

Farmington Maintenance Corporation Deed Restrictions Comparison

Comparison Summary: Farmington Deed Restrictions (1998 vs. 2024)

This document summarizes the key differences between the original 1998 Farmington Maintenance Corp Deed Restrictions and the proposed 2024 Amended and Restated Declaration of Restrictions for the Estates at Farmington Maintenance Corporation.

General Structural Changes

- Declarant changed from '395 Associates' to 'Estates at Farmington Maintenance Corporation (EAFMC)'.
- Consent threshold for amendments clarified as 2/3 of lot owners.
- A note added that Delaware State Law and/or New Castle County ordinances supersede HOA restrictions.

Article I – General Use Restrictions

Section	Change Summary
1. Private Residences	No substantive changes.
2. Trailers/Mobile Homes	No changes.
3. Animals and Pets	Expanded to prohibit livestock and require shelters in backyard only, with high-quality materials.
4. Vegetable Gardens	No changes.
5. TV/Radio Antennas	No changes.
6. Trash Receptacles	No changes.
7. Prohibited Vehicles	Clarified that permitted vehicles must comply with State/County laws.
8. Fences	Expanded to require proper maintenance.
9. Lawn Maintenance	Expanded to include walkways and driveways.
10. Above-Ground Pools	No changes.
11. Offensive Activity & Noise	New section requiring noise compliance and defining nuisances.

Other Articles

- Article II: Removed construction references.
- Article III: No substantive changes.
- Article IV: No substantive changes.

- Article V: No substantive changes.

Key Additions in 2024

- Legal hierarchy noted (State/County law overrides HOA rules).

- Enhanced clarity on vehicle compliance, fence maintenance.

- New sections: noise, tenant accountability.

Specific Changes

3. Animals and Pets

Section 3 Animals and Pets. No animals of any kind, other than usual household pets, shall be kept, or maintained on any lot. Livestock, including chickens and roosters, are not permitted. Any animal shelter (ie, doghouse, rabbit hutch, etc.) shall be *made of high-quality materials and high quality craftsmanship*, and shall be no larger than 3'x4'x3' and only located in the backyard.

7. Prohibited Vehicles

Section 7 Prohibited Vehicles. No Trucks, buses, trailers, utility trailers, campers or disabled vehicles, of any description, shall be kept or maintained on any street, lot or driveway, except that pick-up trucks up to and including 3/4 ton and enclosed vans up to 10,000 lbs. G V.W. are permitted, provided that they do not exceed a height of seven feet. *All such vehicles shall be in compliance with Delaware State law and/or New Castle County ordinances.*

8. Fences

Section 8 Fences. No fence shall be erected on any lot closer to the front street line than the rear face of the dwelling on said lot. No fences shall be of a height of more than six (6) feet and all such fences shall be constructed of current fencing materials. No Chain Link Fence shall be erected on any lot. *All fences shall be properly maintained with no missing, or broken rails, or missing or leaning or fallen posts or sections.*

9. Lawn Maintenance

Section 9 Lawn Mowing / Yard Maintenance. The owner of each lot shall be responsible for the maintenance of walkways and driveways adjacent to their respective lots, landscaping, grass and weeds thereon and shall mow said lot at least once during each of the months from March through November.

11. Offensive Activity & Noise

Section 11 **Offensive Activity and Noise.** No offensive activity or unreasonably loud noises, shall be conducted on any lot; all noise levels must be in compliance with New Castle County Code and/or Delaware State law. "Offensive activity" is defined as anything being done which is an unreasonable annoyance or nuisance to a neighbor or community.

Consent threshold for amendments clarified as 2/3 of lot owners.

These covenants and restrictions may be changed, altered, modified or extinguished in whole or in part, at any time, by an instrument in writing signed by the record owners of two thirds (2/3) of the lots located on the Property, which amendment shall be recorded In the Office of the Recorder of Deeds, New Castle County, State of Delaware, excepting, however, that the Declarant, so long as it is the owner of any of said lots shall, jointly and mutually, have the absolute right to amend this Declaration from time to time without the joinder of any other lot owners by executing and recording an amendment in the Office aforesaid, if such amendment is