

GUIDELINES, RULES, AND REGULATIONS FOR VINTAGE GARDENS II AND III HOA (VGHOA)

This document collects in one place the various guidelines, rules, and regulations that are applicable for our Homeowners' Association. These guidelines, rules and regulations are designed to maintain Vintage Gardens II and III as an attractive, enjoyable and safe place for all of us to live. Any questions about this document should be referred to the Board of Directors.

ACC (ARCHITECTURAL CONTROL COMMITTEE) Article VI of the DCCR provides the authority for the Architectural Control Committee (ACC). The ACC shall consist of three (3) persons appointed by and serve at the pleasure of the Board of Directors. No Dwelling Unit, building, structure, wall, exterior lighting fixtures, awning or fence shall be commenced, erected, placed or altered (including the color thereof) on any Lot until the plans and specifications showing the nature, kind, shape, height, color, materials and location of such have been submitted to and approved in writing as to quality of workmanship and materials, and conformity and harmony of exterior design with existing structures, and location with respect to existing buildings, topography and finished ground elevation, by the ACC; nor shall interior changes in a Dwelling Unit of a structural nature be permitted prior to the approval of the ACC. The AAC Approval Form is available from the Chairperson of the ACC.

ADDITIONS, ALTERATIONS and NEW CONSTRUCTION Additions, alterations and new construction external to the existing dwelling unit(s) include, but are not limited to, rooms, garages, patio covers, screened porches, gazebos

The following general standards and guidelines regulate construction on the properties and common areas of Vintage Gardens II and III. The ACC will have the authority to interpret these standards and guidelines and determine compliance therewith. Disputes by homeowners that cannot

otherwise be resolved by the ACC may be referred to the VGHOA Board of Directors by a homeowner.

- All additions, alterations, new structures and improvements constructed upon any property or common area within Vintage Gardens II and III must conform in all respects to the ACC approval, as well as meeting all County approved site plans, construction plans, building permits and other federal, state and local construction and development standards and requirements.
- The architectural design, character, form, scale and proportion of all additions, alterations, structures and improvements will be harmonious with the design and character of the existing house, adjacent houses and structures.
- The location of any structure will not impair the views or amount of sunlight and natural ventilation to adjacent properties.
- Roofs must conform to the type originally used in applicant's house (as built).
- New windows and doors shall be consistent with the type originally used in the applicant's house (as built).
- If changes in grade or other conditions which affect drainage are anticipated, they must be submitted to the ACC for review/approval
- Interior modifications must not damage the structural integrity of the dwelling unit.
- Construction materials must be stored to minimize adverse views from neighboring properties. Excess materials should be removed immediately after construction is completed. No debris will be allowed to accumulate during construction. Application is required for all external additions, alterations and new construction and must contain the following:
 - Property plat/site plan showing location of proposed structure and relationship to property lines and adjacent houses must be submitted with requests to ACC for approval.

- Detailed drawings and architectural plans which include exterior elevations and dimensions must be submitted with requests to ACC for approval.
- Evidence that any internal modifications will not impact the structural integrity of the dwelling unit.
- Description of materials, including such items as type of siding and roofing shingles on dwelling and proposed structure, colors and exterior lighting arrangements where applicable must be submitted with requests to ACC for approval.
- Application for ACC approvals must contain estimated start and completion dates.

ADDRESS NUMBERS House numbers must remain in original builder's location, style, color, mounting type and dimension. A second location will not be approved except for painted curbside numbers. The curbside numbers will be allowed but limited to white numbers on a black background.

ANTENNAS/SATELLITE DISHES External antennas or external receiving devices of any kind, except satellite dishes are prohibited. Satellite dish units are allowed, however, location and quantity are controlled by the ACC. Dish must be installed in least conspicuous location on the property consistent with receiving a clear signal. ACC approval is required

ATTIC VENTILATORS Attic ventilators and turbines are permitted. They must be free from rust and in a state of good repair. Painted attic ventilators and turbines must be maintained. Ventilators and turbines shall be mounted on the least visible side of the main roof ridge so as to minimize their visibility from the street. Galvanized turbines are not allowed. ACC approval is required.

