

## GENERAL COVENANTS AND RESTRICTIONS

### RESTRICTION OF USE

Lots may be used for single-family residences only and for no other purpose.

### TEMPORARY BUILDINGS

No temporary building, trailer, garage, or building under construction on any Lot shall be used, temporarily or permanently, as a Residence except as temporary sleeping or living quarters required or desirable for security purposes in accordance with plans and specification therefore approved by the ACC.

### TREE REMOVAL

No tree shall be removed, except for diseased, damaged or dead trees and trees needing to be removed to promote the growth of other trees or for safety reasons and only with prior approval.

### SPEED LIMITS

For safety purposes, contractors, subcontractors, suppliers, and the like, must observe speed limit and stop signs within the Community.

### WORK HOURS

To ensure that residents are not disturbed in early or late hours, contractors, subcontractors, suppliers and the like, and property owners are advised that no construction equipment or supplies shall be transported into or out of Eastport Community, nor any work be performed PRIOR to 7:00AM or CONTINUE past 6:00PM - MONDAY THROUGH SATURDAY.

Under certain circumstances (such as finishing a concrete pour during cold weather), permission to have work continue beyond 6:00 PM may be granted. Such permission

must be obtained in advance from an authorized representative of the ACC or by the managing agent for The Oaks.

No construction crews, nor any kind of construction work, are permitted within The Oaks on Sundays or holidays, except under certain special conditions. Permission may be granted to accomplish quiet work such as snapping chalk lines or painting with brushes or rollers. Such permission must be obtained in advance from an authorized representative of the ACC or by the managing agent for The Oaks at Eastport Community.

#### BURNING OF CONSTRUCTION DEBRIS OR MATERIALS

There will be absolutely no burning of any type of debris or construction materials within The Oaks. This includes "controlled" burning in containers at construction sites. Any violation of the no burning restriction will result in a fine to the owner, as follows:

FIRST OFFENSE \$ 50.00  
SECOND & EACH SUBSEQUENT OFFENSE \$100.00

#### AWNINGS AND SHUTTERS

Awnings, canopies, and shutters shall not be permitted or affixed to the exterior of the residence without prior approval of the ACC, and Hurricane storm shutters shall not be stored on the exterior of residences.

#### MAINTAINING A CLEAN CONSTRUCTION SITE

All home construction sites must be maintained free of trash, debris and litter. Owners, contractors, builders, subcontractors, and the like are required to pickup any debris on the subject property and adjacent sites and must have a dumpster or trash container at the construction site.

Owners, contractors, subcontractors, and the like are required to keep the street in front of the home under construction clean and swept free of excessive mud, dirt and soil. This will keep all roads clean and minimize erosion of soil from construction sites onto adjacent sites and along roads.

All owners, contractors, subcontractors, suppliers and the like are required to park their vehicles on their own site during construction. Any damage caused by owners,

contractors subcontractors, suppliers, and the like from parking their vehicles on the grass along adjacent lots will be repaired by the owner.

### DESTRUCTION OF EXISTING STREETS DURING CONSTRUCTION

The owner and contractor are responsible for any damage caused by construction delivery vehicles, concrete trucks and contractor vehicles to the edge of the street and curb in front or on the side of the lot or other portion of the street within the Community. The owner is responsible for any base work and repaving that needs to be done to restore the street to original condition.

### GRADING / CLEARING / DRAINAGE

All owners and contractors should examine their site prior to starting construction to plan for how their site drainage will ultimately be accomplished. The developer built the roads and storm drainage system to accommodate the drainage from each lot. Typically there is a swale that runs along each side of the paved street that drains water from the front and sides of each lot along the edge of the street and to the nearest storm drain which may be on or near your lot.

It is the owners' and builders' responsibility to maintain the flow of drainage in these swales parallel to the paved line of the street so their lot and adjacent lots have unimpeded access to the storm drainage system. Owners and builders should review the typical driveway detail to ensure that new driveways are sloped for proper drainage along the street.

Fill shall not be deposited at any location without prior ACC approval. Cut or fill shall be replanted with plant materials, which shall blend with existing vegetation. Cuts and fills should be designed to complement the natural topography of the site.

Applicant shall be responsible for grading and surface drainage so that surface run-off will not adversely affect adjoining properties.

At the beginning of the construction phase, the Applicant shall provide erosion control fencing around the entire perimeter of the disturbed or graded portion of the site, if the ACC requires such control device. The Applicant will maintain this erosion control fencing in place during the entire construction phase of the project. It will be removed upon completion of construction. Other forms of erosion control such as rip-rap, hay bales, etc. should also be installed and maintained during the construction phase to minimize erosion of soil into existing drains, catch basins or onto other owners' property.

