

Denton

Current datetime: 11/7/2013 10:44:29 PM

## DETAILS REPORT

\*\*Note: report is Sorted in Ascending Order by Recorded Date, Document Number

<b>Doc#</b>	<b>Type Desc.</b>	<b>Instr. Date</b>	<b>Book/Vol/Pag e</b>	<b>File Date</b>	<b>Consideration</b>
119370	AMENDMENT	12/10/2011		12/14/2011	
<b>Grantor</b>		<b>Grantee</b>			
MERIDIAN HOMEOWNERS ASN					
<b>Volume/Cabinet</b>	<b>Page</b>	<b>Lot</b>	<b>Block</b>	<b>Description</b>	
<b>References</b>		<b>Description</b>		<b>Recorded year</b>	
<b>Book/Vlm/Page</b>					
		AMENDMENT			

Denton County  
Cynthia Mitchell  
County Clerk  
Denton, Tx 76202



70 2011 00119370

Instrument Number: 2011-119370

As

Recorded On: December 14, 2011

Misc General Fee Doc

Parties: MERIDIAN HOA ASSOCIATION INC

Billable Pages: 24

To

Number of Pages: 24

Comment:

( Parties listed above are for Clerks reference only )

**\*\* Examined and Charged as Follows: \*\***

Misc General Fee Doc	103.00
<b>Total Recording:</b>	<b>103.00</b>

\*\*\*\*\* DO NOT REMOVE. 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: 2011-119370

Receipt Number: 855281

Recorded Date/Time: December 14, 2011 03:08:36P

User / Station: D Kitzmiller - Cash Station 2

**Record and Return To:**

THE PELLAR LAW FIRM PLLC

2591 DALLAS PKWY

STE 300

FRISCO TX 75034



THE 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.

*C Mitchell*

County Clerk  
Denton County, Texas

**FORTH SUPPLEMENT TO NOTICE OF FILING OF  
DEDICATORY INSTRUMENTS FOR MERIDIAN.**

STATE OF TEXAS       §  
                                  §  
COUNTY OF DENTON   §

**KNOW ALL MEN BY THESE PRESENTS:**

This **FORTH SUPPLEMENT TO NOTICE OF FILING OF DEDICATORY INSTRUMENTS FOR MERIDIAN** (hereinafter "Forth Supplement") is made this 10<sup>th</sup> day of December, 2011, by the Meridian Homeowners' Association, Inc (hereinafter "Association").

**WITNESSETH**

WHEREAS, Centex Homes a Nevada general partnership (the "Declarant"), prepared and recorded an instrument entitled "Declaration of Covenants, Conditions and Restrictions for Meridian" filed of record at Volume 2005, Page 27676 *et seq.* of the Real Property Records of Denton County, Texas, as amended and supplemented; and

WHEREAS, Section 202.006 of the Texas Property Code provides that a property owners' association must file each dedicatory instrument governing the association that has not been previously recorded in the real property records of the county in which the planned development is located; and

WHEREAS, on March 14, 2006, the Association filed a Notice of Filing of Dedicatory Instruments for Meridian as Document No. 2006-29296 of the Real Property Records of Denton County, Texas (the "Notice"); and

WHEREAS, on December 27, 2006, the Association recorded a [First] Supplement to Notice of Filing of Dedicatory Instruments for Meridian as Document No. 2006-156155 (First Supplement); and

WHEREAS, on March 2, 2010, the Association recorded a Second Supplement to Notice of Filing of Dedicatory Instruments for Meridian as Document No. 2006-19953 (Second Supplement); and

WHEREAS, on August 26, 2010, the Association recorded a Third Supplement to Notice of Filing of Dedicatory Instruments for Meridian as Document No. 2010-84164 (Third Supplement); and

WHEREAS, the Association desires to amend the Notice to supplement the Notice to include the dedicatory instruments attached hereto as Exhibit "A", and incorporated herein by reference.

NOW, THEREFORE, the dedicatory instruments attached hereto as **Exhibit "A"** are true and correct copies of the original and is hereby filed of record in the real property records of Collin County, Texas, in accordance with the requirements of Section 202.006 of the Texas Property Code.

