

WELCOME TO CHESTNUT OAKS



**Congratulations on your home purchase
and welcome to Chestnut Oaks.**

You have made an excellent choice; this community has a lot going for it. Chestnut Oaks is a covenanted community – a new experience for many homeowners. This handbook identifies the covenants most likely to affect you. It contains the amplifying rules and regulations, and serves as a guide to neighborhood resources and procedures.

The Board of Directors of the Homeowners Association (HOA) asks all residents to remember that responsibility and privileges go hand-in-hand. The Board is made up of volunteer residents who are elected by you to help maintain Chestnut Oaks as a community in which we can all take pride.

MISSION STATEMENT

The Mission Statement of the HOA Board of Directors is to enhance the quality of life and the property values of all residents through reasonable interpretation but firm enforcement of the covenants and bylaws, through sensible money management, and through identification and use of the best available community and professional resources to help accomplish this.

CHESTNUT OAKS

ABBREVIATIONS

ACC - Architectural Control Committee

CCR - Covenants, Conditions, and Restrictions

HOA - Homeowners Association

PMA - Property Management Company

R&R - Rules and Regulations

RPC - Resident Privilege Card

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HOA Board Meetings

The HOA Board of Directors meets monthly at the clubhouse. Residents are invited and encouraged to attend the meetings. Please check the website www.chestnutoaksinfo.com for dates and times.

COMMUNITY FEATURES

Chestnut Oaks has been a great place to live since its origin in 2001. The modest annual fees you pay to the homeowners association make it possible to maintain the common areas, including the pool and clubhouse, and to support volunteer efforts to improve the quality of life in the neighborhood.

Features you can enjoy here include:

- Adult and “kiddy” pools
- Playground equipment next to pools.
- An open field for ball-playing, Frisbee, picnicking, and other wholesome outdoor activities.
- Basketball court.
- A walking/jogging trail with several access/exit points.
- A clubhouse available for meetings, activities, and private parties.
- Activities for adults and children. (ex., pool parties, community yard sale, Spring and Fall events.)
- Two entrances into the community.

First rate communications provided through a community website (www.chestnutoaksinfo.com), e-mail broadcasts, information sign at front entrance, and monthly HOA Board meetings open to all residents.

- An active Board of Directors and a responsible Property Management Company, both of which keep on top of the day-to-day concerns as well as the larger issues (ex., road and safety concerns and area zoning proposals).

- **Neighbors who take pride in the appearance of their property and of the common areas.**
- **Close access to an I-485 interchange and proximity to shopping, restaurants, schools, houses of worship, golf, tennis, parks, and other recreational, medical, and professional facilities.**

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Please read this section. It could save you a lot of money and inconvenience later.

COVENANTS

WHY DO WE HAVE THEM?

Covenants were established by Reece Gibson, Developer, to enhance property values and the quality of life for all residents. They regulate the use, type, or placement of items such as fences, sheds, satellite dishes, signs, and boats. This normally quiet, well-maintained community would not be what it is without standards for appearance of lots and common areas and without measures for dealing with “nuisances” (ex., excessive noise, reckless behavior). On the following pages you will see the specific standards by which the Declaration of Covenants, Conditions, and Restrictions (CCR) *encumbers* us. Most homeowners have no problem with them. **The HOA Rules and Regulations in this handbook are an updated clarification of the governing Articles below. Despite what you may have heard from a seller or agent, the Board attempts to enforce all of the covenants.**

Selling homeowners should give their buyers a copy of the CCR, Articles of Incorporation, and By-Laws. Maybe you didn’t get your copy. If not, visit our website to print your copy. As you will see later, those who fail to comply with the covenants are subject to fines and loss of homeowner privileges.

If you have a question about a significant change or improvement you would like to make on your property, call our Property Management Company. Complete and submit the Architectural Control Request Form at least one month before the proposed action to ensure the resident volunteer members of the ACC adequate time to review and consider the proposal.

Although every new homeowner should read **all** of the community-related material he/she receives, we have tried to make it easier for you by providing the following covenant “highlights”. Reading and taking independent action *only* on the basis of these highlights, however, does not exempt a homeowner from responsibility for actions which are not in compliance with the original Declaration of Covenants, Conditions, and Restrictions.

