

Treetops Ash Circle Homeowners Association Rules and Regulations

Revised & Adopted by ACHOA Board of Directors: August 6, 2018

By purchasing a townhouse in Ash Circle, you have become a member of the Ash Circle Homeowners Association and Treetops General Homeowners Association. Ownership of a townhouse is subject to certain easements, restrictions, covenants, and conditions, which are for the purpose of protecting the value and desirability of the community and are binding on all homeowners. Each of the two homeowners associations of which you are a member has its own set of *Covenants, Conditions, Restrictions and By-Laws* that are legal documents recorded at the Pitt County Register of Deeds Office and are referenced in the deed to your property.

All homeowners are encouraged to read the entire *Declaration of Covenants, Conditions and Restrictions* (recorded in Book 51, pages 699-714) and Amendments, (Book 54, pages 466-474), *Articles of Incorporation*, (recorded in Book 22, pages 181-186) and *By-Laws of Ash Circle Homeowners Association Townhomes and Amendments*, (recorded, in Book 51, 750-760 and Book 755, pages 669-670), in the Pitt County Register of Deeds Office.

Owners and residents are encouraged to consult an attorney, if needed, for assistance in understanding them. Sellers are advised to provide potential buyers with a copy of the aforementioned documents and a copy of the following Rules and Regulations before entering into a contract to sell their property.

The aforementioned documents as well as the following Rules and Regulations can be reviewed and downloaded from our Management Company's website, www.hoamgtcompany.com.

To follow are Ash Circle's Rules and Regulations and excerpts from Ash Circle's Homeowners Association *Covenants, Conditions, and Restrictions* (typed in italics). These Rules and Regulations revised and adopted by The Ash Circle Homeowners Association Board of Directors on August 6, 2018, distributed to homeowners no later than August 27, 2018 and shall become effective November 1, 2018. This updated version will replace all previous versions of the Rules and Regulations for Ash Circle. The Ash Circle Board of Directors has the right to amend the Rules and Regulations at any time. Notification of amendments will be mailed to all homeowners.

Violations of covenants, rules and regulations may result in fines which can be found in the attached Ash Circle Policy for Fines, (Attachment A).

Article VI EXTERIOR MAINTENANCE

Section 1: Types of Maintenance. *In addition to maintenance upon the Common Area, the Association shall provide exterior maintenance upon each Townhouse lot which is subject to assessment hereunder, as follows: paint, repair, replace and care of roofs, exterior building surfaces, trees, shrubs, walks, and other exterior improvements. Such exterior maintenance shall not include glass surfaces, including windows, doors or storm doors and exterior doors which shall be the responsibility of the townhouse unit owners. In order to enable the Association to accomplish the foregoing, there is hereby reserved to the Association the right to unobstructed access over and upon each Lot at all reasonable times to perform maintenance as provided in this Article.*

- The following chart lists the exterior improvements that are painted, repaired, replaced, and/or maintained by the Association.
- Damage to buildings or roofs caused as a result of an unapproved architectural change made by a resident or homeowner will be repaired by the Association and charged to the homeowner.

- Damage to building surfaces caused as a result of mounting or attaching items to the building will be repaired by the Association and charged to the homeowner.

	Paint	Repair	Replace
Patio Concrete	----	As Funds Allow	As Funds Allow
Patio Fence/Gate		Yes	Yes
Patio Fence Stain *	Provided *	----	----
Gutters/Downspouts +	----	No	No
Roof Leaks	----	Yes	Yes
Roof Repairs	----	Yes	Yes
Ceiling Leaks	No	No	No
Roof Shingles	----	Yes	Yes
Chimney Caps	Yes	Yes	Yes
Brick Moulding	----	Yes	Yes
Window Glass	----	No	No
Window Screens	----	No	No
Window Leaks (outside of trim)	Yes	Yes	Yes
Entrance Doors	Yes	No	No
Storm Doors >	No	No	No
Patio Doors <	Yes	No	No
Door Jambs	Yes	No	No
Door Thresholds	----	No	No
Gutters/Downspouts	----	No	No
Exterior Faucets	----	No	No
Exterior Light Fixtures	----	No	No
Exterior Siding	Yes	Yes	Yes
Annual Termite Inspection#	----	Yes	Yes
Plumbing	----	No	No
Parking spaces	Yes	Yes	Yes
Sidewalks ^	----	Yes	Yes
Mailboxes (not locks, keys)	----	Yes	Yes
Street Signs/Entrance/Exit	Yes	Yes	Yes
Street Lights/Island Lights	----	Yes	Yes

