

The following is offered as an aid to help one consider the seven questions found on the Special Election ballot. The "Original language" is the present statement of the existing rule, to be compared with the "Proposed replacement language" taken from the ballot.

### **Question Number 1**

Original language presently found in *the Declaration of Covenants, Conditions, Restrictions and Easements of North Brook*:

Article III, Section 3.1, paragraph G.

No fencing shall be permitted upon any Lot except wood fences built with methods and materials which harmonize with the external design of the Residences in the District.

Proposed replacement language (Ballot - Question #1):

Shall Article III, Section 3.1, paragraph G, of the Declaration of Covenants, Conditions, Restrictions and Easements of North Brook be amended to read as follows:

No fencing of any type shall be erected or installed without the prior approval of the Architectural Control Committee (ACC). Fencing materials may consist of wood, wrought iron, vinyl, or other composite materials, which materials shall harmonize with the external design of the Residence and/or Subdivision, all subject to approval by the ACC. No fence may consist of chain link material.

The height of any fence cannot be less than four feet tall, or greater than six feet tall. Fences may come up the side yard of the property but not past the midline of the residence.

### **Question Number 2**

Original language presently found in *the Declaration of Covenants, Conditions, Restrictions and Easements of North Brook*:

Article III, Section 3.1, paragraph V.

No radio station, whether amateur or commercial, of any type shall be operated from any Lot or Residence in the District and no radio antenna shall protrude above the roof line of any Residence. No radio or television aerial wire, antenna, antenna tower or satellite dish may be maintained outside of any Residence or other approved structure unless approved by the Architectural Control Committee.

Proposed replacement language (Ballot - Question #2):

Shall Article III, Section 3.1, paragraph V, of the Declaration of Covenants, Conditions, Restrictions and Easements of North Brook be amended to read as follows:

No poles may be erected or maintained anywhere on any lot without written approval of the ACC. Solar panels may be installed with the written approval of the ACC. Television, radio, citizen's band, short wave, or other antenna, or other

projections attached to the exterior of any residence, or erected in any yard, shall require specific approval in writing from the ACC.

The ACC may approve satellite dishes which are 20 inches, or less, in diameter and/or otherwise as permitted by applicable laws and regulations, subject to all conditions which the ACC attaches to such approval, including the location and applicable screening of the satellite dish which shall comply with all applicable laws and regulations. To the extent this restriction may be inconsistent with laws and regulations of the Federal Communication Commission, as amended from time to time, this restriction shall be deemed modified as necessary to comply with such laws and regulations, and still provide such limitations as are consistent with the intention of this restriction.

### **Question Number 3**

Original language presently found in *the Declaration of Covenants, Conditions, Restrictions and Easements of North Brook*:

Article III, Section 3.1, paragraph W.

All doors on garages of Residences shall be kept closed except when opened for the purpose of parking or removing motor vehicles therefrom or cleaning of the same.

Proposed replacement language (Ballot - Question #3):

Shall Article III, Section 3.1, paragraph W, of the Declaration of Covenants, Conditions, Restrictions and Easements of North Brook be amended to read as follows:

All garages must be fully enclosed, and attached to the residence. No garage may be enclosed for use as a living area. All garages must be equipped with doors which shall be kept closed as much as is practical so as to preserve the appearance of the neighborhood.

### **Question Number 4**

Original language presently found in *the Declaration of Covenants, Conditions, Restrictions and Easements of North Brook*:

Article III, Section 3.1, paragraph X.

No exterior clothesline or poles may be erected or maintained anywhere on any Lot.

Proposed replacement language (Ballot - Question #4):

Shall Article III, Section 3.1, paragraph X, of the Declaration of Covenants, Conditions, Restrictions and Easements of North Brook be amended to read as follows:

All basketball goals shall be free-standing and not attached to the residence unless the ACC determines there are compelling reasons for the goal to be attached to the dwelling. All basketball goals shall be consistent with standard design and materials. There should be only one basketball goal per lot.

No exterior clothesline or poles for attaching wires or lines for the purpose of hanging laundry may be erected, installed, or constructed on any lot.

## Question Number 5

Original language presently found in *the Declaration of Covenants, Conditions, Restrictions and Easements of North Brook*:

Article III, Section 3.1, paragraph Z.

