PI2-20120015731-4

SHAVANO CREEK HOMEOWNERS ASSOCIATION, INC.
GUIDELINES FOR DISPLAY OF FLAGS

STATE OF TEXAS *
*
COUNTY OF BEXAR *

KNOW ALL PERSONS BY THESE PRESENTS:

WHEREAS, the SHAVANO CREEK HOMEOWNERS ASSOCIATION, INC. ("Association") is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declarations for the
various sections of the community (referred to collectively as "Declarations"); and

WHEREAS, chapter 202 of the Texas Property Code was amended effective June 17, 2011, to add Section 202.011 ("Section 202.011") thereto regarding the display of flags; and

WHEREAS, the Board of Directors of the Association ("Board") has determined that in connection with maintaining the aesthetics and architectural harmony of the community, and to provide clear and definitive guidance regarding the display of flags therein, it is appropriate for the Association to adopt guidelines regarding the display of flags.

NOW, THEREFORE, the Board has duly adopted the following *Guidelines for Display of Flags* within the community.

1. These Guidelines apply to the display of the following flags ("Permitted Flags"):

   the flag of the United States, the flag of the State of Texas, and the official flag of any branch of the United States Armed Forces.

2. Permitted Flags may be displayed subject to these guidelines. Advance written approval of the Shavano Creek Architectural Control Committee is required for any free-standing flagpole and any additional illumination associated with the display of Permitted Flags. The display of any flag not listed in Paragraph 1, above, must be approved in writing by the Shavano Creek Architectural Control Committee.

3. Permitted Flags must be displayed in a respectful manner in accordance with the current relevant federal, state or military code.

4. Permitted Flags must be displayed from a pole attached to a structure or to a free-standing pole. Permitted Flags may not be draped over or directly attached to structures. For example, a Permitted Flag may not be laid across a fence or stapled to a garage door.

5. Permitted Flags shall be no larger than three foot (3') by five foot (5') in size.

6. Only one Permitted Flag may be displayed on a flagpole attached to a structure. Up to two Permitted Flags may be displayed on an approved free-standing flagpole that is at least fourteen (14') tall.

7. Flagpoles must be constructed of permanent, long-lasting materials with an appropriate finish that is harmonious with the dwelling.

8. A flagpole attached to a structure may be up to six feet (6') long and must be

securely attached with a bracket with an angle of 30 to 45 degrees down from vertical. The flagpole must be attached in such a manner as to not damage the structure. One attached flagpole is allowed on any portion of a structure facing a street and one attached flagpole is allowed on the rear or backyard portion of a structure. Brackets which accommodate multiple flagpoles are not allowed.

9. Free-standing flagpoles may be up to twenty feet (20') tall, including any ornamental caps. Free-standing flagpoles must be permanently installed in the ground according to manufacturer's instructions. One free-standing flagpole is allowed in the portion of the owner's property between the main residential dwelling and any street and one free-standing flagpole is allowed in the rear or backyard portion of a property.

10. Free-standing flagpoles may <u>not</u> be installed in any location described below:

    10.1 in any location other than the Owner's property; or

    10.2 within a ground utility easement or encroaching into an aerial easement; or

    10.3 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); or

    10.4 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

    10.5 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).

11. Lighting may be installed to illuminate Permitted Flags if they will be displayed at night and if existing ambient lighting does not provide proper illumination. Flag lighting must:

    11.1 be ground mounted in the vicinity of the flag; and

    11.2 utilize a fixture that screens the bulb and directs light in the intended direction with minimal spillover; and

    11.3 point towards the flag and face the main structure on the property or to the center of the property if there is no structure; and

    11.4 provide illumination not to exceed the equivalent of a 60 watt incandescent bulb.

12. Flagpoles must not generate unreasonable noise levels which would disturb the quiet enjoyment of other residents. Each flagpole owner should take steps to reduce noise levels by using vinyl or plastic snap hooks, installing snap hook covers or securing a loose halyard (rope) around the flagpole with a flagpole clasp.

13. Flagpoles are allowed solely for the purpose of displaying Permitted Flags. If a flagpole is no longer used on a daily basis, it must be removed.

14. 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.

The guidelines are effective upon recordation in the Public Records of Bexar County, and supersede any guidelines for roofing materials which may have previously been in effect. Except as affected by Section 202.007(d) and/or by these guidelines, all other provisions contained in the Declarations or any other dedicatory instruments of the Association shall remain in full force and effect.

Approved and adopted by the Board on this 19th day of Jan 2012.

Dick Zucker,
President
SHAVANO CREEK HOMEOWNERS ASSOCIATION, INC.

STATE OF TEXAS *
*
COUNTY OF BEXAR *

Before me, the undersigned authority, on this day personally appeared Dick Zucker, President of the SHAVANO CREEK HOMEOWNERS ASSOCIATION, INC. , a Texas corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the/she had executed the same as the act of said corporation for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 19th day of January 2012.

MARY SCHWOPE
Notary Public, State of Texas
My Commission Expires
September 03, 2014

Notary Public, State of Texas

[Notarial Seal]

Mary Schwope
Printed Name

My commission expires: 9-3-14

AFTER RECORDING RETURN TO:
SHAVANO CREEK HOMEOWNERS ASSOCIATION, INC
7613 Tezel Road
San Antonio, Texas 78250

Any provision herein which restricts the sale, or use of the described rea. property because of race is invalid and unenforceable under Federal law
STATE OF TEXAS, COUNTY OF BEXAR
I hereby Certify that this instrument was FILED in File Number Sequence on this date and at the time stamped hereon by me and was duly RECORDED in the Official Public Record of Real Property of Bexar County, Texas on:

JAN 27 2012

COUNTY CLERK BEXAR COUNTY, TEXAS

Doc# 20120015731 Fees: $24.00
01/27/2012 3:28PM # Pages 4
Filed & Recorded in the Official
Public Records of BEXAR COUNTY
GERARD C. RICKHOFF COUNTY CLERK