

HUNTERS GLEN PROPERTY OWNERS ASSOCIATION
DEED RESTRICTIONS AND COVENANTS

9. No individual water supply system shall be permitted. Water and sewer shall be supplied by Greenleaves Utility Co., or its assigns or successors.

10. No weeds, underbrush or other unsightly vegetation or objects shall be permitted to grow or remain upon any part of the lots and no trash or junk pile shall be allowed to be placed or to remain anywhere in the subdivision, including vacant lots.

11. No changes in the elevations or drainage of the land, other than changes to meeting government regulations, shall be made' on the property without prior approval of the HGACC.

12. No antennas (including television antennas) shall be visible, but must be concealed and installed in attic space or other enclosure. ~~There shall be no satellite dishes allowed.~~ Satellite dishes not larger than eighteen (18") inches will be allowed in the rear yard only in an inconspicuous location approved by the HGACC. [Parish Instrument: 953493]

13. Outdoor speakers, radios, public address systems and the like, whether temporary or permanent, are expressly prohibited. Noise emanating from inside a structure shall not be audible outside the structure. All other noise which offends, disturbs or constitutes a nuisance is expressly prohibited.

14. There shall be no individual sewerage treatment plants or septic tanks. Such services will be provided exclusively by Greenleaves Utility Company or its assigns or successors.

15. No work of any kind can be done on the Property except with the approval of the HGACC.

16. No owner shall install or cause to be installed any mailbox except as approved by the HGACC and HGACC has the right to require standardized mailboxes and if desired, to supply same for the actual cost thereof to lot owners.

IV. EASEMENT OVER LOTS

Each lot is subject to a drainage servitude to be maintained by the lot owner, five (5') feet wide adjacent to the interior side lot line, in favor of all other property in Hunters Glen Subdivision, Phase 1, which shall be the swale created by the placement of fill for construction on the various lots, to carry drain water along the appropriate plan. Fences cannot interfere with this drainage. The developer Association shall have the right to grant reasonable licenses, easements and rights of way for sewer, water, storm drain, telephone, electricity, gas, cable T.V. and other utility lines and for streets or rights of passage over portions of the lots prior to the sale of the lot to the owner occupant. [Parish Instrument: 2340971]

V. MEMBERSHIP IN THE HUNTERS GLEN PROPERTY OWNERS ASSOCIATION

Any purchaser in this subdivision takes note and acknowledges by purchasing a lot herein that there shall be established a property owners association incorporated as a non profit corporation, to be known as the Hunters Glen Property Owners Association (or some similar name), the membership of which is comprised of all owners of property located in Hunters

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. 12 (p. 3): Blanket ban, sub-1-meter size cap, or prior approval requirement on satellite dishes or antennas is preempted by federal FCC OTARD regulations.

Statutory / Legal Reference: 47 C.F.R. § 1.4000 (FCC OTARD Rule)

Statutory Comparison: The FCC Over-the-Air Reception Devices rule (47 C.F.R. § 1.4000, as expanded by the 2021 OTARD Report and Order, FCC 21-10) preempts community association restrictions that prohibit, charge application fees for, require prior architectural approval for, or impose sub-1-meter (39.37-inch) diameter caps on the installation, maintenance, or use of television broadcast antennas, direct-broadcast satellite dishes 1 meter or less in diameter, and fixed wireless broadband antennas (including hub and relay antennas) situated on property within the exclusive use or control of the owner/tenant.

CURRENT WORDING IN DOCUMENT:

No antennas (including television antennas) shall be visible, but must be concealed and installed in attic space or other enclosure. There shall be no satellite dishes allowed. Satellite dishes not larger than eighteen (18") inches will be allowed in the rear yard only in an inconspicuous location approved by the HGACC. [Parish Instrument: 953493]

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Provided that this restriction shall not prohibit or require prior approval for any owner or occupant installing an antenna, fixed wireless broadband hub/relay device, or satellite dish of one meter (39.37 inches) or less in diameter within areas under the owner's or occupant's exclusive use or control, in accordance with FCC OTARD regulations (47 C.F.R. § 1.4000).