

FLAG POLICY
for
VALLEY RANCH HOMEOWNERS ASSOCIATION, INC.

THE STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

I, Tyler Hager, President of Valley Ranch Homeowners Association, Inc. (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 25th day of August, 2021, with at least a quorum of the Board members being present and remaining throughout, and being duly authorized to transact business, the following Flag Policy ("**Policy**") was duly approved by at least a majority vote of the members of the Board present at the meeting.

RECITALS:

1. Article III, Section 3.12 of the Declaration of Covenants, Conditions and Restrictions for Valley Ranch Single Family Residential Areas, recorded in the Official Public Records of Real Property of Montgomery County, Texas, under Clerk's File No. 2006006119, as same has been or may be amended and/or supplemented 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 204.010(a)(6) of the Texas Property Code authorizes the Association to regulate the use, maintenance, repair, replacement, modification and appearance of the subdivision.

3. The Board desires to adopt a policy relating to flags consistent with the applicable provisions in Chapter 202 of the Texas Property Code.

4. This Flag Policy replaces and supersedes the previous flag policy adopted by the Association.

5. All capitalized terms in this Policy shall have the same meanings as that ascribed to them in the Declaration.

FLAGS:

Section 202.011 of the Texas Property Code provides that a property owners' association may not enforce a provision in a dedicatory instrument that prohibits, restricts, or has the effect of prohibiting or restricting a flag of the United States of America, the flag of the State of Texas, or an official or replica flag of any branch of the United States armed forces, except as otherwise provided therein.

The following guidelines are applicable to flagpoles and the three (3) types of flags listed in Section 202.011 of the Texas Property Code:

1. **Enforcement.** The Association may require an Owner to remove flagpoles, flagpole footings, or flags that do not comply with these Guidelines.
2. **Flag of the United States.** The flag of the United States must be displayed in accordance with applicable provisions of 4 U.S.C. Sections 5-10, which address, among other things, the time and occasions for display, the position and manner of display, and respect for the flag.
3. **Flag of the State of Texas.** The flag of the State of Texas must be displayed in accordance with applicable provisions of Chapter 3100 of the Texas Government Code, which address, among other things, the orientation of the flag on a flagpole or flagstaff, the display of the flag with the flag of the United States, and the display of the flag outdoors.
4. **Flagpoles.**
 - (a) Not more than one (1) freestanding flagpole or flagpole attached to the Living Unit or garage (on a permanent or temporary basis) is permitted on a Lot.
 - (b) A freestanding flagpole may not exceed twenty (20) feet in height, measured from the ground to the highest point of the flagpole.
 - (c) A flagpole attached to the Living Unit or garage may not exceed six (6) feet in length.
 - (d) A flagpole, whether freestanding or attached to the Living Unit or garage, must be constructed of permanent, long-lasting materials with a finish appropriate to materials used in the construction of the flagpole and harmonious with the Living Unit on the Lot on which it is located.
 - (e) A flagpole may not be located in an easement or encroach into an easement.
 - (f) A freestanding flagpole may not be located nearer to a property line of the Lot than the applicable setbacks as either shown on the recorded plat or as set forth in the Declaration. Provided, with the prior written approval of the Committee, a freestanding flagpole may be located up to five feet (5') in front of the front building setback line for a Lot. Above-ground stands and/or footings also require Committee approval in accordance with Section 5.
 - (g) A flagpole must be maintained in good condition. A deteriorated or structurally unsafe flagpole must be repaired, replaced or removed.
 - (h) An Owner is prohibited from locating a flagpole on property owned or maintained by the Association.

- (i) A freestanding flagpole must be installed in accordance with the manufacturer's guidelines and specifications.
- (j) If the footing and/or stand for a freestanding flagpole extends above the surface of the ground, the Committee may require the installation of landscaping to screen the stand and/or footing from view.