- * Two gallons of approved sealer will be provided every 3 years to individual homeowner/resident following the performance of fence pressuring washing and must be done to preserve fence wood. HOA Management should be contacted to arrange for the delivery of the fence stain.
- + New gutters and replacement gutters must be pre-approved by the Board.
Maintenance of Gutters/downspouts installed by individual homeowners are the sole responsibility of the individual homeowner. Repairs due to damage of blocked gutters are the homeowners' responsibility.
- ^ Sidewalks will be leveled when uneven sections are causing a trip hazard.
- > Must be approved by Ash Circle Board of Directors
- < Must be approved by Ash Circle Board of Directors
- # Failure to comply with Annual Termite Inspection may result in fines. Failure to comply with Annual Termite Inspection resulting in termite damage will be repaired by the Association and charged to the homeowner.

Article VII ARCHITECTURAL CONTROL

Section 1: General. *No building, fence, wall, or other structure shall be commenced, erected or maintained upon the Properties, nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structure and topography by the Board of Directors of the Association*

The Ash Circle Board of Directors must give written approval before any exterior modifications are made. This includes major landscaping alterations, satellite dishes, and other items attached to the exterior. **Unauthorized exterior changes or alterations must be removed. Fines may apply.**

Ash Circle Homeowners Association has the following policies in place to guide homeowners when replacing exterior doors and windows. The purpose of these guidelines is to maintain a uniform architectural appearance throughout the neighborhood.

Replacement FRONT DOORS, STORM DOORS, and WINDOWS MUST have PRIOR WRITTEN APPROVAL from the Ash Circle Board of Directors. Requests for approval may be made by letter or email, to the Ash Circle Board of Directors via the management company and gain Board of Directors approval prior to replacing exterior doors and windows. Requests will be reviewed by the board and a response provided homeowners as quickly as possible.

Maintenance of doors/jambs and windows are the sole responsibility of the homeowner.

- Replacement **storm doors** at front entrances must be full-view glass doors with no cross bars or retractable screens. A brass kick plate at the bottom edge of the door is optional. Light colored stained buildings may have brown, ivory, or "Federal Blue" to match the color of the front door. Dark stained buildings may have brown or cranberry to match the color of the front door.
- Patio Door Awnings must be approved by the Ash Circle Board of Directors.
- When replacing patio doors, it is **important** that the installer is prepared to perform repairs to existing wood rot at the time of door installation, if necessary.
- Residents are not to **paint or stain** doors or building exteriors, etc., without the prior approval of the Ash Circle HOA Board of Directors.
- **Pressure washing** must be done with low pressure; any damage to paint or building surfaces from residents' use of high pressure will be repainted or repaired by the HOA and the cost charged to the homeowner.
- **Plant hangers and other decorative items may be attached to wood siding. Repairs of damage to wood as a result of the existence of these items will be the responsibility of the homeowner.**
- **Window screens** are to be kept in good repair with no holes or patched areas. Replacement screens are the responsibility of the homeowner and must match the original screens in color and design. Homeowners not using screens should plug holes in wooden window frames to block carpenter bees from entering and damaging wood.
- **Window air conditioners or solar collectors** are not allowed to be attached to or erected on any townhome. Skylights and solar tubes must have prior written approval.
- **Exterior light fixtures** must be finished in black, brown, brass or antique brass. Colored bulbs are not allowed.
- New or replacement **gutters** must have prior written approval of the Ash Circle Board.