Some people move into a covenanted community on purpose. They are aware that, **with no restrictions**, their home resale value could be negatively affected by an uncaring neighbor or by the appearance of the community in general. Others, however, are uncomfortable with rules telling them what they can and can not do on their own property or in the common areas. The elected HOA Board volunteers and the volunteer resident members of the ACC are open to suggestions from those who differ with specific covenants and policies. However, in order to change any one of the use restriction articles in the covenants, **67% of the entire HOA membership** (not just the ones who **vote**, but of **all** of the nearly 230 homeowners here) would have to agree. Nevertheless, specific policies and rules and regulations set by the Board **can** be (and have been) clarified by the Board when deemed appropriate.

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CCR “HIGHLIGHTS” **(Good Covenants, Better Neighbors)**

The following Articles of the Declaration **of Covenants, Conditions, and Restrictions (CCR)** may strike you as legalistic and authoritarian. However, they were mandated by the original developer, and have provided our community with valuable guidelines. Although the CCR is necessary for a better quality of living, the HOA Board and our contracted Property Management Company take a helpful and reasonable approach in enforcing them. While enforcement is a major PMC responsibility, the company will go out of its way to advise and work with you on issues that may arise.

***Rules and Regulations** – Article 4.08 of the CCR allows the HOA membership to adopt reasonable and non-discriminatory rules and regulations as long as they are consistent with the CCR. Our Rules and Regulations (R&R) provide Guidelines, Enforcement Measures, and Policies and Procedures developed by the Board of Directors. The CCR and Rules and Regulations do not deal with every conceivable situation and may require Board interpretation or amendment from time to time. R&R appear in italics at the end of some Articles below and in the following sections.*

ARTICLE 6 – COMMON AREA AND LOT MAINTENANCE

6.02 – MAINTENANCE BY OWNERS. Each owner, at all times, shall maintain, repair, and otherwise be responsible for his/her lot and the improvements thereon.

R&R – *The HOA Board will ask a homeowner to take corrective action if he/she lets the house or lot deteriorate to the point that its appearance could affect the resale value of nearby properties. Failure to comply will subject the homeowner to fines and suspension of privileges.*

ARTICLE 14 – ARCHITECTURAL CONTROL

14.01. Architectural Control - No building, pool, fence, wall, antenna, deck, patio, exercise/play equipment or other structure or improvement of any nature on any lot shall be erected, constructed, demolished, or altered until an application, including plans and specifications showing the nature, kind, shape, height, material, color, and location of the same, shall have been submitted to and approved in writing by the Board or an Architectural Control Committee empowered by the Board to approve such applications.

R&R – Any such application must be made at least 30 days before the proposed project is to begin to allow the ACC sufficient time to review the application. Homeowners must use the Architectural Control Committee Application form – available from the website – for this purpose. A lot survey plot or fully detailed drawing showing the location of the project on the property and all current structures on the property must accompany any request. GIS (Geographical Information System) printouts are not acceptable.

Please consult with the Management Company, the Board, or the ACC before making any changes to your property to clarify the process that needs to take place before work begins.

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Work on any project shall not commence before receiving approval from the ACC through the PMC. Once approval has been received, work on the project is to be completed within 90 days and all affected areas cleaned up. Materials used for project must be removed from street view within 30 days. Denied applications can be resubmitted with recommended changes to the ACC or can be appealed to the HOA Board of Directors for review. No work is to begin without approval from the ACC and/or board.

Temporary structures must not be eyesores or inconveniences for other residents. Normal playground equipment is okay; all play sets require approval from the ACC. Mobile basketball goals are allowed only along driveways. No goals can be placed at the curb or farther from the house than ½ the length of the driveway from the street or sidewalk. No goals can be attached to the house or garage. Storage bins are to be located next to the house and out of view from the street. A shed can be no larger than 150 square feet with few exceptions and ACC approval, but must match the house exterior and also be out of view from the street. Recreational tents are allowed for no more than 48 hours per month and cannot be on consecutive days with each occurrence counting as 24 hours.

