

MARKET STREET EAST HOMEOWNERS ASSOCIATION

RULES AND REGULATIONS

The following Rules and Regulations (the “Rules”) have been created and approved by the Market Street East Homeowners Association, Inc., (the “Association”) Executive Board (“Board”) in order to protect and enhance the investment of the Members of the Association and contribute to the harmonious and enjoyable living environment of all who reside in the Market Street East Homes (“Owners” or “Residents”).

1. OVERVIEW

- A. **Executive Board as Sole Interpreter.** The interpretation of the Rules will be at the sole discretion of the Board.
- B. **Failure to Act.** No failure of the Board to insist on the strict adherence to any provision of the Rules shall constitute a waiver of such provision unless such waiver is made in writing by the Board. Nor shall any failure to enforce any provision of the Rules prevent the Board from subsequently exercising any of the rights and remedies found in these Rules for any subsequent breach.
- C. **Applicability and Responsibility. Applicability.** These Rules shall apply to all Owners, Residents, lessees, family and guests.
 - i. **Responsibility.** In all cases, Owners shall be responsible for the activities of their families and guests as well as the activities of their approved lessees and their families and guests.
 - ii. **Tenants.** It shall be the further responsibility of Owners who lease their Homes to provide tenants with a copy of these Rules. Only long term leases, pre-approved by the Board, will be allowed in the community.
- D. **Local, State and Federal Law.** The Rules established by the Association shall not supersede local, state or federal laws and regulations. Civil complaints and violations of local ordinances or state or federal laws shall be pursued through normal legal channels without the involvement of the Association or the Board. Any Owner or resident in violation of Market Street East HOA Rules and Regulations, applicable federal, state or local law, ordinance or regulation shall hold the Association and other residents harmless from all fines, penalties, costs, and prosecutions for any violation or noncompliance.

2. LANDSCAPING: Landscaping is limited to original landscape areas.

- A. Any additional landscaping must be approved by the Association.
- B. Trimming and complete maintenance of property owner’s shrubs/trees are the sole responsibility of individual homeowners.
- C. Plant/Tree “drip systems” are to be maintained by the individual homeowners.

3. PETS:

- A. Owners, and Tenants with permission of the Owner, are permitted to have no more than 2 pets in each Home, including not more than 2 dogs, 2 cats or 1 cat and 1 dog.
- B. Dogs must be kept within a home or fenced yard.
- C. Pets must be controlled at all times and all waste picked up and properly disposed.

4. FENCING: Fencing and gate are permitted so long as such fencing: is within the Home’s Limited Common Element back yard/patio area; does not exceed a height of 5feet; and is the Board approved color, material and design. Gates are not allowed on Declarant installed perimeter fencing.

5. TRASH:

- A. Trash must at all times be kept within an enclosed area and NOT visible from the street. Trash should be Stored in approved containers only.
- B. Garden compost piles are prohibited.

6. WILDLIFE: As a community, the goal is to mitigate wildlife impact. With the exception of bird feeders.

7. BACKYARDS AND PATIOS: Each Owner will keep patios and yards in an attractive and clean condition and free from debris and unsightly articles of any kind. The Owner will be responsible for patios snow and ice removal. Lawn furniture and propane gas grills may be used and stored on yards and patios; charcoal or gas grills/smokers are permitted.

8. PARKING: Only licensed operational motor vehicles may be parked on the street and in owner’s driveways. Recreational vehicles may only be parked in the driveways of owner ‘s property for preparation of travel. No permanent storage of trailers is allowed anywhere in the community.

9. POLITICAL SIGNS: Residents may not display political signs in yards or windows.

10. Architectural requirements:

- A. Any changes must be submitted in writing with sketches, and approved by the Board :
1. Exterior paint color
 2. Landscape changes or improvements
 3. Outbuildings are NOT permitted.
 4. Hot tubs are permitted.
 5. NO above or in-ground pools are permitted.

CERTIFICATION

The undersigned certifies that the foregoing Rules and Regulations were adopted by the Board of Directors of the Association as of the _____ day of _____, 20_____.

MARKET STREET EAST HOMEOWNERS ASSOCIATION, INC.

By: _____

Title: _____