MARKED-UP PAGE 1: 1 COMPLIANCE ISSUE (#1) - SEE REDLINE COMMENTS AT RIGHT ->

Section m - Sample Provision Excerpt (Public Preview)

ay be altered or amended by the owners of 67% of the lots in said Addition. Definition of owners: The term "owner" sha
person, firm or corporation in whose name the fee simple title appears of record in the Office of the Recorder of Allen
County.

ISSUE #1

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE — BOARD & COUNSEL REVIEW

Sec. m (p. 4): Protected Political/Real-Estate Signage, Flag, or Religious Display Restriction: Clause bans all yard signs without a statutory political/election sign carve-out or restricts protected U.S./military flags or religious displays under IN and federal law.

Statutory / Legal Reference: 4 U.S.C. § 5 Note (Freedom to Display the American Flag Act of 2005) & Ind. Code Title 32, Art. 25.5 (Indiana Homeowners Associations Act)

Statutory Comparison: Under Ind. Code Title 32, Art. 25.5 (Indiana Homeowners Associations Act); 4 U.S.C. § 5, associations may not prohibit the display of the United States flag (4 U.S.C. § 5) or enforce blanket bans on residential yard signs that fail to carve out statutorily protected political election signs, religious door displays, or owner "For Sale/For Lease" signs where preempted by IN statute.

CURRENT WORDING IN DOCUMENT:
ay be altered or amended by the owners of 67% of the lots in said Addition. Definition of owners: The term "owner" shall be a person, firm or corporation in whose name the fee simple title appears of record in the Office of the Recorder of Allen County.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
Amend Section m to carve out statutorily protected political signs during election periods, U.S./State/Military flags under 4 U.S.C. § 5, and religious displays in accordance with Ind. Code Title 32, Art. 25.5 (Indiana Homeowners Associations Act); 4 U.S.C. § 5.