ARTICLE 7 – USE RESTRICTIONS

7.01 Residential Use. Except as otherwise provided in this Declaration, each Lot shall be used solely for the construction and occupancy of a residence for a single family and for no other purpose, except as provided in Section 7.20, no Owner shall use or cause or permit his Lot to be used for any business, commercial, manufacturing or mercantile use or purpose, or for any other nonresidential use or purpose.

7.02 Unlawful Activity. No unlawful activity shall be conducted on any Lot or in any other part of the Project. Nothing shall be done within the Project that is an unreasonable

annoyance, inconvenience or nuisance to the residents of the Project, or that unreasonably interferes with the quiet enjoyment of occupants of Lots. No doorways, walkways or streets shall be obstructed in any manner which would interfere with their use for ingress or egress in the event of fire, earthquake or other emergency.

7.03 Parking. Unless otherwise permitted by the Rules and Regulations no boat, trailer, recreational vehicle, camper, camper truck or commercial vehicle shall be parked, stored or left (a) on any undesignated part of the Common Area, (b) in any driveway or (c) on any other part of a Lot, (d) or otherwise in the Project unless the same are fully enclosed within the garage located on the Lot. Any such vehicle shall be parked, stored or left wholly within the garage located upon the Lot, except to the extent same is already occupied to capacity, in which case such vehicle may be parked temporarily in the driveway once during any calendar month for not more than 24 consecutive hours.

This restriction shall not apply to sales trailers, construction trailers, or other vehicles which may be used by Declarant and his agents and contractors in the conduct of their business prior to Completion of Sales. No boats, truck, trailer, pre-manufactured home, camper, recreational vehicle or tent shall be used as a living or dwelling area within the Project. No repairs to or maintenance of any automobile or other vehicle shall be made or performed on any driveway within the Project, except in the case of emergency and except as may be permitted by the Rules and Regulations. No unlicensed, wrecked or inoperable vehicles may be left on a Lot outside an enclosed structure.

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R&R – *A commercial vehicle is defined as a vehicle 10,000 lbs or more, used in the transportation of passengers and/or sale of goods, carries a commercial license plate, or has permanent markings and/or attachments (ex. Ladder, equipment trailer). Plain magnetic signs may be used to cover commercial markings on vehicles. It is not the intent of this ruling to prohibit residents from earning a living by not allowing these vehicles in the community. All such vehicles **must obtain approval from the board in advance** of parking the vehicle in the community.*

*Recreational vehicles are defined as those with dimensions greater than H-102", W-80", and L-223". Brief temporary parking of these vehicles may be considered by the Board on a case by case basis, **but they must be approved in advance**. Approval will be not to exceed 24-48 hours per month.*

*The board takes a liberal approach to parking vehicles in the driveway, as long as (a) they are owned and regularly operated by the homeowner or another resident of the house and (b) the existing garage space is filled to capacity with **the homeowner's regularly operated vehicles** (as opposed to using it as a storage area). Parking in the driveway is preferable to parking on the streets. Still, it is occasionally a temporary fact of life. Residents are asked to be considerate of their neighbors and strive to keep on-street parking to in front of their own residence. Special occasions with multiple guests will occasionally cause on street parking in front of neighbors' homes. Please be considerate and not block driveways and mailboxes during these events or with any on street parking. While the Board members are not going to patrol the area looking for offenders, they will enforce the CCR and R&R to the fullest extent upon verification of repeated complaints about them. A little planning and effort on the part of the homeowners could also prevent injury to a child, damage to the homeowners vehicle, a critical delay in emergency*

vehicles, or a general decline in the appearance of the neighborhood.

Boats of any size or type are not allowed on or in front of any homeowner's property or in the common area.

Amendment to Parking R&R (effective 9/30/09)

Parking on Grass: *Parking on grass is not allowed anywhere in the common area or on any lot in the community.*

7.04 Signs, Curtains and Flags. No Owner shall place on or about any window any metallic foil or other coating, substance or material which acts as a reflector of light and no Owner shall display, hang, store or use any signs, curtains, draperies, shades, stained glass, flags or other articles whatsoever outside of the dwelling on any Lot so as to be visible from outside the Lot, excluding seasonal decorations, the flag of the United States of America and as otherwise may be permitted by the Rules and Regulations. Flagpoles for seasonal decorations and the flag of the United States of America must be attached to the main dwelling, shall be no more than five (5) feet in length and shall not be mounted on the roof of any dwelling. Notwithstanding the foregoing, one professionally manufactured sign of not more than five square feet advertising a Lot for sale or rent may be placed by the Owner on his Lot in such manner that it will be visible from outside the Lot. The prohibitions in this section shall not apply to Declarant or his agents, who may erect such signs as Declarant deems desirable to promote the sale of Lots.