## MAINTENANCE

Each owner shall keep and maintain the Lot and Structure owned by him/her as well as all landscaping located thereon, in good condition and repair, including but not limited to (i) the repairing and painting (or other appropriate external care) of all Structures, (ii) the seeding, watering and mowing of all lawns, and (iii) the pruning and trimming of all trees, hedges and shrubbery so that the same are not obstructive of a view by motorists or pedestrians of street traffic. Notwithstanding the foregoing, the maintenance required hereunder shall also extend from the boundary of a Lot to the curbing of the right-of-way bordering said Lot. If in the opinion of the ACC, any Owner shall fail to perform the duties imposed by this Section, the ACC shall notify The Oaks BOD. If the Board shall agree with the determination of the ACC with respect to the failure of said Owner to perform the duties imposed by this Section, then the Board shall give written notice to the Owner to remedy the condition in question, setting forth in reasonable detail the nature of the condition and the specific action or actions needed to be taken to remedy such condition. If the Owner shall fail to take reasonable steps to remedy the condition within thirty (30) days after the mailing of said written notice by certified mail, The Oaks BOD may have the work contracted and bill the owner.

Each Owner shall be responsible for maintaining the grading of the drainage ways to allow for proper drainage for which the drainage way was designed. Additionally, where a Lot is adjoining a lake or body of water, the Owner is responsible for maintenance down to the edge of the water line of the adjoining body of water. Each Owner is also responsible for the installation of grass on any lake banks and drainage ways adjoining their property.

## EXTERIOR LIGHTING

Except for seasonal decorative Christmas lights, which may be displayed between Thanksgiving Day and January 10th only, all exterior lights must be approved in advance by the ACC.

Above grade exterior lighting, where desired, should be designed and installed so as to avoid glare onto roadways and neighboring lots. No colored lamps will be allowed (e.g. red, green, blue) except for decorative purposes such as Christmas and Holiday decorations, which are permitted from Thanksgiving Day through January 10th.

### IRRIGATION

No private sprinkler or irrigation systems which draw upon water from ground or surface waters within a particular lot shall be installed, constructed or operated unless prior written approval has been received from the ACC. Such systems shall be installed in such a manner so that ground water does not discolor driveways, walkways or public roads.

### CLOTHESLINES, ANTENNAE, ETC

No Clotheslines or similar structures are allowed upon any portion of a Structure or Lot. Mini Dish type exterior television or radio antennae will only be permitted in the rear of houses, so they are not visible from the street. Large Dish antennae are not permitted.

### GARBAGE CANS, WOODPILES AND PROPANE TANKS

All equipment, garbage cans, woodpiles and propane tanks shall be kept screened by adequate planting or fencing so as to conceal them from view by neighboring residences and streets.

### COMMERCIAL AND RECREATIONAL VEHICLES AND TRAILERS

No commercial vehicle (other than passenger vehicles having a capacity of less than nine (9) passengers), house trailer, mobile home, motor home, recreational vehicle, camper, truck with camper top, boat or boat trailer or like equipment shall be permitted on any Lot or within the right-of-way of any street in the Community on a permanent basis, but shall be allowed on a temporary basis not to exceed forty-eight (48) consecutive hours. Notwithstanding the foregoing, any such vehicles or equipment may be stored on a Lot, provided such vehicle or equipment is kept in an enclosed space and is concealed from view by neighboring Residences and streets.

### RECREATIONAL EQUIPMENT

Recreational and playground equipment shall be placed or installed only upon the rear of a Lot as approved by the ACC. Basketball goals may be placed adjacent to the driveway, but in no instance shall they face the street. No above ground pool shall be allowed. No motorized boats shall be allowed in lakes.

## ANIMALS

No agricultural animals may be kept on any Lot and no animals, including birds, insects, and reptiles, may be kept on any Lot unless kept thereon solely as household pets and not for commercial purposes. No animals shall be allowed to become a nuisance. No Structure for the care, housing or confinement of any animal shall be constructed, placed or altered on any Lot unless plans and specifications for said Structure have been approved by the ACC.

## SOLID WASTE

No person shall dump rubbish, garbage, or any other form of solid waste on any Lot or on Common Property or within the right-of-way of any street in the Community.

Except for building materials employed during the course of construction of any Structure approved by the ACC, no lumber, metals, bulk materials or solid waste of any kind shall be kept, store or allowed to accumulate on any Lot unless screened or otherwise handled in a manner set forth in these requirements.

If rubbish, garbage, or any other form of solid waste is to be disposed of by being collected on a regular and recurring basis, containers may be placed in the open within 24 hours of the day that a pick-up is to be made, in order to provide access to persons making such pick-up. At all other times such containers shall be screened or enclosed in a manner set forth herein.