IN WITNESS WHEREOF, the Association has caused this Forth Supplement to Notice to be executed by its duly authorized agent as of the date first above written.

**MERIDIAN HOMEOWNERS' ASSOCIATION, INC.**  
a Texas non-profit corporation

By: *Saul Freedman*  
Name: Saul Freedman  
Title: President

**ACKNOWLEDGEMENT**

STATE OF TEXAS           §  
  §  
COUNTY OF DENTON     §

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS 10<sup>th</sup> DAY OF December 2011



*Cathy Ann Murray*  
Notary Public in and for the State of Texas

My commission expires: 4-23-14

AFTER RECORDING, RETURN TO:  
Daniel E. Pellar  
The Pellar Law Firm, PLLC  
2591 Dallas Parkway, Suite 300  
Frisco, Texas 75034

## **DEDICATORY INSTRUMENTS**

### Exhibit A.

- A-1 Application of Payments Policy
- A-2 Payment Plan Policy
- A-3 Records Production and Copying Policy
- A-4 Records Retention Policy
- A-5 Religious Display Policy
- A-6 Solar Energy Device Policy
- A-7 Policy Regarding Certain Roofing Material
- A-8 Rainwater Collection Device Policy
- A-9 Flag Display Policy

" A-1 "

# Meridian Homeowners Association, Inc.

---

## Application of Payments Policy

WHEREAS, the Board of Directors (the "Board") of Meridian Homeowners Association, Inc. (the "Association") desires to establish a Policy for the Application of Payments received from owners which satisfies the new priority of payments schedule created by Section 209.0063 of the Texas Property Code; and

WHEREAS, THE Board adopts the following policy in order to comply with Section 209.0063 of the Texas Property Code; and

NOW, THEREFORE, IT IS RESOLVED that the following Policy for the Application of Payments is adopted by the Board:

Except as otherwise authorized by law, payment received by the Association from an owner shall be applied to the owner's debt in the following order of priority:


1. any delinquent assessment;
2. any current assessment;
3. any attorney's fees or third party collection costs incurred by the Association associated solely with assessments or any other charge that could provide the basis for foreclosure;
4. any attorney's fees incurred by the association that are not subject to the preceding subpart;
5. any fines assessed by the Association;
6. any other amounts owed to the Association.

This policy shall supersede and render null and void any and all previously adopted application of payment policies adopted by the Board.

IT IS FURTHER RESOLVED that this Application of Payments Policy is effective on January 1, 2012, to remain in effect until revoked, modified, or amended.

This is to certify that the foregoing Application of Payments Policy was adopted by the Board of Directors, in accordance with Section 209.0063 of the Texas Property Code.

**MERIDIAN HOMEOWNERS ASSOCIATION, INC.**

Name:   
Saul Freedenberg

Title: PRESIDENT

Date: October 27, 2011

"A-2"

# Meridian Homeowners Association, Inc.

---

## Payment Plan Policy

WHEREAS, the Board of Directors of Meridian Homeowners Association, Inc. (the "Association") wishes to adopt reasonable guidelines to establish an alternative payment schedule (hereafter known as "Payment Plan") by which an owner may make partial payments to the Association for delinquent regular assessments, special assessments, or any other amount owed to the Association; and

WHEREAS, the Board wishes to adopt these reasonable guidelines in compliance with Section 209.0062 of the Texas Property Code that becomes effective January 1, 2012; and

WHEREAS, the Board intends to file these guidelines in the real property records of each county in which the subdivision is located, in compliance with Section 209.0062 of the Texas Property Code; and

NOW, THEREFORE, IT IS RESOLVED that the following guidelines are established by the Board for Payment Plans:

Upon the request of an eligible owner with a delinquent account with the Association, the Board shall enter into a Payment Plan with such owner, subject to the following guidelines:

- a. A Payment Plan is only available to owners who have **delinquent** regular assessments, special assessments or any other amount owed to the Association.
- b. During the course of a Payment Plan, additional monetary penalties, other than reasonable costs associated with administration of the Payment Plan and interest, shall not be charged to the owner's account.
- c. From the date of the owner's request, the delinquent balance shall be paid over a period of 15 months with an initial payment of 10 % of the amount owed and remaining payments in equal installments. Payments must be received by the Association no later than the 15<sup>th</sup> day of each month.



