

THE GARDENS OVER TAPATIO SPRINGS OWNERS ASSOCIATION
FLAG DISPLAY POLICY

STATE OF TEXAS §
 §
COUNTY OF KENDALL §

WHEREAS, the property encumbered by this Flag Display Policy is that property restricted by the Amended and Restated Declaration of Reservations, Covenants, Conditions and Restrictions for The Gardens Over Tapatio Springs (Garden Home Subdivision) recorded in the Kendall County Real Property Records, Volume 779, Page 257, as same has been or may be amended from time to time ("Declaration"), and any other subdivisions which have been or may be subsequently annexed thereto and made subject to the authority of The Gardens Over Tapatio Springs Owners Association (the "Association"); and

WHEREAS, any reference made herein to approval by the Gardens Architectural Committee ("GAC"), means prior written approval by the GAC.

NOW THEREFORE, pursuant to the authority granted in Section 202.011 of the Texas Property Code, the Board of Directors (the "Board"), hereby adopts this Flag Display Policy ("Policy"), which shall run with the land and be binding on all owners and lots within the subdivision. This Policy replaces any previously recorded or implemented policy that addresses the subjects contained herein.

I. FLAG DISPLAY

The display of flags is permitted under the following parameters:

1. Owners may have a total of one (1) flagpole per lot. Flags must be attached to a flagpole in order to be displayed;
2. Any of the following flags may be displayed on the single permitted flagpole:
 - a. U.S. flag;
 - b. Texas flag; or
 - c. An official or replica flag of a branch of the US armed forces
3. The U.S. flag must be displayed in accordance with federal law, and the Texas flag must be displayed in accordance with Texas state law;
4. Flagpoles may be either freestanding or mounted to the dwelling, under the following parameters:
 - a. Freestanding flagpoles must be located in the backyard and may not be taller than twenty feet (20') when measured from the ground level (including the pole ornamentation).

- b. Flagpoles no greater than five feet (5') in length may be attached to the front or back of a dwelling.
5. 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;
6. No flagpole can be placed within an easement on the owner's lot, or in a location that encroaches on a setback on the owner's lot;
7. All flags and flagpoles must be properly maintained at all times, including, but not limited to, immediate replacement of faded, frayed or torn flags and replacement of poles that are scratched, bent, rusted, faded, leaning or damaged in any way;
8. If evening display of the flag is desired, the flag may be lit from the base of the flagpole (maximum of two bulbs) with a total of no more than 150 watts. The light must shine directly up at the flag, and cannot cause any type of light spillover onto adjoining properties. All exterior lighting must be submitted to the GAC for prior approval;
9. Flagpoles mounted to a dwelling or garage must be removed from view when no flag is displayed;
10. The size of the flag must be appropriate for the length of the flagpole;
11. Flagpole halyards must not make noise under any conditions. Halyards must be securely fastened at all times;
12. Freestanding flagpoles must be mounted on an appropriate footing;
13. All flagpoles must be installed per the manufacturer's guidelines;
14. Owners are prohibited from locating a flag or flagpole on property owned or maintained by the Association; and
15. Owners are prohibited from locating a flag or flagpole on property owned in common by the members of the Association.

II. GAC APPROVAL

Flagpoles mounted to a dwelling do not require approval from the GAC, provided the terms of this Policy are complied with. Any installation of a flagpole to a dwelling not in compliance with this Flag Display Policy will be considered a deed restriction violation.

Freestanding flagpoles require submission of a completed application to the GAC with a site plan showing the proposed location of the improvement, along with pictures showing the location of the modification and the manufacturer's brochures or sample of material, if

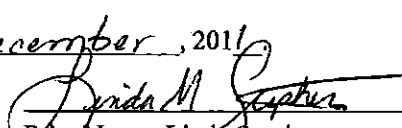
applicable. The color of the materials being used in relation to house color, the visibility from public streets and neighboring properties/common areas and any noise created are of specific concern. Any installation not in compliance with this Policy will be considered a deed restriction violation.

This Flag Display Policy does not apply to property that is owned or maintained by the Association.

CERTIFICATION

I hereby certify that, as President of The Gardens Over Tapatio Springs Owners Association, the foregoing Flag Display Policy was approved on the 29th day of December, 2011, by unanimous written consent of the Board of Directors.

DATED, this the 29th day of December, 2011.

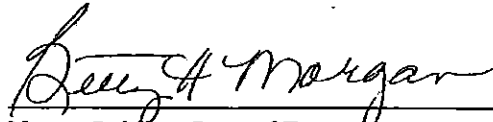

Print Name: Linda Stephens
Title: President

STATE OF TEXAS §
 §
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BEFORE ME, on this day personally appeared Linda Stephens, the President of The Gardens Over Tapatio Springs Owners Association, 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 29th day of December, 2011.




Notary Public – State of Texas

After Recording, Return To:
Stephanie Quade
Roberts Markel
2800 Post Oak Blvd., 57th Floor
Houston, TX 77056

Filed & Recorded in :

KENDALL COUNTY
DARLENE HERRIN
COUNTY CLERK

01/03/2012 8:10AM

Document Number: 00262473

Total Fees : \$ 19.00

This Document has been electronically received by
this office for Recording into the Official Public
Records.

We do hereby swear that we do not discriminate
due to Race, Creed, Color, Sex or National
Origin.

STATE OF TEXAS, COUNTY OF KENDALL

I hereby certify that this instrument was e-filed
in File Number Sequence on the date and
at the time stamped hereon and was duly
recorded in the OFFICIAL RECORDS Records of
Kendall County, Texas on

01/03/2012

DARLENE HERRIN, COUNTY CLERK
Kendall County, Texas

By: Paula Pfeiffer Deputy