

**DECLARATION OF PROTECTIVE COVENANTS  
FOR  
THE LOTS OF TRUMPETER VALLEY  
EFFECTIVE JANUARY 1, 2016**

This declaration is made by the Trumpeter Valley Homeowners Association (TVHOA), a Wisconsin unincorporated condominium association, hereafter called the Declarants, the members of which are the owners of the following described real estate in the Township of Oak Grove, Pierce County, Wisconsin, referred to herein as Trumpeter Valley.

Lots 1 through 4 of Certified Survey Map recorded in Vol.5 p. 162, Doc. # 368862;

AND

Lots 5 through 7 of Certified Survey Map recorded in Vol. 5 p. 163, Doc. # 368863;

AND

Lots 8 through 11 of Certified Survey Map recorded in Vol. 5 p. 164, Doc. # 368864;

AND

Lots 12 through 15 of Certified Survey Map recorded in Vol. 5 p. 165, Doc. #368865;

AND

Lots 16 through 18 of Certified Survey Map recorded in Vol. 5 p. 166, Doc. #368866;

AND

Lots 19 and 20 of Certified Survey Map recorded in Vol. 5 p. 167, Doc. #368867;

AND

Lots 21 through 24 of Certified Survey Map recorded in Vol. 5 p. 168, Doc. #368868;

AND

Lots 25 through 28 of Certified Survey Map recorded in Vol. 5 p. 169, Doc. #368869;

AND

Lots 29 through 32 of Certified Survey Map recorded in Vol. 5 p. 170, Doc. #368870;

AND

Lots 33 through 35 of Certified Survey Map recorded in Vol. 6 p. 102, Doc. #376216;

AND

Lots 36 through 39 of Certified Survey Map recorded in Vol. 6 p. 103, Doc. #376217;

AND

Lots 40 through 42 of Certified Survey Map recorded in Vol. 6 p. 104, Doc. #376218;

AND

Lots 43 through 45 of Certified Survey Map recorded in Vol. 6 p. 105, Doc. #376219;

AND

Lots 46 through 48 of Certified Survey Map recorded in Vol. 6 p. 106, Doc. #376220; 1

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AND

Lots 49 through 52 of Certified Survey Map recorded in Vol. 7 p. 35, Doc #\_\_\_\_\_

Lots 53 through 56 of Certified Survey Map recorded in Vol. 6 p. 107, Doc. #376221;

AND

Lots 57 through 60 of Certified Survey Map recorded in Vol. 6 p. 108, Doc. #376222;

AND

Lots 61 through 64 of Certified Survey Map recorded in Vol. 6 p. 109, Doc. #377414;

AND

Lots 65 through 68 of Certified Survey Map recorded in Vol. 6 p. 130, Doc. #377415;

AND

Lots 69 through 72 of Certified Survey Map recorded in Vol. 6 p. 131, Doc. #377416;

AND

Lots 73 through 75 of Certified Survey Map recorded in Vol. 6 p. 132, Doc. #377417;

AND

Lots 76 through 79 of Certified Survey Map recorded in Vol. 6 p. 133, Doc. #377418;

AND

Lots 80 through 83 of Certified Survey Map recorded in Vol. 6 p. 134, Doc. #377419;

AND

Lot 84 of Certified Survey Map recorded in Vol. 6 p. 135, Doc. #377420;

AND

Lots 85 through 87 of Certified Survey Map recorded in Vol. 7 p. 176, Doc. #402673;

AND

Lots 88 through 90 of Certified Survey Map recorded in Vol. 7 p. 177, Doc. #402674;

AND

Lots 91 through 93 of Certified Survey Map recorded in Vol. 7 p. 178, Doc. #402675;

AND

Lots 94 through 96 of Certified Survey Map recorded in Vol. 7 p. 179, Doc. #402676;

AND

Lots 97 through 99 of Certified Survey Maps recorded in Vol. 7 p. 180, Doc. #402677;

AND

Lots 100 through 103 of Certified Survey Maps recorded in Vol. 7 p. 186, Doc. #402683;

AND

Lots 104 through 106 of Certified Survey Maps recorded in Vol. 7 p. 181, Doc. #402678;

AND

Lots 107 through 110 of Certified Survey Maps recorded in Vol. 7 p. 182, Doc. #402679; 2

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AND

Lot 111 of Certified Survey Maps recorded in Vol. 7 p. 183, Doc. #402680;

AND

Lots 112 and 114 of Certified Survey Maps recorded in Vol. 7 p. 184, Doc. #402681;

AND

Lots 115 through 117 of Certified Survey Maps recorded in Vol. 7 p. 185, Doc. #402682;

AND

Lots 118 through 121 of Certified Survey Maps recorded in Vol. 7 p. 187, Doc. #402684;

AND

Lots 122 through 125 of Certified Survey Maps recorded in Vol. 7 p. 188, Doc. #402685;.

all filed in the Office of Register of Deeds, Pierce County, Wisconsin.