- d. A Payment Plan will not be made available, except at the sole discretion of the Board, to owners who have failed to honor terms of a previous Payment Plan during the two years following the owner's default of such Payment Plan.
- e. All other terms of a Payment Plan are at the discretion of the Board of Directors.

This policy shall supersede and render null and void any and all previously adopted payment plan policies adopted by the Board.

IT IS FURTHER RESOLVED that this Payment Plan Policy is effective on January 1, 2012, to remain in effect until revoked, modified, or amended.

This is to certify that the foregoing Payment Plan Policy was adopted by the Board of Directors, in accordance with Section 209.0062 of the Texas Property Code.

**MERIDIAN HOMEOWNERS ASSOCIATION, INC.**

Name:   
Saul Freedenberg

Title: PRESIDENT

Date: October 27, 2011

# Meridian Homeowners Association, Inc.

---

## Records Production and Copying Policy

WHEREAS, THE Board of Directors (the "Board") of Meridian Homeowners Association, Inc.(the "Association") is required to establish a records production and copying policy which shall govern the costs the Association will charge for the compilation, production, and reproduction of information pursuant to Section 209.005 of the Texas Property Code; and

NOW, THEREFORE, IT IS RESOLVED, that the following Records Production and Copying Policy is established by the Board:

1. Every owner of a lot in the Association is entitled to inspect and copy the Associations books and records of the Association, including financial records. An owner, or a person designated by the owner as the owner's agent, attorney, or certified public accountant may inspect records after a written request has been submitted.
2. An owner or owner's authorized representative must submit a written request for access or information by certified mail, with sufficient detail describing the property owners' association's books and records requested, to the mailing address of the association or authorized representative as reflected on the most current management certificate filed under Section 209.004. The request must contain an election either to inspect the books and records before obtaining copies or to have the property owners' association forward copies of the requested books and records.
3. If an inspection is requested, the association, on or before the 10<sup>th</sup> business day after the date the association receives the request, shall send written notice of dates during normal business hours that the owner may inspect the requested books and records to the extent those books and records are in the possession, custody, or control of the association.
4. If copies of identified books and records are requested, the association shall, to the extent those books and records are in the possession, custody, or control of the association, produce the requested books and records for the requesting party on or before the 10<sup>th</sup> business day after the date the association receives the request.
5. If the Association is unable to produce the books or records requested on or before the 10<sup>th</sup> business day after the date the association receives the request, the association will provide to the requestor written notice that:
  - a) Informs the requestor that the association is unable to produce the information on or before the 10<sup>th</sup> business day after the date the association received the request; and

- b) States a date by which the information will be sent or made available for inspection to the requesting party that is not later than the 15<sup>th</sup> business day after the date of the letter provided under this paragraph 5.
- 6. Any inspection shall take place during normal business hours at a mutually-agreed upon time. All inspections shall take place at the office of the Association's management company or such other location as designated by the Association. The Association may produce all requested books and records in hard copy, electronic, or other format reasonably available to the Association.
- 7. An owner is responsible for costs related to the compilation, production, and reproduction of the books and records of the Association. Costs shall be the same as all costs under Texas Administrative Code Section 70.3, and are subject to increase in the event T.A.C. Section 70.3 is amended. Any increase in costs provided for in 70.3 of the T.A.C. is hereby incorporated by reference for all purposes as if set forth verbatim. Relevant current costs from T.A.C. 70.3 are below:

a) Copy Charges

- 1) Standard paper copy. The charge for standard paper copies reproduced by means of an office machine copier or a computer printer is \$.10 per page or part of a page. Each side that has recorded information is considered a page.
- 2) Nonstandard copy. The charges in this subsection are to cover the materials onto which information is copied and do not reflect any additional charges, including labor, that may be associated with a particular request. The charges for nonstandard copies are:
  - a. Diskette--\$1.00;
  - b. Magnetic tape—actual cost;
  - c. Data Cartridge—actual cost;
  - d. Tape cartridge—actual cost;
  - e. Rewritable CD (CD-RW)--\$1.00;
  - f. Non-rewritable CD (CD-R)--\$1.00;
  - g. Digital Video disc (DVD)--\$3.00;
  - h. JAZ drive—actual cost;
  - i. Other electronic media—actual cost;

