

ORGANIZATION OF TIFFANY PARK HOMEOWNERS, INC.  
GUIDELINES FOR DISPLAY OF FLAGS

STATE OF TEXAS  
COUNTY OF BRAZOS

000000

WHEREAS, ORGANIZATION OF TIFFANY PARK HOMEOWNERS, INC. (the "Association") is charged with administering and enforcing those certain covenants, conditions and restrictions as provided for in the governing documents of the Association, including but not limited to the following:

- a) Covenants, Conditions and Restrictions for Organization of Tiffany Park Homeowners, Inc., recorded in Volume 6528, Page 91 of the Official Records of Brazos County, Texas, applicable to Phases Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Eight A (8A), and Ten (10) of the Tiffany Park Subdivision;
- b) Amendment, Ratification and Adoption of Covenants, Conditions and Restrictions for Tiffany Park, Phase Two (2), recorded in Volume 9489, Page 3 of the Official Records of Brazos County, Texas;
- c) Declaration of Covenants, Conditions and Restrictions and Ratification of Lienholder for Tiffany Park Subdivision, Phase Eleven (11), recorded in Volume 7179, Page 161 of the Official Records of Brazos County, Texas;
- d) Declaration of Covenants, Conditions and Restrictions and Ratification of Lienholder for Tiffany Park Subdivision, Phase Twelve (12), recorded in Volume 7179, Page 180 of the Official Records of Brazos County, Texas;
- e) Declaration of Covenants, Conditions and Restrictions and Ratification of Lienholder for Tiffany Park Subdivision, Phases Thirteen (13), Fourteen (14) and Fifteen (15), recorded in Volume 8774, Page 92 of the Official Records of Brazos County, Texas;
- f) and all amendments, modifications and supplements thereto (collectively the "Declaration"); and

WHEREAS, Chapter 209 of the Texas Property Code has been amended to add Section 202.011 regarding the display of flags, effective June 17, 2011; and

WHEREAS, the Association's Board of Directors (the "Board") has determined that it is in the best interest of the members and the Association to set forth clear, definitive guidelines regarding the display of flags within the Tiffany Park Subdivision (the "Subdivision");

NOW, THEREFORE, the Board has duly adopted the following "Guidelines for Display of Flags" within the Subdivision (the "Guidelines"):

1. No flag or flagpole shall be displayed, placed, added or altered on any Lot without the prior written approval of the Association's Architectural Control Committee (the "ACC").

2. In no event may the ACC prohibit or restrict an Owner from displaying the following flags on the Owner's Lot: (a) the flag of the United States of America; (b) the flag of the State of Texas; and (c) an official or replica flag of any branch of the United States armed forces (collectively, the "Permitted Flags"). However, the Permitted Flags must be displayed in accordance with these Guidelines, unless the ACC grants the Owner a variance to these

Guidelines.

3. All flags of the United States of America must be displayed in accordance with 4 U.S.C. §§ 5-10.

4. All flags of the State of Texas must be displayed in accordance with Chapter 3100 of the Texas Government Code.

5. All displayed flags (including but not limited to Permitted Flags) shall be no more than three feet (3') by five feet (5') in size.

6. All flags (including but not limited to Permitted Flags) must be displayed on: (a) a flagpole attached to a dwelling; or (b) a freestanding flagpole. No flag (including but not limited to Permitted Flags) shall be draped over or directly attached to a dwelling, garage, fence or other structure.

7. All flagpoles must be constructed of permanent, long-lasting materials, with a finish appropriate to the materials used in the construction of the flagpole and harmonious with the dwelling.

8. All flagpoles must be installed according to the manufacturer's instructions.

9. There shall only be one (1) flagpole per Lot.

10. All flagpoles shall be not more than twenty feet (20') in height.

11. All displayed flags (including but not limited to Permitted Flags) and the flagpoles on which they are flown must be maintained in good condition. Any deteriorated flag (including but not limited to Permitted Flags) and any deteriorated or structurally unsafe flagpole must be repaired, replaced, or removed.

12. The display of a flag (including but not limited to a Permitted Flag), as well as the location and construction of the supporting flagpole, must comply with applicable zoning ordinances, easements, and setbacks of record. Furthermore, flags (including but not limited to Permitted Flags) may not be displayed and flagpoles may not be installed on: (a) property that is owned and/or maintained by the Association; or (b) property that is owned in common by the Association's Members.

13. Lighting may be installed to illuminate a displayed flag (including but not limited to a Permitted Flag), so long as: (i) the ACC has approved the lighting in writing prior to installation; and (ii) the lighting meets the following criteria:

- a. Existing ambient lighting does not provide proper illumination of the flag;
- b. The lights illuminate only the flag and flagpole, and do not shine toward or on any other Lot;
- c. The lights are not bright enough to cause a disturbance or nuisance;
- d. The lights are mounted in the immediate vicinity of the flag and flagpole;
- e. The lights' illumination does not exceed the equivalent of a 60 watt incandescent bulb; and
- f. The lights comply with all federal, state and local laws and ordinances.

14. Flagpoles must not cause noise that would disturb the quiet enjoyment of other residents. Each Owner of a flagpole must take steps to abate noise caused during installation of a flagpole and noise caused by an external halyard of a flagpole.

15. These Guidelines are effective upon recordation in the Official Records of Brazos County, Texas and supersede any guidelines regarding display of flags that may have previously been in effect. Except as affected by Section 202.011 and/or by these Guidelines, all other provisions contained in the Declaration and/or any other dedicatory instruments of the Association shall remain in full force and effect.