



SUMMARY OF RULES & RESTRICTIONS

Article III – Use Restrictions

3.1a Outbuildings – No storage building, children’s playhouse and/or any other structure shall be placed on a Townhome Lot.

3.1b Garages – No garage may be converted for any use other than storing vehicles. Whenever practical, garages are to be used for garaging vehicles to avoid using visitor parking. Exception: Trucks or vehicles too large to properly fit into a garage.

3.1c Decks – Decks must be constructed of pre-treated lumber, or decking materials. They must be approved by the Architectural Control Committee (“ACC”) PRIOR to construction. They may not encroach on any utility easements. They may not interfere with the natural drainage of the surrounding property and may not be higher than 18” above the natural ground. The color of the deck must be natural wood or must be painted to match the Townhome. The deck color (if not natural) must be approved by the ACC. Decks may not be used for storage and may only be used as outdoor living space. Furniture must be appropriate outdoor furniture (no couches, recliners, day beds, dining room tables, etc.). Only plants in decorative pots are allowed to be kept on decks or patios. No utility containers or garden beds may be kept on decks or patios.

3.1g Air Conditioners – No window or wall air conditioning units are permitted to be used, erected, placed, or maintained on or in any building or on any Townhome Lot. At this time, the HOA is not requiring air conditioner compressors to be screened.

3.4 Prohibition of Offensive Activities – No activity, whether for profit or not, shall be carried on within any Townhome Lot which is not related to residential use. You may not operate any business out of a Townhome Lot, other than that which cannot be detected from the exterior, does not involve customers, vendors, or co-workers visiting the Canyon Creek property, and is generally considered to be a “work from home” job. No noxious or offensive activity of any sort shall be permitted, nor shall anything be done on any Townhome Lot which is or may become an annoyance to other residents.

3.5 Use of Temporary Structures – No trailer, tent, shack, or any other structure of temporary nature may be maintained or used on any Townhome Lot at any time as a residence, or for any other purpose.

3.6 Playhouses, Pools, or Other Amenity Structures – No above ground pools, playhouses, or fort style structures are permitted on any Townhome Lot.

3.7 Storage of Automobiles, Boats, Trailers, and Other Vehicles – This rule applies to an owner’s Townhome Lot, the parking lot (shared common area), any easement or right-of-way in Canyon Creek or any Common Area. If the vehicle does not meet the criteria for allowed vehicles below, it MUST be stored inside the garage at all times.

Allowed: Street-legal scooters, motorcycles, and passenger automobiles, vans, or pick-up trucks that are (1) in operating condition, (2) have current license plates AND inspection, (3) are in DAILY use as motor vehicles on

the streets and highways of the State of Texas, and (4) which do to exceed six feet six inches in height, or seven feet six inches in width, or twenty-one feet in length. ALL OF THESE CRITERIA MUST BE MET.

Not Allowed: Non-motorized vehicles, trailers, golf carts, ATV's, 4-wheelers, 3-wheelers, boats, jet skis, hovercraft, aircraft or machinery or equipment of any kind. These items, if owned, MUST be stored inside the garage at all times and are not allowed to be used on the Canyon Creek property. No vehicles of any type may be stored on front porches, or back patios of any unit.

No repair work, dismantling or assembling of motor vehicles or other machinery or equipment shall be permitted on any street, driveway, or any portion of the property.

PARKING – Parking at Canyon Creek is extremely limited, and there is no option to increase the capacity. Each unit has assigned, numbered parking spaces. Parking in the parking space of another unit is strictly prohibited unless you have prior permission from a resident of that unit. Any resident, whether an owner or tenant, has the right to contact the towing company and have any vehicle towed which is illegally parked in their assigned parking space, or in a fire lane. You must be there when the towing company arrives, and you must provide you ID and show your lease (if you are a tenant). Towing charges will be passed on to the owner of the vehicle by the towing company. It is the owner's responsibility to relay this information to their tenants. And it is the tenant's responsibility to ensure that their guests do not use parking not assigned to the unit they are visiting. You do not need to contact the Management Company to have a vehicle towed. **Roadrunners Towing & Recovery (979) 778-2221**. Guest parking is for GUESTS only. It is not to be used as overflow parking for any Townhome Lot. ***If you are going to take a chance and park in someone else's parking space, we would strongly suggest that you leave your name and telephone number, along with which unit number you are in, so the legal owner of the space can find you if they need your vehicle moved.***

3.9 Animal Husbandry – No animals may be kept on any Townhome Lot or inside any unit, except dogs, cats, or other common household pets. No animals may be kept, bred, or maintained for commercial purposes. No more than two common household pets will be permitted on each Townhome Lot. All pets must be restrained (leashed) and under full control when outside the unit. **ALL RESIDENTS must pick up after their pets. Pet waste found on any Townhome Lot will result in a violation. The State does NOT require an HOA to be able to identify which animal left the waste. If we see it, or someone reports you leaving pet waste on their property, common property, or even your own lot, it will result in a violation. This is considered a health hazard, and the HOA will begin strict enforcement of this rule. There are pet waste stations and bags located on the property. PLEASE USE THEM. No "staking out" of any pets. There are no fences, and you are not allowed to block someone from access to their unit (front or back) by staking your pet out and preventing them from being able to safely pass. Please familiarize yourself with City Regulations on pets. Any violation of those ordinances will be reported.**

3.11 Maintenance Obligations – No unsightly objects of any kind.

-No drying clothes in public view.