The Declarants, for the benefit of the above described land and its present and future owners, hereby impose upon the land above described the following conditions, restrictions, covenants, and charges which shall run with the land and be binding upon and inure to the benefit of the owners thereof, their heirs, successors, administrators, grantees and assigns until January 1 of the year 2017, after which time said covenants shall be automatically extended for successive periods of One (1) year unless an instrument signed by a super-majority (70%) of the then owners of the parcels has been recorded, agreeing to change these covenants in whole or in part.

These protective covenants replace and supersede the protective covenants previously filed in the Pierce County Register's Office identified as:

Declaration of Protective Covenants filed on June 20, 1996

Document # 368884, Volume 330, Page 437

Covers Lots 1-32

Declaration of Protective Covenants filed on January 20, 1998

Document # 381193, Volume 361, Page 805

Covers Lots 33-48 and 53-84

Declaration of Protective Covenants filed on May 20, 2003  
Document # 444301  
Covers Lots 85-103, 105-106, 109-123, and Lot 125

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**PURPOSE OF COVENANTS**

The purpose of these protective covenants is to guide the development and use of land in Trumpeter Valley so that the neighborhood is aesthetically pleasing, the peacefulness of rural living is preserved and the value of property within the neighborhood is protected.

The Trumpeter Valley Homeowners Association (referred to herein as TVHOA) has created the TVHOA Board consisting of association officers and Board members elected by the owners of lots in Trumpeter Valley, who collectively constitute the members of the TVHOA. The TVHOA has authority under Wisconsin law to adopt and amend Bylaws as needed to govern the affairs of the TVHOA. The TVHOA shall not adopt Bylaws that are inconsistent with the terms, purpose and intent of these covenants.

All lot owners automatically become members in the Trumpeter Valley Homeowners' Association on the date they acquire title to a lot. The TVHOA is responsible for the care and maintenance of the streets, the neighborhood entrance, ditches, landscape plantings, trails and other items located on the Common Grounds.

**THE PROTECTIVE COVENANTS**

**1. Approved Land Use**

The above described lots shall be used for single family dwellings only with no more than two garages, either attached or detached, the architecture of which is compatible with the dwelling. All lots on which a dwelling has been constructed must have a garage which is constructed simultaneously with the construction of the dwelling. Structures constructed and erected in conformance with these covenants, restrictions and reservations shall be used for residential purposes only as a single family residence. No lot may be used for any exterior commercial purposes whatsoever at any time.

**2. The Architectural Control Committee**

The TVHOA shall appoint members of the association to serve on an Architectural Control Committee as provided in the Bylaws of the TVHOA. The purpose of the Architectural Control Committee is to regulate the construction of improvements to lots in Trumpeter Valley with

the goal of creating and preserving an aesthetic residential neighborhood, protecting the value of property within Trumpeter Valley and preserving the unique natural beauty and scenic views for all residents. All reasonable effort should be made to construct improvements to lots that complement the natural environment and limit visual distractions when viewed from the street and neighboring lots.

### **3. Architectural Approval/Plan Approval**

#### **3.1 Improvements Requiring Approval**

All improvements to lots within Trumpeter Valley must comply with these Protective Covenants. No structure shall be erected on any lot without prior review and written approval by the Architectural Control Committee. For the purposes of these covenants, a structure is anything permanently attached to the ground. Improvements to lots that require prior approval include, but are not limited to the following:

- Constructing a dwelling or house
- Constructing a garage
- Constructing an auxiliary building or shed
- Constructing a driveway
- Constructing a patio or deck
- Constructing an outdoor kennel
- Installing an above-ground or in-ground pool
- Installing a fence
- Installing outdoor playset or playhouse
- Clearing any trees before site plans are approved, with the exception of dead trees
- Removing trees of significant size or aesthetic value

#### **3.2 Discretion of the Architectural Control Committee**

The TVHOA, acting through its Architectural Control Committee, retains the absolute right to deny approval of a proposed dwelling plan due to similarity to existing or proposed structures, non-compatible materials or colors or a dwelling plan that is determined to be inconsistent with the Trumpeter Valley neighborhood. Each lot in Trumpeter Valley is unique; therefore the Architectural Control Committee will consider approval requests on a case-by-case basis and is not bound by any previous action of approval of a similar improvement on a different lot. The Architectural Control Committee may establish additional guidelines for improvements that are consistent with the intent of these covenants.