- j. VHS video cassette--\$2.50;
  - k. Audio cassette--\$1.00;
  - l. Oversize paper copy (e.g.: 11 inches by 17 inches, greenbar, bluebar, not including maps and photographs using specialty paper—\$.50;
  - m. Specialty paper (e.g.: Mylar, blueprint, blueline, map, photographics)—actual cost.
- b) Labor charge for locating, compiling, manipulating data, and reproducing information.
- 1) The charge for labor costs incurred in processing a request for information is \$15.00 an hour. The labor charge includes the actual time to locate, compile, manipulate data, and reproduce the requested information. A labor charge shall not be made for complying with a request where the records to be copied are 50 or fewer pages unless the records to be copied are located in a remote storage facility.
  - 2) When confidential information is mixed with public information in the same page, a labor charge may be recovered for time spent to redact, blackout, or otherwise obscure confidential information in order to release the information. A labor charge shall not be made for redacting confidential information for requests of 50 or fewer pages.
- c) Overhead charge
- 1) Whenever any labor charge is applicable to a request, the Association may include in the charges direct and indirect costs, in addition to the specific labor charge. This overhead charge would cover such costs as depreciation of capital assets, rent, maintenance and repair, utilities, and administrative overhead. If the Association chooses to recover such costs, a charge shall be made in accordance with the methodology described in paragraph (3) of this subsection. Although an exact calculation of costs will vary, the use of a standard charge will avoid complication in calculating such costs and will provide uniformity.
  - 2) An overhead charge shall not be made for requests for copies of 50 or fewer pages of standard paper records.
  - 3) The overhead charge shall be computed at 20% of the charge made to cover any labor costs associated with a particular request. Example: if one hour of labor is used for a particular request, the formula would be as

follows: Labor charge for locating, compiling, and reproducing, \$15.00 x .20 = \$3.00.

- d) Miscellaneous supplies. The actual cost of miscellaneous supplies, such as labels, boxes, and other supplies used to produce the requested information, may be added to the total charge.
  - e) Postal and shipping charges. The Association may add any related postal or shipping expenses which are necessary to transmit the reproduced information to the requesting party.
8. The Association may require advance payment of the estimated costs of compilation, production, and reproduction of the requested information. If the estimated costs are lesser or greater than the actual costs, the Association shall submit a final invoice to the owner on or before the 30<sup>th</sup> business day after the date the information is delivered. If the final invoice includes additional amounts due from the owner, the additional amounts, if not reimbursed to the Association before the 30<sup>th</sup> day after the date the invoice is sent to the owner, may be added to the owner's account as an assessment. If the estimated costs exceeded the final invoice amount, the owner is entitled to a refund, and the refund shall be issued to the owner not later than the 30<sup>th</sup> business day after the date the invoice is sent to the owner.

This policy shall supersede and render null and void any and all previously adopted Records Production and Copying policy adopted by the Board.

IT IS FURTHER RESOLVED that this Records Production and Copying Policy is effective on January 1, 2012, to remain in effect until revoked, modified, or amended.

This is to certify that the foregoing Records Production and Copying Policy was adopted by the Board of Directors, in accordance with Section 209.005 of the Texas Property Code.

