

**VILLAS AT CHURCHVILLE
HOMEOWNERS ASSOCIATION, INC.**

**GENERAL INFORMATION
AND
REGULATIONS**

April, 2013

As is true with most townhouse developments, living in a shared community such as the Villas at Churchville has rewards and benefits, but also imposes certain obligations and restrictions upon individual homeowners for the well-being of all and the preservation of the value and desirability of the individual properties. We have prepared this document with the hope that it will facilitate your enjoyment while living in the Villas at Churchville and make it a better place for all.

The regulations included here are in conformance with the terms and conditions of the Declaration of Protective Covenants, Conditions, Restrictions, Easements, Charges and Liens and the By-Laws of the Villas at Churchville Homeowners Association, Inc., which each homeowner endorsed at the time of the purchase of your individual unit. The regulations are a result of direct quotation from or interpretation of the wording in those documents or are from proceedings of the Board of Directors establishing Association policy and are referenced where possible.

Please review this document in detail and file it with other important information relative to your property.

CONTACT INFORMATION

To request maintenance or obtain general information, contact

For emergencies only, contact:

Fire, Sheriff or Ambulance	911
Animal Control	911
Cable TV – Time Warner	756-5000
Rochester Gas & Electric Gas Emergency	546-1100
Village of Churchville Electric Emergency	293-3366 or 746-8025
Frontier Telephone	777-1200

WELCOMING INFORMATION

Welcome to the Villas at Churchville!

As a homeowner, you have automatically become a member of the Villas at Churchville Homeowners Association. The homeowners elect a Board of Directors as the governing body of the Association. The Board is comprised of three to five members elected to the Board by the homeowners at the Association's Annual Meeting. Each Board member serves a two-year term.

Under the guidance of the Board of Directors, the Association shall provide a consistent level of exterior maintenance on all buildings and common grounds. The Board is also responsible for establishing and enforcing Rules and Regulations to guarantee uniform protection of personal rights, privacy and investment of each homeowner.

When you purchased your home, you should have received a copy of the Declaration of Protective Covenants, Conditions, Restrictions, Easements, Charges and Liens and the By-Laws of the Villas at Churchville Homeowners Association, Inc. (Governing Documents), dated April, 2013, and a copy of the Rules and Regulations for living in the Villas at Churchville. Your commitment to abide by these rules was established when you purchased your property and is specifically set forth in the Deed to your property. This commitment extends to your family, tenants and guests. Subsequent purchasers of property in the Villas at Churchville are equally responsible for compliance with the Governing Documents and the Rules and Regulations as stated in the Deed.

These Rules and Regulations are not intended to, and do not, change any of the terms or privileges set forth in the Governing Documents.

Your Board of Directors strongly recommends that you become familiar with the Governing Documents as well as the Rules and Regulations stated in this publication and keep them with your other important papers. They will be enforced and, as in all legal situations, ignorance of these laws is not an acceptable excuse for noncompliance. Homeowners and their Tenants are required to comply with all of these provisions.

Each item marked with an asterick (*) is covered in greater detail and authorized by the Governing Documents.

***BOARD OF DIRECTORS:** Under the laws of the State of New York and the Governing Documents, the Board of Directors shall have the power to adopt and publish Rules and Regulations governing the use of the common areas and facilities, their personal conduct of the members and their guests, and to establish penalties for infractions. The Board of Directors is also empowered to enforce these Rules and Regulations.

***MEETINGS:** The Board of Directors holds an open meeting, which homeowners are encouraged to attend each quarter. Homeowners wishing to address the Board of Directors may do so during the open session at the beginning of each monthly meeting.

***ANNUAL MEETING:** The Annual Meeting of all homeowners is held prior to the beginning of the fiscal year. At that meeting, either 2 or 3 Board members will be elected and the budget for the new fiscal year is presented. Each Board member serves a 2-year term without compensation.

BOARD MEMBERS: A current list of the names of the Board of Directors is available from the Management Company.

MANAGEMENT: The Board of Directors shall employ a professional Management Company, which employs staff to manage the property and at the Board's direction, enforces the rules and regulations.

