



MISSION TRACE HOMEOWNERS ASSOCIATION, INC.

FLAG POLE POLICY

STATE OF TEXAS §

COUNTY OF BEXAR §

WHEREAS, the Mission Trace Homeowners Association, Inc., (hereinafter "Association"), is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the Declaration for the Association; and

WHEREAS, Chapter 202.11 of the Texas Property Code was amended effective September 1, 2011, thereto regarding Flag and Flagpole guidelines; and

WHEREAS, the Board of Directors of the Mission Trace Homeowners Association, Inc., desires to hereby establish a Flag Pole policy consistent with the provisions of Section 202.11 and to additionally provide clear and definitive guidance to its members.

NOW THEREFORE, the Board has duly adopted the following *Flag Pole Policy*.

- 1. Owners and occupants may attach one flagpole to their residence or garage without obtaining prior approval from the Association's Architectural Control Committee (hereinafter "ACC") that does not exceed 10 feet in length. This flagpole will be known as an "attached flagpole", and it may be permanent or removable.
2. A freestanding flagpole (a flagpole which is attached to the ground) may not be installed without prior written approval from the ACC. Only one freestanding flagpole may be approved per lot. Roof-mounted flag poles are prohibited. Location, height, diameter, method of installation and material will be taken into consideration when consideration is given to applications submitted by owners or occupants who seek permission to install a freestanding flagpole.
3. A freestanding flagpole must be no more than 20 feet in height.
4. The Mission Trace Homeowners Association's ACC will work with owners and occupants who submit applications to erect a freestanding flagpole to determine a location on the owner's or occupants property which permits the proper display of flags, as permitted by Federal, State and local laws, while also preserving the appearance of the neighborhood and the value of adjacent properties. Adequate setback from public access sidewalks and streets will be given consideration in order to maintain unobstructed access and clear fields of vision and to also discourage vandalism.
5. Flagpoles must be constructed of permanent, long-lasting materials, with an

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appropriate finish that is harmonious with the dwelling.

6. A displayed flag and the flagpole on which it is flown must be maintained in good condition and any deteriorated flag or deteriorated or structurally unsafe flagpole must be repaired, replaced or removed.
7. Flagpoles with lanyards and fittings must be constructed to minimize noise generated by lanyards and fittings slapping against the flagpole. If noise created by a flagpole is loud enough to disturb an owner or occupant's neighbors, the Association reserves the right to require the owner or occupants to remove the flagpole, replace it, or otherwise take any action required to eliminate the noise.
8. If a flagpole is lighted, the light source shall not be visible from the windows of adjacent residences or to passing traffic. For upward-shining lights, minimum wattage should be used in order to minimize light pollution of the night sky.
9. A flag flown on an attached flagpole may not exceed 3 feet by 5 feet.
10. A flag flown on a freestanding flagpole may not exceed 3 feet by 5 feet.
11. Only the flag of the United States of America, the flag of the State of Texas, or an official or replica flag of any branch of the United States Armed Forces may be flown.
12. Flags flown on the same flagpole of the U.S. flag may not exceed the size of the U.S. flag that is flown on the same flagpole.
13. The flag of the U.S. must be displayed in accordance with 4 U.S.C. Sections 5-10.
14. The flag of the State of Texas must be flown in accordance with Chapter 3100, of the Texas Government Code.
15. An owner or occupant may not display or erect a flagpole on property that is owned or maintained by the Mission Trace Homeowners Association or in the common areas of the Mission Trace Homeowners Association.

This Policy is effective upon recordation in the Public Records of Bexar County, Texas, and shall supercede any policy regarding the Association's flag pole policy which may have previously been in effect. Except as affected by Section 202.11 and/or this Policy, all other provisions contained within the Association's Declaration or any other dedicatory instruments of the Association shall remain in full force and effect.

Amendment

This policy may be amended from time to time by the Board of Directors of the Association.

Approve and adopted by the Board on this 20th day of December 2011.

Robert W. Ray
Robert W. Ray
President,
Mission Trace Homeowners Association, Inc.

STATE OF TEXAS §
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COUNTY OF BEXAR §

Before me, the undersigned authority, on this day personally appeared Robert W. Ray President of the Mission Trace Homeowners Association, Inc., a Texas non-profit corporation, known to be to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he/she had executed the same as the act of said corporation for the purpose and consideration therein expressed, and in the capacity therein state.

Given under my hand and seal of office this 20th day of December, 2011.
Stephanie Laissle
Notary Public, State of Texas

Printed Name: Stephanie Erin Laissle
My Commission Expires August 25, 2015



Any provision herein which restricts the sale, or use of the described real 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:

DEC 22 2011



Gerard C. Rickhoff
COUNTY CLERK BEXAR COUNTY, TEXAS