

Briar Meadow Deed Restriction Changes Summary

Preamble: The preamble was revised to acknowledge the revision of the Deed Restrictions.

Definitions: The definitions of Fence and Non-Conforming uses were removed. The definitions of Amended and Restated Restrictions, Member, and Member in Good Standing were added.

Land Use: The language was updated to allow for unobtrusive use of the home for professional, religious or commercial activity and to expressly prohibit any such activity that includes a sign, logo, or symbol. Unobtrusive use means there are no clients, customers, or employees who visit the lot on a regular basis for business, professional, religious, or commercial related purposes.

The language was also revised regarding the number of persons who may inhabit a home.

The language regarding the prohibition of boarding houses was modernized and revised to prohibit any type of Group Home.

Architectural Control: The language was revised to allow for an appeal of the decision by the Architectural Control Committee to the Board of Directors, and specific requirements for Architectural Control Committee applications were inserted.

A section was inserted to allow the Architectural Control Committee to create and amend from time to time Architectural Guidelines which would supplement the Deed Restrictions. These Guidelines could be created and amended at the discretion of the Board of Directors.

Size and Location of Structures; Materials: was amended to allow storage buildings, if approved by the A.C.C.

The Exterior Materials clause was amended to state that stucco is not considered masonry, but to allow stucco if 51% of the exterior walls facing the street are constructed of masonry.

Language was added to close a loophole by requiring construction of a sidewalk along a side street for a major remodel or new construction.

The Fence section was amended to define ownership of fences built on the lot line, and to require upkeep and maintenance of fences, and to give the HOA powers to maintain fences if the owner does not.

The Roofs clause was amended to omit the outdated requirement for roofs to weigh 290 pounds per square, and instead to be 30 year or better roofs designed and warranted to withstand a 110 mph wind load. The requirement that roofs resemble weathered wood was removed.

A section was added titled Landscaping that requires lawns be sodded and prohibits rock or gravel front or side yards.

A section was added titled Tree Removal which prohibits removal of any oak tree with a circumference greater than 48 inches without A.C.C. approval.

Temporary Structures: This section was revised to define the length of time temporary structures are allowed during construction, to require screening of portable toilet facilities, to require construction waste containers to be regularly emptied, and to prohibit placement of portable storage containers for longer than 48 hours.

Storage of Vehicles and Equipment: This section was revised to disallow boats, R.V's , trailers, commercial vehicles, or inoperable vehicles from being parked or stored on any lot or street unless it is completely screened from view.

Nuisances; Septic Tanks; Exterior Lighting: This section was revised to include trash and vermin as a nuisance; to regulate the hours gasoline powered lawn equipment may be used to between 7:00 am and 8:00 pm.

The section on exterior lighting was revised to disallow high intensity lighting except at perimeter lots and only so far as it is not a disturbance to adjoining lots, to allow low intensity landscape lighting, and to require that Christmas lights can only be present between November 15 and February 1.

Signs: This section was revised to allow builder signs (during construction), to allow security signs of a certain size, and to allow one school sign.

Animals: This section was revised to allow 4 animals (previous restrictions only allowed 3), and to require dogs to be on leashes, and to require that any pet structure not be visible from any street or other lot.

Antennas: This section was revised to require A.C.C. approval of any antenna that is visible from the street, and to disallow any dish type antenna greater than 1 meter in diameter.

Maintenance: This section was revised to require maintenance of lawns, including watering; to require that trees be trimmed to be 8 feet above sidewalks and streets; and to require every home from falling into a state of disrepair.

Enforcement: This section was revised to add fines of up to \$150.00 per violation for failing to cure deed restriction violations.

Maintenance Fund: This section was revised to reflect the current maintenance charges, to allow the Board of Directors greater discretion to raise the maintenance charges without a community vote by up to 10% per year (opposed to only at the rate of the CPIU) but caps the raises allowed to no greater than 20% in any 3 year period. This is necessary because the cost of security, garbage, and pool related services often increase at a greater rate than CPIU. Other language changes were made throughout the section to modernize the wording.

Enforcement of the maintenance charge was added to exclude those who have not paid their maintenance charges from community privileges such as the right to use community facilities and the right to vote at Board meetings.

Briarmeadow Homeowner's Association Inc.: This section was modernized, and provisions restricting the right to vote by members who are not current with their maintenance fees.