

Proposed Changes to Restrictive Covenants (Deed Restrictions)

These changes were proposed for the 2002 Annual Meeting

Each suggested change will be voted on individually, and if approved, the current Declaration of Restrictive Covenants will be amended accordingly. If proposed changes do not pass, or the necessary 120 votes required are not cast, those deed restrictions as currently written automatically renew in ten-year increments. Sections 17 – 22 will be updated and amended to delete references to those parties that no longer have interest in Thornwood. All proposed changes have been reviewed by our attorney and include his recommendations.

These changes are being proposed to put some 'common sense' into the wording. Please read both the 'Current' and 'Proposed' sections to get a flavor for what we have proposed. Print them out if it is easier for you to read, but please vote.

A special thanks goes out to the committee members, area representatives and board members, for volunteering their time to re-word OUR document.

TMA Deed Restriction Section Wording Changes (Exclud. Section 4)

Current Section 2 - Animals and Pets

No animals of any kind other than usual household pets shall be kept or maintained on any part or portion of the properties or lots and no horses, cows, goats, hogs, poultry, pigeons, rabbits or similar animals shall be kept on any portion of the properties or lots. No building(s) or improvement(s) shall be erected or maintained on any lot which shall be used for the habitation or enclosure of any animal(s) excepting that usual household pets may be housed within the dwelling houses.

Proposed Section 2 - Animals and Pets

Usual household pets such as dogs and cats are permitted on any part or portion of the properties or lots. Horses, cows, goats, hogs, poultry, pigeons, rabbits, reptiles, or similar animals are not permitted on any portion of the properties or lots. No pens, kennels, or enclosures shall be maintained for the habitation or enclosure of any animal(s) excepting that usual household pets may be housed within the dwelling houses.

Current Section 6 - Television Antennas, Radio Antennas, and Solar Panels

No television satellite dish, no radio or television receiving or transmitting antenna or other similar device, (except a normal consumer television receiving antenna mounted on a roof or chimney), shall be constructed, placed or maintained on the outside of any building or dwelling house on any lot. No solar panel or similar device shall be constructed, placed, or maintained on the roof or other outside portion of any building or dwelling house nor maintained on any other portion of any lot.

Proposed Section 6 - Television Antennas, Radio Antennas, and Solar Panels

Any proposed installation of any television satellite dish, radio or television receiving or transmitting antenna or other similar device must first be submitted, in writing, to and approved by the Declarant before any proposed installation may be constructed, placed or maintained on the outside of any building or dwelling house on any lot. The proposed installation of solar panels or other alternate power sources must first be submitted, in writing, to and approved by the Declarant before any proposed installation may be constructed, placed or maintained on the outside of any building or dwelling house on any lot. No installation, contemplated by this section, may be visible when viewed from the front of the subject property.

Current Section 7 - Trash Receptacles

Trash receptacles shall be kept in enclosed areas, hidden from view, excepting that on regular collection days trash receptacles may be placed temporarily at the curb for trash collection purposes. Each owner or occupant shall take all reasonable steps to prevent his garbage and refuse from omitting odors sufficient reasonably to annoy any other occupant or owner.

Proposed Section 7- Trash Receptacles

Trash receptacles shall be kept in enclosed areas or hidden from view excepting that on regular collection days trash receptacles may be placed temporarily at the curb for trash collection purposes. Each owner or occupant shall take all reasonable steps to prevent his garbage and refuse from omitting odors sufficient reasonably to annoy any other occupant or owner.

Current Section 8 - Prohibited Vehicles

No trucks, buses, vans, (except for non-commercial pick-up trucks and vans described below), travel trailers, utility trailers, boat trailers or any other kind of trailers, campers, boats, recreational vehicles as defined in Title 21 of the Delaware Code as amended from time to time, disabled vehicle of any type, shall be kept or maintained, temporarily or permanently, on any lot, street, driveway within the premises, except that such vehicles may be kept wholly within a closed garage. Pickup trucks up to and including $\frac{3}{4}$ ton and enclosed vans not exceeding 10,000 lbs. G.V.W. and a height of 7 feet are permitted provided such vehicles are not used for commercial purposes. Vehicle repairs, except tire changes and battery service, shall not be conducted within the premises.

Proposed Section 8 - Prohibited Vehicles

No trucks, buses, vans, (except for non-commercial pick-up trucks and vans described below), travel trailers, utility trailers, boat trailers or any other kind of trailer, camper, boat or recreational vehicles, as defined in Title 21 of the Delaware Code as amended from time to time, disabled vehicle of any type or unregistered passenger vehicles, shall be parked, stored, kept or maintained, temporarily or permanently, on any lot, street, or driveway within the premises, except that such vehicles may be kept wholly within a closed garage. No passenger vehicle, pick-up truck or van, which has been marked with advertisement or commercial logo, of any sort, may be parked, kept, stored, or maintained, temporarily or permanently, on any lot, street, or driveway within the premises. Pickup trucks up to and including $\frac{3}{4}$ ton and enclosed vans not exceeding 10,000 lbs. G.V.W. and a height of 7 feet or less are permitted provided such vehicles are not used for commercial purposes. Vehicle repairs, except tire changes and battery service, shall not be conducted within the premises.

