

THE GREENS OF ROCHESTER TOWNHOMES ASSOCIATION
RULES AND REGULATIONS

January 10, 2001

I. GENERAL RULES

- A. Homeowners are expected to be knowledgeable about and responsible for adhering to the details of the Declaration of Covenants, Conditions and Restrictions, including amendments, By-Laws, and Rules and Regulations of The Greens of Rochester Townhomes Association.
- B. Homeowners are expected to be cognizant of the conditions of association membership.
- C. Homeowners are responsible for the actions of their guests in relation to all conditions stated in the Declaration of Covenants, Conditions and Restrictions, the By-Laws, and these Rules and Regulations.
- D. Homeowners are responsible for damage to buildings or common elements caused by the homeowner, homeowner's pet(s), or guests.
- E. Association fees are the responsibility of the homeowner and are due and payable to the Association on the first of each month. Fees not received by the fifteenth (15th) of the month are considered overdue, and there will be a \$10.00 penalty on the amount owed.
- F. The Board of Directors shall have the authority to adjust the monthly association fee annually, in an amount not to exceed 5% of the previous year's fee, without the approval of the members. An adjustment of more than this shall require the approval of 51% of those owners voting, in person or by proxy, at a meeting called for that purpose.
- G. Security is the responsibility of all the owners. Try to know your fellow owners by sight, so that anyone on the property unknown to you may be asked if they can be directed to their destination. Suspicious activity, unusual behavior, or missing/ damaged property should be reported immediately to the police and to a Board member. Smoke and fire alarms in your unit are not monitored by the Association; therefore you should check these and any security alarms periodically yourself, or have an outside company check them at your expense.
- H. Penalties for violation of Rules and Regulations are:
 - 1. First warning of noncompliance — warning letter, call, or visit, requesting the violation to be corrected at the homeowner's expense.
 - 2. Second warning of non-compliance — Association shall correct the problem and bill the offender.
 - 3. First warning may be waived at the discretion of the Board and action taken immediately.
 - 4. Each owner and occupant has the right to appear before the Board to dispute/appeal a rule violation.

RULES & REGULATIONS

II. BUILDING AND USE RESTRICTIONS

- A. Residential use. No unit or Limited Common Element (see Declarations Section 3.2) shall be used except for residential purposes.
- B. Nuisances. No noxious or offensive activity shall be carried on or within any Unit, nor shall anything be done which may be or may become an annoyance or nuisance to the neighborhood.
- C. Signage. No advertising signs, or signage of any sort, including but not limited to "political," "For Rent," or "Garage Sale" signs shall be allowed, whether posted on the exterior or interior of any unit except as stated in exceptions.

Exceptions:

1. Security decals on unit windows and security signs in rocked areas only are permitted. "Open House" and "Garage Sale" signs are permitted, but can be displayed only on the day of the event.
 2. "Home For Sale" signs (Real Estate or By Owner) shall be allowed to be displayed on interior of unit (in window) and external to unit with the following regulatory controls:
 - Signs to be placed within rocked area of unit and not to encroach on boundaries of the connecting unit.
 - Signs are to be parallel to unit.
 - Sign size not to exceed standard Real Estate sign size, and not to be the cantilevered post style.
 - Signs to be displayed a maximum of three (3) months with a one (1) month interval.
- D. Architectural Control. No modifications, decoration, change, addition or other improvement of any kind, whether temporary or permanent, shall be made upon the Common or Limited Common Elements, or Unit, without the prior written approval of the Grounds or Building Committees of the Board. These modifications, etc., include, but are not limited to, newspaper delivery boxes, storm doors, gutters, exterior lights, and trees, shrubs, or other non-container plantings. Bird houses, bird baths, container gardens, garden tools, and other garden ornaments shall be restricted to the Unit's patio and rocked areas adjacent to the Unit.

Any request for modification, decoration, change, addition or other improvement shall be accompanied with a detailed plan drawn to scale for approval. The Grounds or Building Committees and the Board reserve the right to reject any request for lack of completeness, or detail of the proposal being made, or for lack of consistency with existing properties.

