

These are articles of the ELHOA Restrictions and Covenants that pertain to construction and improvements

No lot shall be used except for residential purposes unless otherwise specified herein by specific exceptions. No Building shall be erected, altered, placed or permitted to remain on any lot other than one detached single-family dwelling not to exceed two and one-half stories in height and a private garage having not more than three garage doors facing the street.

No building shall be erected, placed, or altered on any lot until the Construction plans and specifications and a plan showing the location of the structure have been approved by the developer or, once the Association has been turned over to the owners by the Developer, by the Association, as to compliance with restrictions herein, harmony of external design with existing structures, and as to location with respect to topography and finish grade elevation.

No fence or wall shall be erected, placed, or altered on any Lot nearer to any street than the minimum building set back line unless similarly approved.

All lots directly facing or abutting any of the lakes in the subdivision ("Lake Lots") may not fence or "fence in" the back yard or make or construct any auxiliary structures, buildings, appurtenances or other improvements, except that the "Lake Lots" may have a deck and/or a privacy fence extending only twenty (20) feet to the rear of the residential dwelling and not to the side yard. Any such deck or privacy fence shall be constructed in compliance with the Montville Township Ordinances, Zoning Code and Resolutions. All landscaping, shrubbery, tree plantings and ground cover of any kind shall be "low ground cover" and must be planted and maintained in such manner as to not interfere with the sight lines to the lakes as are now or will be available to the "Lake Lots" abutting any of the lakes in the Emerald Lakes Subdivision.

All lots with a forty (40) foot setback line in Phase I and Phase II of the Emerald Lakes Subdivision shall adhere to Montville Township's requirements for R-2 Controlled Density Cluster Units as set forth in Montville Township Zoning Code Section 802.126, except for Section M; and further shall have a fifty (50) foot rear setback line, except that the rear fifty (50) foot setback line shall not apply to Sublots 45,46 and 47 in Phase I nor to Sublots 89,98,99,100 and 101 in Phase D which sublots shall have a seven and one-half (7 1/2) foot rear set back line. All fences, auxiliary structures, buildings and other auxiliary improvements on these lots must be constructed in such manner and form as to be in compliance with the Montville Township Zoning Code.

All lots in the Emerald Lakes Subdivision, except for the "Lake Lots" and any Cluster footprints in Phase III, may construct fences around the lot, subject to the restrictions set forth hereinabove so long as such fences comply with the Montville Township Ordinances, Zoning Code and Resolutions.

Any fences constructed at any time on any of the lots in any of the Phases of the Emerald Lakes Subdivision shall be white vinyl or wood, painted white. No cyclone fences shall be placed on any lot subject to this Declaration.

All lots in the Emerald Lakes Subdivision (except for the "Lake Lots" and any Cluster footprints in Phase III) may construct thereon or place thereon auxiliary structures buildings, pools, additions, decks, porches, children's swing sets and climbing toy, in such manner as will violate neither these restrictions nor the Montville Township

Ordinances, Zoning Code and Resolutions. On the "Lake Lots" and any Common Cluster area in Phase III, the aforesaid structures and items may be constructed or placed thereon so long as said structure or item is constructed or placed in such manner that it neither violates these restrictions nor the Montville Township Zoning Code and Resolutions.

There shall be no private docks at any of the Lakes in the Emerald Lakes Subdivision. Developer will construct one dock at each of the Lakes in The Emerald Lakes Subdivision at such location as it determines in its sole discretion. Such dock shall be part of the Common Area and shall be maintained and preserved pursuant to the terms and conditions set forth in the Declarations of Emerald Lakes Subdivision and any amendments thereto. Swimming, bathing, ice skating or sledding shall not be allowed on any of the Lakes in the Emerald Lakes Subdivision.