- Flags deemed by the Board of Directors to be in poor condition or inappropriate will not be permitted and must be removed.
- Flags, awnings and other outdoor decorative items should be kept clean and in good repair
- Window coverings which can be viewed from the outside should be in good repair.
- Water hoses should be neatly placed in flower beds or patios.
- Dead potted plants should be removed from pots and properly disposed of in designated areas, (see **Yard Debris**), or household trash.
- Towels, blankets, clothing and other items should not be hung over patio fences for extended periods of time.
- Christmas decorations may be displayed after November 15 and removed by January 15.

LANDSCAPING/GROUNDS

Homeowners must obtain written approval of the Ash Circle Board of Directors PRIOR to **adding/removing trees or shrubs**. New trees and shrubs must be in keeping with the look of the established landscaping, and must be sized appropriately for their location when mature.

Residents are expected to treat landscape crews with respect and not interfere with their work. Complaints and compliments should be by communicated by letter or email to HOA Management Company.

- Trees limbs will be maintained at a height of eight to ten feet above all sidewalks and away from building surfaces.
- Landscape edging materials such as stones, rocks, pavers, bricks, wood, decorative wire, plastic edging are permitted around plant beds or natural areas.
- All plants must be kept pruned so that they do not touch building surfaces or interfere with *maintenance of the building*. ***Ivy and other climbing vines are not allowed to grow on any building surface, including brick. Window boxes are not allowed, due to the potential for damage to siding.***
- Dead plants, clippings and other vegetative debris may be put at the yard waste collection site on Winding Branches. Leaves must be loose, not bagged. Leaves and branches, etc. must be placed in two separate piles since they are picked up by different sanitation trucks (vacuum truck for leaves and claw arm truck for branches). Note that items such as flower pots, pumpkins, paint cans or other debris must be disposed of along with household trash.
- Residents are not to put **rocks, pebbles, or stones** anywhere on the common grounds; they may travel into areas where they could be picked up by lawnmowers and propelled onto nearby buildings or vehicles.
- Yard maintenance equipment, grills, bikes, strollers, play equipment, etc., are to be stored inside patio fenced areas when not in use.
- **Lawn furniture, chairs, benches, décor items, pots, etc. should not be placed in areas that may interfere with landscaping maintenance.**
- **Basketball goals, bike or skating ramps, or other outdoor sports or play equipment** are prohibited from being erected on the property outside of the patio fence or on common property.

Section 2: Patio Area. *The patio area adjoining each townhouse unit shall be considered to be a part of the unit and shall be under the exclusive control and supervision of the unit owner. The Association shall not be obligated for maintenance or repair in this area except for exterior maintenance as hereinabove), described.*

- Each homeowner is responsible for maintaining the trees, bushes, and plants growing inside his/her fenced patio or deck so that they do not compromise the integrity of the building or fence.
- Patio areas should be kept neat and maintained. Loose trash, empty cardboard boxes and other debris should be properly disposed of so as not to invite rodents or other pests.
- Firewood must be stacked on a metal frame, inside patio fences, one log deep.

Article VIII USE RESTRICTIONS

Section 1: Land Use and Building Type. *No lot shall be used except for residential purposes.*

Section 2: Nuisance. *No noxious or offensive activity shall be conducted upon any lot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.*

- Residents and their guests are not to cause or permit unusual or objectionable noises that disturb others. "Objectionable" is defined as frequent or continuous noise, loud noise, or noise that occurs during normal sleeping hours.
- Lighting that invades adjacent townhouses to the point that it causes a nuisance, must be repositioned, removed, or the wattage lowered, so that it no longer causes a nuisance.
- Door-to-door soliciting is prohibited in Treetops.