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R&R – In spite of this prohibition, a temporary, tasteful sign that announces a birth is acceptable. It is also acceptable to have a single home security sign. Signs for commercial purposes are not acceptable except when contracted-for work is taking place on your property. Political signs may be placed in yards 30 days prior to an election and must be removed within 10 days after the election. Please consult with the management company before doing something on your property others may object to.

7.05 Antennas and Dishes. No exterior antenna, satellite dish or similar exterior improvement shall be maintained upon any Lot unless the prior written approval of the Board or Architectural Control Committee is obtained; provided, however, that the Association shall not prevent access to telecommunication services in violation of applicable law. Exterior antennas, satellite dishes greater than 1 meter in diameter or located in the front of the dwelling, or amateur radio equipment shall not be permitted upon any Lot; provided however, that (i) an Owner may install an antenna permitted by the Rules and Regulations upon the prior written notice to the Board or Architectural Control Committee and may approve other antennas in the appropriate circumstances and (ii) the Board or Architectural Control Committee may establish guidelines as technology changes.

R&R – Satellite dishes exceeding one meter (39.37inches as measured across the widest part of the dish) are prohibited unless approved by the ACC and must comply with restrictions regarding dish placement, installation, safety, and maintenance. Homeowners are to locate their dish out of view from the front of the house, unless written documentation from the installing company states that there is no other location on the lot out of view available. Details are available from the PMC, a member of the ACC, or Board.

7.06 Laundry. No laundry or wash shall be dried or hung upon the exterior of any Lot or any place visible within the Project from outside such lot.

AMENDMENT TO RULES AND REGULATIONS EFFECTIVE SEPTEMBER 10, 2009

7.07 Fences. No fence or wall shall be erected on any Lot closer to the front of the building facade except for temporary decorative fencing installed by the builder on a model home. Screening fencing around patios, decks, or pools, not to exceed six feet in height, may be erected only with the prior approval of the Board or the Architectural Control Committee. Perimeter fencing shall be natural or white in color with wood or vinyl picket fencing. Fencing may be up to six feet in height. Regular maintenance of materials and painting are required. Any other fencing attached to the board fencing may be used to contain animals within the yard with the prior approval of the Board or the Architectural Control Committee. All fencing must be approved by the Board or Architectural Control Committee prior to installation.

R&R – Our covenants are consistent with the Town of Stallings, and require that fences be built inside the property line of the homeowner building the fence. However, neighbors may join fences on the property line, even if that results in minor “encroachment”. The ACC and Board require that the homeowners make a written agreement if they choose to join the fences and file that agreement with the ACC application.

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This could be reassuring and protective to prospective buyers in the future. All fencing shall face to the outside of the lot, so as to not expose posts and rails supporting the fence and must be of like material on all sides, unless specific approval from ACC and/or Board. Split rail, chain link, and other metal fencing are prohibited in the community. Fencing (and landscaping) on corner lots must not block or interfere with the street site view so that drivers have a clear view of the intersection. (An ACC member will be glad to assist you.)

Amendment 9/10/09

Clarification of regular maintenance of materials and painting required. *Regular maintenance of any structure, including fences, is to maintain the new, original finished product when built. This includes regular painting, staining, repair, and power washing of home, buildings, fences, and decks to restore the structure to its original appearance and integrity.*

Fencing Amendment 11/12/2021

Fences may come up to, but not in front of, the facade of the house.