-No household furniture of any type may be kept or stored on the exterior of a unit. Only outdoor furniture is allowed on patios, decks. No furniture of any sort, indoor or outdoor may be kept or stored on any driveway or sidewalk.

-No leaving brooms, mops, cleaning buckets, rags, etc. outside any unit. Tools, toolboxes, or any other items used for cleaning and repairs shall be stored inside unit or garage.

-Hoses must be properly stored either on a hose caddy or out of sight. Yard equipment must be stored out of sight.

-No wood piles may be kept near or against any portion of a building to deter from attracting termites, insects, or rodents, and must be neatly stacked.

-No trash, trash cans, or trash bags may be left, stored, or dumped on any Townhome Lot. Trash cans, if used, must be inside the unit, or inside the garage at all times.

- No sports equipment of any sort may be kept on the front or back porches of the units. These items must be stored inside the unit, or the garage.

- No fire pit, charcoal grill, natural gas (propane) grill or heater of ANY type may be used less than 6 feet from the front or back of any building. Propane tanks may NOT be stored while attached to any heater or grill. Charcoal, ashes and wood from grills and fire pits must be properly disposed of in a fireproof container. NO dumping loose coals or ashes from a fire pit or grill on any Townhome Lot, Common Area or in any of the trash cans on property. Fire pits, grills or outdoor heaters must be stored in the garage, or on the back patio/deck. THIS IS CONSIDERED A LIFE/SAFETY ISSUE AND WILL BE STRICTLY ENFORCED.

3.12 Signs, Advertisements, Billboards – No signs of any type may be placed on a Townhome Lot except those not more than 5 square feet advertising a Townhome for sale or lease.

3.14 Noise – Quiet hours for the City of College Station are 10:00pm to 6:00am. Violators may be reported by other residents to the City of College Station anytime during those hours. Construction work must be done between 7:00am and 9:00pm. Owners must quiet their pets and not allow any loud or excessive barking between 7:00am and 9:00pm. No loud music should be heard outside your unit at any time.

3.19 Flagpoles/Decorations – One flagpole no longer than 6' in length may be attached to the owner's unit, with prior approval from the ACC. Flags allowed are the flag of the United States of America, the State of Texas, or any collegiate or seasonal flags. No other items decorative in nature are permitted on any Townhome Lot which are visible from the street, without prior ACC approval. These items include metal, wood or plastic birds/flamingos, artificial plants or flowers, fountains, windsocks, lawn jockeys, topiaries, or more than six plant containers (decorative). Holiday decorations are permitted, provided they are removed within thirty (30) days after the holiday and are not set up more than forty-five (45) days prior to the holiday.

3.20 Basketball Goals – Permanent basketball goals are not permitted as they cannot be attached to the buildings. Portable basketball goals are permitted but must be kept as close to the front building line (front edge of home) and are not allowed in the street, at the curb, or blocking any parking space. Portable goals must not become a nuisance to others (loud games, late night, or early morning play, etc.).

3.22 Maintenance of Townhome Lots – Each owner shall at all times be obligated to maintain, repair, replace and renew or cause to be maintained, repaired, replaced or renewed (i) the interior or the Owner's Townhome, (ii) all glass on the exterior of the Townhome, (iii) all lighting fixtures (interior and exterior), (iv) the heating, ventilating and air conditioning facilities serving the Townhome, and (v) the utility lines internal to such Townhome Lot which are not Joint Upkeep Areas.

If you have any questions or concerns about any of these restrictions, please refer to your Declaration of Covenants, Conditions and Restrictions, found on the Beal Properties Canyon Creek website, www.bealbcshoa.com, or contact Beal Properties at 979-764-2500.

Enforcement of Rules & Regulations:

The current Declarations allow for the Association to enter onto any Townhome lot to remove items that are in violation of the CCR's, "or any other thing necessary to secure compliance with these restrictions so as to place said Townhome Lot in a neat, attractive, healthful, and sanitary condition, and may reasonably charge the Owner or occupant of such Townhome Lot for the cost of the work." The CCR's also provide for the Association to seek legal or injunctive relief should those fees assessed not be paid, or if a lot-owner refuses to comply with written notice of a violation.

1. Owners are responsible for notifying tenants of regular and strict enforcement of the restrictions.
2. The tenants and the owners will be provided with two warning notices. Each warning will provide 14 days from the date of the notice to cure the violation (correct the issue). The first will be emailed to the owner and posted on the door of the unit. The second will be posted on the door of the unit, emailed to the owner, and sent certified mail to the owner.
3. After the 14 days has passed for the second notice, if the issue persists, the Association will send someone to the property to correct the problem or remove the offending item(s). The owner will be billed at a rate of \$25.00 per hour (minimum 1 hour), including travel time to and from the property. In addition, the owner will be charged any fees associated with disposal of the item(s). If other charges are incurred in correcting the violation, such as towing fees, those will be added to the invoice. Invoices will be due upon receipt.
4. Items considered to be life/safety concerns (open flame fire pits and grills being used on patios), hazardous chemicals stored on patios, patio heaters, etc. will be immediately removed, and the owner will be charged \$50.00 for their disposal.