

LIONSGATE HOA

COMMUNITY RESTRICTIONS

OVERVIEW: Following the completion of construction of any residence or Exterior Structure, no significant landscaping change, significant exterior color, change or exterior addition or alteration shall be made thereto unless and until the change, addition or alteration has been submitted to and approved in writing by the Architectural Committee. All replacements of all or any portion of a completed structure because of age, casualty loss or other reason, including, without limitation, roofs and siding, shall be of the same materials, location and elevation as the original structure unless and until the changes thereto have been submitted to and approved in writing by the Architectural Committee.

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| Animals | No animals of any kind shall be raised, bred, kept or maintained on any Lot except that dogs, cats and other common household pets may be raised, bred, kept or maintained so long as (a) they are not raised, bred, kept or maintained for commercial purposes, (b) they do not constitute a nuisance and (c) the City ordinances and other applicable laws are satisfied. All pets shall be confined to the Lot of the Owner except when on a leash controlled by a responsible person. Owners shall immediately clean up after their pets on all streets, Common Areas and Lots owned by others. Dog runs are not permitted. |
| Basketball Goals | All basketball goals shall be permanently installed, free standing and not attached to the residence unless the Architectural Committee determines that there are compelling reasons for the basketball goal to be attached to the residence. All backboards shall be transparent or painted white and all poles shall be a black or dark green. There shall be only one basketball goal per Lot. The Board shall have the right to establish reasonable rules regarding the hours of use of basketball goals and any such rules shall be binding upon all of the Lots and the Owners. Portable basketball goals are not permitted. All basketball goals must be approved by the ACC prior to installation. |
| Clothes Line | Not permitted |
| Construction | Exterior walls of all residences and all appurtenances thereto shall be of stucco, brick, stone, wood shingles, Masonite or wood lap siding, plate glass, glass blocks, or any combination thereof. All windows shall be constructed of glass, wood, metal or vinyl clad and wood laminate, or any combination thereof, provided, however, that storm windows may be constructed of colored metal (other than silver). All exterior doors and louvers shall be constructed of wood, metal or vinyl clad and wood laminate, colored metal (other than silver) and glass, or any combination thereof. Roofs with a pitch of three inches or more per foot shall be covered with wood shingles, wood shakes, slate or concrete tile. Flat roofs, or roofs with a pitch of less than three inches per foot, shall be covered with tin, built up asphalt, wood shingles, wood shakes, slate or concrete tile. Any changes to the existing exterior of the home must have ACC approval. |
| Deck | No exterior structure shall stand with its exterior in an unfinished condition for longer than five months after commencement of construction. Must be approved by ACC. |
| Driveway | All driveways and sidewalks shall be concrete, patterned concrete, brominate, |

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| | interlocking pavers, brick or other permanent stone finishes. Crushed gravel, asphalt and natural driveways and sidewalks are prohibited. Any changes to the existing exterior of the home must have ACC approval. |
| Exterior Structure | No Exterior Structure shall be erected upon, moved onto or maintained upon any Lot except (i) strictly in accordance with and pursuant to the prior written approval of the Architectural Committee as to the applicable building plans, specifications, exterior materials, location, elevations, lot grading plans, landscaping plans and exterior color scheme and (ii) in compliance with the additional specific restrictions set forth in subsection (b) below or elsewhere in this Declaration; provided, however, that the approval of the Architectural Committee shall not be required for (i) any Exterior Structure erected by or at the request of the Developer or (ii) any Exterior Structure that (A) has been specifically approved by the Developer prior to the issuance of a temporary or permanent certificate of occupancy as part of the residential construction plans approved by the Developer and (B) has been built in accordance with such approved plans. No shed, barn, detached garage or other storage facility shall be erected upon, moved onto or maintained upon any Lot. Storage shall be permitted under a deck provided such area is screened as otherwise authorized herein. |
| Fence | (i) Only wrought iron (or similar) fences in the specific style and color approved by the Developer shall be allowed on the following Lots: Lots 9, 10, 29 through 34, and 45. Other Lots in the Subdivision not listed in the preceding sentence may have only wood or wrought iron (or similar) fences or privacy screens in the specific styles and colors approved by the Developer. All fences, boundary walls and privacy screens shall be ornamental and shall not disfigure the property or the neighborhood. All fences and privacy screens shall be constructed with the finished side out. All fences and privacy screens shall be constructed only of the specific materials and in the specific styles approved by the Developer as provided above. No chain link or similar fence shall be permitted. Unless and until otherwise specifically approved in writing by the Developer, (A) no fence, boundary wall or privacy screen shall exceed five feet in height, (B) no fence, boundary wall or privacy screen shall be constructed or maintained on any Lot nearer to the street than the rear corners (as defined by the Approving Party) of the residence, (C) no fence shall be constructed or maintained on any Lot more than one foot from the property line of the Lot, except to the extent necessary for such fence to abut the residence, and (D) all fences must be joined to any previously existing fences on adjacent Lots. Cannot fence all the way to the ground. Must be a min of 3" from ground surface. Must enclose entire backyard. Wrought iron must be stair-stepped along the contour of the land. Must be Forest green, either pre-cast or painted Sherwin Williams-Black Forest #SW2238 or Sherwin Williams Black of Night SW6993. Fence should be 3 line smooth-top 2x2 posts with dome tops. Should be vertical and horizontal with stair-step on hills. |
| Garage | All residences shall have at least a two-car garage. No car ports are permitted. Garage doors shall remain closed at all times except when necessary. |
| Garage Sale | No garage sales, sample sales or similar activities shall be held within the Subdivision without the prior written consent of the Homes Association. |
| Gardens | All vegetable gardens shall be located behind the rear corners of the residence and at least five feet away from the boundary of the Lot. No vegetable garden(s) shall exceed 100 square feet in size on any Lot except with the prior written consent of the ACC. |
| Greenhouse | Not permitted. |