Section 3: Animals. *No animals, livestock or poultry of any kind shall be kept or maintained on any lot or in any dwelling except that dogs, cats or other household pet may be kept or maintained provided that they are not kept or maintained for commercial purposes.*

- The City of Greenville Code allows three pets per residence.
- Only household pets are allowed.
- No pet is to be kept outside the building in a cage, pen, patio, deck, fence, or on a tether.
- Pets are not allowed inside the fenced pool area.
- Dogs must be leashed and accompanied by the owner while in the common areas.
- Owners of such pets shall remove same from the premises immediately when such emits excessive noise (i.e. barking, howling) or becomes a nuisance (i.e. scattering trash, disturbing trash cans or physical attacks on persons).
- Pet owners are responsible for removing and properly disposing of their pets' waste wherever it is deposited immediately following each occurrence, including deposits on the pet owner's property. Plastic bags containing the waste are not to be left outside on the ground, in or behind bushes, in open containers outside, or at front porches.
- Section 12-2-40, B, of the Greenville City Ordinance states "It shall be unlawful to permit any dog to defecate or urinate on the lawn or property of any but the owner, or upon any public or private property without the permission of the owner of the property".

Section 4: Outside Antennae. *No outside radio or television antennae shall be erected on any Townhouse unless and until permission for the same has been granted by the Board of Directors of the Association or its architectural control committee.*

- One satellite dish per townhouse is allowed, provided it does not exceed 21" in diameter and is to be installed **only on siding, not on roofs**. Repairs of damage to siding deemed as a result of

satellite dish placement and existence shall become the responsibility of the homeowner. Upon discovery of such, the Association will pay to have damage repaired and costs of the repair charged to the homeowner. Radio and TV antennae are not allowed.

Article X GENERAL PROVISIONS

Section 1: Enforcement. *The Association or any Owner shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this Declaration. Failure by the Association or by an Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.*

- Homeowners are accountable for the actions of their family members, guests, and tenants.
- Homeowners who are in violation of the Restrictive Covenants or Rules and Regulations will be notified by the Management Company.
- The Association has the authority to levy fines if the homeowner fails to correct the violation within a reasonable period of time after notification or after repeated violations.

Homeowners Hazard Insurance

An Amendment to By-Laws of Ash Circle Homeowners Association, (recorded in Book 755 , Pages 669 and filed on February 7, 1996 in the Pitt County Register of Deeds Office), requires that the Homeowners Association require a duplicate copy of each Homeowners Hazard Insurance or a Certificate of Insurance in an amount sufficient to cover replacement cost of the unit. Periodically, homeowners will be asked to provide one of these documents to be filed with the Management Company.

ADDITIONAL REGULATIONS and INFORMATION

Fire Safety

- The use of charcoal grills, outside torches, etc., is prohibited within 10 feet of any combustible surface, including buildings, decks, fencing, pine straw, and leaves. This is a fire safety regulation of the City of Greenville.
- Do not dispose of used charcoal in flower beds or common areas.
- The use of fire pits is prohibited in the Treetops Community..
- As a preventive measure, dryer vent hoses and vents should be professionally cleaned.
- Wood burning chimneys should be inspected periodically to insure safety.
- Smoke alarms should be properly maintained and in working order.

Homeowner Dues

- **Homeowners association dues are due on the first of the month** and incur a \$10.00 late fee if the account balance is not paid in full by the 20th. Monthly notices are sent only to delinquent accounts. Liens will be filed on accounts that are 3 months in arrears. Should the same account become delinquent within a one year period of the original lien, a lien will be placed 30 days following delinquency. Attorney's fees incurred will be charged to the homeowner. Foreclosure proceedings may be initiated at the discretion of the Board of Directors. If a unit sells and the closing attorney does not contact the Management Company to research dues owed, the balance owed, (if any), will be assumed by the new owner.