5. **Flags.**

- (a) Only the three (3) types of flags addressed in this Section may be displayed on a freestanding flagpole on a daily basis. Other types of flags may be displayed on a wall-mounted flagpole as otherwise provided in architectural guidelines adopted by the Association or as otherwise permitted by the Association.
- (b) High school, college and professional sports team spirit flags may be displayed on a freestanding pole during the team's sports season and must be removed within fifteen (15) days of the end of the specific team's sports season.
- (c) Holiday flags may be displayed on a freestanding pole up to thirty (30) days before the holiday and must be removed within fifteen (15) days of the end of the holiday.
- (d) Political flags which advertise a political candidate or ballot item for an election may be placed on a freestanding pole up to ninety (90) days before the date of the election to which the flag relates and must be removed by the tenth (10th) day after the election date.
- (e) Not more than two (2) of the permitted types of flags may be displayed on a flagpole at any given time.
- (f) The maximum dimensions of a displayed flag on a freestanding flagpole that is less than fifteen (15) feet in height or on a flagpole attached to the Living Unit or garage is three (3) feet by five (5) feet.
- (g) The maximum dimensions of a displayed flag on a freestanding flagpole that is fifteen (15) feet in height or greater is four (4) feet by six (6) feet.
- (h) A displayed flag must be maintained in good condition. A deteriorated flag must be replaced or removed.
- (i) Flags which, in the sole opinion of the Board, threaten the public health or safety or contain language, graphics, or any display that would be offensive to the ordinary person must be removed.

- (j) A flag must be displayed on a flagpole. A flag may not be attached to the wall of the Living Unit or other structure on a Lot or a fence or be displayed in a window of the Living Unit or other structure on a Lot.
6. **Illumination.** It is the universal custom to display the flag of the United States of America only from sunrise to sunset. Likewise, the flag of the State of Texas should not normally be displayed outdoors before sunrise or after sunset. Accordingly, illumination of a flagpole or flag is not permitted.
7. **Noise.** An external halyard on a flagpole is required to be securely affixed to the flagpole so that it is not moved by the wind and thereby permitted to clang against the flagpole.

In the event of a conflict between a provision in the Declaration and a provision in this Policy that is based upon applicable law, the provision in this Policy controls.

I hereby certify that I am the duly elected, qualified and acting President of the Association and that the foregoing Flag Policy was approved by not less than 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 Montgomery County, Texas.

TO CERTIFY which witness my hand this the 25th day of August, 2021.

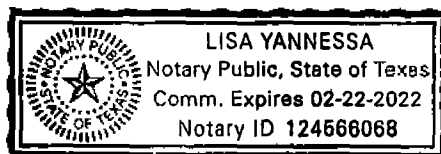
Valley Ranch Homeowners Association,
Inc.

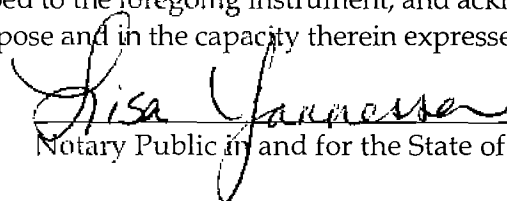
By: 

Tyler Hager - President

THE STATE OF TEXAS §
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COUNTY OF MONTGOMERY §

BEFORE ME, the undersigned notary public, on this 25th day of August, 2021, personally appeared Tyler Hager, President of Valley Ranch Homeowners Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purpose and in the capacity therein expressed.




Notary Public in and for the State of Texas

SEVENTH SUPPLEMENTAL
NOTICE OF DEDICATORY INSTRUMENTS
FOR
VALLEY RANCH HOMEOWNERS ASSOCIATION, INC.