1. Christmas exterior lights and decorations can be used on a Unit as long as they are not attached to the Unit in any way that would cause damage to the Unit, e.g., removable clips are recommended. Holiday decorations for common elements areas beyond a Unit's rocked area should be approved by the Grounds Committee. Decoration parameters are Thanksgiving — January 15.
2. Storm/Screen Doors: Rear doors must be Cole Sewell Model S6025G midview or Model 6500 fullview, green, with HD660 lever exterior handle, and deadbolt interior or KL650 exterior keylock. Front doors must be Larson Model 340-23 self-storing twin-lite, or Larson Model 340-04 full-view, size 36" x 81", in Hunter Green, with brass curved lever handle, and with keyed deadbolt keylock. If these models are not available, the Building Committee will provide an alternate choice.

RULES & REGULATIONS

3. Newspaper Boxes: Only one (1) box is allowed, and it should be placed near the front door, 1) on the cement in the corner, 2) on a natural wood, white or green pedestal stand in the corner, 3) or attached to a post driven into the rock area near the front door.
 4. Steel Siding: Drilling or punching holes in the steel siding is prohibited, except on approval by the Building Committee.
 5. Flags should not exceed a size of 3 feet by 5 feet, and should be flown from a pole angled at 45°, mounted on the aluminum trim via a bracket on the unit between the front entry and the front windows, and/or on the deck rail or beside the back door, mounted on the aluminum trim.
 6. Patio Lights are not allowed in the front or side areas, but may be put in the rock area surrounding the patio.
- E. Prohibited Structures, Materials, and Equipment. No structures of the following character, such as trailer, tent, shack, garage, boat house, storage shed, barn, pet kennel, or other out-building, shall be used on any Unit or on any common element any time, whether the intention is for temporary or permanent use. No materials or equipment may be stored outside the townhome on Common or Limited Common Elements, including patios or decks.
- F. Animals, Livestock and Poultry. No animals, livestock or poultry of any kind shall be raised, bred or kept in The Greens, except for one or two pets not to exceed 20 pounds each, provided that they are not kept, bred, or maintained for any commercial purpose, and provided no kennels shall be erected upon the Common or Limited Common Elements. Such pets will be kept indoors unless they are accompanied by the owner, are leashed, feces are immediately picked up, and urination is confined to a single inconspicuous area in the owner's backyard. Pets must be tethered in the backyard only.
- G. Solicitations for the sale of goods or services, except for charitable organizations, are not allowed.
- H. Telecommunications Antennas/Dishes. Written requests for installation are required, and must be approved by the Building Committee. Equipment cannot be installed in any Common Element area.
- I. Leasing. See Section 7.5, Declaration...
- J. Compliance With Law. See Section 7.9, Declaration...
- K. Time Shares Prohibited. See Section 7.11, Declaration...
- L. Access to Units. See Section 7.12, Declaration...
- M. No Right of First Refusal. See Section 18.4, Declaration...

RULES & REGULATIONS

III. USE OF COMMON ELEMENTS AND LIMITED COMMON ELEMENTS

- A. Definition of Common and Limited Common Elements. Rocked areas adjacent to Units, patios, and decks are considered Limited Common Elements. All other areas owned by the Association shall be considered Common Elements.
- B. Vehicles, Parking, and Streets
1. Homeowners are encouraged to park their cars in their garage or on their driveways. The Association's parking lot on Wintergreen Lane is intended for guests only.
 2. Use of the Association's streets for automobile or truck parking shall not exceed twelve (12) hours. Parking across from driveways or parking lots is not allowed.
 3. No boats, snowmobiles, trailers, or recreational vehicles shall be stored or parked on any part of the Common Elements without the express written approval of the Board, secured at the earliest possible time. Parking of such in a Unit's driveway for more than 48 hours is prohibited.
 4. Vehicle repair and/or washing on the private streets is prohibited.
 5. A speed limit of 15 MPH is established for safety on all the streets.
- C. Clothes Lines. Exposed clothes lines are not permitted.
- D. Playground, Recreational, or Athletic-Type Equipment. Permanent playground, recreational, or athletic-type equipment is not permitted. Portable equipment must be stowed when not in use.
- E. Patios. It is anticipated that each homeowner will place only furnishings and accessories on their patio that are appropriate. Patios are not to be used for storage of items such as tires, bicycles, boxes, ladders, tools, trash, and garbage cans.
- F. Group Activities and Private Gatherings.
1. Such activities may be conducted on Common Element areas, provided care is taken to avoid any damage to lawns or adjoining landscaped areas.
 2. Activities should be of such a nature that they do not result in physical or mental discomfort to homeowners.
 3. Homeowners may use Common Element areas for private gatherings between 8:00 a.m. and 11:00 p.m.
 4. Homeowners are responsible for the conduct of visitors and are expected to maintain noise levels consistent with Rochester City Ordinances.
 5. Homeowners are responsible for the clean-up and the repair of any damage to areas used.
 6. Persons under the legal drinking age shall not possess or consume intoxicating beverages in any area of The Greens. No person shall cause the intoxication of any person on the property.

