

BRIAR MEADOWS CREEK OWNERS ASSOCIATION, INC.
FLAG DISPLAY POLICY

WHEREAS, the Briar Meadows Creek Owners Association, Inc. (“Association”) is charged with 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 Sections 202.011 (“Section 202.011”) thereto regarding regulation of flag displays (“Flag Display”); and

WHEREAS, the Board of Directors of the Association (“Board”) desires to establish a policy to regulate Flag Displays consistent with Section 202.011 and to provide clear and definitive guidance to owners.

NOW THEREFORE, the Board has duly adopted the following *Flag Display Policy*:

1. General. An owner may display flags only on his/her Lot and only in compliance with this Article XII. An Owner may not display flags on the Common Areas. Or on any other lands owned or maintained by the Association for any reason or at any time. An Owner may have one flagpole, or one residence-mounted flag mount, but not both.

2. Prior Approval Required All flagpoles, mounts, flag lighting, and related equipment must be approved in advance by the Association’s architectural control committee (the “Committee”). An Owner wishing to display a permitted flag must submit plan to the Committee for each installation, detailing the dimensions, type, location, materials and style of the flagpole, flag mounts, lighting and related equipment. The Committee shall have sole discretion in determining whether such items comply with this Article, subject to any appeal rights that may exist elsewhere in the Declaration or under State law.

3. Additional Requirements For Flags

- (a) Flags must be displayed on an approved flagpole or mount. Flags may not be displayed in any other manner.
- (b) No more than one flag at a time may be displayed on a flag mount. No more than two flags at a time may be displayed on a flagpole.

- (c) Flags on flagpoles must be hoisted, flown, and lowered in a respectful manner. Flags must never be flown upside down and must never touch the ground.
- (d) Flags may not contain commercial material or design, advertising, or any symbol, mark or language that may be offensive to the ordinary person.
- (e) If both the U.S. and Texas flags are displayed on a flagpole, they must be of approximately equal size, and the U.S. flag must be the highest flag flown and the Texas flag the second highest.
- (f) Only all-weather flags may be displayed during inclement weather.
- (g) Flags must be no larger than 3' x 5' in size.
- (h) A pennant, banner, plaque, sign or other item that contains a rendition of a flag does not qualify as a flag under this Article.

4. Materials And Appearance Of Flagpoles and Mounts

A flag mount, attached to a dwelling or a freestanding flagpole must be constructed of permanent, long-lasting materials, with a finish appropriate to the materials used in the construction of the mount or flagpole and harmonious with the dwelling, in the sole discretion of the Committee.

The following additional requirements shall also apply to flagpoles installed on Lots:

- (a) No more than one flagpole may be installed on a Lot.
- (b) The flagpole must be free-standing and installed vertically.
- (c) The flagpole must be no greater than 20' in height measured from grade level.
- (d) The location and construction of the flagpole must comply with applicable zoning ordinances, may not be located in any easements (including drainage easements), and comply with all setback requirements.
- (e) The Committee may require the pole to be installed on a particular location on the Lot.
- (f) No trees may be removed for flagpole installation.

- (g) The Owner must ensure that external halyards (hosting ropes) used on the flagpole do not create an unreasonable amount of noise.

5. Lighting Of Flag Displays

Any lights installed for the purpose of illuminating a flag must be pre-approved by the Association. Such light installations must be of a reasonable size and intensity and placed in a reasonable location, so that the lights do not unreasonably disturb other residents or neighbors. All flag illumination lighting must be specifically dedicated to that purpose. No other interior or exterior lighting (including security floodlights or spotlights) may be directed toward a displayed flag for purposes of illuminating the flag.

6. Maintenance

An Owner is responsible for ensuring that a displayed flag, flagpole, flag mount(s), lighting and related equipment are maintained in good and attractive condition at all times, at the Owner's expense. Any flag, flagpole, flag mount, light, or related equipment or item that is in a deteriorated or unsafe condition must be repaired, replaced, or removed promptly upon the discovery of its condition.

CERTIFICATION

I hereby certify that , as President of the Briar Meadows Creek Owners Association, Inc. , the foregoing Collection Policy and Payment Plan Guidelines were approved on the 5 day of July, 2016, at a meeting of the Board of Directors at which a quorum was present.

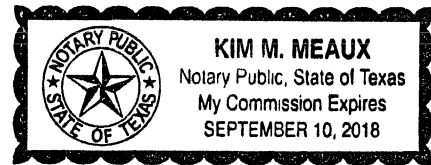
Frank Dworaczyk
Frank Dworaczyk
Title: President

STATE OF TEXAS §
§
COUNTY OF BRAZOS §

BEFORE ME, on this day personally appeared Frank Dworaczyk, the President of the Briar Meadows Creek Owners Association, Inc. , known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that s/he executed the same for the purposes herein expressed and in the capacity herein stated, and as the act and deed of said corporation.

Given under my hand and seal this the 5th day of July, 2016.

Kim M. Meaux
Notary Public-State of Texas



AFTER RECORDING, PLEASE RETURN TO:
Briar Meadows Creek Owners Association, Inc.
c/o Association Services
427 Dellwood St.
Bryan, TX 77801 USA