

Architectural Compliance Form – Freestanding Flagpole

Application for installation of a Freestanding Flagpole on Unit # _____ in Horseshoe Bend

Name _____ Phone # _____

Mailing Address _____ FAX _____

City/State/Zip _____ Email _____

Contractor/Builder _____ Phone # _____

Mailing Address _____ FAX _____

City/State/Zip _____ Email _____

Estimated date for installation: _____

To the extent required by 202.011 of the Texas Property Code, Owners are entitled to display Permitted Flags, and to install a Freestanding Flagpole on their property for the purpose of displaying the Permitted Flags subject to the following requirements and restrictions:

Permitted Flags - Only the following flags may be displayed from a Freestanding Flagpole, and are each limited in size to 3 feet tall by 5 feet wide:

- 1) the flag of the Unites States of America
- 2) the flag of the State of Texas
- 3) an official or replica flag of any branch of the Unites States Armed Forces
- 4) the Prisoner of War/Missing in Action (POW/MIA) flag recognized by the Nation League of Families and designated by Section of Public Law 101-35 (36 U.S.C. 198).

Freestanding Flagpoles - Freestanding flagpoles are permitted solely for the purpose of displaying Permitted Flags.

- 1) The Owner shall apply to, and receive written approval from, the Architectural Committee prior to installation of any Freestanding Flagpole.
- 2) Freestanding Flagpoles shall be:

- a. limited to one per unit, in a location approved by the Architectural Committee, and shall not exceed 20 feet in height and 9 inches in diameter;
 - b. commercially produced with permanent, long-lasting materials appropriate to the construction of a Freestanding Flagpole. It shall not be home-made, or constructed of wood or plastic;
 - c. permanently installed in the ground according to the manufacturer's installation instructions, or other methods approved by the Architectural Committee;
 - d. adhere to the setback requirements and/or easements for all other structures as specified in the Association's Declaration of Covenants, Conditions and Restrictions.
- 3) Freestanding Flagpoles shall not generate unreasonable noise levels which would disturb the surrounding residents.
 - 4) A displayed flag, and the Freestanding Flagpole on which it is flown, must be maintained in good condition. Any deteriorated flag, or deteriorated or structurally unsafe flagpoles shall be repaired, replaced, or removed by the Owner.
 - 5) If a Freestanding Flagpole is no longer used for the display of Permitted Flags, it shall be removed by the Owner after 6 continuous months of non-use.

Flag Display – Display of Permitted Flags from Freestanding Flagpoles shall comply with the following:

- 1) The flag of the United States must be displayed in accordance with 4 U.S.C Sections 5-10.
- 2) The flag of the State of Texas must be displayed in accordance with Chapter 3100, of the Texas Government Code.
- 3) No flag of any type may be draped over or directly attached to a structure. For example, no flag may be laid across a fence, stapled to a garage or entry door or used as a window covering.

By signing below, the signatories acknowledge that the general and specific requirements and restrictions listed in this document have been reviewed and discussed and that the Property Owner agrees to abide by their content.

Property Owner

Date

Architectural Committee

Date