***HOMEOWNERS' FINANCIAL RESPONSIBILITY:** The monthly assessment payment is due on the first of the month. Payment shall be mailed directly to the currently prescribed agent. Direct withdrawal from the homeowner's bank account may also be available. A late fee will be charged for any payment made after the 10th of the month or any time a withdrawal is denied because of insufficient funds. The homeowner is responsible for all school, town and county taxes on his/her own unit.

***ARCHITECTURAL CONTROL:** The Homeowner may not make any alterations, changes or installations to the exterior of his/her own unit without the prior consent of the Board of Directors or the Architectural Committee if the Board chooses to form a committee. Please refer to Article 10, Section 10.01 of the Declaration for information on the responsibilities and duties of the Board and/or Architectural Committee.

COMMON AREAS: Each unit consists of a home, sunroom or covered porch, patio and garage. The Lot on which the unit sits consists of the land

beneath the home, under the garage and inside the patio only. Front, side and back yards are common areas as that term is used in these documents.

WHEN YOU ARE AWAY

When you leave for an extended period of time, it is recommended that you:

- Tell a neighbor and the Management Company how you can be reached in case of an emergency. If you have a vacation home, or if there is someone you want us to contact in an emergency, please notify the Management Company.
- Give someone a key and ask him/her to check you unit at least once a week.
- Stop newspaper and mail delivery.
- During the winter months, set heat at a temperature to prevent pipes from freezing.

HOMEOWNER RESPONSIBILITIES

Included in the Governing Documents are many policies that set forth the responsibilities of the Homeowner and the Association in the daily operation of the Villas at Churchville's affairs. These Documents outline in detail the items that are the responsibility of the Homeowner and those that are the Association's.

Requests for Service – All requests for maintenance, repair and follow-up should be directed to the Management Company.

Changes to Exterior of Homes – There shall be no changes or additions to the exterior of any building without a Variance Request Approval by the Board of Directors. This includes, but is not limited to, windows, air conditioners, awnings, storm and screen doors, radio or television antennas, satellite dishes, or any other additions or changes that alter the exterior appearance of the building.

A Variance Request Form is included with this document.

Insurance – Each owner shall obtain and maintain general liability and fire insurance at his/her own expense insuring the interior of his/her residence and all other insurable improvements upon his/her Lot in an amount equal to the maximum insurable replacement value (HO6 policy). The Board of Directors shall have no responsibility to maintain insurance of any kind on the interior of individual residential units or property. The Association shall, however, maintain general liability and fire insurance for the exterior of the units and all common grounds.

Landscaping and Gardening – No planting or gardening shall be conducted except in the patio or designated planting areas adjacent to the residence. Such plantings shall be of a size and nature that does not encroach upon neighboring property. Plantings that grow on buildings, walls or the outside of fences are prohibited due to possible damage to brick and wood surfaces.

Although excessive plantings complicate lawn mowing, the Board of Directors may approve plantings around trees or lampposts near a residence. Care of all plantings is the responsibility of the person who planted them. The Homeowners Association is not responsible for damage to these plantings as a result of spring/fall cleanup, trimming of trees, bushes or mulching of flowerbeds.

RULES AND REGULATIONS

- 1. Advertising and Signs:** No political or other signage or other advertising device of any nature shall be placed for display to the public on any lot or other portion of the property, except one temporary sign placed on the building, windows or fences advertising property for sale. Signs indicating the presence of an alarm system are permitted.
- 2. Air Conditioners:** No unit owner shall install or permit to be installed any window mounted or through-the-wall mounted air conditioner in his/her unit.
- 3. Alterations and Improvements:** No exterior alteration, addition or modification may be made by an owner or his successor without first submitting a Variance Request to the Architectural Committee and obtaining its approval in writing.
- 4. Basketball Backboards:** No freestanding or permanently attached basketball backboards and nets shall be installed by a homeowner anywhere on the property.

5. **Clotheslines:** Clotheslines are not permitted outside a homeowner's patio area and no clothing or other items shall be hung out to dry on the front porch of any unit.

6. **Commercial and Professional Activity on Property:** No wholesale or retail business, including salon, studio, laboratory, home industry, medical or dental office, shall be conducted in or on any lot or other portion of the property, except the conducting of business by telephone. This restriction is not intended to preclude the operation of an in-home office for purposes other than those set forth above.

