

BRIERCLIFF

HOMEOWNER'S ASSOCIATION

General Covenants and Restrictions

Rule One - Article XI Section 11.05

Fences and Walls – No fence or wall except a retaining wall or vinyl fences, acceptable in either panel or chain link, or split rail fences consisting of not over three rails, shall be erected on any lot within fifty (50) feet of the right of way line of the street upon which the dwelling fronts or within twenty five feet (25) of the right of way line in any street, and no such fence or wall shall be more than six (6) feet high. The association's Architectural Committee must first approve any fence installation.

Rule Two - Article XI Section 11.08

Motor Vehicles – No motor vehicle other than a private registered passenger type, pick-up truck, or commercial van, and no other type of commercial vehicle, boat, trailer, recreational vehicle, motor home or snowmobile may be stored or parked outside on any lot except that storage will be permitted in a garage so long as the garage is large enough to completely store the item with the garage door closed.

Rule Three - Article XI Section 11.09

Garbage and Refuse Disposal – No lumber, metals, bulk materials, refuse or trash may be stored or allowed to accumulate on any lot. Trash, garbage and other waste shall be kept in sanitary containers. If trash and other refuse is to be disposed of by being picked up and carried away on a recurring basis, containers may be placed in the open on any day that a pickup is to be made, at such location on the Lot as to provide access to persons making the pickup. At all other times such containers shall be stored in such manner so they cannot be seen from adjacent and surrounding properties or Lots.

Rule Four - Article XI Section 11.06

Advertising and Signs – No Sign or Advertising device of any kind will be permitted on any lot except for "For Sale" signs. These signs will not exceed 2 feet by 3 feet in outside dimensions. This rule applies to any political sign or flag.

Rule Five - Article XI Section 11.07

Noxious or Offensive Activities – No noxious or offensive trade or activity shall be carried on upon any Lot, nor shall anything be done which may be or become an annoyance or nuisance to residents of the other Lots.

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Rule Six

Architectural Approval - Architectural approval is required for any improvement to a property that includes an addition to the existing structure, a fence, a deck, a shed & installation of an in ground or above ground pool. Sheds must have a shingle roof and vinyl sides that match the house. The maximum square footage allowed is 168 sq. ft. An Architectural Change form must be submitted a minimum of 14 days prior to the start of the improvement for approval by the Architectural Committee. Forms are not required for concrete and stoned patios or awnings.

Architectural Approval is also required to close on your home when you sell it. Please request your closing documents 14 days in advance so we may confirm your property is architecturally compliant and that all improvements have been recorded by the board. Failure to request these documents 14 days in advance can lead to a DELAY in closing on your sale due to lack of inspection or inspection failure.

Rule Seven

Dogs – Dogs in this development need to be kept in control at all times.

It is a law in the Town of Hamburg that a dog must be on a leash at all times day or night, when off the owner's property. Dogs should not be walked on residential property. Dogs should be walked along the perimeters of this area, or in the vacant field areas or green space of the development. The proper disposal from dogs is an action that is expected of any homeowner in this association. It maintains the cleanliness of the green space and prevents any health concern issues for any homeowner who also walks in these areas. No Dog Houses or Dog Pens are allowed on any Lot.

Rule Eight

Miscellaneous Restrictions – The following rules will be observed:

No Grills (Gas or Charcoal) including Smokers are allowed to be visible in the front of any Lot unless the property owner is using them.

No drying or airing of any clothing or bedding shall be permitted at any time.

Portable basketball hoops must remain upright at all times. In the winter, they are to be stored in your garage, side-yard or back-yard out of view from the street. If you are using them in the winter, they must remain upright.

Grass clippings, branches, trimmings rubbish and other debris CANNOT be discharged, blown or placed on the street or sidewalk for any reason. Grass clippings can be eliminated with your garbage. Trimmings and rubbish can be placed out on your boulevard (not hanging into the street) on Sunday evening before the scheduled removal/pickup week by Waste Management or the Town of Hamburg.