**MERIDIAN HOMEOWNERS ASSOCIATION, INC.**

Name:   
Saul Freedenberg

Title: PRESIDENT

Date: October 27, 2011

"A-5"

# Meridian Homeowners Association, Inc.

---

## Record Retention Policy

WHEREAS, the Board of Directors (the "Board") of Meridian Homeowners Association, Inc. (the "Association") desires to adopt a Record Retention Policy in order to be in compliance with Section 209.005(m) of the Texas Property Code; and

WHEREAS, THE Board intends to file this policy in the real property records of each county in which the subdivision is located, in compliance with Sections 209.005 and 202.006 of the Texas Property Code; and

NOW, THEREFORE, IT IS RESOLVED, that the following Record Retention Policy is established by the Board:


1. **Governing Documents** - All governing documents including but not limited to certificates of formation, bylaws, restrictive covenants, design guidelines, and all amendments and supplements thereto shall be retained permanently.
2. **Financial Records** – Financial books and records to include tax returns, audits of the Association's books, invoices paid by the Association, bank statements, and each year's budget shall be retained for seven years.
3. **Record of Owners' Account** – Account records of current owners to include transaction ledgers, violations, architectural requests, and disputes shall be retained for five years.
4. **Contracts** – Contracts with a term of one year or more shall be retained for four years after the expiration of the contract term.
5. **Minutes of Meetings** – Minutes of Annual and Special Meetings of the Members, Board meetings, and committee meetings minutes shall be retained for seven years.

In the event the Association is served with any subpoena, request for documents, becomes aware of a governmental investigation, or origination of any litigation concerning the Association, all documents pertaining to such investigation, claim, or litigation shall be retained indefinitely. Additionally, any further disposal of documents shall be suspended and shall not be reinstated until completion of the investigation or litigation until such time as the Board, with the advice of legal counsel determines otherwise.

This policy shall supersede and render null and void any previously adopted policy to the extent that the terms of such policy are contradictory.

This is to certify that the foregoing resolution was adopted by the Board of Directors, in accordance with Section 209.005 of the Texas Property Code.

**MERIDIAN HOMEOWNERS ASSOCIATION, INC.**

Name:   
Saul Freedenberg

Title: PRESIDENT

Date: October 27, 2011

"A-5"

# Meridian Homeowners Association, Inc.

---

## Religious Display Policy

WHEREAS, the Texas Legislature passed House Bill 1278 which amends Chapter 202 of the Texas Property Code by adding Section 202.018 which requires associations to permit certain religious displays on owners' doors which are motivated by sincere religious belief; and

WHEREAS, pursuant to Section 202.018(b) of the Texas Property Code, the Board of Directors of Meridian Homeowners Association, Inc. (the "Association") is allowed to adopt certain restrictions on the display of religious items.

NOW, THEREFORE IT IS RESOLVED, in order to comply with Section 202.018 of the Texas Property Code, the following guideline is established by the Board:

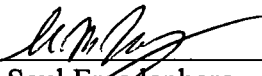
- A. The association prohibits the display of religious items on the entry of a dwelling if:
1. Threatens public health or safety;
  2. Violates law;
  3. Is patently offensive to a passerby;
  4. Is in a location other than the entry or door frame or extends past the outer edge of the door frame;
  5. In the aggregate exceeds 25 square inches;

This policy shall supersede and render null and void any and all previously adopted Religious Display policies adopted by the Board.



IT IS FURTHER RESOLVED that this Religious Display Policy is effective upon adoption and to remain in effect until revoked, modified, or amended.

**MERIDIAN HOMEOWNERS ASSOCIATION, INC.**

Name:   
Saul Freedenberg

Title: PRESIDENT

Date: October 27, 2011

"A-6"

# Meridian Homeowners Association, Inc.

---

## Solar Energy Device Policy

WHEREAS, The Board of Directors of Meridian Homeowners Association, Inc. (the "Association") wishes to adopt certain limitations on solar devices pursuant to Section 202.010 of the Texas Property Code;

WHEREAS, The Texas Legislature passed House Bill 362 which amends Chapter 202 of the Texas Property Code by adding Section 202.010 which gives owners the right to install solar energy devices. However, certain restrictions on the installation of such devices are permissible.

