

## EXHIBIT B

### **BROOKHAVEN IN THE PINES RULES AND REGULATIONS**

**June 2009**

**(Revised: Effective October 2013)**

These Regulations (the "Regulations") are adopted by the Board of Directors ("Directors") of Brookhaven In The Pines, the governing body of Brooks Lake ("Brooks Lake") and the recreational property (the "Recreational Area") in accordance with the Declaration of Restrictive Use, Dated June 30, 1968, and recorded in Volume 595, Page 773 of the Deed Records of Wood County, Texas, relating to lots within Brookhaven in the Pines Subdivision (the "Community") wherein the Directors reserved to themselves and their successors the right to implement rules to ensure the safety, sanitation and pleasure of the greatest number of lots owners.

These Regulations are intended to: (1) maintain the quality and quantity of water in the Brooks Lake, (2) insure reasonable recreational benefits to the greatest number of owners of property within the Community, and (3) protect life and property of users of the Recreational Area and Brooks Lake.

#### **1. USE OF BROOKS LAKE**

- a. Owners and Guests. The use of Brooks Lake is restricted to property owners, members of their immediate family, and their guests. "Immediate family" is defined as a property owner's parents, children, grandchildren or siblings.
- b. Boats. All water craft placed on Brooks Lake must be in full compliance with all applicable Texas laws regarding recreational water craft, including the Texas Water Safety Act. No water craft may be used as a residence. No jet skis or other types of high-powered recreational vehicles are permitted on the lake. Boats and trailers should be thoroughly power washed to remove possible invasive aquatic species before being launched into Brooks Lake, especially if recently used in any other body of water prior to use at Brooks Lake.
- c. Safe Operation of Water Craft. Brooks Lake is a no wave lake. Boats may be operated on Brooks Lake for fishing and recreational purposes. All water craft must be operated at a safe speed to minimize the wave wake.
- d. Boat Storage. A portion of the Recreational Property may be designated for storage of the boats of lot owners.
- e. Chemical Vegetation Control. Permission must be obtained from the Directors before applying any chemical, herbicide or pesticide in or to either water or land surface owned or controlled by the Community.
- f. Safe Practices for Dam. The following actions are prohibited: climbing/standing on the rocks; driving a motorbike, ATV, motor cycle, or similar recreational vehicle off-road on the dam; entering the spillway; and fishing from the dam or rocks.

#### **2. FISHING**

- a. Owners and Guests. Fishing is restricted to property owners, members of their immediate family, and their guests. Fishing guests must be accompanied at all times by property owner, owner's immediate family member, or possess a BITP Fishing Permit.

- b. Guest Fishing Permit. A property owner may request a BITP Fishing Permit from the Board Chairperson for a guest to fish unaccompanied by property owner or owner's immediate family member. The request must be made in writing and include the name of the property owner, the guest's name, the date(s) the guest will be fishing, and the assurance that the guest will abide by all rules pertaining to the use of the lake. The Board Chairperson or his/her designee shall grant or deny the request in writing within one week of the request. The guest must possess a copy of the BITP Fishing Permit on his/her person when fishing. Persons not in the property owners' immediate family without a BITP Fishing Permit are trespassing and will be reported to the Wood County Sheriff.
- c. Fishing Prohibitions. No fishing is allowed from road, dam, rocks, or spillway.
- d. State and Federal Laws. Fishing on Brooks Lake is subject to all State and Federal laws.
- e. Illegal Devices. No illegal devices, seines, nets or traps shall be allowed for taking game.
- f. Trotlines. For safety purposes, trotlines will not be permitted on the lake. Jug lines must have identifying tags and must be removed by the owner within forty-eight (48) hours of being placed on the lake.

### 3. HUNTING

- a. Guests and Family. Hunting is limited to property owners, owner's immediate family, and guests. The property owner or an immediate family member must accompany a guest at all times.
- b. Federal & State Laws. All hunting in the Recreational Area is subject to applicable Federal and State laws.
- c. Permitted Firearms. Hunting is limited to shotguns or bow and arrow in the Recreational Area. Rifles and handguns are not permitted for hunting. A safe distance from all areas with homes must be maintained by any hunter.
- d. Safety. Hunters must exercise extreme caution since the woods and trails are used by walkers and other non-hunters.
- e. Hunting on Brooks Lake. Hunting is not permitted on Brooks Lake or its shoreline. In certain cases, the Directors may grant permission in order to remove animals that are causing damage to the dam, shoreline or recreational property.