Decorative fences:

Decorative fences are permitted, provided they:

- a) Are finished on both sides*
- b) Are not used to enclose the property*

- c) Match existing fence material (if applicable)
- d) Do not cover more than 20% of the lot frontage. It cannot be fully connected across the front of the house and must connect to side fencing.
- e) Contact Braeseal at chestnutoaks@braesael.com or 704-847-3507 to complete an application

7.08 Pets.

(A) No animal shall be raised, bred or kept on any Lot or the Common Area; except that dogs, cats, or other household pets may be kept or maintained pets provided that they are not kept or maintained for commercial purposes. The number of household outside pets, generally considered to be outdoor pets, such as dogs, cats, etcetera, shall not exceed two in number except for newborn offspring of such household pets which are under six months of age. No animal shall be allowed if such animal constitutes an unreasonable annoyance, inconvenience or nuisance to any other Owner. If the Board receives any complaint that an animal constitutes an unreasonable annoyance, inconvenience or nuisance, the Board shall afford the Owner of such animal Notice and Opportunity for Hearing, and if the Board finds that such animal constitutes an unreasonable annoyance, inconvenience or nuisance, the Board may require that such animal be removed from the Project.

(B) The Board may adopt Rules and Regulations concerning animals which are more restrictive than the provisions of this Declaration, including, rules requiring that all animals be kept on a leash in the Common Area and that animals be restricted to designated areas within the Common Area and that Owners are responsible for cleaning up any mess that a pet creates within the Common Area.

The Board may adopt a rule prohibiting certain pets, which is more restrictive than the provisions of this Declaration, except that such rule shall not apply to animals residing in the Project at the time such rule is adopted. In any event, the Board at any time may require that any animal found to be an inconvenience or nuisance be removed as provided in Section 7.08 (A).

***R&R** – Chestnut Oaks residents are expected to comply with the city/county leash law. “Household pets” are considered to be pets which are normally kept in one’s house. A few inconsiderate dog owners can annoy a lot of residents. The county animal control ordinance stats that it is unlawful to allow an animal to “bark, whine [or] howl... in an excessive and untimely manner so as to interfere with the reasonable use and enjoyment of neighboring premises.” **Any** such noises occurring between 10:00 PM and 7:00 AM are in violation of the county noise ordinance.*

*A resident is considered to be in violation of the CCR’s if his/her dog routinely barks more than **fifteen minutes** in a given hour, several times a day. Homeowners who do not clean up after their dog when it is off the property, or who allow the smell of pet contaminated outside areas to affect neighboring properties, are also in violation.*

7.09 Trash and Vegetation. No trash, rubbish, garbage or other waste material shall be kept or permitted upon any Lot or the Common Area, except in sanitary containers located in an appropriate area screened and concealed from view. No weeds, vegetation, rubbish, debris, garbage, waste materials of any kind whatsoever shall be placed or permitted to accumulate on any lot or any portion of the project which would render it unsanitary, unsightly, offensive, or detrimental to any property in the vicinity thereof or to the Occupants of any property in such vicinity. Grass, hedges, shrubs, vines and mass planting of any type on any Lot or any portion of the Project shall be kept trimmed and shall at regular intervals be mowed, trimmed and cut so as to appear neat and attractive. Trees, shrubs, vines and plants which die shall be promptly removed. If any Owner, after Notice and Opportunity for Hearing, fails to maintain such Owner's Lot in the manner provided by this Section 7.09 the Association, at the expense of such Owner, may take such steps as are necessary in order to remedy such conditions including cutting and removing of weeds, vegetation, rubbish, debris, garbage, waste materials and other accumulations on any Lot at the sole cost and expense of such Owner, and the Board, without the written consent of Members, may levy a special assessment against such Owner to obtain reimbursement of the cost therefore as provided in Section 9.07.

*R&R – This is a commonly violated covenant when grass and weeds are growing rapidly. A lawn can look pretty ragged if it hasn't been mowed in a couple weeks. A PMC representative "makes the rounds" here frequently, checking for covenant violations, but understands that vacations and emergencies can account for occasional lapses in lawn care. Still, without knowledge of the situation, he or she can't let a bad situation get worse, so homeowners **will** receive warning notification if need be.*

The HOA requires residents to construct screens, provide shrubbery (if can kept outdoors), or otherwise conceal their trash containers from view. Screens, shrubbery, or other outside structures to conceal trash cans require ACC approval.