7. **Exterior Decorations:** Ornamental decorations and plants are allowed on within the private patio area and on the unit's front porch. A maximum of two (2) small lawn ornaments and three (3) hanging plants are permitted within the homeowner's designated planting area. No window flowerboxes may be attached anywhere on the structure of any unit.

While we certainly enjoy feeding and watching our feathered friends, bird feeders also attract rodents. On the common grounds, only one feeder is permitted if suspended from a tree branch. No freestanding feeders are allowed on the common areas. Homeowners may install bird feeders on their patios but should be considerate of the adjoining property. Birdhouses and wind chimes are not allowed in the common area but may be installed on the homeowner's property. All plants, doormats, chairs and other decorations should be removed from porches and stoops by November of each year to facilitate snow removal.

One wall-mounted flag holder is permitted on each residence. No freestanding flagpoles are permitted in the common area. Ornamental seasonal flags are allowed but flags denoting colleges, sports teams and the like are not permitted. American flags are allowed but not the flags of other nations.

A year-round welcome plaque, nameplate or wreath may be displayed in the front entrance area. Any damage to the siding caused by the use of fasteners must be repaired by the homeowner at his/her expense.

Temporary decorations for the holiday season may be displayed between Thanksgiving and mid-January. No decorations may be placed on the roof surface. Any damage to the siding will be the responsibility of the homeowner. For safety reasons, no extensions cords are permitted on the front stoop or porch. In the event of severe weather, the January 15th deadline for removal may be extended by the Board.

8. **Traffic Safety:** No unregistered motor vehicle without valid license plates, including but not limited to mini-bikes, trail bikes, go-carts, golf carts,

snowmobiles, and mopeds, shall be operated or parked on the owner's driveway. Unlicensed vehicles must be parked in the homeowner's garage.

9. Noxious or Offensive Activities: Noxious or offensive activity is prohibited on any portion of the property. Any nuisance or public annoyance that is conducted in the development shall subject the offender to penalty. These activities include emission of smoke, dust, fumes, herbicides, insecticides, or any other materials that may be detrimental to public health, safety and welfare. This includes any activity that may be injurious to property, vegetation or animals that could adversely affect property values or otherwise produce a public nuisance or hazard. Any activity that violates applicable town or village ordinances will be reported to the appropriate governmental authority for enforcement.

10. Outdoor Repair Work: No repair work on motor vehicles, boats or machines of any kind shall be permitted outdoors on the property.

11. Parking: Every home was built with a garage and space for one vehicle. There is no parking in areas that could prevent easy access for emergency vehicles, snow removal equipment or normal traffic. Any vehicles determined to be in violation of these regulations shall be ticketed and subject to fines by the Association.

12. Commercial and Recreational Vehicles: No recreational vehicle or vehicle used for commercial or delivery business, including those with logos, may be stored or parked on any portion of the property, except in an enclosed garage. Vehicles making deliveries or providing services to the Homeowners or the development will be permitted during business hours.

Boats, trailers and recreational vehicles may be parked only in a unit driveway for a short time not to exceed 5 days. Any vehicles determined to be in violation of these regulations shall be ticketed and subject to fines by the Association.

13. Pets: There is a leash law in effect for both cats and dogs. Unrestrained pets are not allowed to roam on common grounds. Dogs may not be leashed and left alone in the common area. This presents a sanitation problem and may cause permanent damage to shrubbery and landscaping. They may also pose a danger to Homeowners, children and other pets. When walking a leashed pet, all Homeowners are required to clean up after their pet. Any damage caused by a pet will be billed to the homeowner. You are prohibited from leaving your dog leashed outside but unattended.

Animals who disturb the peace and quiet of the neighborhood by barking or howling shall be deemed a nuisance. Complaints shall be submitted in writing to the Management Company and dealt with accordingly. There shall be a limit of two (2) pets per household and no breeders or kennels shall be permitted. Dogs weighing in excess of 70 pounds are not permitted.

14. * Renting and Leasing of Units: Units may be rented by Homeowners but a copy of the lease shall be provided to the Management Company. All tenants are subject to the same rules and regulations as Homeowners and Homeowners remain responsible for their tenants.