### **3.3 Penalties for Non-compliance with Covenants**

Prior to commencing construction of a dwelling on any lot in Trumpeter Valley, the owner shall deposit One Thousand Dollars (\$1,000) with the TVHOA Board from which the Board may retain any penalties imposed by the Architectural Control Committee or the TVHOA Board for violations of these covenants committed by the owner or the owner's contractors. At the completion of all construction, grading and establishing ground cover, the TVHOA Board shall return the balance of the deposited funds to the owner. The amount of penalties for violation of these covenants is solely within the discretion of the TVHOA Board and Architectural Control Committee.

## **4. Requirements for Dwellings and Garages**

### **4.1 Documents Submitted to the Architectural Control Committee**

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The lot owner or a contractor hired by the owner must submit the following materials to the TVHOA Architectural Control Committee for its review at least twenty (20) days prior to the proposed commencement of construction.

A) House plans and detailed exterior elevations showing all four elevations drawn to at least a scale of 1/4" to 1 foot. The side and rear elevation drawings may be at a scale of 1/8" to 1 foot.

B) Plot or Site plan showing the location of the house and garage on the lot, setback measurements, easements, major trees, and proposed elevations of the structures.

### **4.2 Staking Structure Locations and Preservation of Large Trees**

The lot owner or the owner's contractor shall stake the location of all proposed structures on the lot at the time documents are submitted to the Architectural Control Committee to allow the committee to review setbacks, elevations and potential impacts on existing trees.

### **4.3 No Waiver of Owner's Permit Obligations**

Approval of dwelling plans by the Architectural Control Committee does not waive the obligation of the owner or contractor to obtain a building permit and meet the requirements of the Township of Oak Grove, and obtain any land use permits and septic permits from Pierce County.

## **5. Grading, Landscaping and Removal of Trees Prior to and During Construction**

### **5.1 Grading and Erosion Control**

The staked location of the structures must be approved by the Architectural Control Committee prior to commencing any grading, landscaping or removing any trees. Lot grading shall comply with "The Wisconsin Construction Site BEST MANAGEMENT PRACTICE HANDBOOK" available at the county zoning office. The owner of lots 20, 22, and other lots deemed to have a potential erosion problem shall also confer with the Architectural Control Committee and obtain approval from the Committee of the erosion control measures to be used on those lots

## **5.2 Removing Trees and Brush**

Trees existing on a lot prior to construction shall not be removed until approved by the Architectural Control Committee; however brush may be removed without Committee approval. The lot owner and the Architectural Control Committee shall make all reasonable efforts to preserve large trees existing on the lot. For wooded bluff lots, all reasonable efforts shall be made to maintain a degree of natural screening with large trees between the bluff line and the structures.

## **6. Construction Standards for Dwellings and Garages**

### **6.1 Minimum Dwelling Size**

The dwelling shall be designed and constructed to have at least 1500 square feet finished area on the main floor of a single level home, with 1750 square feet or greater preferred, and at least 1900 square feet finished area above grade on a multi-level plan including two stories, with 2150 square feet or greater preferred. For the purposes of minimum dwelling size, split foyer homes are considered a one level home with a finished basement and must have at least 1500 square feet finished area on the main level. All square footage minimums shall be exclusive of breezeways, porches, decks, terraces, patios and garages. The Architectural

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Control Committee may grant an exception to the minimum square footage requirements for certain unique dwelling designs that satisfy the purposes for these protective covenants.

### **6.2 Minimum Garage Size and Design**

The garage must be constructed concurrently with the dwelling and must be at least a two car garage of sufficient width for two vehicles to be parked side-by-side within the garage. The garage shall not be the dominant architectural feature of the dwelling when the dwelling is viewed from the street. . An architectural design that creates a garage as the dominant feature of the dwelling when viewed from the street should be avoided. The Architectural Control Committee shall consider this intent when reviewing submitted house plans for approval.

