

**BOARD RESOLUTION ADOPTING FLAG DISPLAY AND
XERISCAPING POLICIES**

For

WILLOW POINTE HOMEOWNERS ASSOCIATION, INC.

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

WHEREAS, Willow Pointe Homeowners Association, Inc., (hereafter referred to as "Association") is a nonprofit Corporation, incorporated with the Texas Secretary of State, under file number 6636059.

WHEREAS, the Association's subdivision is subject to § 202 of the Texas Property Code and described by the "*Declaration of Covenants, Conditions, and Restrictions Willow Pointe Homeowners Association, Inc.*," recorded in the Harris County Real Property Records under file number R397487

WHEREAS, the Association seeks to adopt flag regulations in compliance with Texas Property Code § 202.011 and § 202.012, which provides property owners with limited rights to display certain flags.

WHEREAS, the Association seeks to adopt Drought-Resistant Landscaping and Water-Conserving Turf (hereafter referred to as "xeriscaping") regulations in compliance with Texas Property Code §§ 202.007(a)(4), 202.007(d)(8), and 202.007(d-1).

NOW, THEREFORE, in accordance with the foregoing, the Association adopts the following flag display and xeriscaping policies, effective January 1, 2014:

I. POLICY REGARDING FLAG DISPLAY

1. A property owner is explicitly permitted, though not necessarily restricted to displaying:
 - a) United States Flags, which comply with 4 U.S.C. Sections 5-10;
 - b) Texas Flags, which comply with Chapter 3100 of the Texas Government Code.

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RP 889-93-0375

2. A property owner can only display flags:
- a) on property which they have exclusive control and use over;
 - b) on freestanding flagpoles or mounted flagpole brackets;
 - c) that are constructed of permanent materials;
 - d) that are maintained in good condition;
 - e) that are proportionate in size to the structure on which they are attached;
 - f) that do not exceed a width of three (3) feet or a height of five (5) feet;
 - g) which are harmonious with the surrounding property. As such, an owner may not display a flag in any way that creates a nuisance or violates an applicable zoning ordinance, easement, or set back restriction.
3. A property owner may install a flagpole only after an ACC application has been submitted and approved by the Association's Board of Directors. Flagpole ACC applications shall adhere to the following conditions:
- a) A flagpole can only be installed in a "front yard," as defined by § 202.001(5) of the Texas Property Code. Therefore, flagpoles can only be installed in a front yard with a set back of at least fifteen (15) feet.
 - b) No flagpole may exceed 20 feet in height.
 - c) All flagpoles must be constructed of safe, sturdy, and permanent materials.
 - d) Any flag pole that displays a flag from dusk till dawn must be properly illuminated

II. POLICY REGARDING XERISCAPING

1. A property owner may install drought-resistant landscaping or water-conserving turf (hereafter referred to as "xeriscaping") only after an ACC application has been submitted and approved by the Association's Board of Directors. Xeriscaping ACC applications shall adhere to the following conditions:
 - a) All drought-resistant landscaping or water-conserving turf must be aesthetically compatible with other landscaping in the subdivision.
 - b) All ACC applications must contain a detailed description of the installation plan, including but not limited to the type and brand of intended materials, the location where the materials are to be installed, and a rendering or diagram of the overall plan.
 - c) All ACC applications containing the following features will be deemed aesthetically incompatible with the subdivision and will not be approved:
 - i. Any use of artificial plants or unnatural landscaping materials such as Astro-turf, silk flowers, plastic plants, or rubber mulch.
 - ii. Substantial use of non-native plants such as cacti.
 - iii. Predominant use of rock, stone, or non-living ground cover visible to the public
 - d) All ACC applications must comply with previously approved association guidelines.
2. The Association, through its Board of Directors, shall have absolute discretion to interpret the meaning of "drought-resistant," "water conserving," "aesthetically compatible," "aesthetically incompatible," "artificial," "unnatural," "substantial use," "predominant use," and all other terms used in this document that are not statutorily defined.

CERTIFICATION

STATE OF TEXAS §
COUNTY OF HARRIS §

I, the undersigned, a director of Willow Pointe Homeowners Association, Inc., hereby certifies that the above resolution was adopted by a majority of the Association's Board of Directors, at duly held meeting with the requisite quorum present.

Executed on November 16, 2013

Signature: [Handwritten Signature]

Name: Scott Ward

Title: Willow Pointe HOA President

ACKNOWLEDGEMENT

STATE OF TEXAS §
COUNTY OF Harris §

This instrument was acknowledged before me on November 16, 2013 201311/15/2013, by a director of Willow Pointe Homeowners Association, Inc.

By: [Handwritten Signature]
Notary Public, State of Texas



for note

AFTER RECORDING PLEASE RETURN TO:

Randall Management
6200 Savoy, Suite 420
Houston, Texas 77036

RECORDER'S MEMORANDUM:
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

RP 889-93-0378

FILED

2013 DEC 19 AM 9:10

Stan Stewart
COUNTY CLERK
HARRIS COUNTY, TEXAS

HP 009-93-0379

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.
THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me, and was duly RECORDED, in the Official Public Records of Real Property of Harris County, Texas.

DEC 19 2013



Stan Stewart
COUNTY CLERK
HARRIS COUNTY, TEXAS