AUTO, BOAT AND TRAILER PARKING The primary parking areas in the community are the drives and garages. No vehicle of any type shall be parked for more than three (3) days anywhere on the streets or on any designated fire lane within the Project. At no time shall street parking interfere with any emergency vehicle's or resident's ability to maneuver the

streets or have easy egress or ingress to driveways. No unused vehicle (any vehicle which has not been driven under its own propulsion for a period of one (1) week or longer) shall be stored or parked on the streets or any other area.

Additionally, no vehicle should be parked on or driven across the lawn areas because of the danger to the sprinkler systems. Damage to sprinkler systems resulting from such action will be the responsibility of the occupant.

AWNINGS Exterior awnings at the front of the dwelling unit are prohibited. Exterior awnings at the rear of the property require ACC approval. Awnings must be compatible with the architectural design of the house and the color scheme of the unit. Awnings must be maintained in good condition.

BASKETBALL GOALS/HOOPS Permanent basketball goals or hoops are not permitted.

CLOTHESLINES Permanent clotheslines or other devices for the exterior drying of clothes are not permitted.

CLUBHOUSE The following rules are designed to ensure the cleanliness and safety of the clubhouse for the enjoyment of all who use the facilities.

Due to the number of residents in our community, a resident family can reserve the clubhouse no more than once a month.

Reservations may be made by posting the date and time on the calendar in the clubhouse.

The clubhouse must be cleaned after use no later than noon of the day following the reservation. Floors should be cleaned and mopped, and the furniture restored to its original location. Failure to do so might incur a cost for commercial cleaning.

No smoking is permitted within the clubhouse.

All trash and refuse of any kind must be removed by the user.

DOORS and WINDOWS Front Door: Replacement of front door needs to be substantially identical to original doors. Deviation requires ACC approval

- Garage Door: Replacement of garage doors needs to be substantially identical to original door. Deviation requires ACC approval.
- Windows: Replacement of windows needs to be substantially identical to original windows. Deviation requires ACC approval.
- Storm Door: Requires approval of ACC. Plain Glass Storm doors will generally be approved if the door frame color closely matches the color of the unit's trim.

Application for any other style of door/window must contain the following: photograph or image of the door/window and framing color (sample or photograph),

ACC approval is required for any kind of door/window if dimensions are being changed or if window style is being changed. Application must include, in addition to the above application information, a diagram of each face of the house affected, showing the dimensions of the face and the position(s) and dimensions of the changed door(s)/window(s).

Doors and windows must be maintained in good repair. Broken or missing glass in windows must be replaced.

Objectionable or unsightly objects including signs and foil, may not be displayed in windows or doors.

DRIVEWAYS Driveways shall be poured concrete only and the same dimension or style of the original driveway. Replacement of driveway meeting dimensions/specifications of existing driveway does not require ACC approval. Any deviation including extension and/or additions to driveways requires ACC approval. Driveway additions must be constructed using the same material as the existing driveway. Driveways or driveway extensions must not adversely affect drainage on adjacent properties.

Should modifications adversely affect drainage to adjacent lots, the originating dwelling unit owner must act to end the harm.

EXTERIOR COLOR CHANGES AND APPLICATION VGHOA is responsible for planned maintenance painting of dwelling units. Should painting be necessary between planned maintenance intervals, the individual dwelling unit owner is responsible for that painting.

- Trim colors must correspond with the approved color chart.
- Gutters and downspouts must match trim color.
- Garage Doors: Must be painted VG II and III standard exterior color.
- Front door colors are limited to three options. The options are all Sherwin Williams colors:
 - Standard house trim color (VG II and III standard exterior - K42W00053 Quart/AO6W00153 Gallon),
 - Tricorn black (SW6258), or
 - Heartthrob red (SW 6866).

If any color other than the standard house trim color (VG II and III standard exterior) is used on front door, continuing maintenance is the responsibility of the dwelling unit owner.

EXTERIOR DECORATIVE OBJECTS Exterior decorative objects of a non-permanent nature such as bird baths, wagon wheels, figurines, flower boxes, etc. do not require ACC approval. However, the ACC reserves the right to require removal of items that are determined to be excessive or that generate an unusual number of complaints. All exterior decorative objects must be maintained in good appearance and shall be limited to a reasonable number. Seasonal decorations are permitted as long as they are removed when the season/holiday is over, but not later than 30 days past the season/holiday.