Current Section 9 - Clothes Lines and Laundry

No permanent outside clothes lines or clothes line posts are permitted. Portable outside clothes lines, which are approved by Declarant, shall be permissible, provided such portable outside clothes lines are used for drying clothes during daylight hours only.

Proposed Section 9 - Clothes lines and Laundry

No permanent outside clothes lines or clothes line posts are permitted. Portable outside clothes lines, which are approved by Declarant in accordance with Section 4, shall be permissible, provided such portable outside clothes lines are used for drying clothes during daylight hours only.

TMA Deed Restriction Section Wording Changes - Section 4 Only

Current Section 4

Architectural Control

No building, shed, fence, wall, retaining wall, pond, post, cover, swimming pool or other construction shall be commenced, erected or maintained upon any lot nor shall any exterior addition to or change or alteration thereof including but not limited to exterior facade color change and/or change in grade or drainage be made until the plans and specifications showing the nature, kind, shape, color, height, materials and proposed location of same shall have been submitted to and approved in writing by Declarant. In granting or withholding any such approval, Declarant shall consider whether such request is in harmony with respect to design and location to surrounding structures and topography. In the event the Declarant or its successors and assigns fail to approve or disapprove such design and location within (30) days after said plans and specifications have been submitted to it, approval thereof will be deemed to have been given by the Declarant. The Declarant shall have the right to assign the power to approve or disapprove at any time in its discretion, to a maintenance corporation, the members of which shall consist of lot owners, or to an Architectural Control Committee (Committee) which shall consist of three owners of record within the subdivision who will be appointed by the Declarant. A majority of the Committee may designate a representative to act for it. In the event of death or resignation of any member of the Committee, the remaining members shall have full authority to designate a successor. Neither the members of the Committee nor its designated representative shall be entitled to any compensation for services performed pursuant to this covenant. At any time the then record owners of a majority of the lots shall have the power through the duly recorded written instrument to change the membership of the Committee or to withdraw powers and duties from the Committee or restore to it any of its powers and duties.

Proposed Section 4

PRIOR TO the building of sheds, fences, walls, retaining walls, ponds, posts, covers, swimming pools, consumer residential TV receiving devices, other construction, or any exterior addition to, or change, or alteration, including but not limited to, exterior façade or color changes (door, shutters, siding, porch) and/or change in grade or drainage, plans must be submitted to and approved, in writing, by the Declarant. Plans and specifications MUST be submitted in writing, and MUST show the nature, kind, shape, color, height, materials and proposed location of same. In granting or withholding any such approval, Declarant shall consider whether such request is in harmony with respect to design and location to surrounding structures and topography. In the event the Declarant or its successors and assigns fail to approve or disapprove such design and location within (30) days after said plans and specifications have been submitted to it, approval thereof will be deemed to have been given by the Declarant. The Declarant shall have the right to assign the power to approve or disapprove at any time in its discretion, to a maintenance corporation, the members of which shall consist of lot owners, or to an Architectural Control Committee (Committee) which shall consist of three owners of record within the subdivision who will be appointed by the Declarant. A majority of the Committee may designate a representative to act for it. In the event of death or resignation of any member of the Committee, the remaining members shall have full authority to designate a successor. Neither the members of the committee nor its designated representative shall be entitled to any compensation for services performed pursuant to this covenant. At any time the then record owners of a majority of the lots shall have the power through the duly recorded written instrument to change the membership of the Committee or to withdraw powers and duties from the Committee or restore to it any of its powers and duties.

Current Section 4.c

Swimming Pools and Swimming Pool Fences.

No above-ground swimming pool shall be constructed or maintained on any lot. One in-ground swimming pool on each lot may be permitted to be constructed and maintained. Any in-ground swimming pool must be enclosed with a post and split rail fence no higher than four (4) feet and no more than three (3) horizontal rails. The height and width of the entire interior perimeter of a swimming pool fence must be fully covered with wire mesh. In any event, no such swimming pool or swimming pool fence shall be constructed or maintained upon any lot until plans for the same have been approved by Declarant, its successors and assigns.

Proposed Section 4.c

Swimming Pools and Swimming Pool Fences

No swimming pool or swimming pool fence shall be constructed or maintained upon any lot until plans for the same have been approved by Declarant, its successors and assigns. No above ground swimming pool with filter and/or pump shall be constructed or maintained on any lot on a temporary or permanent basis. One in-ground swimming pool on each lot may be permitted to be constructed and maintained. In-ground swimming pool fences shall be erected and constructed to meet current New Castle County building and safety codes. Type, design and color shall remain in harmony with respect to design with surrounding structures and topography.