

**Walden on Lake Conroe Community Improvement Association, Inc.**

**Flag Display Policy**

**I. Purpose:**

It is the intention of the Board of Trustees to encourage the orderly display of the flag of the United States of America, the State of Texas and the official flag of any branch of the United States armed forces.

**II. General:**

The orderly display of flags has a positive impact on the appearance of Walden. The Property Code of the State of Texas has been amended to allow the display of flags, but requires the adoption of a policy to regulate said display. This policy is to comply with the law and appropriately regulate the display of flags to ensure the display enhances the appearance of Walden.

**III. Policy:**

1. This Policy applies to the display of (“Permitted Flags”):
  - 1.1. the flag of the United States; and
  - 1.2. the flag of the State of Texas; and
  - 1.3. the official flag of any branch of the United States armed forces.
2. Flags other than Permitted Flags may not be displayed without express written permission from the Architectural Control Committee. This includes any flags other than the Permitted Flags listed in Section 1 above including, but not limited to:
  - 2.1. flags for schools, sports teams, businesses or foreign countries; or
  - 2.2. flags with marketing, seasonal, historical, commemorative, nautical, political or religious themes; or
  - 2.3. historical versions of flags permitted in section 1 above.
3. Permitted Flags may be displayed subject to these guidelines. Advance written approval of the Architectural Control Committee is required for any free-standing flagpole and any illumination associated with the display of Permitted Flags.
4. Permitted Flags must be displayed in a respectful manner in accordance with the current relevant federal, state or military code.
5. Permitted Flags must be displayed from a pole attached to a dwelling or to a free-standing pole. Permitted Flags may not be draped over or directly attached to structures. For example, a Permitted Flag may not be laid across a fence or stapled to a garage door.
6. Permitted Flags shall be no larger than three foot (3’) by five foot (5’) in size.



7. Only one Permitted Flag may be displayed on a flagpole attached to a structure. Up to two Permitted Flags may be displayed on an approved free-standing flagpole that is at least fourteen feet (14') tall.
8. Flagpoles must be constructed of permanent, long-lasting materials with an appropriate finish that is harmonious with the dwelling.
9. A flagpole attached to a structure may be up to six feet (6') long and must be securely attached with a bracket with an angle of 30 to 45 degrees down from vertical. The flagpole must be attached in such a manner as to not damage the structure. Two attached flagpoles are allowed on any portion of a structure facing a street and two attached flagpoles are allowed on the rear or backyard portion of a structure. Brackets which accommodate two flagpoles are permitted, but brackets accommodating three or more flagpoles are not allowed.
10. Free-standing flagpoles may be up to twenty feet (20') tall, including any ornamental caps. Free-standing flagpoles must be permanently installed in the ground according to manufacturer's instructions. One free-standing flagpole is allowed in the portion of the owner's property between the main residential dwelling and any street and one free-standing flagpole is allowed in the rear or backyard portion of a property.
11. Free-standing flagpoles may not be installed in any location described below:
  - 11.1. in any location other than the Owner's property; or
  - 11.2. within a ground utility easement or encroaching into an aerial easement; or
  - 11.3. beyond the side or rear setback lines (for example, on a lot with a 10' side setback line, a flagpole may not be installed closer than 10' from the side property line); or
  - 11.4. beyond half the distance of the front setback line (for example, on a lot with a 30' front setback line, a flagpole may not be installed closer than 15' from the front property line); or
  - 11.5. closer to a dwelling on an adjacent lot than the height of the flagpole (for example, a 20' flagpole cannot be installed closer than 20' from an adjacent house).
  - 11.6. Any Common Area or property owned by the Walden Community Improvement Association, Inc.
12. Lighting may be installed to illuminate Permitted Flags if they will be displayed at night and if existing ambient lighting does not provide proper illumination. Flag lighting must:
  - 12.1. be ground mounted in the vicinity of the flag; and
  - 12.2. utilize a fixture that screens the bulb and directs light in the intended direction with minimal spillover; and
  - 12.3. point towards the flag and face the main structure on the property or to the center of the property if there is no structure; and
  - 12.4. provide illumination not to exceed the equivalent of a 60 watt incandescent bulb.

13. Flagpoles must not generate unreasonable noise levels which would disturb the quiet enjoyment of other residents. Each flagpole owner must take steps to reduce noise levels by using vinyl or plastic snap hooks, installing snap hook covers or securing a loose halyard (rope) around the flagpole with a flagpole clasp.
14. Flagpoles are allowed solely for the purpose of displaying Permitted Flags. If a flagpole is no longer used on a daily basis, it must be removed.
15. All flags and flagpoles must be maintained in good condition. Deteriorated flags must be removed and promptly replaced. Deteriorated or structurally unsafe flagpoles must be promptly repaired, replaced or removed.

This Policy is effective upon recordation in the Public Records of Montgomery County, and supersede any Policy for display of flags which may have previously been in effect. Except as affected by Section 202.011 and/or by this Policy, all other provisions contained in the Deed Restrictions or any other dedicatory instruments of the WCIA shall remain in full force and effect.

DEDICATORY INSTRUMENTS  
OF  
WALDEN ON LAKE CONROE COMMUNITY IMPROVEMENT  
ASSOCIATION, INC.

**BEFORE ME**, the undersigned authority, on this day personally appeared the below named person, who, being by me first duly sworn, states the following:

My name is Scott Sustman. I am over 21 years of age and of sound mind. I am capable of making, and authorized to make, this affidavit. I am personally acquainted with the facts herein stated. I am the agent and General Manager of Walden on Lake Conroe Community Improvement Association, Inc. Pursuant to the Texas Property Code, Section 202.006, the following documents are the originals, or true and correct copies of the originals, of the governing instruments of the Association:

Walden on Lake Conroe Board Policy – Flag Display Policy

Dated this the 23<sup>rd</sup> day of September, 2011

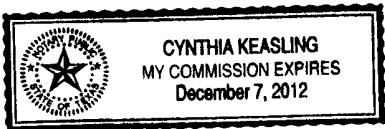
WALDEN ON LAKE CONROE COMMUNITY IMPROVEMENT ASSOCIATION, INC.


By:   
Agent and General Manager

Print Name: Scott Sustman

**THE STATE OF TEXAS  
COUNTY OF MONTGOMERY**

**THIS** affidavit was acknowledged before me on the 23<sup>rd</sup> day of SEPTEMBER, 2011 by Scott Sustman who stated that he is the agent and General Manager for Walden on Lake Conroe Community Improvement Association, Inc.



  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

AFTER RECORDING RETURN TO:  
Scott Sustman, General Manager  
Walden on Lake Conroe  
Community Improvement Association, Inc.  
13301 Walden Road,  
Montgomery, Texas 77356  
936-582-1622

**FILED FOR RECORD**

09/30/2011 10:08AM

*Mark Tumbull*

COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF MONTGOMERY

I hereby certify 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 Montgomery County, Texas.

09/30/2011



*Mark Tumbull*

County Clerk  
Montgomery County, Texas