### **6.3 Timely Completion of Construction**

All structures shall be completely finished on the exterior within twelve months after commencement of the excavation for the construction thereof.

### **6.4 Driveways**

All driveways shall include a sub-base that is sufficient for the type of surface to be installed. Acceptable driveway surfaces include lime rock, trap rock, blacktop, concrete or concrete products, and eco-friendly equivalents of these surface types that are approved by the Architectural Control Committee.

**6.5 Water Drainage, Erosion Control and Restoring Vegetation during Construction** The Plat Plan must account for proper storm water management during construction to prevent excessive water or soil from draining onto abutting lots or common grounds. During construction and site final grading, the lot owner and the contractor must ensure that storm water drainage from the construction site is properly managed and does not create a nuisance or erosion problem. The contractor shall take reasonable measures to control soil erosion during construction with erosion fencing and/or hay bales installed according to the "Best Management Practice Handbook" state erosion pamphlet in the county zoning office. All disturbed

ground areas shall be restored or sodded as soon as practical but not later than the end of the landscaping season one year from the start of construction.

#### **6.6 Wells and Dual Wells**

Owners of adjacent lots may agree to install a dual well that will provide water services to two adjacent lots from the same well casing. Dual wells must have an extra deep casing. Two pump assemblies must be installed in the same casing with electricity supplied from each respective home/lot. The specific well standards can be obtained from Pierce County at the time the land use permit issued.

#### **6.7 Roofs**

There is a preference for roofs having a pitch greater than a 4/12. Flat roofs are not permitted without approval. The minimum acceptable roof material shall be asphalt roof shingles. Roll roofing is not acceptable and will not be approved. The use of other roofing materials such as metal or cedar shakes must be approved by the Architectural Control Committee. The owner or contractor shall indicate the desire to use other roofing materials at the time plans are submitted to the Architectural Control Committee.

#### **6.8 Chimneys, Flues and Vents**

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Exposed metal chimney stacks and flues will not be permitted. All stacks and flues must be enclosed by a shaft compatible with the dwelling's exterior materials and proportions. All efforts shall be made to locate roof attic box vents, plumbing stacks and roof vents so they are not visible from the street view of the dwelling.

**6.9 Exterior Walls**

Exterior siding and finish materials must terminate no higher than 16” above finish grade level. Exposed concrete masonry or poured concrete foundation systems must not be exposed

more than 16” above grade.

#### **6.10 Propane Tanks**

A propane tank placed above ground shall not be in prominent view of the public or neighbors. Tanks shall be screened by fencing or landscaped with layered plantings.

#### **6.11 Water Irrigation Systems**

All irrigation systems shall be designed to contain the water spray within the lot perimeter. The lot owner is responsible for preventing excessive water run-off onto abutting lots or common grounds.

#### **6.12 Meters**

All gas, electric and water meters shall be located on a side of the dwelling that does not front the street whenever possible and shall be obscured from direct public view. When a meter must be on the street view side of a dwelling, a landscape buffer or other screening must be constructed to limit the view of the meter from the street.

#### **6.13 Exterior Lighting**

Except for approved light poles, exterior lighting must be attached to the dwelling and be compatible with the dwelling design and details. Downward shining lights are preferred. Exterior light poles must be approved by the Architectural Control Committee and may not be located in the yard fronting the street. Ground landscape lighting and low voltage lighting is allowed on any side of the dwelling.

#### **6.14 Basement Egress Windows**

All basement egress window wells must be constructed with a timber, block retaining wall or a metal window well. These egress wells must be earth retained and not left unfinished.

#### **6.15 Lot Cleanliness and Use during Construction**

It is the joint obligation of the lot owner and house contractor to maintain each lot in a neat and orderly condition at all times throughout the term of construction. The house contractor shall provide a dumpster of adequate size for disposal of all construction debris. No trailer, boat of any kind, motor home, recreation vehicle (RV), snowmobile, camper tent, trailer shack, tent or other structure of a temporary character shall be erected or allowed to remain on the lot during dwelling construction except temporary structures used by the contractor for the purpose of constructing the dwelling and related structures. No structure shall be occupied for residential purposes until the exterior thereof is completely finished and a certificate of occupancy has been issued by the Township.

