

RESTRICTIVE COVENANTS

The restrictive covenants were written before the development of Brighton Village to provide specific restrictions for building in the subdivision. Most of the document is devoted to regulating the building of homes. It also provides for the orderly development of the subdivision and the protection of the property values of existing homes. The document gives the Architectural Control Committee (ACC) the authority to enforce the provisions of the restrictive covenants. Some sections of the document allow for the ACC to develop guidelines which further define provisions of the covenants.

The provisions of the covenant are enforceable by law under the state statutes. Any person owning a lot has the authority to file a civil suit to enforce the provisions of the covenants. The ACC also has the authority to take legal action in enforcing the covenants. It is the intention of the current ACC and the Brighton Village Homeowners Association to develop new guidelines for Section 10 relating to outside storage. If necessary, the Association is prepared to take legal action to enforce the guidelines.

GUIDELINES FOR SECTION 10 INFRACTIONS

The following are violations of Section 10 of the restrictive covenants and are not meant to be an exhaustive list, but some major infractions:

1. Parking boats or boat trailers in driveways or in sight from the street is allowed for no more than 48 hours. Parking on the street is allowed but not to exceed 48 hours.
2. Parking of house trailers, recreational vehicle, campers or buses in driveways or in sight from the street is allowed for no more than 48 hours. Parking on the street is allowed but not to exceed 48 hours. Visiting relatives will be allowed a five day extension.
3. Using the front yard as outside storage for indoor furniture, construction materials or trash will be allowed for no more than 48 hours.

RESTRICTIVE COVENANTS ENFORCEMENT

After providing notice to any violators, the ACC will pursue a civil suit to enforce the terms of the restrictive covenants. State statutes spell out the provisions for a settlement. A court may assess civil damages for the violation of a restrictive covenant in the amount not to exceed \$200 for each day of the violation. In addition, the prevailing party is permitted to collect reasonable attorney's fees along with the party's costs and claims.

The ACC will inform any resident and home owner (if the resident is not the owner) of any violations of the covenants. If corrective action is not taken by the resident within a specified time period they will be notified that the ACC will file a civil suit against the owner and/or resident.