EXTERIOR LIGHTING Broken or missing exterior lighting fixtures must be repaired or replaced. Light fixtures used in place of the original fixtures should be similar in style and scale to original fixture with either brass or

dark metal trim. Replacement fixtures meeting these criteria do not require ACC approval.

Major landscape lighting installations require ACC approval. Applications for these lighting plans should include wattage, height of light fixture above the ground, and a complete description including descriptive material of the light fixtures and location on the property. Lighting shall not be directed outside the applicant's property.

FENCES No fence of any kind shall be installed or maintained on any lot without prior written approval of the Architectural Control Committee (ACC). In requests for approval, the ACC will consider design, location and specifications to ensure that all elements are consistent with architectural styling and visual harmony of the community.

Following are acceptable fence types in order of preference:

- Invisible fences. This type fence may extend into common area to the extent approved by the ACC.
- Powder coated steel, wrought iron or black vinyl fences which mimic characteristics of the steel or wrought iron fences.
- Combination brick (matching existing brick) and iron, black vinyl or wood fences.
- Wood fences constructed of cedar or pressure treated wood. Framing and support structures for wood fences must face the interior of the property and finished side of fencing material must face outside the property. All finishes applied to a fence must be approved by the ACC. Wood fences will no longer be approved on lots abutting common area.

General guidelines regarding all fences:

- No fence will encroach into common areas. This restriction is two-fold. Common areas are mowed by riding mowers and fences would impede maintenance and result in increased costs of mowing. In

addition, the open areas are an important part of the natural character and beauty of the community which we are endeavoring to preserve.

- Fences may be constructed from the back of the dwelling to the existing perimeter fence. If the fence crosses a utility easement that is on the owner's property, the city has the right to remove any construction placed on the easement. City policy is to restore the area as much as possible but restoration is not guaranteed. If restoration becomes necessary, it will be the responsibility of the property owner.
- Maximum height of fences shall be 6 feet; minimum height 4 feet.
- There are two methods of installing fence on a sloped lot: a "stepped" method, or sloping the fence to conform to the contour of the lot. Requests for approval should indicate if slope of lot is an issue and method contractor will use to accommodate the slope.
- Fences are not permitted in front yards.
- Chain link or cyclone fences are not allowed.
- Generally, a fence will not be approved if it is located closer than 10 feet from the front corners of the house.
- All fences on private property shall be maintained by the property owner and kept in good order and repair, clean and in like new condition.
- Dwelling unit owner shall be responsible for making certain that the location of the fence does not encroach onto another lot or common areas and does not block, obstruct or otherwise impede the designed drainage flow on owners or any adjoining lots.
- When contemplating type of fence for your property, take into consideration materials used on fences on adjoining properties, obstruction of neighbors' views, access to adjoining property, views from common areas and overall visual impact to the community. Request for fence approvals should be coordinated with adjacent owners. If they have no objections, so indicate on the request for approval. If there is an objection, provide names and details so the ACC may contact objecting party and hear their views. Objections to

conforming proposals will not necessarily result in rejection of requests.

FIRE HYDRANTS AND LANES

Fire lanes, streets and hydrants must be kept open for emergency traffic at all times,

FLAGPOLES ACC approval is required for permanent or freestanding flagpoles. Permanent flagpoles must be installed and maintained in a vertical position and shall not exceed fifteen (15) feet in height. Only one permanent, freestanding flagpole per lot is allowed. Nothing may be attached to the flagpole except a flag. Color and location must be appropriate for the size of the lot and the background. Flagpole staffs which do not exceed six feet (6') in length and are attached at an incline to the front wall or pillar of the house or dwelling unit do not require ACC approval

Application must contain the following:

- Property plat/site plan showing pole location and indicating distances from the house, property line and adjacent neighbors.
- Picture and/or detailed drawing of pole to include dimensions.
- Description of material of flagpole.

GUTTERS AND DOWNSPOUTS Replacement or additional gutters and downspouts must match the design of the original gutters and downspouts. Color must match house trim. Deviation from these guidelines requires ACC approval.

Discharge from downspouts must not adversely affect drainage on adjacent properties.

Missing, hanging, broken or otherwise unsightly gutters and downspouts should be repaired within 30 days.