7.10 Nuisance. No noxious or offensive activity shall be carried on in or upon any Lot or the Common Area nor shall anything be done thereon which may be or become an unreasonable annoyance, inconvenience or nuisance to the residents of the Project or unreasonable interferes with the quiet enjoyment of occupants of Lots. No Owner shall permit anything to be done or kept on his Lot which would result in the cancellation of insurance on any other residence or any part of the Common Area or which would be in violation of any law.

R&R – Probably the most common "noxious or offensive activity" in Chestnut Oaks is loud noise. It comes in many forms – voices, music, motorcycles, chain saws, barking dogs, lawn mowers, construction, etc. Some residents, for job or medical reasons, have to sleep during the day. Some work at home and need to concentrate. The Board understands that some loud noises are unavoidable, but asks that all homeowners make the effort to be considerate of neighbors at all times, especially at night and early in the morning. Complaints about a pattern of excessive

noise will result in a violation letter to the homeowner, and, ultimately, implementation of enforcement measures.

RULES AND REGULATIONS

*As noted earlier, the Board or HOA may adopt rules and regulations that clarify or expand upon the covenants. Some of these Rules and Regulations (R&R) appear in italics immediately after the Articles to which they apply. The remainder appears below, in the form of **Guidelines, Enforcement Measures, and Policies and Procedures.***

Guidelines – (G)

*The Guidelines below supplement the CCR. They are not inclusive of all items upon which the Architectural Control Committee or Board of Directors may act. Decisions are made on a case by case basis, and approval of one request does not guarantee that a similar request will be approved later. The ACC has an obligation to preserve and protect the attractiveness, viability, overall architectural design, and compatibility of the Chestnut Oaks community. (Previous sentence approved and effective 10/22/09) **You must obtain specific prior approval from the ACC for any proposed construction or other property improvement actions.** Use the ACC application form, which is available from the website. Approval or disapproval will be based on compliance with the CCR, these Guidelines, and when necessary, the aesthetic discretion of the Committee. Keep any ACC approvals with the copy of your deed for future reference or to give to your buyer if you move.*

G1 – House Color, Siding, and Shingles. *The ACC must approve any proposed house paint color that is different from the color already on the house. This means any difference in shade or color. You must obtain prior approval from the ACC for any paint colors different from the color that is already on the house or any permanent structure on the lot. Such structures include, but are not limited to, outbuilding, fences, fountains, and gazebos.*

G2 – Property Line Clarification. *Road right-of-ways span 40-60 feet. Your property line begins where the right-of-way ends. That line is located approximately 8-11 feet behind the back of the curb. **The strip of land between the right-of-way and the back curb is generally considered part of your yard that you maintain,** but it is not part of your property since it is road right-of-way. **Call the PMC or the ACC for more details – especially if you are on a***

corner lot or a “reverse frontage” lot. (Reversed frontage is when your backyard is on the main road and your driveway and front of home is on the side road.) Refer to your survey for your front, rear, and side setbacks. You must submit a survey plat or detailed drawing with your ACC application, not a GIS printout. The plat will show easements, “stump-dump” locations, flood plain indications, and other information necessary for the ACC to make an informed decision. If you did not receive a copy of your lot survey at closing, try contacting the previous owner, the developer, or your attorney.

G3 – Construction Timeframes. *Construction projects should be completed within 90 days of start date. Building materials and equipment should not be stored where they would be visible from the street for more than 30 days. Contractor work must be done only between the hours of 7:00 AM and 7:00 PM, unless an emergency.*

G4 – Construction Project Description. *Project requests must be submitted at least 30 days in advance to the PMC on the most current ACC Request Form. Unless you are absolutely sure, don’t risk proceeding with a project on the basis of any verbal approval. You will receive written notification of approval or disapproval after the ACC meeting.*

G5 – Outbuilding Construction (Sheds, Gazebos, Fountains, and Other). *Outbuildings are considered to be permanent structures and must be approved by the ACC. Roofs must be constructed of shingles that match the house. “A-Frame” and single pitch roofs are not permitted. Typically, no more than one outbuilding is permitted per lot.*

Exterior walls must be constructed of either vinyl or hardboard siding to match the house. No particleboard, standard plywood, cinder block, or metal material is allowed. All outbuildings must be trimmed and painted in their entirety in the same quality materials and colors of the house. Any utility facilities must be underground and conform with county and state code.

