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ARCHITECTURAL RESTRICTIONS

April 8, 1970

Many of us moved here because we were attracted by the rural atmosphere and by the architectural harmony of the area. Preservation of these require the full co-operation of all residents.

As Spring approaches, many of us will be contemplating building improvements and landscape changes. In doing so, each of us should bear in mind the existing deed restrictions, their underlying purpose, and the method of obtaining approval of proposed changes.

A. Legal Basis of Restrictions

As each of you should be aware, the deed to any parcel of land in the Pleasant Brook area contains restrictions respecting the erecting of new structures, the modification of existing ones, or major changes in landscaping. Such modifications require the approval of the Pleasant Brook Association. Approval is granted or denied (in the first instance) by vote of the Trustees (see para. 5 of Declaration of Trust). According to the existing Declaration of Trust, the decisions of the Trustees must be approved by two-thirds of the Voting Beneficiaries.

It is the intent of the Trustees to interpret the restrictions as liberally as possible, consistent with preserving a natural and harmonious appearance of the community. However, it should be borne in mind that the restrictions are legally enforceable. The Trustees have standing to file a petition in court seeking a restraining order against further proceeding with the construction of an unapproved structure, or seeking an order commanding the removal of one already completed.

B. Application for Approval of Proposed Change

Two (2) copies of plans, sketches, diagrams, or such other material as the Trustees may deem necessary to adequately describe the proposed change should be submitted to the Trustees for approval. These should be submitted

well in advance of the commencement of any construction or signing of a construction contract. In fact, it is strongly recommended that, prior to making a formal submission, a petitioner advise the Trustees of a proposed change so that features which the Trustees consider important can be discussed informally and incorporated in the plans at their inception, thereby minimizing the chance of later changes and possible inconvenience to the petitioner.

It is the Trustees' intent to process applications promptly and, where in their opinion there is a conflict of interest, to co-operate with the petitioner in seeking a solution satisfactory to everyone. If changes are recommended, these will be discussed with the petitioner, and, when mutually agreed to, will be noted on the drawing(s). One copy of the approved drawing(s) will be signed by the Trustees and returned to the petitioner for his files. The second copy will be retained for the Association's file.

C. Changes for Which Written Approval Must be Obtained

The following list describes changes for which written approval must be obtained:

1. Renovations to houses or other existing structures which change the exterior in any way - including, for example, additions, decks, platforms, raised terraces, new or re-located door and window openings, changes in exterior finish materials, changes in roof line, etc., etc.
2. New structures of any kind (attached or freestanding) - including, for example, carports, garages, storage or tool sheds, play houses, major play equipment, tree houses, etc. Provided that the nature and location of minor structures are such as not to constitute an eyesore to the community or to a neighbor, the Trustees may grant approval for such, as temporary structures, with a specified time limit on them.
3. Fences, walls or screens of any length or height.

4. Removal or re-location of any existing fieldstone walls.
5. Steps, surfaced paths, patios, or raised terraces of any kind.
6. Planting of hedges or other similar planting not in keeping with the present natural and informal character of the area. "Hedge", as used here, is defined as a more or less formal planting of bushes or small trees in a clearly defined line or pattern more than 10 feet long, the visual effect of which is a solid and continuous barrier.
7. Removal of any living trees 4" in diameter or larger. Extensive removal of other living growth where such growth constitutes a feature of the community landscape or where the removal of such growth would noticeably affect the landscape and appearance of a neighboring lot.
8. Major changes in the grading of any lot, including the bringing in of fill (but not topsoil), or the removal or the re-location of existing earth.
9. New or relocated driveways.
10. Signs of any kind.
11. Any other structural or landscaping change which materially affects the appearance of the community.