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NOTICE  
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**CERTIFICATE OF CORPORATE RESOLUTION OF  
BOARD OF DIRECTORS  
WESTHOLLOW VILLA TOWNHOMES ASSOCIATION INC.**

**AMENDED AND RESTATED  
RULES AND REGULATIONS  
RELATING TO THE PLACEMENT AND DISPLAY OF FLAGS**

The undersigned Secretary of WESTHOLLOW VILLAS TOWNHOMES ASSOCIATION, INC. a Texas non-profit corporation (the "Association"), does hereby certify, that at a regular meeting of the Board of Directors of the Association held on January 17 2012, with at least a majority of the Board of Directors being present, the following AMENDED AND RESTATED RULES AND REGULATIONS RELATING TO THE PLACEMENT AND DISPLAY OF FLAGS were adopted pursuant to the following resolutions duly made and approved by the Board of Directors:

WHEREAS, pursuant to that certain "Declaration of Covenants, Conditions, and Restrictions (for) Westhollow Villa Townhomes" planned unit development recorded under County Clerk's File No. F190707 of the Real Property Records of Harris County, Texas and any and all amendments thereto (the "Declaration"), the Association is responsible, among other responsibilities, for administering the common areas of the Westhollow Villa Townhomes (the "Property") and enforcing/administering the restrictive covenants set forth therein, including the restrictive covenants governing the exterior appearance of the respective Townhomes; and

WHEREAS, (i) Section 204.010(a) of the Texas Property Code expressly vests in the Association, acting through its Board of Directors, the authority and right to "regulate the use, maintenance, repair, replacement, modification, and appearance of the subdivision"; (ii) Article II, Section 1(a) of the Declaration authorizes the Association to make, publish and enforce reasonable Rules and Regulations for the use of the Common Area any facilities situated thereon; (iii) Article V of the Declaration prohibits any exterior addition to or change or alteration of the exterior of any building unless such addition, change, or alteration is approved in writing by the Board of Directors; and (iv) Article VII(a) of the Bylaws of the Association provides the Board of Directors with the power to adopt and publish rules and regulations governing the use of the Common Area and facilities; and

WHEREAS, the Board of Directors heretofore adopted those certain "Rules and Regulations Relating to the Placement and Display of Flags" recorded under County Clerk's File No. 20100073931 (the "Prior Flag Rules"); and

WHEREAS, the Board of Directors, having considered all relevant factors, has determined that it is necessary to amend and restate the Prior Flag Rules and adopt certain Amended and Restated Rules and Regulations governing, regulating, and relating to the placement and display of flags on or within the Common Area or on the exterior of any Townhome or lot within the Property; and

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WHEREAS, the Board of Directors, based upon the authority set forth in the Texas Property Code, the Declaration, and the Bylaws of the Association, hereby adopts the following AMENDED AND RESTATED RULES AND REGULATIONS RELATING TO THE DISPLAY AND PLACEMENT OF FLAGS:

NOW THEREFORE, effective on and after January 1, 2011, the following Amended and Restated Rules and Regulations shall take effect and shall be enforceable against all Owners and residents of Townhomes within the Property, and shall replace and supercede, in their entirety, the Prior Flag Rules:

**AMENDED AND RESTATED  
RULES AND REGULATIONS  
RELATING TO THE DISPLAY AND PLACEMENT OF FLAGS  
WESTHOLLOW VILLA**

1. No Owner or resident of any Townhome in the Property shall be allowed to place or maintain, either on a temporary or permanent basis, any flagpole, pole, or other support structure in the ground on any portion of any Lot or in any part or portion of the Common Area other than those areas expressly permitted by these Rules.
2. No flag of any kind, shape, size or material shall be hung, displayed, or exhibited on or within any part or portion of the Common Area or within any portion of the Common Area airspace with the exception of the American flag, State of Texas flag, or a U.S. Armed Services flag governed by the conditions set forth in paragraph 3 hereof.
3. An Owner or resident of a Townhome shall be permitted to display not more than one (1) flag at any time. Permitted flags shall constitute ONLY:
  - (a) The United States American flag;
  - (b) The State of Texas flag; or
  - (c) A flag of any of the United States Armed Service, constituting:
    - (i) United States Army;
    - (ii) United States Marines;
    - (iii) United States Navy;
    - (iv) United States Air Force; or
    - (v) United States Coast Guard

NO OTHER FLAGS OF ANY TYPE ARE PERMITTED.

RP 069-69-0007

Such permitted flag may be mounted (i) on a flag pole with the bracket attached to the front door trim or the garage door trim; or (ii) on a flag pole supported by the pipe bollard/bumper post in the driveway area as follows; or (iii) on a freestanding flag pole installed and located wholly within the fenced patio/yard of the Townhome.