RULES & REGULATIONS

IV. GENERAL MAINTENANCE OF COMMON AND LIMITED COMMON ELEMENTS

- A. The Association is responsible for the general maintenance of Common Elements.
- B. Homeowners are responsible for keeping the rocked areas adjacent to each Unit free of debris and weeds, and are encouraged to assist with Common and Limited Common Element areas clean-up.
- C. Responsibility for lawn care, shrubbery, and trees:
1. The Association is responsible for:
 - a) Mowing lawns, trimming, and removal of debris on a regular schedule.
 - b) Trimming shrubbery and pruning trees on a regular basis.
Homeowners may assume responsibility for trimming the shrubbery in the rocked areas adjacent to their unit if they notify the Grounds Committee.
 - c) Providing systematic application of lawn fertilizers and appropriate chemicals for weed control.
 - d) Providing in-ground sprinkler services; including control, maintenance, and seasonal activation/deactivation.
 2. Homeowners are responsible for watering and/or fertilizing shrubs in the rocked areas adjacent to each unit.
- D. Responsibility for snow removal:
1. The Association is responsible for snow removal on sidewalks, driveways, and the streets, for snowfalls of two (2) inches or more. This also includes street sanding when appropriate.
Note: Homeowners are responsible for snow removal and sanding/salting on their sidewalks and driveways for snowfalls of less than two (2) inches.
 2. Snowfalls of two (2) inches or more will be removed from sidewalks, driveways, and the streets as soon as possible after it has stopped snowing.
 3. Snow removal may be delayed in the event of heavy drifting and/or blowing snow.
 4. Cars are not permitted to park on driveways, the Association parking lot, or the streets whenever snow removal is eminent. If a vehicle is parked in the driveway, street, or Association parking lot when snow removal is being done, the owner of the vehicle (or townhome unit where the vehicle is parked, in the instance of visitors) will be responsible for the intended snow removal.

V. BUILDING MAINTENANCE

- A. The Association shall be responsible for the exterior maintenance and repair of any Unit, including, but not limited to, painting, trim, roofs, vents, gutters, siding, and exterior light fixtures. The Association is not responsible for maintenance of doors, windows, cleaning of glass surfaces, and light bulb replacement.
- B. Decisions on the need for maintenance shall be made by the Building Committee.
- C. All approved charges against Common Elements shall be billed to the Association and paid by the Association Treasurer from regular Association funds or by a special assessment on all homeowners.

RULES & REGULATIONS

- D. Homeowners are responsible for:
1. Maintaining the interiors of their respective units, including living quarters, basements, and garages.
 2. Deck staining.
 3. Practicing good fire safety.
- E. Minor exterior maintenance such as touching up doors, and/or trim around doors, may be done by the owner at his/her discretion, provided approved paint colors are used.

VI. SALE OF UNIT

- A. Homeowners, their attorney, or their realtor are expected to provide the following to prospective buyers or leasees before a purchase agreement is signed:
1. Declaration of Covenants, and Conditions and Restrictions for The Greens of Rochester Townhomes Association.
 2. Articles of Incorporation, By-Laws, and Rules and Regulations of The Greens of Rochester Townhomes Association.
 3. Information on Association building insurance.
 4. Current financial statements.
 5. Current maintenance budget and any planned capital improvement projects.
- B. New homeowners shall register with the Secretary/Treasurer of the Association, in writing, within thirty (30) days after taking title to a Unit:
1. The name and address of the Owner(s) and any occupants of the Unit.
 2. The nature of such Owner's interest or estate in each Unit owned.
 3. The address at which the Owner desires to receive notice of any meeting of the members, if other than the Unit address.
 4. The name of the Owner, if there are multiple owners of the Unit, and who shall be authorized to cast the vote with respect to the Unit.
 5. Emergency contact — if owner is away and someone needs to be contacted who can act for the owner.

ADOPTED: January 10, 2001

REVISED: _____

01/10/2001