NOW, THEREFORE, IT IS RESOLVED, in order to comply with Section 202.010 of the Texas Property Code, that the following guidelines are established by the Board of Directors:

A. An owner may not install a solar energy device that:

1. is in violation of any law;
2. is on property owned or maintained by the association;
3. is located on property in common areas;
4. is located anywhere but on the owner's roof or in his fenced-yard or patio, or any structure allowed under a dedicatory instrument;
5. if mounted on the roof of the home, is installed on the roof facing the front street (except as otherwise allowed by law), extends beyond the roofline, does not conform to the slope of the roof, has a top edge that is not parallel to the roofline, and/or does not conform to certain allowed design guidelines;
6. if located in a fenced yard or patio, is taller than the fence line;
7. is installed in a manner that voids material warranties;

8. is installed without prior approval by the association or its designated architectural committee;
9. would “substantially interfere with the use and enjoyment of land by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities,”; or
10. a court determines it threatens public health or safety.

**B. Aesthetic requirements:**

1. Frames, support brackets, or any visible piping or wiring must be of a silver, bronze or black tone, whichever blends most effectively with the roof color;
2. Panels must blend to the greatest extent possible with existing roof color.

This policy shall supersede and render null and void any and all previously adopted Solar Energy Device Policy adopted by the Board.

IT IS FURTHER RESOLVED that this Solar Energy Device Policy is effective upon adoption and to remain in effect until revoked, modified, or amended.

**MERIDIAN HOMEOWNERS ASSOCIATION, INC.**

Name:  \_\_\_\_\_  
Saul Freedenberg

Title: PRESIDENT

Date: October 27, 2011

11 A-7 11

# Meridian Homeowners Association, Inc.

---

## Policy Regarding Certain Roofing Material

WHEREAS, The Board of Directors of Meridian Homeowners Association, Inc. (the "Association") wishes to adopt certain limitations on roofing materials pursuant to Section 202.011 of the Texas Property Code;

WHEREAS, The Texas Legislature passed House Bill 362 which amends Chapter 202 of the Texas Property Code by adding Section 202.011 which gives owners the right to install shingles of certain materials. However, certain restrictions are permissible.


NOW, THEREFORE, IT IS RESOLVED, in order to comply with Section 202.011 of the Texas Property Code, that the following guidelines for certain roofing materials are established by the Board of Directors:

- A. The Association may not prohibit or restrict an owner who is otherwise authorized to install shingles that:
  1. Are designed primarily to;
    - a) Be wind and hail resistant;
    - b) Provide heating and cooling efficiencies greater than those provided by customary composite shingles;
    - c) Provide solar generation capabilities; and
  2. When installed;
    - a) Resemble shingles used or otherwise authorized for use on property in the subdivision;
    - b) Are more durable than and are of equal or superior quality to the other shingles used or approved to be used on other property;
    - c) Match the aesthetics of the property surrounding the owner's property.

In the event of a conflict between this Policy and any other previously adopted policy pertaining to Roofing Material adopted by the Board, this Policy shall prevail.

IT IS FURTHER RESOLVED that this Roofing Material Policy is effective upon adoption and to remain in effect until revoked, modified, or amended.

**MERIDIAN HOMEOWNERS ASSOCIATION, INC.**

Name:  \_\_\_\_\_  
Saul Freedenberg

Title: PRESIDENT

Date: October 27, 2011

"A-8"

# Meridian Homeowners Association, Inc.

---

## Rainwater Collection Device Policy

WHEREAS, The Board of Directors of Meridian Homeowners Association, Inc. (the "Association") is permitted to adopt specific limitations on certain rain barrels and rainwater harvesting systems; pursuant to Section 202.007(d) of the Texas Property Code;

NOW, THEREFORE, IT IS RESOLVED, in order to comply with Section 202.007(d) of the Texas Property Code, the following guidelines are established by the Board:

- A. An owner may not install a rain barrel or rainwater harvesting system if:
  - 1. such device is to be installed in or on property:
    - (a) owned by the Association;
    - (b) owned in common by the members of the Association; or
    - (c) located between the front of the owner's home and an adjoining or adjacent street; or
  - 2. the barrel or system:
    - (a) is of a color other than a color consistent with the color scheme of the owner's home; or
    - (b) displays any language or other content that is not typically displayed by such a barrel or system as it is manufactured.
- B. The Association may regulate the size, type, and shielding of, and the materials used in the construction of, a rain barrel, rainwater harvesting device, or other appurtenance that is located on the side of a house or at any other location that is visible from a street, another lot, or a common area if:
  - 1. the restriction does not prohibit the economic installation of the device or appurtenance on the owner's property; and
  - 2. there is a reasonably sufficient area on the owner's property in which to install the device or appurtenance.