### 4. HEALTH SAFETY AND SANITATION

- a. Sanitation. Shore installations and all habitations on the watershed to Brooks Lake must provide approved sewage disposal facilities. No sewage facility may be located or constructed on Brooks Lake or the Recreational Areas that allows the interchange of sewage with lake water.
- b. Placement of Septic Field Lines and Aerobic Distribution Lines/Sprinklers. Policy, whenever practicable, is to work with lot owners whose property lacks sufficient space to place septic field lines and/or aerobic distribution lines/sprinklers as required by State of Texas Regulations. The septic system and/or aerobic system shall, in all cases, be installed and maintained on private property of lot owner and under no circumstances on Recreational Property. Lot owners shall make such requests in writing including complete plans and

drawings by a State of Texas Registered Professional Sanitarian for the septic system to be installed on the lot owner's property and include the designation of the specific area of the Recreational Property requested to be used for the field distribution/aerobic lines. An "Installation and Indemnification Agreement " detailing specific actions and responsibilities which shall be binding on the heirs and assigns of the lot owner must be signed, notarized, and recorded in Wood County, Texas prior to work being performed. Contact Board Chairman for copy of agreement and complete policy requirements necessary for this approval.

- c. Trash and Litter. No trash, litter or lake damaging chemicals may be introduced into Brooks Lake or the Recreational Area.
- d. Disposal Areas. The Directors may at its own discretion establish areas for disposal of limbs, logs, brush and leaves removed from the Community property owners lots. Any such disposal areas will be clearly marked with rules and regulations regarding use. Any burning in these areas must be approved by the Directors and must include a plan for supervision, safety and fire control. Disposing of limbs, logs, brush and leaves from off-sites, other than the Community lots, is prohibited.
- e. Dumping. Dumping on any recreational property except as may be approved above is strictly prohibited.
- f. Safe Operation - Vehicles. Automobiles and other vehicles using the roads must be operated in a safe manner in accordance with a maximum posted speed limit of 15 MPH.
- g. Gasoline and Oil Storage. Gasoline and other flammable or combustible liquids may not be stored in, upon or around Brooks Lake or the shores thereof, except in Underwriters Laboratories approved safety cans of 5 gallon size or less. No petroleum products whatsoever or similar products shall at any time be dumped in, on or about Brooks Lake.

##### **5. ROADS AND RECREATIONAL AREA – OTHER RULES**

- a. Motorbikes and ATVs. ATVs (3 wheelers or 4 wheelers), motorcycles, motorbikes and other recreational vehicles are to be operated in a safe and responsible manner on roads and trails. They are not to be operated in any manner that causes damage to roads, walking trails or other recreational property. All such vehicles must have (1) sound muffling devices in order to avoid undue noise and (2) approved spark arrestors. No motorbike, ATV, motor cycle, or similar recreational vehicle may be operated on the Fouke water line easement or off-road on the dam.
- b. Access - Back Gate. The "back gate" located on FM Road 2869 must remain locked at all times when not being used for access by contractors or property owners, and must always be locked at night for security purposes.
- c. Tree and Underbrush Removal. To remove trees or underbrush on Recreational Property near their home, property owners shall submit a written request generally stating the reason to Directors. If approved, all cuttings must be cut and hauled off at the expense of the owner cutting same. No monetary remuneration may be sought or received by the property owner for the trees/underbrush cut.
- d. Camping. No overnight camping is permitted on Recreational Property.
- e. Campfires. Campfires are not permitted on Recreational Property except in properly prepared fire pits along the lake shoreline or in the Great Meadow. No campfires or open flames are allowed in the wooded areas.

## **6. BROOKHAVEN RETREAT "QUIET ENJOYMENT"**

- a. In the area immediately in front of Brookhaven Retreat, which is defined by buoys, attire and deportment will be consistent with the behavior fitting a Christian retreat, including but not limited to, no indecent exposure, no lewd behavior, no drunkenness, no foul language, no loud music, nor any other similarly disrespectful behavior.

## **7. PIERS, DOCKS, RETAINING WALLS, BOAT SHELTERS AND OTHER STRUCTURES**

- a. Construction. Permission for construction of structures on Recreational Property must first be obtained from the Directors. Requests to build a pier, dock, boat shelter, or structure that extends into the water as well as those on land; retaining wall; and any significant movement of soil in or out of the water shall include a complete set of plans, drawings, and material supplies. Construction shall be in accordance with like structures in existence and in accordance with the description of same as set forth by the Directors.
- b. Specifics. Boat houses, solid side walls, upper decks, and privacy doors facing the lake are prohibited. Retaining walls must be made of natural materials: treated lumber/timber, natural or manufactured stone. Poured concrete is prohibited. Design and all materials used in construction subject to Directors approval.
- c. Maintenance. All structures on the lake shall be maintained so as to not present a hazard to life or property and project a cared for appearance.

## **8. AMENDMENT OF RULES**

- a. Amendment, Replacement or Termination. As sole authority for the issuance and amendment of rules and regulations governing Brooks Lake and the Recreational Area, the Directors reserves the right to amend or abrogate, in whole or in part, these Regulations.
- b. Notice. Notice of Regulation changes will be posted on the Bulletin Board located on South Shore Drive.

Brookhaven in the Pines  
Board of Directors

---

BITP Chairperson

Effective Date: June 6, 2009

Revised: Effective October 5, 2013