

New Deed Restrictions

What's really in the new deed restrictions document that you are being asked to approve?

After presenting the new Deed Restrictions (DRs) to Lindale Park, the Board received a number of repeat questions/comments and we thought it would be helpful to address these for everyone. That is the primary purpose of this note. The second purpose is to formally apologize to all section 5 property owners for the limited amount of time that we have to get the number of signatures needed (66%) to adopt these new deed restrictions.

Common questions and concerns:

- 1) Why do we need new deed restrictions?
 - a. New DRs are needed to help preserve Lindale Park's residential character and prevent townhomes from being built within the neighborhood. The new DRs will also provide the tools (DR Compliance Committee) and funds (from assessments) to, among other things, aide in enforcement of the restrictions.
- 2) Can LPCC take my house away from me?
 - a. No. Under the new DRs, the LPCC has no authority to place a lien on anyone's property for unpaid assessments. (*Section 6.5*)
- 3) Would the dues become mandatory?
 - a. Yes. However, there is an exemption for over-65 senior citizens and the disabled. They are not required to pay the mandatory dues of \$25 per year. (*Section 6.2 and 6.8*)
- 4) Is the LPCC Board of Directors immune from prosecution for willful misbehavior?
 - a. No. There is a provision in the new DRs that provides liability protection for the Board and the DR Compliance Committee in the performance of their duties, but that protection only applies if there is no "willful misconduct". (*Section 3.10*)
- 5) Are there any conformity or harmony requirements in the DRs?
 - a. Yes and No. There are new construction guidelines that will ensure new structures aren't too close to property lines or streets and that they aren't that much taller than other houses in the neighborhood. However, there are no requirements for anything that would require a subjective evaluation of exterior finish, paint color or other subjective "conformity or harmony" features. (*All Sections in Article 4*)
- 6) Do the new DRs allow for home offices?
 - a. Yes. Home offices will be allowed under the new DRs. They are not allowed under our existing DRs. (*Section 2.4*)