OCHL-12 FENCES
that do NOT border the Golf Course Fairway

The CC&Rs and the Evaluation Standards and Guidelines (written by the ACC in 2005) outline the rules regulating to the building of fences. References are provided below, but in summary, fences are required to be **made of wood** ("must be the same as those constructed by the Declarant," Buchan), the **only exception** being that chain link fences are allowed in areas bordering Open Space. Fences **cannot be closer to the street** than the front of the house.

OCHL-12 CC&Rs, Page 13

ARTICLE XIII
LAND USE RESTRICTIONS

Section 4 **Fences, Walls & Shrubs**. Fences, walls or shrubs are permitted to delineate the lot lines of each Lot, subject to (1) the approval of the Committee and (2) determination whether such fences, walls or shrubs would interfere with view protection or utility easements reflected on the face of the Plat and other easements elsewhere recorded. No barbed wire or corrugated fiberglass fences shall be erected on any Lot. **All fences constructed in the Plat must be the same as the fences constructed by the Declarant**, unless otherwise authorized by the Declarant and approved by the Committee.

OCHL-12 CC&Rs, Page 17

ARTICLE XVII
ARCHITECTURAL CONTROL

Section 2 **Jurisdiction and Purpose**. The Committee or the Declarant shall review proposed plans and specifications for Residences, accessory structures (e.g., garden sheds, tool sheds, doll houses, and playground equipment), fences, walls, appurtenant recreational facilities (e.g., hot tubs t spas, basketball courts, basketball hoops, tennis courts, swimming pools, bath houses, sport courts) or other exterior structures to be placed upon the Properties. No exterior addition or structural alteration may be made until plans and specifications showing the nature, kind, shape, heights, materials and location of the proposed structure or alteration have been submitted to and approved, in writing, by the Committee. The Committee shall also review proposals to change the exterior color of homes in the Plat. **The Committee shall determine whether the exterior design and location of the proposed structure, alteration, or color change harmonizes with the (1) surrounding structures, (2) surrounding natural and built environment, and (3) aesthetic character of other homes in the Plat.**

OCHL-12 CC&Rs, Page 40

EVALUATION STANDARDS AND GUIDELINES RELATING TO ARCHITECTURAL AND AESTHETIC CONTROL AND VIEW PROTECTION IN ONE CLUBHOUSE LANE

Architectural Control Committee   8/18/2005

4. Fences
• Verify compliance with view protection standards.
• Front yard fences should be no closer to the street than the front of the subject home and neighboring homes.
• Side yard fences on corner lots should usually be set back from the property line; this would be considered on a case-by-case basis.
• Rear yard fences adjacent to streets should usually be partially screened with landscaping. Screening can also be used to reduce the setback on front and side fences.
• Vinyl-coated chain link may be allowed adjacent to open spaces.

No fence, hedge or boundary wall shall have a height above finish grade of the ground greater than six feet. For purposes of this section, the term "hedge" shall be defined as any two or more trees, shrubs or plants planted in close proximity to one another.

OCHL-12 FENCES
between OCHL-12 LOTS and the Golf Course Fairway

DECLARATION OF COVENANTS, CONDITIONS & RESTRICTIONS OF SECTOR 12
ARTICLE XIV, GOLF COURSE RESTRICTIONS
Section 2   Fences. No rear yard fence may be constructed on any fairway lot closer than twenty (20) feet to the rear property line **without prior written approval of the Architectural Control Committee and Golf Associates, except a fence approved by the terms of the Covenant Agreement dated August 18, 1989**, among BC Development, Harbour Pointe Limited Partnership and Golf Associates.

1989 COVENANT AGREEMENT between BCE and Golf Associates

SECTION 8. COVENANTS. CONDITIONS AND RESTRICTIONS REGULATING BCE's LANDS.

Prior to any sale of any residential lot within BCE's Land, an owner of the tract which includes the lot shall have recorded covenants, conditions and restrictions (the 'Declarations') establishing a homeowner's association for an area which includes the lot. All such covenants, conditions and restrictions shall include provisions to the following effect:

(b) No rear yard fence may be constructed on any fairway lot closer than twenty (20) feet to the rear property line without prior written approval of the Architectural Control Committee and Golf Associates, **except a fence approved by the terms of a Covenant Agreement, dated August 18, 1989, among BCE Development, Harbour Pointe Limited partners and Golf Associates**.
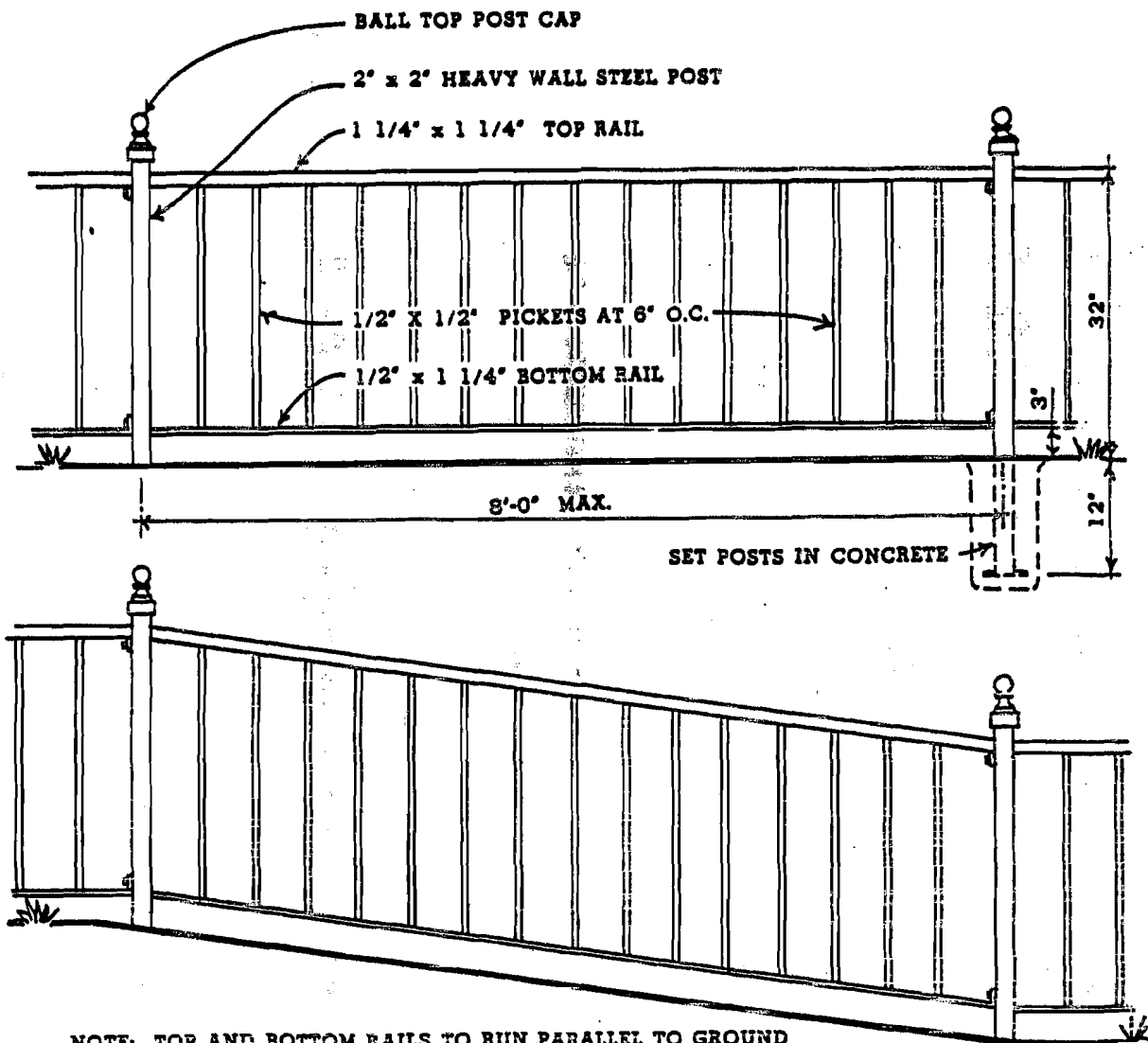
4.4 Fences.
The parties hereto agree that fencing along the boundary of the Golf Course and fairway lots would be undesirable in that it could substantially destroy the open park like atmosphere which is a valuable aesthetic factor to both the Golf Course and the fairway lots. However, in the event either the Sector 12 Owner, the Sector 17 Owner or Golf Associates should feel that there are compelling reasons for constructing fences along said boundaries; then it is agreed as follows:

(a) BCE and Golf Associates hereby agree that **a Fence designed as shown on Exhibit F** may be built by either Golf Associates or the Owners of Sectors 12 and 17 along the boundary line between the Golf Course and fairway lots and an owner of a fairway lot may construct a rear yard fence conforming to said **Exhibit F** at any point within the rear twenty (20) foot area of said lot adjoining the Golf Course.

(b) **Any alternative fence design** constructed by the Golf Associates, or constructed by an owner of a fairway lot within the rear twenty (20) feet of the rear yard of said lot, **shall be subject to the mutual agreement** of the Sector 12 Owner or the Sector 17 Owner, as the case maybe, and Golf Associates.

BALL TOP POST CAP

2" x 2" HEAVY WALL STEEL POST

1 1/4" x 1 1/4" TOP RAIL

1/2" X 1/2" PICKETS AT 6" O.C.

1/2" x 1 1/4" BOTTOM RAIL

32"

3"

12"

8'-0" MAX.

SET POSTS IN CONCRETE

NOTE: TOP AND BOTTOM RAILS TO RUN PARALLEL TO GROUND

PAINT RAIL WITH DARK GREEN ENAMEL TO MATCH PARKER 5925N

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