INSURANCE Each Owner shall be responsible for and shall procure fire, extended coverage and other perils insurance upon each of their Dwelling Units for the current estimated insurable replacement. A current proof of insurance must be provided to the Secretary of the Homeowners Association.

LANDSCAPING The ACC may require the removal; transplanting or restriction of any landscaping of any Owner determined to be or determined to become a threat to the structural integrity of any improvement on the Properties. Plantings must be properly trimmed and flowerbeds must be maintained in a good condition.

LEASES Copies of leases must be provided to the Treasurer of the Homeowners Association.

MAINTENANCE REQUIREMENTS Homeowners are required to maintain their dwelling unit as described in Article IX of the DCCR.

NOISE AND DISTURBANCES No resident shall make or permit any disturbing noise to be made by himself or herself, guests, family members, pets, etc., nor do or permit anything that will interfere with the rights, comfort, or convenience of any other resident. No construction or remodeling which would disturb the neighbors is allowed before 7AM or after 7PM.

OUTSIDE COOKING Cooking is permitted only on the patios. The cooking process should not disturb or create a hazardous environment for the neighboring residents.

PATIOS AND PATIO ENCLOSURES All patios and patio enclosures require ACC approval. Patios shall be located in rear yards. Poured concrete material shall be used. The scale, location, and design shall be compatible with the lot, house, and surroundings. Wing walls for patios may be used for creating privacy if consistent with the architectural style and design of the applicant's house. Finish materials and colors must match those on the house. Other patio locations or materials may be approved on

a case-by-case basis. Patios installed before the acceptance of these guidelines shall be “grandfathered in.”

Application must contain the following:

- Property plat/site plan showing the exact location and dimensions of the patio.
- Materials to be used including color. If using brick, it should match any brick on the house.
- Method of installation including a description of any grading changes and resulting impact on adjacent properties.

PETS Dogs, cats, or other household pets may be kept, provided that they are not kept, bred or maintained for any commercial purpose and shall be subject to the rules of any governmental ordinance or law. Dogs must be leashed at all times when outside a Dwelling Unit and the removal of any and all excrement of such dogs shall be the immediate responsibility of the dog's owner. Pets constituting a nuisance (excess noise, damage to property, etc.) may be ordered by the Board to be kept within the Dwelling Unit of the Owner or ordered expelled from the Properties.

POOL The following rules are designed in consideration of the health, safety, and enjoyment of all those who use the facility. Please treat the clubhouse and pool area with respect, and with proper care, we will be able to enjoy them a long time.

No smoking in the pool area.

The pool hours are from 6AM to Midnight. The hours from 6AM to 10AM and from 9PM to Midnight are reserved for adults only.

The pool cannot be reserved at any time.

THERE IS NO LIFEGUARD—SWIM AT YOUR OWN RISK AND DO NOT SWIM ALONE!

Animals are not allowed within the pool area fence.

Food and drink will not be consumed in the pool or in the pool area except for the clubhouse patio.

Glassware and other breakable items are not allowed in the pool area.

Diving into the pool or running on the deck is not allowed.

Offensive, annoying (such as loud music) or hazardous activity (such and “horseplay”) are not allowed.

No intoxicated person is allowed in the pool area.

Proper swimming attire is required. Swimmers not toilet trained must wear protective clothing.

Children, age 14 years and under, must be accompanied by an adult.

Persons with open wounds, bandages, or communicable diseases may not enter the pool.

Guests, other than family members, are to be accompanied by the resident.

Persons with serious health concerns should obtain appropriate guidance from their physician before participating in pool activities.

Refuse service is not provided in the pool or clubhouse area. Users must remove and take with them any trash they create. Do not deposit soft drink cans, paper cups, etc., in the trash can in the restroom.

ROOFS The owner of the dwelling unit shall be responsible for the Maintenance, repair and replacement of the dwelling unit roof. Repairs or partial replacements must be done with shingles of the same type, quality and color of the existing roof. When this requirement is met, ACC approval is not required. ACC approval is required for all total roof replacements.

- Shingles for the repair and replacement of the dwelling unit roofs shall be GAF Materials Corporation, Timberline Prestique Weathered Wood HD shingles or equal.
- Maintenance, repair and replacement of the roof and its appurtenances shall be consistent with the original dwelling unit design and workmanlike appearance.