No school buses, automobiles, campers, camper-trailers, recreational vehicles, tractors, trucks, motorcycles, other motor vehicles or boats shall be parked at the curb for more than twenty-four (24) hours at any one time. No major repair work shall be performed on any vehicle or boat while parked outside the garage or other enclosure or on the street. Any vehicles that are not in operating condition and driveable or whose presence might make an unsightly appearance or create a nuisance or be a hazard to life, health or public safety, shall not be parked or left on any Lot or at the curb for more than twenty-four (24) hours. No boat, bus, camper, camper-trailer, trailer, recreational vehicle, tractor, truck, motorcycle nor any other vehicle similar or related in use shall be stored or parked on any Lot unless the same is kept in an enclosed area which is out of sight and screened from the view of any adjacent Lot or street.

Proposed replacement language (Ballot - Question #5):

Shall Article III, Section 3.1, paragraph Z, of the Declaration of Covenants, Conditions, Restrictions and Easements of North Brook be amended to read as follows:

No school buses, automobiles, campers, camper-trailers, recreational vehicles, tractors, trucks, motorcycles, other motor vehicles or boats shall be parked at the curb for more than twenty-four (24) hours at any one time. No major repair work shall be performed on any vehicle or boat while parked outside the garage or other enclosure or on the street. Any vehicles that are not in operating condition and driveable or whose presence might make an unsightly appearance or create a nuisance or be a hazard to life, health or public safety, shall not be parked or left on any Lot or at the curb for more than twenty-four (24) hours.

No boat, bus, camper, camper-trailer, trailer, recreational vehicle, tractor, truck, motorcycle, nor any other vehicle similar or related in use, shall be stored or parked on any lot unless the same is kept in an area which is out of sight and screened from view of any adjacent lot or street, except that campers, camper-trailers, recreational vehicles, and boats may be kept from one week before Memorial Day, until one week after Labor Day, provided that such campers, camper-trailers, recreational vehicles, and boats are in good condition, pose no hazard and do not block the sidewalk.

Dumpsters, or "pods", may be placed in the driveway for up to 30 days, or longer, with the written permission of the ACC, provided the dumpster, or pod does not block the sidewalk.

## Question Number 6

Original language presently found in *the Declaration of Covenants, Conditions, Restrictions and Easements of North Brook*:

(There is no present, direct statement in *the Declaration of Covenants, Conditions, Restrictions and Easements of North Brook* concerning this subject.)

Proposed replacement language (Ballot - Question #6):

Shall the Declaration of Covenants, Conditions, Restrictions and Easements of North Brook be amended by adding the following:

Decks may be constructed of cedar, treated wood, composite wood, vinyl, or other composite materials, which shall harmonize with the external design of the Residence, and/or Subdivision, and shall be subject to approval by the ACC.

## Question Number 7

Original language presently found in *the Declaration of Covenants, Conditions, Restrictions and Easements of North Brook*:

Article IX, Section 9.2, Amendment.

This Declaration, or any provision of it, may be amended by Supplemental Declaration at any time during the first 25-year term by an instrument signed by Owners holding not less than 66 2/3% of the votes possible to be cast under the Articles and Bylaws of the Association and signed by the Developer (during the period of its Class B Membership), and at any time thereafter by an instrument signed by Owners holding at least 66 2/3% of the votes so possible to be cast. Any amendment by Supplemental Declaration must be recorded, and approval of such amendment may be shown by attaching a certificate of the Secretary of the Association to the recorded instrument certifying that signatures of a sufficient number of Owners approving the amendment are on file in the office of the Association.

Proposed replacement language (Ballot - Question #7):

Shall Article IX, Section 9.2, of the Declaration of Covenants, Conditions, Restrictions and Easements of North Brook be amended to read as follows:

Section 9.2. Amendment. This Declaration, or any provision of it, may be amended by Supplemental Declaration at any time by an instrument signed by Owners holding not less than 51% of the votes possible to be cast under the Articles and Bylaws of the Association. Any amendment by Supplemental Declaration must be recorded, and approval of such amendment may be shown by attaching a certificate of the Secretary of the Association to the recorded instrument certifying that signatures of a sufficient number of Owners approving the amendment are on file in the office of the Association.