

Denton County  
Juli Luke  
County Clerk

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Instrument Number: 42352

ERecordings-RP

AFFIDAVIT

Recorded On: March 10, 2021 03:37 PM

Number of Pages: 6

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" Examined and Charged as Follows: "

Total Recording: \$46.00

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\*\*\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\*

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.

**File Information:**

Document Number: 42352  
Receipt Number: 20210310000738  
Recorded Date/Time: March 10, 2021 03:37 PM  
User: Kraig T  
Station: Station 25

**Record and Return To:**

Simplifile



STATE OF TEXAS  
COUNTY OF DENTON

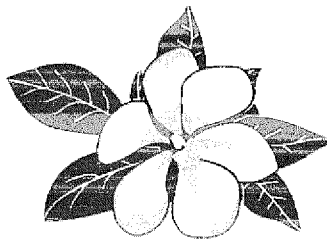
I hereby certify that this Instrument was FILED In the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Denton County, Texas.

Juli Luke  
County Clerk  
Denton County, TX

AFTER RECORDING RETURN TO:  
Alex S. Valdes  
Winstead, PC  
401 Congress Ave., Suite 2100  
Austin, Texas 78701  
Email: [avaldes@winstead.com](mailto:avaldes@winstead.com)



**SAVANNAH**  
**FLAG DISPLAY AND FLAGPOLE INSTALLATION POLICY**



**SAVANNAH**

**Savannah Community Association,  
a Texas non-profit corporation**

Savannah, Denton County, Texas

Cross-reference to that certain Declaration of Covenants, Conditions & Restrictions for Savannah, recorded as Document No. 2003-R0176314 (Volume 5546, Page 2083) in the Official Public Records of Denton County, Texas, as the same may be amended from time to time (collectively, the "Master Declaration").

The undersigned hereby certifies that he/she is the duly elected and qualified and acting President of Savannah Community Association, Inc., a Texas non-profit corporation (the "Association"), and that this is a true and correct copy of the current Flag Display and Flagpole Installation Policy of the Association adopted by the Board of Directors of the Association.

IN WITNESS WHEREOF, the undersigned has executed this Flag Display and Flagpole Installation Policy on the 3 day of February, ~~2020~~ 2021 *KMR*

SAVANNAH COMMUNITY ASSOCIATION, INC., a Texas non-profit corporation

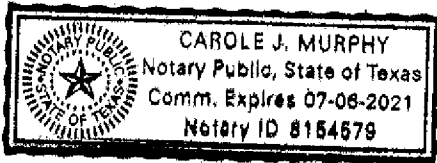
By: *Katherine Robinson*  
Printed Name: KATHERINE ROBINSON  
Title: President

THE STATE OF TEXAS     §  
  §  
COUNTY OF DENTON     §

This instrument was acknowledged before me on this 3<sup>rd</sup> day of FEBRUARY, ~~2020~~ 2021 *cm*, by KATHERINE ROBINSON, President of Savannah Community Association, Inc., a Texas non-profit corporation, on behalf of said corporation.

*Carole J. Murphy*  
Notary Public, State of Texas

(SEAL)



## FLAG DISPLAY AND FLAGPOLE INSTALLATION POLICY

Terms used but not defined in this policy will have the meaning subscribed to such terms in that certain Declaration of Covenants, Conditions & Restrictions for Savannah, recorded as Document No. 2003-R0176314 (Volume 5546, Page 2083) in the Official Public Records of Denton County, Texas, as the same may be amended from time to time (the "Declaration").

Note: Texas statutes presently render null and void any restriction in the Declaration which restricts or prohibits the display of certain flags or the installation of certain flagpoles on a residential lot in violation of the controlling provisions of Section 202.012 of the Texas Property Code or any federal or other applicable state law. The Board and/or the architectural approval authority under the Declaration has adopted this policy in lieu of any express prohibition against certain flags and flagpoles, or any provision regulating such matters which conflict with Texas law, as set forth in the Declaration.

