

STONEHENGE III ASSOCIATION, INC.  
RESOLUTION  
DEED RESTRICTION ENFORCEMENT GUIDELINES  
RE: HOLIDAY DECORATIONS

Whereas, Article VII of the Declaration of Covenants, Conditions, and Restrictions of Stonehenge III subdivision provides as follows:

Section 5. Nuisances. No noxious or offensive activity shall be carried on upon any Lot, or the Common Area, nor shall anything be done thereon which may be or may become an annoyance or nuisance to other Owners.

and Whereas, the Texas Property Code provides as follows:

Section 202.003. Construction of Restrictive Covenants. (a) A restrictive covenant shall be liberally construed to give effect to its purposes and intent.

Section 202.004. Enforcement of Restrictive Covenants. (a) An exercise of discretionary authority by a property owners' association ... concerning a restrictive covenant is presumed reasonable unless the court determines by a preponderance of the evidence that the exercise of discretionary authority was arbitrary, capricious, or discriminatory.

Section 204.010. Powers of Property Owners' Association. (a) Unless otherwise provided by the restrictions or the association's articles of incorporation or bylaws, the property owners' association, acting through its board of directors or trustees, may: (6) regulate the use, maintenance, repair, replacement, modification, and appearance of the subdivision;

and Whereas, the Board of Directors desires to establish a uniform and equitable procedure for the enforcement of the Restrictions; now, therefore, it is

RESOLVED, That the display of holiday decorations on or in dwellings, or in yards, is subject to the following:

1. Holiday decorations are not to be publicly displayed more than thirty (30) days prior to, nor more than thirty (30) days after, the event they celebrate.
2. "Publicly displayed" as used herein is deemed to mean wholly or partially visible from any street or Common Area.

Adopted 3/01/06 by the Board of Directors.