regulations:

1. FLAGS.

- (a) Only "Permitted Flags" may be displayed in the subdivision. The only Permitted Flags are:
  - (1) the flag of the United States of America, which must be displayed in accordance with 4 U.S.C. Sections 5-10; and
  - (2) the flag of the State of Texas, which must be displayed in accordance with Chapter 3100 of the Texas Government Code; and
  - (3) an official or replica flag of a branch of the United States armed forces.
- (b) The maximum allowed dimensions of a displayed flag are three (3) feet by five (5) feet.
- (c) A displayed flag must be maintained in good condition; a deteriorated flag must be replaced or removed.
- (d) A displayed flag must be attached to a flagpole. A flag shall not be draped over or attached to any structure other than a flagpole. Nor may a flag be displayed in a window of a structure.

2. FLAGPOLES.


- (a) The owner must first apply to, and receive written approval from, the Architectural Control Committee (ACC) prior to installing any flagpole. The Association may require an Owner to remove flagpoles or flagpole footings that do not comply with these Guidelines.
- (b) No more than one (1) flagpole, either freestanding or attached to a structure, is permitted on any lot.
- (c) A flagpole attached to a structure shall not exceed six (6) feet in length.
- (d) A freestanding flagpole shall not exceed twenty (20) feet in height, and must be permanently installed in accordance with the manufacturer's guidelines and specifications. The ACC may require the installation of landscaping to screen the stand and/or footing from public view.
- (e) A flagpole must be constructed of permanent, long-lasting materials with a finish appropriate to materials used in the construction of the flagpole and harmonious with the residential dwelling on the Lot on which it is located. Flagpoles shall be of commercial grade, not home-made, and not plastic.
- (f) A flagpole must be located entirely within the Lot and shall not be located in an easement or encroach into an easement, another Lot, or a Common Area.
- (g) A flagpole shall conform to all setbacks, easements, and zoning ordinances.
- (h) A flagpole must be maintained in good condition; a deteriorated or structurally unsafe flagpole must be repaired, replaced, or removed.

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- (i) Flagpoles and their attachments shall not generate unreasonable noise levels which would disturb the surrounding residents. An external halyard is required to be securely affixed to the flagpole so as not to clang against the flagpole.
  - (j) Flagpoles are permitted solely for the purpose of displaying Permitted Flags. If a flagpole is no longer used on a regular basis, it must be removed.
3. ILLUMINATION. Lighting may be installed to illuminate flags displayed at night if existing ambient lighting is insufficient for adequate illumination. Such lighting:
- (a) must receive written approval from the ACC prior to being installed;
  - (b) must be in-ground and mounted in the vicinity of the flag;
  - (c) must utilize a fixture that screens the bulb and directs the light in the intended direction with minimal spillover;
  - (d) must point towards the center of the flag and towards the structure the flagpole is mounted on or, if a freestanding flagpole, toward the residential structure on the lot; and
  - (e) must have a maximum lighting output of 800 lumens or less.

The Association may require an Owner to remove lighting that does not comply with these Guidelines.

Adopted March 15, 2012.

  
Beverly Newman, President

attest:

  
Janis Gilley, Secretary