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| Landscaping | All lawns, including all areas between each residence and any adjacent street, regardless of the existence and location of any fence, monument, boundary wall, berm, sidewalk or right-of-way line, shall be fully sodded and shall remain fully sodded at all times thereafter; provided, however, that the No lawn shall be planted with Zoysia or buffalo grass. The Owner of each Lot shall keep the lawn uniformly mowed and clipped with a length of grass not to exceed four inches. |
| Landscaping – Lawn | The Owner of each Lot shall keep the lawn uniformly mowed and clipped with a length of grass not to exceed four inches. |
| Lights | No lights or other illumination (other than street lights) shall be higher than the residence. Except for such holiday lights, all exterior lighting shall be white and not colored. All exterior landscape lighting must be approved in advance by the Approving Party. |
| Lights - Holiday | Exterior holiday lights shall be permitted only between November 15 and January 15. |
| Outbuilding | No trailer, outbuilding or Exterior Structure shall at any time be used for human habitation, temporarily or permanently; nor shall any residence of a temporary character be erected, moved onto or maintained upon any of the Lots or any Common Areas or used for human habitation. Outbuildings are prohibited unless approved by the ACC. |
| Paint | Prior to painting any exterior of the home, deck, siding, fence, etc., a Modification Request Form must be submitted and approved by the ACC. |
| Playsets | All recreational or play structures (other than basketball goals) shall be located behind the back building line of the residence. Playsets are subject to approval by ACC. |
| Pool / Hot Tub | No above-ground type swimming pools shall be permitted. All pools shall be fenced and all hot tubs shall be fenced or otherwise adequately screened, all in accordance with the other provisions of the Declaration. All pools and hot tubs shall be kept clean and maintained in operable condition at all times. Pools are subject to approval by ACC. |
| Roof | Roofs with a pitch of three inches or more per foot shall be covered with wood shingles, wood shakes, slate or concrete tile. Flat roofs, or roofs with a pitch of less than three inches per foot, shall be covered with tin, built up asphalt, wood shingles, wood shakes, slate or concrete tile. Any changes to the existing exterior of the home must have ACC approval. |
| Satellite Dish, Antenna, etc. | No television, radio, citizens' band, short wave or other antenna, satellite dish (other than as provided below), solar panel, clothes line or pole, or other unsightly projection shall be attached to the exterior of any residence or Exterior Structure or erected in any yard. Notwithstanding any provision in this Declaration to the contrary, small satellite dishes may be installed with the prior written consent of the ACC. |
| Siding | Exterior walls of all residences and all appurtenances thereto shall be of stucco, brick, stone, wood shingles, Masonite or wood lap siding, plate glass, glass blocks, or any combination thereof. All exteriors, except roofs and natural side walls, shall be covered with a workmanlike finish of two coats of high quality paint or stain. No residence or Exterior Structure shall stand with its exterior in any unfinished condition for longer than five months after commencement of construction. All exterior basement foundations and walls which are exposed in excess of 12 inches above final grade shall be painted the same color as the residence or covered with siding |

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| | compatible with the structure. Any changes to the existing exterior of the home must have ACC approval. |
| Signs | Only allowed signs: (i) One sign not more than three feet high or three feet wide, not to exceed a total of six square feet, may be maintained offering the residence for sale or lease. (ii) One garage sale sign not more than three feet high or three feet wide, not to exceed a total of six square feet, is permitted on the Lot when the sale is being held, provided such signs are removed within 24 hours after the close of the sale. (iii) One political sign permitted per K.S.A. 58-3820. Restrictive covenants; political yard signs; limitations. (a) On and after the effective date of this act, any provision of a restrictive covenant which prohibits the display of political yard signs, which are less than six square feet, during a period commencing 45 days before an election and ending two days after the election is hereby declared to be against public policy and such provision shall be void and unenforceable. |
| Solar Panel | Not permitted. |
| Sport Court | Not permitted. |
| Storage Tank | Not permitted. |
| Tennis Courts | Not permitted. |
| Trampolines | Not permitted. |
| Trash | No trash, refuse, or garbage can or receptacle shall be placed on any Lot outside a residence, except after sundown of the day before or upon the day for regularly scheduled trash collection and except for grass bags placed in the back yard pending regularly scheduled trash collection. |
| Trees | Each Owner shall properly water, maintain and replace all trees and landscaping on the Owner's Lot |
| Treehouse | Not permitted. |
| Vehicle – Parking | Overnight parking of motor vehicles of any type or character in public streets, Common Areas or vacant lots is prohibited. Motor vehicles shall be parked overnight in garages or on paved driveways only. |
| Vehicles - Rec | Recreational motor vehicles of any type or character are prohibited except: (i) Storing in an enclosed garage; (ii) Temporary parking for the purpose of loading and unloading (maximum of one consecutive night and one night every 14 days); or (iii) With prior written approval of the ACC. Except as provided above (0 above, no vehicle (other than an operable passenger automobile, passenger van or small truck), truck, bus, boat, trailer, camper or similar apparatus shall be left or stored overnight on any Lot, except in an enclosed garage. |
| Vehicles – Trucks | Trucks or commercial vehicles with gross vehicle weight of 12,000 pounds or over are prohibited except during such time as such truck is actually being used for the specific purpose for which it is designed. |
| Windows | All windows shall be constructed of glass, wood, metal or vinyl clad and wood laminate, or any combination thereof, provided, however, that storm windows may be constructed of colored metal (other than silver). Any changes to the existing exterior of the home must have ACC approval. |