Doghouses are to conform to the materials specifications above. No more than two doghouses are permitted on any lot without approval from the ACC or Board.

If an outbuilding is to be placed in the rear of a lot, the rear property line must be at least three times larger than the outbuilding dimensions. For example, a 10’ x 10’ outbuilding placed in the rear of a lot requires a minimum of 30’ rear property line.

Outbuildings should be placed at least three feet from any property boundary and should contain sufficient clearance around all sides to permit appropriate maintenance.

Outbuildings should be placed no less than 50 feet from any street curb adjacent to the property.

~~**G6 – Driveway Additions.** *Driveway additions are to be constructed of concrete or approved material by the ACC. Circular and asphalt driveways are not permitted. Driveways and sidewalks are not to be painted without prior approval.*~~

Revision (effective 10/22/09)

G6 – Driveways and Parking Pads. *Driveways are to be constructed of concrete and are intended for egress and ingress to a garage. Parking pads are discouraged as defacing the landscape and the original design of the community. Depending on unique situations, such as no*

garage, parking pads may be considered for ACC approval. Circular and asphalt driveways are

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not permitted. Driveways, parking pads, and sidewalks (all concrete) are not to be painted, stained, stamped or covered or layered with any permanent material without ACC approval.

G7 – Storage on Lots. *Homeowners (and renters) may not store materials of any kind in the open or up against a fence, if the materials are visible from the street or neighboring yards. Firewood should be stored in as inconspicuous manner as possible.*

G8 – Holiday Decorations. *These should be put up no sooner than 45 days before a holiday event and removed no later than 20 days after the end of the event.*

G9 – Pools and Hot Tubs. *Above ground pools are prohibited, except for “kiddy pools”. In ground pools and hot tubs/spas must be approved by ACC before installation.*

G10 – Mailboxes. *Builder-provided black mail and paper boxes give a uniform look to the community and replacement boxes are to be identical in replacement, if possible. Brick mailboxes are prohibited by the NCDOT.*

Enforcement Measures – (E)

Enforcement measures are a last resort. Initially, a homeowner who is thought to be potentially in violation of one or more of the covenants will receive a letter asking him or her to take corrective action. If that doesn't happen, another letter will be sent asking the homeowner to appear at a hearing before the HOA Board of Directors to present his/her point of view. If, after that, the Board decided that corrective action is indeed necessary and sets a deadline for it to be accomplished, the resident must comply. If he or she fails to do so, the Boards enforcement options are as follows:

E1 – Fines/Suspension of Privileges. *The pool, clubhouse, and website posting privileges of the homeowner and his/her family will be suspended. The homeowner will also lose their right to vote in community elections or on special issues. Fines will be assessed in accordance with the North Carolina Planned Community Act, N.C.G.S. [47-3-107A]. This act provides for the setting of fines up to \$100.00 per day for each day the violation occurs after the date determined by the Board that corrective action must be taken.*

E2 – Liens. *If a resident does not pay the assessed fines and late fees, attorneys acting on behalf of the HOA will place a lien against the title of the property. This action will render the property unable to close a sale until the fines are paid. Assessment of fines does not preclude the Board from taking legal action against homeowners, including foreclosure on the house.*

Note – *The above measures also apply to homeowners who fall behind in their annual dues payments. They will receive letters requesting payment and will be asked to appear before the Board if they fail to do so.*

Policies and Procedures – (P)

P1 – Administration. *Your HOA is governed by a five-member community-elected Board of Directors. The Board may appoint other (non-voting) members. Board and other members receive no compensation for their services during their two-year terms. They are assisted by other resident volunteers (mostly Committee members). Our Property Management Company advises the Board on financial management matters (spending your dues) and on covenant administration and other management issues. New Board members (two or three) are elected at an annual meeting of the HOA membership, at which time other matters of community interest are also discussed. Monthly meetings are held at the clubhouse and are open to all residents.*