### **A. ARCHITECTURAL REVIEW APPROVAL.**

1. Approval Not Required. In accordance with the general guidelines set forth in this policy, an Owner is permitted to display the 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 Military ("**Permitted Flag**") and permitted to install a flagpole no more than five feet (5') in length affixed to the front of a residence near the principal entry or affixed to the rear of a residence ("**Permitted Flagpole**"). Only two (2) permitted Flagpoles are allowed per residence. A Permitted Flag or Permitted Flagpole need not be approved in advance by the Architectural Standards Committee under the Declaration (the "ASC").

2. Approval Required. Approval by the ASC is required prior to installing vertical freestanding flagpoles installed in the front or back yard area of any residential lot ("**Freestanding Flagpole**"). The ASC is not responsible for: (i) errors in or omissions in the application submitted to the ASC for approval; (ii) supervising installation or construction to confirm compliance with an approved application; or (iii) the compliance of an approved application with governmental codes and ordinances, state and federal laws.

### **B. PROCEDURES AND REQUIREMENTS**

1. Approval Application. To obtain ASC approval of any Freestanding Flagpole, the Owner shall provide the ASC with the following information: (a) the location of the flagpole to be installed on the property; (b) the type of flagpole to be installed; (c) the dimensions of the flagpole; and (d) the proposed materials of the flagpole (the "**Flagpole Application**"). A Flagpole Application may only be submitted by an Owner UNLESS the Owner's tenant

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provides written confirmation at the time of submission that the Owner consents to the Flagpole Application.

2. Approval Process. The decision of the ASC will be made within a reasonable time, or within the time period otherwise required by the principal deed restrictions which govern the review and approval of improvements. Any proposal to install a Freestanding Flagpole on property owned or maintained by the Association or property owned in common by members of the Association must be approved in advance and in writing by the Board, and the Board need not adhere to this policy when considering any such request.

Each Owner is advised that if the Flagpole Application is approved by the ASC, installation of the Freestanding Flagpole must: (i) strictly comply with the Flagpole Application; (ii) commence within thirty (30) days of approval; and (iii) be diligently prosecuted to completion. If the Owner fails to cause the Freestanding Flagpole to be installed in accordance with the approved Flagpole Application, the ASC may require the Owner to: (i) modify the Flagpole Application to accurately reflect the Freestanding Flagpole installed on the property; or (ii) remove the Freestanding Flagpole and reinstall the flagpole in accordance with the approved Flagpole Application. Failure to install a Freestanding Flagpole in accordance with the approved Flagpole Application or an Owner's failure to comply with the post-approval requirements constitutes a violation of this policy and may subject the Owner to fines and penalties. Any requirement imposed by the ASC to resubmit a Flagpole Application or remove and relocate a Freestanding Flagpole in accordance with the approved Flagpole Application shall be at the Owner's sole cost and expense.

3. Installation, Display and Approval Conditions. Unless otherwise approved in advance and in writing by the ASC, Permitted Flags, Permitted Flagpoles and Freestanding Flagpoles, installed in accordance with the Flagpole Application, must comply with the following:

- (a) No more than one (1) Freestanding Flagpole OR no more than two (2) Permitted Flagpoles are permitted per residential lot, on which only Permitted Flags may be displayed;
- (b) Any Permitted Flagpole must be no longer than five feet (5') in length and any Freestanding Flagpole must be no more than twenty feet (20') in height;
- (c) Any Permitted Flag displayed on any flagpole may not be more than three feet in height by five feet in width (3'x5');
- (d) With the exception of flags displayed on common area owned and/or maintained by the Association and any lot which is being used for marketing purposes by a builder, the flag of the United States of America must be displayed in accordance with 4 U.S.C.

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Sections 5-10 and the flag of the State of Texas must be displayed in accordance with Chapter 3100 of the Texas Government Code;

(e) The display of a flag, or the location and construction of the flagpole must comply with all applicable zoning ordinances, easements and setbacks of record;

(f) Any flagpole 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;

(g) A flag or a flagpole must be maintained in good condition and any deteriorated flag or deteriorated or structurally unsafe flagpole must be repaired, replaced or removed;

(h) Any flag may be illuminated by no more than one (1) halogen landscaping light of low beam intensity which shall not be aimed towards or directly affect any neighboring property; and

(i) Any external halyard of a flagpole must be secured so as to reduce or eliminate noise from flapping against the metal of the flagpole.