15. Pools: No Homeowner may install a pool anywhere on the property.

16. Retention Ponds: No swimming or ice skating is allowed on or in the ponds.

17. Storm and Screen Doors: A plain style combination storm and screen door may be installed on front doors with the approval of the Architectural Committee to permit the correct selection of color and style.

18. Television and Radio Antennas, Satellite Dishes: No exterior antenna or satellite dish shall be installed or maintained upon any portion of the property without prior approval of the Board of Directors. Unit Owners are responsible for any damage to their Unit as a result of installation.

19. Soliciting: No door-to-door solicitation is allowed without prior written permission by the Board of Directors.

20. Standby Generators: No Homeowner may install a standby generator without approval from the Board of Directors. In addition, only natural gas units are permitted and all state, local and utility company requirements must be followed.

COMPLAINTS AND PENALTIES

Good relations in the community will be better served and maintained through understanding and use of peer cooperation than by using penalties. However, when residents and their properties are adversely affected by the actions of others, it is unfair to allow such offenses to persist. The Board must act in a timely manner using fines and even legal action, as required.

Any resident may register a complaint by writing or call in the Management Company. A written complaint is preferable since it documents the dispute. A Complaint Form for this purpose is included in these materials.

Normally, the following steps are followed until the issue is resolved:

1. The Management Company notifies the responsible Homeowner of the complaint and invites him/her to discuss and correct the problem.
2. The responsible Homeowner is invited to meet with the Board for a hearing if necessary.
3. A fine may be imposed with the following maximum amounts:
 - a. First offense - \$ 50
 - b. Second - \$100
 - c. Third - \$200

If the fine is not paid within thirty (30) days, appropriate legal action will be taken and if necessary, a lien will be filed against the responsible Homeowner's property including all legal fees incurred to collect.

4. The police will be asked to take action if a Town Ordinance or other law is involved.

CONTINUING SERVICES

The following services are provided by the Association and paid for from the monthly assessments:

TAXES – for common areas only

INSURANCE – covers common areas and exterior of units

SNOW REMOVAL – covers snow removal from driveways.

LAWN CARE – provides mowing, seeding, fertilizing and trimming of grass areas, pruning hedges and trees, spraying for weeds and insects on common areas and mulching of foundation plantings.

REFUSE COLLECTION – Trash is picked up weekly. All trash and recyclables should be placed in the receptacles provided. Garbage containers should be securely closed and recyclables weighted down so

that papers are not blown away on a windy day. Containers may be placed at the curb the evening before pick-up and returned to the garage after collection.

EXTERIOR MAINTENANCE — The Association provides for all exterior maintenance on homes and garages except for doors and windows.

Since all homes are architecturally color-coordinates, records of the colors of all units are on file. Colors may not be changed from the original color. The Homeowner is responsible for maintenance on approved changes and/or additions to the exterior of the unit.

The Homeowner maintains all exterior lights.

SATELLITE DISH POLICY

Before installation of a satellite dish, the Homeowner must file a written request for a variance and obtain the approval of the Board of Directors. The Homeowner may appeal any decision of the Board of Directors, but the decision of the Board is final.

The first preference is to install the dish within the patio if a signal can be obtained by that placement. If that does not provide adequate reception, the Homeowner will work with the Board of Directors to develop a reasonable alternative, subject to the following limitations:

1. There shall be no penetration of the roof on the Unit to install a dish. If the roof is ~~the only location where an adequate~~ signal can be obtained, the Homeowner may install a dish that sits on the roof, weighted down by concrete slabs, if the equipment is approved by the Board.
2. If placement of the dish on the roof is the only way to obtain a signal and the weighted dish cannot be used, the dish should be secured to the rake board with screws or bolts long enough to penetrate the rake board and into or through the end roof rafter.
3. Mounting on the siding should also be avoided. If this is the only workable alternative, a soft buffering material must be installed between the mounting place and the siding to minimize damage to the siding. The mounting plate must be located over a wall stud and the screws must be long enough to penetrate half the distance of the stud or two inches minimum.
4. All installations must be properly grounded.
5. When a dish is removed, the unit must be restored to the same conditions as before the dish installation. All holes must be sealed and any damaged siding or trim must be replaced to match the surrounding siding or trim at the Homeowner's expense.
6. The Association's master insurance policy does not cover any damage caused by the installation of a satellite dish. Therefore, the Homeowner is fully responsible for any damage caused by the dish to the Unit, to any other Unit or common property. The Homeowner is responsible for all deductibles and must provide proof of insurance to the Association. The Association will not be responsible for any expense or damage caused by the dish.