- C. In order to enforce these regulations, an owner must receive written approval from the Board or the architectural control or review committee (if one exists) prior to installing any rain barrel or rainwater harvesting system. Accordingly, prior to installation, an owner must submit plans and specifications to and receive the written approval of the Board or architectural control/review committee. The plans and specifications must show the proposed location, color, material, shielding devices, size and type of such system or device (and all parts thereof). The plans must also identify whether the device or any part thereof will be visible from any street, other lot or common area.

**IT IS FURTHER RESOLVED** that these Rainwater Collection Device guidelines are effective upon adoption hereof, to remain in force and effect until revoked, modified or amended.

**MERIDIAN HOMEOWNERS ASSOCIATION, INC.**

Name:   
Saul Freedenberg

Title: PRESIDENT

Date: October 27, 2011

"A-9"

# Meridian Homeowners Association, Inc.

---

## Flag Display Policy

WHEREAS, The Board of Directors of Meridian Homeowners Association, Inc. (the "Association") is permitted to adopt specific limitations on certain flag displays pursuant to Section 202.011 of the Texas Property Code;

WHEREAS, The Texas Legislature passed House Bill 2779 which amends Chapter 202 of the Texas Property Code by adding Section 202.011 which prevents associations from prohibiting certain flag displays.

NOW, THEREFORE, IT IS RESOLVED, in order to comply with Section 202.011 of the Texas Property Code, the following guideline is established by the Board:

- A. An owner or resident may display:
1. the flag of the United States of America;
  2. the flag of the State of Texas; or
  3. an official or replica flag of any branch of the United States armed forces.
- B. An owner may only display a flag in A. above if such display meets the following criteria:
1. a flag of the United States must be displayed in accordance with 4 U.S. C. Sections 5-10;
  2. a flag of the State of Texas must be displayed in accordance with Chapter 3100 of the Texas Government Code;
  3. a flagpole attached to a dwelling or a freestanding 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;
  4. the display of a flag or the location and construction of the supporting flagpole must comply with applicable zoning ordinances, easements and setbacks of record;
  5. a displayed flag and the flagpole on which it is flown must be maintained in good condition and any deteriorated flag or deteriorated or structurally unsafe flagpole must be repaired, replaced or removed;



- C. The Association hereby adopts the following additional restrictions on the display of flags on an owner's lot:
1. an owner may not install a flagpole which is greater than twenty feet (20') in height;
  2. an owner may not install more than one flagpole on the owner's property;
  3. any flag displayed must not be greater than 3' x 5' in size;
  4. any freestanding flagpole must be equipped to minimize halyard noise. The preferred method is through the use of an internal halyard system. Alternatively, swivel snap hooks must be covered or "Quiet Halyard" Flag snaps installed;
  5. an owner may not install lights to illuminate a displayed flag which, due to their size, location or intensity, constitute a nuisance;
  6. an owner may not locate a displayed flag or flagpole on property that is:
    - (a) owned or maintained by the Association; or
    - (b) owned in common by the members of the Association.
- D. Prior to erecting or installing a flag and/or flag pole, an owner must first submit plans and specifications to and receive the written approval of the Board or architectural control/review committee. The plans and specifications must show the proposed location, material, size and type of such flag and flagpole (and all parts thereof, including any lights to illuminate a displayed flag).

**IT IS FURTHER RESOLVED** that these Flag Display Guidelines are effective upon adoption hereof, to remain in force and effect until revoked, modified or amended.

**MERIDIAN HOMEOWNERS ASSOCIATION, INC.**

Name:   
Saul Freedenberg

Title: PRESIDENT

Date: October 27, 2011