

HICKORY DOWNS OWNERS ASSOCIATION, INC. RULES and REGULATIONS

For the common good of the neighborhood, all residents are expected to follow basic requirements for condominium and common area use. All owners, tenants, occupants and guests are legally bound by these restrictions or RULES and REGULATIONS:

Appearance and Maintenance

1. All windows and patio doors may display appropriate coverings, such as vertical blinds, drapes, or curtains. Interior contents, e.g., clothing, bed and bath items, carpeting, art work or graphics are not to be seen from the exterior. The HDOA Board reserves the right to limit certain window coverings if they are not in harmony with the existing favorable appeal and design of the community
2. Cleaning items (brooms, mops, buckets, etc) are not to be in evidence on porches, patios, decks, or the common area.
3. Exterior awnings, blinds, shades, and sunscreens are not to be used on porches, patios, decks, or windows unless approved in writing by the **HDOA** Board.
4. Repair and maintenance of windows, doors, porches, decks, and spaces below overhanging porches are the responsibility of the **unit** owner. Such also applies to plumbing and interior repairs. Exterior areas requiring repair should be reported in writing to the **HDOA** Board or community manager.
5. No Exterior Alterations of permanent or temporary character are permitted unless a written request detailing the exact specifications of such alteration is submitted by the owner to the HDOA Board of Directors, and the HDOA Board of Directors has reviewed and approved the alteration request by delivering such approval to the owner in writing on behalf of the Hickory Downs Owners Association, Inc.
6. Outside satellite dishes may not be placed on any roof. Installation and location of satellite dishes, antennae, or any other device must be pre-approved by the HDOA Board of Directors in writing.
7. All firewood is to be neatly stacked to the rear of the unit. Any firewood must remain at least 24 inches from any part of the building structure. The HDOA Board reserves the right to restrict the storage of any material that may produce a favorable environment for wood destroying insects.
8. Any personal affects positioned or displayed on the property must be in harmony with the existing favorable appeal and design of the community. The HDOA Board reserves the right to restrict any item that may distract from the appeal of the community or otherwise cause reasonable concern for the safety, appeal and/or character of the community.
9. Each individual unit owner, tenant, and occupant is charged with maintaining their limited common areas in "a not unsightly, unclean, or unkempt condition ..."

Vehicles/Parking

10. Motorcycles, motor bikes/scooters are to be located in the parking lot, and not on porches, patios, or decks. Bicycles may be placed on the rear patio/deck, but not in any grassed or landscaped area of the community.
11. Neither inoperative or unregistered vehicles, nor unauthorized vehicles are permitted. Those found in violation will be towed at owner expense.
12. Recreational vehicles, boats, campers, and trailers are not allowed to be positioned in the community for any length of time. Those found in violation are subject to forced removal by towing at the owners expense.
13. HICKORY DOWNS PARKING POLICY:
 - All owners in Hickory Downs will be issued two (2) parking decals. To receive the decals, the owners must contact the community manager to obtain and complete a Vehicle Registration Form. Each owner is responsible for obtaining these decals to ensure that their vehicles are in compliance and will not be towed.
 - Once decals are issued for the owners vehicles, as documented on the Vehicle Registration Form, they must be displayed in the rear window of the respective vehicles and must be in plain view from the exterior rear of the vehicle.
 - ONLY vehicles with decals may park in the parking spaces in front of the units in Hickory Downs. Any vehicle parked in the spaces directly in front of a unit with no decal will be towed at the owner's expense.
 - Any non-decaled vehicle must park in the spaces at the center parking island, the auxiliary areas south of Unit #1, the auxiliary areas north of Unit #14 or on Five Oaks Drive.
 - Any decal that is to be transferred to another vehicle for any reason must be reported in writing to the community manager with the full details of any subsequent vehicle details including: make, model, year, color & license plate number.
 - Commercial Vehicles (plumbing, electric, housekeeping, moving companies, etc) may be positioned within the community for up to three (3) hours as long as the vehicle in question is clearly marked as a company/commercial vehicle and as long as their presence does not inhibit the ingress and egress of other vehicles in the community or otherwise cause an unreasonable disturbance or concern for safety
14. Guests and visitors are not to wash their vehicles with Hickory Downs water. Violations of this rule will result in fines of up to \$150.00.

Signage

15. All signage, including FOR SALE/FOR RENT and other commercial entries are prohibited on the premises. Such signs may be displayed in one window of the condominium with board approval.
16. Notices placed on HDOA bulletin boards shall be signed and dated. All notices are subject to removal by the HDOA Board or community manager without notice and for any reason.

Refuse & Recycling

17. Garbage and Recycling Receptacles and all other refuse and/or refuse containers are to be concealed from view on non-collection days. Such items may be placed at the curb after sundown on the day before collection and must be concealed from view by sunrise on the day after collection.
18. Any questions regarding garbage and recycling may be addressed with the City of Durham at (919) 560-1200.