#### **6.16 Application to Previously Constructed Improvements**

All improvements constructed prior to the adoption of these covenants are approved by the TVHOA and deemed to be in compliance with these covenants.

### **7. Setbacks and Utility Easements**

Setbacks from streets, right of way, side and back lot lines shall adhere to existing ordinances

and zoning requirements of the Township of Oak Grove and/or Pierce County which may vary from lot to lot within Trumpeter Valley. There shall be a twenty (20) foot side-yard setback on Lots 11 through 17 and forty (40) foot side-yard setback on the balance of the lots, to ensure a buffer between structures. Any variance to these side-yard restrictions must be approved by the Architectural Control Committee. There is an easement reserved over the ten (10) feet adjacent to the road right of way on each lot and in areas so denoted upon the plot for the installation and maintenance of utility services.

### **8. Standards for Accessory Buildings**

A Plot Plan and drawings for a storage or accessory building must be approved in writing by the Architectural Control Committee prior to beginning construction. The exterior of the building must be constructed with materials consistent with or complimentary to those on the dwelling. No metal yard sheds shall be permitted at any time. The location of a storage or accessory building must minimize public view of the building from streets, abutting lots and the Big River and Mississippi River valleys. Landscape buffers may be required to screen the building from view public view.

### **9. Standards for Street Sight Lines**

No fence, wall, hedge, shrub or other object, growing or otherwise shall be erected, planted or permitted on a lot which obstructs sight lines at the intersection of two streets within Trumpeter Valley.

### **10. Standards for Lot On-Site Storage, Cleanliness and Maintenance**

#### **10.1. Lot Cleanliness**

The Owner must maintain each lot in a neat and orderly condition at all times.

#### **10.2 Firewood**

Residents who store firewood on a lot shall place wood in a garage, if possible, otherwise stacked in a clean manner which is screened from public view.

#### **10.3 On-Site Storage of Vehicles and Equipment**

The parking and outside storage of commercial-type vehicles such as school busses, recreational vehicles, trucks (excluding pickup trucks), semi-trailers, earth moving equipment, boats of any kind, motor homes, snowmobiles or camper trailers is prohibited on any lot for any continuous period in excess of seven days. Permanent outside storage of the items listed above on any lot is prohibited.

#### **10.4. Animals/Pets**

No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot with the exception of dogs, cats and other common indoor domestic pets provided that they are not used for any commercial purpose. Pets must remain on their owners' lots and the owner shall not allow animals to run at large off the owner's property. The owner shall install invisible fencing if a pet does not remain on the owner's lot. Dogs left outside must be bark collared if noise becomes a problem or nuisance for other lot owners. Outdoor kennels must abut the dwelling or garage, must be approved by the Architectural Control Committee prior to con

struction and shall be placed in a non-conspicuous location and not in direct view from the public street.

### **10.5. Waste and Waste Receptacles**

Rubbish, garbage and other waste must be kept and promptly disposed of in a sanitary manner. No rubbish, garbage or other waste shall be dumped on any lot, right-of-way or Common Grounds. Waste receptacles and recycling bins must be kept in a clean and sanitary condition and obscured from view from adjacent streets except on days of waste pickup by commercial haulers.

### **10.6 Signs**

No signs other than home or lot "for sale" signs and political campaign signs shall be erected and displayed without the written permission of the TVHOA Board.

### **10.7 Mailboxes**

Mailboxes must be uniform in appearance and of a type and color approved by the Architectural Control Committee.

### **10.8 Pools**

All above-ground and in-ground pools greater than 25 square feet in surface area shall be approved by the Architectural Control Committee prior to construction. Pools requiring approval shall be screened from view from the street and abutting lots using natural screening or approved fencing.

### **10.9 Maintenance and Removal of Trees**

Trees and those that provide significant screening between lots shall not be removed without prior approval of the Architectural Control Committee. Dead trees may be removed without approval.

## **11. Protection of Archaeological Features**

Indian mounds are located along the edges of several sites, notably Lots 10-17 and 27. These sites are protected by Wisconsin law which prevents any encroachment closer than five (5) feet from the top of the slope for any disturbance and/or structure. The State of Wisconsin may impose fines and other penalties for violating these laws.

## **12. Use and Maintenance of Common Grounds**

### **12.1 Definition of Common Grounds**

The residential lots within Trumpeter Valley occupy approximately 385 acres of the Trumpeter Valley neighborhood. The balance of the land in Trumpeter Valley (approximately 270 acres) is owned by the Trumpeter Valley Homeowners Association and is referred to as the Common Grounds.

