

DISPLAY OF RELIGIOUS ITEMS POLICY  
for  
PELICAN COVE CANAL OWNERS ASSOCIATION

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STATE OF TEXAS                   §  
  §  
COUNTY OF SAN PATRICIO       §

I, BERNARD P. BEAULIEUX Secretary of Pelican Cove Canal Owners Association (the "Association"), do hereby certify that at a meeting of the Board of Directors of the Association (the "Board") duly called and held on the 26 day of FEBRUARY, 2022, with at least a quorum of the Board members being present and remaining throughout, and being duly authorized to transact business, the following Display of Religious Items Policy was duly approved by a majority vote of the members of the Board:

**RECITALS:**

1. The property encumbered by this Display of Religious Items Policy is that property restricted by the First Amended and Restated Declaration of Conditions and Restrictions, recorded in the Official Public Records of Real Property of San Patricio County, Texas under County Clerk's File Volume No. 360030, as same has been or may be amended from time to time ("Declaration"), and any other property which has been or may be subsequently annexed thereto and made subject to the authority of the Association.
2. Section 202.018 of the Texas Property Code (the "Code") gives owners and residents certain statutory rights to install religious items subject to the right of the Association to adopt certain rules and regulations regulating the religious items and placement.
3. The Board of Directors of the Association desires to adopt a display of religious items policy consistent with the provisions of Section 202.018 of the Code.
4. This Display of Religious Items Policy replaces and supersedes any previously recorded or implemented policy that addresses the subjects contained herein, if any, adopted by the Association.

**POLICY:**

Owners and residents are generally permitted to display or affix one or more religious items on the owner's or resident's property or dwelling, the display of which is motivated by the owner's or resident's sincere religious belief.

**Architectural Control Committee Application Required.** Before a religious display contemplated by the Code is displayed or affixed on an owner's or resident's property, an Architectural Control Committee ("Committee") application must be submitted to the Association

and approved in writing in accordance with the Declaration. The following information must be included with the application:

- a. Type and description of religious display;
- b. Site plan indicating the location of the proposed religious display with respect to any applicable building line, right-of-way, setback or easement on the owner's or resident's property.

Notwithstanding the foregoing, the following displays shall not require Committee approval. All other religious displays shall require Committee approval as set forth above.

- a. One or more religious items displayed or affixed on the entry of an owner's or resident's dwelling, not exceeding twenty-five (25) square inches, shall not require Committee approval.
- b. Seasonal holiday decorations which are temporary and commonly associated with a seasonal holiday may be displayed no more than sixty (60) days before and thirty (30) days after the seasonal holiday in question. The Board has the sole discretion to determine what constitutes a seasonal holiday decoration. Should an owner or resident desire to permanently display a religious display, a Committee application is required as set forth above.

The display or affixing of a religious item on the owner's or resident's property or dwelling is prohibited under the following circumstances:

1. The item threatens the public health or safety;
2. The item violates a law other than a law prohibiting the display of religious speech;
3. The item contains language, graphics or any display that is patently offensive to a passerby for reasons other than its religious content;
4. The item is installed on property:
  - a. owned or maintained by the Association; or
  - b. owned in common by members of the Association.
5. The item violates any building line, right-of-way, setback or easement that applies to the religious item pursuant to a law or the Association's dedicatory instruments; or
6. The item is attached to a traffic control device, street lamp, fire hydrant or utility sign, pole or fixture.

Any installation not in compliance with this Policy will be considered a violation of the dedicatory instruments governing the subdivision.

I hereby certify that I am the duly elected, qualified and acting Secretary of the Association and that the foregoing Display of Religious Items Policy was approved by a majority vote of the Board of Directors as set forth above and now appears in the books and records of the Association, to be effective upon recording in the Official Public Records of Real Property of San Patricio County, Texas.

TO CERTIFY which witness my hand this the 3 day of MARCH, 2022 ~~1~~

PELICAN COVE CANAL OWNERS ASSOCIATION

By: Bernard P. Beaulieu

Printed: \_\_\_\_\_

Its: Secretary

THE STATE OF TEXAS     §  
  §  
COUNTY OF SAN PATRICIO §

BEFORE ME, the undersigned notary public, on this 3 day of MARCH, 2022 ~~1~~ personally appeared BERNARD P. BEAULIEU, Secretary of Pelican Cove Canal Owners Association, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that s/he executed the same for the purpose and in the capacity therein expressed.

Sherril L. Tringali  
Notary Public in and for the State of Texas