VILLAS AT CHURCHVILLE HOMEOWNERS ASSOCIATION, INC.**COMPLAINT FORM**

Name of Complainant: _____

Address: _____

Phone: _____

Signature: _____

NO ANONYMOUS COMPLAINTS WILL BE CONSIDERED

Location of Occurrence: _____

Date/Time of Occurrence: _____

Complaint:

Action Requested:

Action by the Board

Violation Letter Sent: _____

No Action Deemed Necessary _____

Other:

VILLAS AT CHURCHVILLE HOMEOWNERS ASSOCIATION, INC.

APPLICATION FOR EXTERIOR CHANGE OR ALTERATION

VARIANCE REQUEST

To: Board of Directors

From: Homeowner's name _____
 Address _____
 Phone _____

REQUEST:

The owner(s) of the Unit identified above, hereby request(s) the following change or alteration:

Reason _____

PLANS AND SPECIFICATIONS:

Plans to scale and specifications must be attached to this form, showing the location, nature, kind, shape, height and other dimensions, and materials to be used. These plans were prepared by _____

IMPORTANT: If a contractor is involved, a current Contractor's Insurance Certificate for both Liability and Worker's Compensation must be included.

HOMEOWNER'S RESPONSIBILITIES:

The Homeowner(s) hereby agree(s) that I(we) will be fully responsible for completion of the requested exterior change or alteration as stated and approved. Any future problems or damages occurring as a result of this change will be the Homeowner's responsibility, not that of the Villas at Churchville Homeowners Association, Inc. This responsibility shall be carried forward to any future owners of this Unit.

The plans and specifications for the application, which may affect the structural integrity of the building, must be prepared by and bear the seal of an architect or engineer licensed by the State of New York.

The undersigned Homeowner(s) hereby agree that I (we) have read the Architectural Control Guidelines as stated in the Governing Documents entitled "Architectural Controls." I (we) hereby agree to observe all guidelines, limitations, procedures and restrictions stated therein.

Homeowner

Date

Homeowner

Date

ACTION OF THE BOARD OF DIRECTORS

Date received _____

Conditions of approval if any:

Approved: _____

Chair

Date

Explanation of Disapproval:

Approved: _____

Chair

Date

Homeowner notified: Board of Directors ____ Management Company ____

Date: _____ By: _____

Signature

COMPLETED FORM AND ATTACHED SHALL BE PLACED IN THE HOMEOWNER'S FILE

MAINTENANCE RESPONSIBILITY TABLE
HOA = Homeowners Association

HO = Homeowner

Item	Maintain/Repair/Replace
Exterior of home	HOA
Address Numbers	HOA
Air Conditioning	HO
Chimney, Exterior	HOA
Chimney, Interior	HO
Common Areas	HOA
Conduits, Pipes, Wires in Common Area	Utility
Doorbell	HO
Doors, Exterior	HO
Doors, Storm & Screen	HO
Driveways	HOA
Electric Meter	Utility
Exterior Unit Lights	HO
Exterior Walls	HOA
Foundations	HO
Garage Doors	HO
Garage Door Opener	HO
Garbage Collection	HOA
Gutters & Downspouts	HOA
Hose Bibs	HO
Insurance, Interior	HO
Landscape Maintenance - Foundation Plants only	HOA
Landscape Watering	HO
Lighting Interior	HO
Negligent or Willful Act or Omission of Owner	HO
Paint, Exterior	HOA
Patios	HO
Plumbing, Interior	HO
Retention Ponds	HOA
Roofs	HOA
Snow Plowing	HOA
Trim & Fascia	HOA
Sidewalks	Village of Churchville
Stone Work	HOA
Windows	HO
Window Cleaning	HO
Window Glass Replacement	HO
Window Screens	HO
Mailbox	HOA