- Homeowners may have their dues drafted. A draft form is available on the Management Company's website www.hoamgtcompany.com. Dues are drafted on the 15th of the month.
- Dues may also be paid by credit card using the client portal on www.hoamgtcompany.com.
- Dues may be mailed to the following address: Ash Circle HOA, 3107-B Evans St., Greenville, NC 27834.
- Please insure that 1) the Ash Circle or Hidden Branches address is on the check and 2) the check is mailed in sufficient time for it to be received by the Management Company no later than the 20th of the month.

Hurricanes, Ice Storms, etc.

Personal Vehicles may be parked at the Treetops Pool parking area when there is potential for flooding, high winds, ice storms, etc.

Pest Control

Ash Circle Homeowners' Association dues cover pest control on demand and termite treatment. Homeowners who wish to have pest control services should call Russ Pest Control at 746-8098 to schedule an appointment.

Termite Inspections must be performed annually by a Russ Pest Control technician. Termite Inspection Reminder Notices and Verification Forms will be mailed or delivered to residents with preferred dates for scheduling inspections. You may schedule a Termite Inspection at any time between the preferred dates and December 31 of each year. As a safeguard for all buildings, failure to have this task performed will result in fines imposed on homeowner accounts.

- No firewood is to be stored outside on the bare ground.
- Firewood must be stacked on a metal frame, inside patio fences, one log deep.

PODS

Personal Storage Devices may be allowed in the Ash Circle neighborhood for short term duration. This be necessary for total flooring installation, (new carpet, etc.), or during remodeling of a unit.

Residents must 1) Submit a request to HOA Management stating the reason for the need of such and time frame of need and 2) receive Board of Directors approval of PODS placement location prior to delivery.

Signs

- "For Rent", "For Sale" and other similar signs, shall be erected or maintained within the confines of the flower bed of any unit. Signs are not allowed on common property and facilities except with prior written permission of the Board of Directors of the Homeowners' Association.
- Advertising signs such as those of painting contractors, plumbers, landscapers or other such signs are prohibited.
- Home security signs may be displayed within the confines of individual units flower beds.
- Federal, state and local political campaign signs may be placed within the confines of individual units flower beds and may not exceed dimensions of 24 inches by 24 inches in size. Signs may be erected within 45 days prior to an election day and must be removed within 7 days following the day of election. Note: North Carolina State Law-GS 136.32 reads: *"It is a Class 3 misdemeanor for a person to steal, deface, vandalize or unlawfully remove a political sign that is lawfully placed under this section"*.

Street Lights

The seven street lights within Ash Circle are owned and maintained by the Association and GUC. If you notice that a street light is out, please notify the Management Company by letter or e-mail.

Swimming Pool

Ash Circle Homeowners' Dues cover pool membership for Ash Circle homeowners, residents and their guests. Pool cards will not be active for persons who own or reside in units with delinquent homeowner accounts. Each spring, Pool Committee volunteers distribute newsletters which include pool opening and closing dates, pool hours, pool rules, and information on how to obtain a pool card. The Treetops pool opens in May and closes in September.

Vehicles, Boats and Trailers

- Only passenger vehicles are permitted to be parked within Ash Circle. Boats, trailers, motor homes, and recreational vehicles are not allowed. Vehicles must be operable and display valid state license tags.
- Delivery, service and utility vehicles are exempt from these rules while conducting business in the Ash Circle Neighborhood.
- Performing maintenance to vehicles such as changing oil, brake pads, etc., is prohibited in Ash Circle.
- Ash Circle is bordered by Winding Branches Drive and Hidden Branches Drive and are owned and maintained by the City of Greenville. Street parking is also available on Winding Branches.
- **Parking on Hidden Branches Drive is posted by the City of Greenville and prohibited.**
- Vehicles must be parked with all four tires on paved surfaces; parking is not allowed on the shoulder or grass. Exceptions include short term parking for vehicle washing and moving large items in or out of a unit.
- There are six (6) designated visitor parking spaces for Ash Circle/Hidden Branches guests. Residents are not to use visitor spaces as **regular** parking for their personal vehicles. "Visitor Parking" is intended for **short term visitor parking only**.
- Vehicles parked in unauthorized areas are subject to be towed at the owner's expense.
- Observe the posted speed limit of 25 mph in Treetops.
- Traffic approaching the island at the end of Hidden Branches should enter and exit with the island on the driver's left side to avoid potential collisions.
- Homeowners are responsible for making sure their family members, guests, tenants, and service people are aware of and adhere to the parking rules.

