

4  
RCS  
7

**BOARD RESOLUTION ADOPTING FLAG DISPLAY AND  
XERISCAPING POLICIES**  
*For*  
**GREENBRIAR COLONY TOWNHOUSE ASSOCIATION NO. 1, INC.**

---

STATE OF TEXAS       §  
                                  §  
COUNTY OF HARRIS   §

WHEREAS, Greenbriar Colony Townhouse Association No.1, Inc. (hereafter referred to as "Association"), a nonprofit Corporation, is incorporated with the Texas Secretary of State, as recorded in the Harris County Real Property Records under file number 549-68-0080 .

WHEREAS, the Association's subdivision is subject to § 202 of the Texas Property Code and described by the "*Declaration of Covenants, Conditions and Restrictions,* " recorded in the Harris County Real Property Records under file number G705641.

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.

2. A property owner may 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 Greenbriar Colony Townhouse Association No.1, Inc., hereby certify 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 this the 11 day of Dec., 2013.

Signature: Yvonne Boudreaux  
Name: YVONNE BOUDREAUX  
Title: Secretary

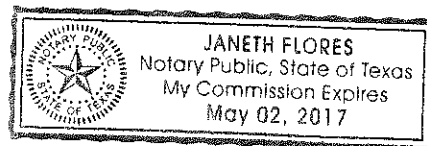
## ACKNOWLEDGEMENT

STATE OF TEXAS       §  
                                  §  
COUNTY OF HARRIS   §

This instrument was acknowledged before me on December 11, 2013  
by Yvonne Boudreaux, a director of Greenbriar Colony Townhouse  
Association No.1, Inc. for  
not

By:

Janeth Flores  
Notary Public, State of Texas



## AFTER RECORDING PLEASE RETURN TO:

Randall Management  
6200 Savoy, Suite 420  
Houston, Texas 77036

FILED

2013 DEC 19 AM 9:01

*Stan Stewart*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

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 herein 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