### **12.2 Preservation of Natural Environment**

It is the intent of the TVHOA to retain and maintain the Common Grounds in a natural state to the extent possible while allowing the use of the trout stream, walking and hiking trails, beaches, picnic areas, ponds and fishing areas by all lot owners in Trumpeter Valley.

### **12.3 Restriction on Use of Motorized Vehicles**

The use of all Common Grounds is limited to on-foot or non-motorized vehicle traffic. All-terrain vehicles, snowmobiles, motorcycles, scooters and other motorized vehicles are not permitted on any trails or other areas within the Common Grounds. The only exceptions are (a) the use of motorized grooming or mowing equipment on Common Grounds when authorized by the Grounds Committee, (b) the use of motorized vehicles by Grounds Committee members to conduct periodic inspections of the Common Grounds, (c) the use of automobiles or light trucks on the gravel access road to descend to the Big River valley floor and the Mississippi River and then only for the purpose of accessing the lowest Common Grounds, and (d) to set a deer stand to prepare for a deer hunting period approved by the TVHOA or to remove a deer killed during an approved a deer hunting period. Automobiles or light trucks may not be used on the gravel access road when the Grounds Committee has determined damage is likely to occur from such use due to weather related or seasonal conditions and the key to the gate lock has been removed from the lock box. The TVHOA Board may adopt additional rules regulating the use of automobiles and light trucks on the lower Common Grounds access road if it determines this is necessary to protect the Common Grounds or the access road.

#### **12.4 Assessment of Common Grounds Maintenance Fee**

The TVHOA shall assess an annual maintenance fee on a prorated basis on each lot for the cost of maintaining and improving the Common Grounds and rights-of-ways to the extent approved annually by the TVHOA.

#### **13. Regulation of Hunting within Trumpeter Valley**

The TVHOA is authorized to regulate and control hunting, trapping and fishing activities within Trumpeter Valley and may, but is not required to, grant lot owners limited access to Common Grounds for those purposes during specified periods of the year. All persons hunting, trapping or fishing on Common Grounds within Trumpeter Valley must comply with rules adopted by the TVHOA regulating those activities.

#### **14. Use of Streets and Right of Ways by TVHOA Members**

Each lot owner has granted a defined cross easement to every other owner of a lot within Trumpeter Valley for the sole purpose of providing motor vehicle ingress and egress to Trumpeter Valley residential lots, as filed with the Pierce County Register's Office. Snowmobiles may be driven on the gravel shoulder of the streets in Trumpeter Valley for the purpose of accessing snowmobile trails located outside of Trumpeter Valley. Snowmobiles, all-terrain vehicles and other motorized vehicles are not permitted in the ditches abutting streets in Trumpeter Valley. There shall be no overnight parking of vehicles or trailers on streets or gravel shoulders or Common Grounds within Trumpeter Valley.

#### **15. Noxious Activities, Nuisance and Noise**

No noxious or offensive activity shall occur on any portion of a lot or the Common Grounds, nor shall a lot owner cause or allow the origination of excessive odors or sounds from a lot or allow anything to be put thereon which is or may become an annoyance or nuisance to other lot owners. No noxious or offensive operation and/or business or trade of any kind, even if allowed by Municipal, County or State law or zoning, shall be allowed or maintained on any lot. In case of a dispute, at the request of any lot owner, the TVHOA Board shall make the final determination of what constitutes a nuisance.

## **16. Violation of Covenants or Rights of Association Members**

If any party violates or attempts to violate any of the covenants, conditions or restrictions herein, provided, it shall be lawful for any party or parties in interest in the above described lands to commence an action at law or in equity in a court of competent jurisdiction against the parties violating, either to prevent said violation, to recover damages, including but not limited to reasonable attorney's fees, or to force compliance with any provision of these covenants, including but not limited to imposing financial penalties and obtaining a restraining order and/or temporary injunction to immediately stop construction or other activities until the provisions herein are complied with.

The TVHOA may, at its discretion, determine the amount of financial penalties for violation of these covenants.

## **17. Severability**

If any portion, section, subsection, sentence, clause, paragraph, or phrase of this declaration is for any reason held invalid, such decision shall not affect the validity of the remaining portion of this declaration.

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