The proper procedure for having vehicles towed is as follows:

- 1) Contact the Greenville Police Department at the non-emergency number, 252.830.3937 to notify them of the violation. Provide them with the license tag number and description of the car.
- 2) Call a local towing service. A copy of this procedure should be readily available for the tow truck operator to view as proper authorization may be necessary before towing occurs.

Trash/Recycling

- Visit www.greenvillenc.gov and click on “Live” for current information regarding recycling, holiday schedules, etc.
- Trash collection day is Thursday.
- Trash and recycling cans must be placed inside City-approved containers with lids and **placed at the curb no earlier than the evening before service**. All trash and recycling containers **must be stored out of sight inside patio fenced areas no later than daybreak of the day following service**.
- Trash and recycling containers placed at the Winding and Hidden Branches curbs should be at least three feet apart for automated pick up by City of Greenville trucks.
- **Household trash should be bagged** prior to depositing in trash cans.
- **Cardboard should be flattened** before placing in trash or recycling containers
- Trash bags and cardboard should not be placed at the curb for pickup in lieu of using a trash can.
- Carpet, carpet padding, or other renovation debris should not be at the curb, the City will not pick it up. For information on disposal of these items go to www.greenvillenc.gov.
- Bulky items and white goods cannot be placed at the curb for collection more than two days prior to the service day. Homeowners should call the Sanitation Department at 329-4522 to schedule a pickup of these items and as well as pickup of live Christmas trees.
- **The dumpsters located in the Treetops Condos parking lot were purchased by the owners of 110-523 Hidden Branches Close and are for Condos’ residents use only. Anyone observed using the dumpsters, who is not a resident of 110-523 Hidden Branches Close, may be fined \$100 per occurrence. In addition, do not leave items in the area outside of the dumpster.**

Yard Debris

- Tree limbs, leaves and other yard debris may be placed at the following sites:
 - 1) Winding Branches Drive curbside, adjacent to the 1210 building
 - 2) Hidden Branches curbside, adjacent to the 1240 building
 - 3) Curbside directly in front of the 600 building
- As a courtesy to City of Greenville workers, place yard debris at least **three feet** from signs.

HOA Website

Bookmark www.hoamgtcompany.com and refer to the “Treetops Ash Circle” page to:

- Look up contact information for HOA Management Company
- Submit a maintenance request
- Review your account statement; make a payment by credit card
- View newsletters
- Print a draft form, pet registration form, vehicle information form, etc.
- Review the Rules & Regulations
- Review the Covenants, Conditions, Restrictions and Bylaws

HOA Contact information:

HOA Management Company, LLC
Re: Ash Circle HOA
3107 S. Evans St. Suite B
Greenville, NC 27834
Phone: 252-565-4820
Website: www.hoamgtcompany.com

Concerns

Should you have concerns or questions regarding the Association, please forward them to the Management Company by mail or email.
Maintenance requests should be submitted by going to: www.hoamgtcompany.com, clicking on Treetops Ash Circle and completing a maintenance request form. Letters and emails will also be accepted for maintenance requests.
Emergencies such as evidence of roof leaks should be reported immediately to the Management Company by phone and followed up by letter or email.

Meetings

The Association Board of Directors meets on a quarterly basis to discuss any pending business. If you are interested in attending a meeting, please contact the Management Company for the dates and request a place on the agenda. The Association holds an annual meeting in November of each year and is open to all homeowners. Notification and an absentee proxy will be mailed at least 15 days prior to the scheduled date.