

**BRIAR PARK COMMUNITY IMPROVEMENT ASSOCIATION, INC.**

**FLAG DISPLAY GUIDELINES**

STATE OF TEXAS                   §  
  §  
COUNTY OF HARRIS           §

WHEREAS, Briar Park Community Improvement Association, Inc., a Texas nonprofit corporation (the "Association"), is the governing entity for Briar Park, Section 1, Briar Village, Sections 1-4, and Briarworth, Section 1, additions in Harris County, Texas according to the maps or plats thereof, recorded in the Map Records of Harris County, Texas as follows:

<b>Section</b>	<b>Clerk's File No.</b>
Briar Park, Section One	C772571
Briar Village, Section One	D162445
Briar Village, Section Two	D524953
Briar Village, Section Three	E050902
Briar Village, Section Four	E326535
Briarworth, Section One	E756459

along with any amendments and replats thereto, and any other additional property annexed into the jurisdiction of the Association now and in the future (collectively referred to as the "Subdivision"); and

WHEREAS, Chapter 202 of the Texas Property Code was amended effective June 17, 2011, to add Section 202.011 ("Section 202.011 ") thereto regarding the display of flags; and

WHEREAS, the Board of Directors of the Association ("Board") has determined that in connection with maintaining the aesthetics and architectural harmony of the community, and to provide clear and definitive guidance regarding the display of flags therein, it is appropriate for the Association to adopt guidelines regarding the display of flags; and

NOW THEREFORE, pursuant to the foregoing and as evidenced by the certification hereto, the Association, through its Board, hereby states Guidelines for the display of flags as follows:

1. These Guidelines apply to the display of ("Permitted Flags"):
  - 1.1. the flag of the United States; and
  - 1.2. the flag of the State of Texas; and
  - 1.3. the official flag of any branch of the United States armed forces; and

RP-2022-525792

1.4. any other flag, so long as it is not considered offensive in the sole and absolute discretion of the Association Board of Directors.

2. These Guidelines do not apply to any flags other than the Permitted Flags listed in Section 1 above including, but not limited to:
  - 2.1. flags for schools, sports teams, businesses or foreign countries; or
  - 2.2. flags with marketing, seasonal, historical, commemorative, nautical, political or religious themes; or
  - 2.3. historical versions of flags permitted in section 1 above.
3. Permitted Flags may be displayed subject to these guidelines. Advance written approval of the Architectural Control Committee is required for any free-standing flagpole and any additional illumination associated with the display of Permitted Flags.
4. Permitted Flags must be displayed in a respectful manner in accordance with the current relevant federal, state or military code.
5. Permitted flags must be displayed from a pole attached to a structure or to a freestanding pole. Permitted Flags may not be draped over or directly attached to structures. For example, a Permitted Flag may not be laid across a fence or stapled to a garage door.
6. Permitted Flags shall be no larger than three foot (3') by five foot (5') in size.
7. Only one Permitted Flag may be displayed on a flagpole attached to a structure. Up to two Permitted Flags may be displayed on an approved free-standing flagpole that is at least fourteen feet (14') tall.
8. Flagpoles must be constructed of permanent, long-lasting materials with an appropriate finish that is harmonious with the dwelling.
9. A flagpole attached to a structure may be up to six feet (6') long and must be securely attached with a bracket with an angle of 30 to 45 degrees down from vertical. The flagpole must be attached in such a manner as to not damage the structure. One attached flagpole is allowed on any portion of a structure facing a street and one attached flagpole is allowed on the rear or backyard portion of a structure. Brackets which accommodate multiple flagpoles are not allowed.
10. Free-standing flagpoles may be up to twenty feet (20') tall, including any ornamental caps. Free-standing flagpoles must be permanently installed in the ground according to manufacturer's instructions. One free-standing flagpole is allowed in the portion of the owner's property between the main residential dwelling and any street and one free-standing flagpole is allowed in the rear or backyard portion of a property.
11. Free-standing flagpoles may not be installed in any location described below:
  - 11.1. in any location other than the Owner's property; or

- 11.2. within a ground utility easement or encroaching into an aerial easement; or
  - 11.3. beyond the side or rear setback lines (for example, on a lot with a 10' side setback line, a flagpole may not be installed closer than 10' from the side property line); or
  - 11.4. beyond half the distance of the front setback line (for example, on a lot with a 30' front setback line, a flagpole may not be installed closer than 15' from the front property line); or
  - 11.5. closer to a dwelling on an adjacent lot than the height of the flagpole (for example, a 20' flagpole cannot be installed closer than 20' from an adjacent house).
12. Lighting may be installed to illuminate Permitted Flags, subject to the discretion of the Architectural Control Committee, if they will be displayed at night and if existing ambient lighting does not provide proper illumination. Flag lighting must:
    - 12.1. be ground mounted in the vicinity of the flag; and
    - 12.2. utilize a fixture that screens the bulb and directs light in the intended direction with minimal spillover; and
    - 12.3. point towards the flag and face the main structure on the property or to the center of the property if there is no structure; and
    - 12.4. provide illumination not to exceed the equivalent of a 60 watt incandescent bulb.
  13. Flagpoles must not generate unreasonable noise levels which would disturb the quiet enjoyment of other residents. Each flagpole owner should take steps to reduce noise levels by using vinyl or plastic snap hooks, installing snap hook covers or securing a loose halyard (rope) around the flagpole with a flagpole clasp.
  14. Flagpoles are allowed solely for the purpose of displaying Permitted Flags. If a flagpole is no longer used on a daily basis, it must be removed.
  15. All flags and flagpoles must be maintained in good condition. Deteriorated flags must be removed and promptly replaced. Deteriorated or structurally unsafe flagpoles must be promptly repaired, replaced or removed.
  16. Any improvement changes of design or color, outside the stated Guidelines in this document, must be submitted for Architectural Control Committee review and approval.

**CERTIFICATION**

“I, the undersigned, being a Director of Briar Park Community Improvement Association, Inc., hereby certify that the foregoing *Instrument* was adopted by at least a majority of Briar Park Community Improvement Association, Inc.’s board of directors, at an open and properly noticed meeting of the board, at which a quorum of the board was present.”

By: 

Print name: Miriam Munoz,

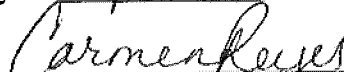
Title: President, BPCIA HOA

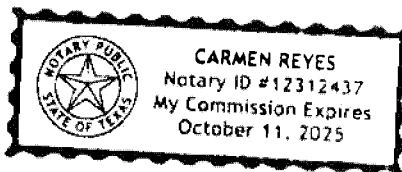
**ACKNOWLEDGEMENT**

STATE OF TEXAS                    §  
   §  
COUNTY OF HARRIS           §

BEFORE ME, the undersigned authority, on this day personally appeared the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that he is the person who signed the foregoing document in his representative capacity and that the statements contained therein are true and correct.

Given under my hand and seal of office this the 27<sup>th</sup> day of September, 2022.

  
Notary Public, State of Texas



RP-2022-525792

RP-2022-525792  
# Pages 5  
10/26/2022 03:11 PM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
TENESHIA HUDSPETH  
COUNTY CLERK  
Fees \$30.00

RECORDERS MEMORANDUM  
This instrument was received and recorded electronically  
and any blackouts, additions or changes were present  
at the time the instrument was filed and recorded.

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.



  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

RP-2022-525792