P2 – Dues *(also known as annual fees). Annual fees for Chestnut Oaks are due in equal payments in the first month of each quarter for single family homes and monthly for townhomes. You will receive a coupon book from the PMC to serve as a reminder. A late fee is charged if dues are not paid in full on or before the due date for single family and townhomes. Consider it an obligation like your mortgage, because continued failure to pay dues will result in legal action, including the placement of liens against your house. Each year the PMC provides homeowners a copy of the HOA annual budget showing how their money is being spent.*

P3 – Pool, Playground, Other Common Areas. *These are major community resources and should be respected by all. Even if you don't swim, walk on the trail, or use the playground, you would probably not like to see littered areas around the entrances to the community. Some residents are more concerned than others about the appearance of Chestnut Oaks as a whole. We ask all residents to be considerate of their neighbors, whether it is pet control, litter disposal, observing speed limits, or complying with posted pool rules.*

P4 – Resident Privilege Cards (RPC's). *Homeowners and any family members who are 14 years and older **must** have an RPC in order to use the pool. Each year the PMA will activate them for homeowners whose dues are paid in full. Be sure to inform them as your family circumstances change. Anyone under the age of 14 must be accompanied by an adult resident. Anyone not having their RPC with them will be asked to leave the pool area. Lost RPC's will be replaced by the PMC at a cost of \$25.00 per occurrence.*

P5 – Pool Diaper Policy. *Children who wear diapers must wear swim diapers and rubber/plastic swim pants. Parents are expected to take their young children out for frequent bathroom breaks. The Board would expect that no resident –regardless of age- would use the pool if he or she has a communicable disease, diarrhea, or a stomach virus.*

P6 – Pool Guest Policy. *Residents may bring up to four guests at a time. These guests are to be accompanied by an adult resident while at the pool. Guests, as well as residents, must comply with rules of the pool.*

P7 – Use of Clubhouse. *The clubhouse is available to all dues paying Chestnut Oaks homeowners and renters for HOA sponsored and approved events and for non-commercial*

*private functions normally occurring no more often than once a year. **The facility may be reserved by Chestnut Oaks residents only, for social events, and for non-commercial activities supporting functions that contribute to the general welfare of Chestnut Oaks community.** Usage will be limited to groups of 60 or fewer between the hours of 8:00 am and 12:00 am,*

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*(midnight). The normal rental times are 8am – 3pm and 4pm – 12:00 am, (midnight). **For insurance reasons, alcoholic beverages are prohibited in the clubhouse.***

*Reservations for use of the clubhouse must be made through the PMC. HOA members requesting the facility for a private party must sign a rental/deposit agreement, pay a rental fee of \$50.00, plus a refundable deposit of \$100.00 if the facility is properly cleaned and restored. **Checks are to be made out to Chestnut Oaks HOA.** Rental fees are not required for HOA Board/Committee meetings although the members are liable for any damage that may occur.*

Upon completion of use, renters must clean and restore the clubhouse to the condition in which they found it. The facility may not be used again by any individual or group failing to comply or failing to fully compensate the HOA for any cleanup or damage costs exceeding the deposit amount.

Questions/Answers

Communications- How do I learn about activities, events, or who does what around here?

To find out information the best places are our website at www.chestnutoaksinfo.com (where you can also sign up for email blasts), flyers distributed periodically, mailings from the PMC, and messages posted on the information sign. Got a question? Call our Property Management Company.

Pool Use – Why do I have to have my RPC with me at the pool? *This procedure facilitates pool security and provides statistics for the Board, which makes decisions about hours and days of pool operation based on pool usage. It is also intended to prevent unauthorized use of the pool by non-Chestnut Oaks residents and by residents who have not paid their dues in full. **What is the policy?** Homeowners and their family members over fourteen years of age must have an RPC in order to use the pool.*

Children under fourteen must be accompanied by an adult or guardian who is at least eighteen years old.

Volunteers – How can I become one? *Volunteers are always needed, whether for a one-time activity or regular involvement. Please call a Board or Committee member if you are interested in helping out.*

Will I be reimbursed for any expenses I might incur? *Yes, as long as you get advance*

approval from the PMC or the Board president. If needed, you can get an advance of funds based on your estimated expenses and make adjustments with the PMC later. A Board member must sign the completed reimbursement form before payment will be made by the PMC.