SCREENED PORCHES ACC approval is required for screened porches. Roofing materials on porch must match materials on main house. Screen porches should be behind the house. Side porches may be approved on a case by case basis. Screened porches must have architectural detailing to match the house (i.e., fascia boards). Porches must be the same color as the house's siding or trim.

SECURITY GATE OPERATIONS The security gate entering Vintage Gardens II and III normally should be closed at all times. The gate may be opened for open houses, special events, etc., by coordinating with the Security Officer. The resident has the responsibility to make arrangements for guests or visitors to have access without compromising the security for the other residents. We recommend that individual access codes be shared with immediate family members only.

SIGNS Only one sign advertising a property for sale or for rent may be displayed. The signs may be placed only in the front yard of available properties. Real estate signs shall be removed within seven days after a sale or rental contract has been finalized.

Political and/or advertising signs are not allowed.

Signs are not permitted in windows.

SOLICITATIONS No solicitations are permitted in Vintage Gardens II and III. Advertisements for goods and services are permitted in the newsletter and on the clubhouse bulletin board, space permitting.

SPRINKLER SYSTEMS Although the HOA is responsible for the maintenance of the builder installed sprinkler system, the homeowner is

responsible for winterization of the system. This includes installing a heat tape on the exposed backflow preventer located under the artificial rock. Additional protection of an insulating blanket might be advisable.

SPEED LIMIT The speed limit in this community is 20 miles per hour, and should be observed to ensure safety.

SKYLIGHTS Skylight/solartube frame and trim must be similar to color of roof and/or house trim. No ACC approval is needed when these requirements are met.

STORAGE SHEDS No storage sheds (buildings) or other detached structures are permitted on any lot.

TRASH Trash and recycling containers shall not be placed at street for pickup prior to 5:00 p.m. the day before the scheduled pickup. Trash cans and recycling bins shall be collected promptly after trash pick-up (the same day as trash pick-up) and stored out of view from the street at all other times. All equipment for the storage or disposal of garbage, trash, and waste shall be kept in a clean and sanitary condition. The burning of garbage, trash or waste in outside incinerators, barbecue pits or the like is strictly prohibited.

TREE REMOVAL If any tree is removed, the stump should also be removed. Removal of a stump means removal to below ground level, so that there is no evidence of the past presence of a tree. It is the responsibility of the property owner to remove any tree on their property that has been uprooted or otherwise creates a hazard.

WATERING Lawns should be watered as required to maintain a good appearance. Excess watering should be avoided, as both an expense and a waste of resources. Watering should not be done on the days of mowing.

ENFORCEMENT OF DCCR and ACC GUIDELINES

FIRST LETTER: When the Board receives a report of a violation of the DCCR or ACC Guidelines, the Board will validate the claim and then send a letter to the homeowner bringing to their attention that they are in violation of one of the Guidelines of the Vintage Gardens II & III Homeowners Association. The letter will ask that they come into compliance. It will not discuss fines, liens or other forms of enforcement.

SECOND LETTER: If the violation is not corrected, the Board will send a second letter to the homeowner stating the nature of the violation, setting a date by which time the violation must be remedied and notifying them of the potential fines and methods of enforcement available to the Board.

FINES: If the violation continues, the Board may: a) impose fines against the homeowner in the amount of \$25 for the first month and raised in increments of \$15 per month until the guidelines are met; b) after three months, take action to remedy the violation and bill the homeowner for the costs; and/or c) seek injunctive or other legal relief.

COLLECTION AND LIENS: If the homeowner refuses to pay fines or costs, the Board may turn to small claims court to recover the fines and costs or place a lien against the property to recover all such fines and fees.

BOARD CHARGE: The Board of Directors is charged with the responsibility to enforce the By Laws, Covenants and Restrictions, Design Guidelines, and the Rules and Regulations.

APPEALS PROCESS: Homeowners may address the Board at any Board meeting to present their case regarding any action taken by the Board. The homeowner shall notify the Board of any such appeal at least 72 hours prior to the meeting. Upon hearing from the homeowner and any other concerned person, the Board shall render a decision, and such decision shall be final.