The front door trim shall be deemed to mean the front door entry into the Townhome – the trim boards around the door frame.

The driveway pipe bollards/bumper post shall be deemed to mean the pipe bollards /pipe posts in the driveway adjacent to the Owner or resident's air conditioner.

Mounting to either the front door trim, or garage door trim: the dimensions of any such permitted flag shall not exceed three feet (3'-0") X five feet (5'-0"). The flag pole with mounting bracket attached to either front door trim or garage door trim shall not extend outward more than five feet (5'-0") from the trim board and shall not exceed eight feet (8'-0") in height from the ground.

Mounting to the pipe bollard/bumper post: The dimensions of any such permitted flag shall not exceed three feet (3'-0") X five feet (5'-0") and the flag pole shall not exceed eight feet (8'-0") in height from the ground. The use of bare carbon steel (whether bailing wire, banding, strapping, and the like) for attaching the flag pole to the pipe bollard/bumper post shall not be permitted. Attachment shall be made by stainless steel banding or strapping.

As to freestanding flag pole in fenced yard/patio area:

- (i) the flag pole may not exceed twenty feet (20') in height, and the dimensions of any such flag pole shall not exceed three feet (3'-0") X five feet (5'-0");
- (ii) owners and residents shall take all necessary steps and precautions to abate noise caused by an external halyard on a flagpole;
- (iii) the freestanding flagpole shall be constructed of permanent, long-lasting materials with a finish appropriate to the material used in the construction of the flagpole and harmonious with the dwelling;
- (iv) the location and construction of the supporting flagpole shall comply with all applicable zoning ordinances, easements, and setback requirements filed of record; and
- (v) the flagpole on which a displayed flag is flown shall be maintained in good condition. Any deteriorated or structurally unsafe flagpole shall be repaired, replaced or removed upon thirty (30) days written notice from the Association.

Any such flag pole or mounting bracket shall be maintained in good condition by the Owner or resident.

In the event that the flag pole or mounting bracket damages the exterior surface of the Townhome (whether it be brick, wood, glass, hardi-plank, hardi-panel or any other exterior surface), the Owner of such Townhome shall be responsible for the repair and/or restoration of any such damage.

Any flag or flag pole not mounted as outlined in this paragraph 3 shall be removed by the Association and all costs of repairs shall be charged to the Owner of such Townhome.

4. In the event that any Owner or resident violates any of the foregoing Rules or Regulations, the Association, acting by and through the Board of Directors, shall be authorized, without limitation, (i) to remove any flag or pole in violation of the foregoing Rules at such Owner/resident's sole expense and risk and deliver such removed flag or pole to the Owner or resident (or store such removed flag or pole at the Owner/resident's sole expense and risk), whereupon such Owner or resident shall have the right to a hearing and appear before the Board of Directors at the next regularly scheduled meeting of the Board of Directors to appeal such removal (such flag or pole shall not be displayed pending such hearing and the determination of the Board of Directors following any such hearing shall be deemed conclusive); and/or (ii) levy fine(s) against the Owner of the Townhome in an amount determined by the Board following notice as required by Section 209.006 and 209.007 of the Texas Property Code; and/or (iii) pursue all other available legal remedies available to the Association, including seeking of appropriate injunctive relief as allowed by applicable law and reimbursement of attorney fees and costs, all subject to the provisions of Chapter 209 of the Texas Property Code. An Owner of a Townhome shall be jointly and severally liable/responsible for the violations of any resident of the Townhome (whether a tenant, guest or invitee or the tenant's guest or invitee).

WESTHOLLOW VILLA TOWNHOMES ASSOCIATION,  
INC., a Texas non-profit corporation

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By:

(signature)

(name printed)

Its:

(title)

**RECORDER'S MEMORANDUM:**  
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

STATE OF TEXAS  
COUNTY OF HARRIS

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This instrument was acknowledged before me on this 17<sup>th</sup> day of January 2012 by Michael Baker, Secretary of Westhollow Villa Townhomes Association Inc., a Texas non-profit corporation, on behalf of said corporation.

*Misty Gullig Gutierrez*  
Notary Public - State of Texas



RECORD AND RETURN TO:  
Frank, Elmore, Lievens,  
Chesney & Turet, L.L.P.  
Attn: Richard C. Lievens  
9225 Katy Freeway Suite 250  
Houston, Texas 77024

FILED FOR RECORD  
8:00 AM

JAN 20 2012

*Stuart Stuart*  
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 said Property of Harris County, Texas.

JAN 20 2012



*Stuart Stuart*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

RP 080-69-0809