

erosion of soil conditions or flooding. The Owner shall undertake to correct and repair any resulting damage including discoloration of buildings, driveways, and sidewalks and take action to inhibit further damage immediately upon discovery of such injury or damage.

MARKUP #1 ->

ISSUE #1 All equipment must be screened from view with landscaping, or fencing, approved by the ARB Committee.

## Satellite Dishes

Satellite dishes may be permitted subject to review and approval of the ARB Committee. Approved Satellite dishes shall be installed in the rear or side of the home out of view from the street, when possible. If the Satellite Dish will not be visible from the street, no Association approval is required. Likewise, no Association approval is required for a Satellite Dish measuring 39.37 inches (1 meter) or less that can be installed so that: a) it is not visible from the adjacent Right of Way; or b) installed on the rear portion of the roof (from the ridgeline back), even if visible from the street. Satellite Dishes located in any other location on the property will require the review and approval of the Association. Any ARB Request application for locating a Satellite Dish on any other location should include information about the reason for desiring to locate the proposed Satellite Dish in a location other than the pre-approved locations.

## Cable TV, Telephone, and Conduit

For each new house that is constructed in Oakleaf East, it is recommended that it be prewired for cable-TV, telephone and alarm systems.

## Electric Meter Box and Conduit

Electric meter boxes, wire-chases, panels, and conduits shall be painted to match the color of the exterior wall finish.

## Mailboxes

All homes in Oakleaf East are required to utilize a standard single or double mailbox and associated pedestal described on Exhibit J. Such mailbox structure shall be installed at the front of the lot, at the edge of the road pavement as described on Exhibit J.

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. i (p. 26): Governing document requires prior architectural approval or imposes an absolute street-visibility/screening mandate on satellite dishes and reception antennas without the mandatory FCC OTARD signal-impairment and delay/cost safe harbors (47 C.F.R. § 1.4000).

**Statutory / Legal Reference: 47 C.F.R. § 1.4000 (FCC OTARD Rule)**  
Statutory Comparison: Under 47 C.F.R. § 1.4000, any restriction that impairs the installation, maintenance, or use of an antenna or satellite dish one meter (39.37 inches) or less in diameter on property within the exclusive use or control of the owner is preempted and void if it (1) unreasonably delays or prevents installation (including requiring prior ARC approval), (2) unreasonably increases the cost of installation or screening, or (3) precludes reception of an acceptable quality signal (including blanket bans on front/street-visible placement where rear placement lacks line-of-sight).

**CURRENT WORDING IN DOCUMENT:**  
Satellite Dishes Satellite dishes may be permitted subject to review and approval of the ARB Committee. Approved Satellite dishes shall be installed in the rear or side of the home out of view from the street, when possible.

**SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):**  
PVC tongue and groove style. All privacy fencing shall be either white or light beige vinyl in composition. Fencing on lots bordering lakes is discouraged but may be allowed subject to the details on Exhibit F. Aluminum or wrought iron type fencing shall be 4' high and bronze or black in color as shown on Exhibit F. No wood or chain link fencing will be permitted to be constructed on any lots in Oakleaf East. No fencing shall be allowed closer to the front of the house than the mid-point of the sidewall plane of the structure. Fencing shall be no closer than 20' to the R.O.W. on the street-side of a corner lot. This equates to a measurement of 45' from the centerline of the roadway. No fences are allowed in front yards. Structural side and support post, where applicable are to face inside of lot (Good Side Out). R.O.W. is typically 50 feet in Oakleaf, measured from center line of the roadway. A certified copy of a lot survey will indicate the correct measurement for each lot. Fences may not be placed in a platted public drainage easement. Recreation Structures All recreation structures (excluding basketball backboards) shall be located at the rear of the dwelling, or on the inside portion of a corner lot within the setback lines. No platform, doghouse, tennis court, playhouse or structure of a similar kind or nature...