Use of Premises

19. Business ventures involving clients or customers entering the premises are disallowed.
20. Yard sales are not permitted at any time.
21. Maximum Unit Occupancy: 4 bedrooms, 8 persons; 3 bedrooms, 6 persons; 2 bedrooms, 4 persons.
22. Units may be rented on a one year/twelve month lease. No transient tenants are permitted.
23. Equipment that interferes with TV and/or radio reception is prohibited.
24. Loud music or noise is not allowed at any time. Offended neighbors should use discretion to contact the member involved or call Durham Police Non-Emergency at (919) 560-4600.
25. Large gatherings in the common areas are prohibited, unless otherwise approved by the HDOA Board of Directors. A large gathering consists of 8 people or more.
26. For their safety, children shall not play in the Driving Areas or the Parking Areas. The uses of skateboards, scooters, roller blades, roller skates or similar recreational devices are prohibited on Hickory Downs property.

Household Pets

27. Only personal pets of a domestic nature are allowed in Hickory Downs. Breeding, kenneling, outdoor tethering, outdoor housing or commercial activity related to pets and/or animals is strictly prohibited. The HDOA Board of Directors reserves the right to limit the species, size and number of pets allowed in any unit by submitting written notice to the owner of such limitations at any time.
28. Pet waste in common areas must be removed and properly disposed of immediately.
29. No pet shall be allowed to become a nuisance or create any unreasonable disturbance. Examples of nuisance behavior for the purposes of this rule are:
 - Pets with unruly behavior that causes personal injury or property damage.
 - Pets that make noise continuously and/or incessantly for a period of 10 minutes or intermittently for 2 hour(s) or more to the disturbance of any person at any time.

- Pets in common areas that are not under the complete physical control of a responsible human companion and on a hand-held leash of no more than six feet in length or in a pet carrier.
- Pets that relieve themselves on walking areas of common areas or on the personal property of others.
- Pets that exhibit aggressive or other dangerous or potentially dangerous behavior.
- Pets that are conspicuously unclean or parasite infested.

Fire Prevention

30. Any fuel type space heater is strictly prohibited. Unauthorized use could invalidate your unit HDOA insurance coverage.
31. Charcoal and gas grills are required to be at least ten (10) feet from buildings and wooden decks when in use. Grills may be located on rear patios/decks after all live coals have been extinguished. They are not to be left in the common area.
32. Unit fireplaces should be cleaned at least every three (3) years or sooner if soft woods are used. Only certified chimney sweeps should be employed. (NOTE: certified also means bonded)

Water Devices & Inspection Requirements

33. Unit owners are responsible for maintaining all plumbing devices fully within their unit. Devices must be free of leaks and fully operable.
34. Units that will be unoccupied for a week or more must have the water valve that services that unit closed to avoid potential water damage from occurring. Failure to adhere to this rule could invalidate your unit HDOA insurance coverage.

Insurance

35. All owners are responsible to reimburse the association for their pro-rata share of any policy procured by the association for the purposes of insuring the common areas and/or structures of the Hickory Downs Owners Association and per the second amendment to the Hickory Downs Declaration recorded at the Durham County Register of Deeds on February 19, 2009.

These Rules & Regulations have been amended from the original document titled "Revised 2/96" (as allowed for in Section 4.13(d) of the Hickory Downs Bylaws) and adopted formally at the Regular Meeting of the Hickory Downs Owners Association, Inc on November 7, 2012. All owners are subject to these rules and are also subject to the recorded governing documents for the association and the general statutes applicable to the community.

SPECIAL Note: See attached Addendum for penalty / fine policy for failure to adhere to above.

ADDENDUM
to
Rules and Regulations, Hickory Downs Owners Association

Penalties for Failure to Discharge Owner/Tenant/Occupant Responsibilities

Pursuant to the language in the documentation referenced in the Rules and Regulations, the Hickory Downs Owners Association will henceforth assess monetary penalties and/or applicable remedial action to those in violation of adopted community standards.

Owner's accounts will be assessed for violations of the rules and regulations and such violation assessments will be collectible the same as regular assessments which are subject to late fees, interest and legal collections. Owners of rented units will be responsible for full payment of penalties levied against a tenant or tenant property.

Written notice will be given to the offending unit/resident/vehicle, citing the infraction, remedy expected if applicable, and the required time line for such remedy. In the event that a violation remains in non-compliance beyond the required remedy date indicated on written notice, daily fines will accrue until such violation is brought into compliance.

NOTICE: Action by HDOA to recover relief for failure to comply as indicated will result in daily fines of up to \$150.00 and costs for any prescribed remediation by the HDOA will be added to the account of the offender and will be collectible as an assessment, subject to late fees, fines and legal collections.

NOTICE OF APPEAL: Notice of appeal may be made by the offending party by submitting their intention to appeal such fines, fees and/or remedial action to the HDOA Board of Directors within ten (10) days of the initial notice of violation.

(The Hickory Downs Owners Association, Inc Rules and Regulations were codified by the 2012 board of directors per recorded minutes. These Rules & Regulations do not replace the publicly recorded Declaration of Covenants, Conditions & Restrictions (CCR's). In the event of a proven conflict between the two documents, the CCR's will be the enforceable document.)