THE STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

The undersigned, being the authorized representative of Valley Ranch Homeowners Association, Inc., a property owners' association as defined in Section 202.001 of the Texas Property Code (the "Association"), hereby supplements the "Notice of Dedicatory Instruments for Valley Ranch Homeowners Association, Inc." ("Notice") recorded in the Official Public Records of Real Property of Montgomery County, Texas on June 6, 2008 under Clerk's File No. 2008-056313, the "First Supplemental Notice of Dedicatory Instruments for Valley Ranch Homeowners Association, Inc." (the "First Supplemental Notice") recorded in the Official Public Records of Real Property of Montgomery County, Texas on October 1, 2008 under Clerk's File No. 2008-096645, "Second Supplemental Notice of Dedicatory Instruments for Valley Ranch Homeowners Association, Inc." (the "Second Supplemental Notice") recorded in the Official Public Records of Real Property of Montgomery County, Texas on January 11, 2013 under Clerk's File No. 2013003120, "Third Supplemental Notice of Dedicatory Instruments for Valley Ranch Homeowners Association, Inc." (the "Third Supplemental Notice") recorded in the Official Public Records of Real Property of Montgomery County, Texas on January 3, 2020 under Clerk's File No. 2020000564, "Fourth Supplemental Notice of Dedicatory Instruments for Valley Ranch Homeowners Association, Inc." (the "Fourth Supplemental Notice") recorded in the Official Public Records of Real Property of Montgomery County, Texas on November 12, 2020 under Clerk's File No. 2020131064, "Fifth Supplemental Notice of Dedicatory Instruments for Valley Ranch Homeowners Association, Inc." (the "Fifth Supplemental Notice") recorded in the Official Public Records of Real Property of Montgomery County, Texas on February 6, 2021 under Clerk's File No. 2021024077 and "Sixth Supplemental Notice of Dedicatory Instruments for Valley Ranch Homeowners Association, Inc." (the "Sixth Supplemental Notice") recorded in the Official Public Records of Real Property of Montgomery County, Texas on June 10, 2021 under Clerk's File No. 2021080117, which documents were filed for record for the purpose of complying with Section 202.006 of the Texas Property Code.

Additional Dedicatory Instruments. In addition to the Dedicatory Instruments identified in the Notice, the First Supplemental Notice, the Second Supplemental Notice, the Third Supplemental Notice, Fourth Supplemental Notice, Fifth Supplemental Notice and Sixth Supplemental Notice, the following documents are Dedicatory Instruments governing the Association:

- **Security Measures Policy for Valley Ranch Homeowners Association, Inc.**
- **Bid Solicitation Policy for Valley Ranch Homeowners Association, Inc.**
- **Flag Display Policy for Valley Ranch Homeowners Association, Inc.**
- **Operation of Golf Carts Policy for Valley Ranch Homeowners Association, Inc.**
- **209 Hearing Policy for Valley Ranch Homeowners Association, Inc.**
- **Collection Policy for Valley Ranch Homeowners Association, Inc.**

- Leasing and Occupancy Policy for Valley Ranch Homeowners Association, Inc.
- Certificate of Resolution of Board of Directors of Valley Ranch Homeowners Association, Inc. (Amenity Use Guidance Pursuant to Chapter 148, Texas Civil Practice & Remedies Code).
- Social Media Policy for Valley Ranch Homeowners Association, Inc.
- Display of Religious Items Policy for Valley Ranch Homeowners Association, Inc.
- Swimming Pool Enclosures Policy for Valley Ranch Homeowners Association, Inc.

True and correct copies of such Dedicatory Instruments are attached to this Supplemental Notice.

This Supplemental Notice is being recorded in the Official Public Records of Real Property of Montgomery County, Texas for the purpose of complying with Section 202.006 of the Texas Property Code. I hereby certify that the information set forth in this Supplemental Notice is true and correct and that the copies of the Dedicatory Instruments attached to this Supplemental Notice are true and correct copies of the originals.

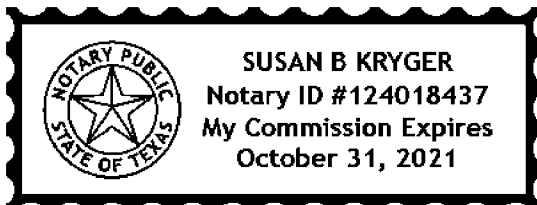
Executed on this 30th day of August, 2021.

VALLEY RANCH HOMEOWNERS ASSOCIATION, INC.

By: 
Eric B. Tonsul, authorized representative

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned notary public, on this 30th day of August, 2021 personally appeared Eric B. Tonsul, authorized representative of Valley Ranch Homeowners Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and in the capacity therein expressed.




Notary Public in and for the State of Texas

E-FILED FOR RECORD

08/30/2021 09:49AM



COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number
sequence on the date and time stamped herein
by me and was duly e-RECORDED in the Official Public
Records of Montgomery County, Texas.

08/30/2021



County Clerk
Montgomery County, Texas