

Auberge Homeowners Association

Policy and Procedures

**Title: Additional Use Restrictions
(In addition to those stated in
Article III of the CC&R's)**

**Policy #: Admin – 0002
Version: 1
Effective Date: March 16, 2011
Revision Date: April 20, 2011**

Purpose and Scope

All communities that are governed by CC&R's incorporate Use Restrictions that attempt to prohibit those activities or uses that might be either detrimental to the community as a whole, or which might be deemed to be offensive to one or more neighbors. The Use Restrictions usually try to achieve a balance between the rights of the individual to enjoy unrestricted use of his property against the right of his/her neighbor to not be denied the enjoyment of their property by actions of another. The result is not always perfect, and some residents are usually required to give up or forego some activity in the process. As long as the Use Restrictions are applied equally to all residents, this limitation on use is acceptable.

Policy Statements

The Auberge lists certain Use Restrictions under Article III, Section 3.1 of the CC&R's. In addition, the Board of Directors, under its power as defined by Article 13, is within its authority to place restrictions and rules on all activities that occur on the Communities common area.

Existing Use Restrictions, as appropriate (paraphrased):

- 1. No activity which shall result in additional Insurance cost to common area or homes; no activity that is against the law; no activity which shall cause Insurance to be canceled.**
- 2. No signs or billboards without HOA approval; only household pets, subject to HOA rules; no activity that will interfere with the rights of other occupants, including noise (including mechanical devices, except for security).**
- 3. No structural changes, no alteration or removal except by written consent of HOA; no removal or addition of fences, walls, etc. except by written consent of HOA (must also conform to City of Bixby approvals).**
- 4. Extensive restrictions on parking of vehicles for both owner and guest (para. j).**
- 5. No antennas, electronic receiving devices, wind generators, solar collectors, etc., except as approved by the HOA.**
- 6. No exterior lighting that is directed outside the boundaries of the individual lot.**
- 7. Extensive restrictions on renting or leasing (para. o).**
- 8. No additions (including buildings, plant materials, etc) that will change or obstruct existing drainage or otherwise impede the HOA's ability to maintain lawn and garden areas (in other words, you cannot add additional shrubs or beds outside those already established in your front yard or the common areas.**
- 9. Trash must be stored in covered receptacles and be removed regularly. Storage containers must be hidden except on trash collection days.**

There are additional Use Restrictions described in Article III, but these were considered the most pertinent.

Procedures

There are no applicable procedures to implement. The Uses are prohibited.

Additional Use Restrictions

1. No free-standing basketball goals, or goals attached to the front of the house will be permitted.
2. No skate boarding or roller blading (in-line skates) will be permitted on private streets or sidewalks.
Note: All streets within The Auberge' are private.
3. All pets must be confined to the owner's private space (backyard or dog run). Any pets allowed or walked outside the private space must be restrained on a leash. Owners must carry a waste bag and remove all waste.
4. Fishing and/or "frogging" in the retention pond is prohibited. The pond is stocked with a special breed of fish which eat algae/vegetation. The fish are expensive to purchase and need to be protected.
5. Flower pots, gazing globes, statues, etc. are encouraged as long as they don't cost the HOA money to maintain, and as long as they are not offensive to the general public.
6. Satellite TV antennas should be installed so as to minimize their visual impact on the community. No antenna shall be located on top of the roof ridge, nor where it will be visible on the skyline. The view from the street should also be a consideration.
7. Children's slides, jungle gyms, swing sets, trampolines, etc. which extend above backyard fences are prohibited.

Enforcement

This policy will be enforced by the Board of Directors. Thanks for your assistance as we continue to try and improve our community.

Approval by The Auberge' Board of Directors April 20, 2011