Timber Trails Homeowners' Associations

Rules and Regulations

Adopted this 19th day of July, 2007, in accordance with the authority set forth in the declaration of Covenants, Conditions and Restrictions for Timber Trails Homeowners' Association and the By-Laws of Timber Trails Homeowners' Association.

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PREAMBLE

The Timber Trails Homeowners' Association Board of Directors is responsible for policy information, implementation and interpretation. These Rules & Regulations have been extracted from the technical language of the Declarations and By-Laws of Timber Trails with the intent to help residents better understand them.

The Rules & Regulations of the association are needed for the protection and benefit of owners and residents. Our goal is to improve the community, promote the safety and welfare of our residents, and to maximize the property values of our homes. They are not intended to restrict the owners or to prevent their enjoyment; rather, the Rules & Regulations have been established to increase everyone's use and enjoyment of the community.

Please remember, the Board of Directors is not a police department. The homeowners have the responsibility of assisting the Board in reporting violations of the Rules & Regulations, Declarations, and By-Laws. Unless the Board of Directors, through its Management Company or web site, is notified of rule infractions by the homeowners that witness the infraction, the rules cannot be enforced. Each homeowner's cooperation and participation is encouraged. All homeowners are responsible for damage/violations by those residing in their home or their guests.

This document is not intended to be all-inclusive or exclusive, but to serve as a guide for making improvements in the community. The Rules & Regulations will be reviewed based on concerns and complaints from the community. The Board of Directors reserves the right to make policy changes at any time.

Respectfully,

Board of Directors
Timber Trails Homeowners' Association

Rules and Regulations – Timber Trails Homeowners' Association

As approved by the Board of Directors, in accordance with the Declarations of the Timber Trails Homeowners' Association, Declaration 9.07B, The Design and Maintenance Controls, and Bylaw # 5.12, Powers and Duties of the Board.

1. Board and Committee Qualifications

Any homeowner wishing to be elected to the Board of Directors of the Timber Trails subdivision or would like to be involved on a committee, must meet the following requirements:

The homeowner must be in good standing within the subdivision and the community at large.

i. The homeowner must be current with their assessments and must have no outstanding fines or liens against them from the HOA.

ii. Board Members must sign a code of ethics (see exhibit A).

Homeowner nominations for Board of Director positions must be submitted in writing no later than three days prior to elections. Nominations will not be accepted from the floor the day of elections.

2. Prohibited Storage

At the discretion of the Board of Directors, personal belongings shall not be stored outside excluding, but not limited to, the following acceptable items: lawn and patio furniture, outdoor grills, fire pits with covers, firewood, flower pots, planters, garden hoses and reels, sandboxes, hammocks, and trampolines.

3. Holiday Decorations

Holiday decorations may be displayed four (4) weeks prior to and removed up to14 days after the holiday. Due to weather conditions residents have until March 1st to remove December holiday decorations.

4. Garbage, Recycling, and Yard Waste Containers

All garbage and recycling containers must be stored in the garage. Garbage and recycling containers cans can be set out the night before pick up and must be brought in no later than the morning after. Please secure lids and bundle cardboard boxes to prevent litter.

Full yard waste bags/cans may be kept outside along the side or back of the house until the next pick-up day; not to exceed 7 days.

No person shall accumulate on his/her lot any derelict vehicle, litter, refuse, compost or other unsightly materials.

5. Speed Limits

The speed limit on Timber Trails Boulevard is 30 mph up to Gregory M. Sears Drive. The speed limit north of Gregory M. Sears Drive and on all other streets is 20 mph. For the safety of all residents and guests these speed limits must be strictly adhered to.

6. Pet Restrictions

No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except for dogs, cats and/or common household pets provided they are not kept, bred, or maintained for any commercial purpose.

No pet kennels/houses of any type shall be allowed on any lot. Dog runs are to be maintained at all times so as to be non-offensive and the lawn in must be kept in good repair.

No pets of any kind shall be kept, maintained or housed anywhere other than inside the dwelling.

Pets are to be appropriately restrained and/or leashed at all times to prevent threat or nuisance to others in the area. Pets shall not be staked or tied in such a way as to allow the pet access to any common areas. No pets are allowed to run at large.

As a courtesy to your neighbors, please remember that pet waste in the common areas must be cleaned up immediately and disposed of properly.

For safety and sanitary purposes, dogs are not permitted on the playground play mat area under any circumstances.

Pets are subject to the Village of Gilberts licensing guidelines as well as the Village noise ordinances.

7. Landscaping:

As a courtesy to your neighbors, and in order to maintain the quality of the community, residents are asked to keep their lots/yards well maintained. No weeds, underbrush, unsightly growths or piles of dirt, mulch, compost or debris shall be permitted to grow or remain upon any lot for any period of time.

Grass must be kept mowed and cannot exceed 5” in length/height.

Landscape changes to any lot/yard needs the pre-approval of the board of directors and are subject to all Village of Gilberts ordinances, including permits and inspections.

8. Fences, Decks, Patios, and Walkways:

All fences, decks, patio and walkway additions and/or modifications must be pre-approved by the board of directors and are subject to the community Declarations. In addition, they are subject to the Village of Gilberts codes and ordinances including but not limited to obtaining a building permit and a final inspection.

Fences, decks, patios and walkways must be maintained both esthetically and structurally, including but not limited to being level and weed free. Any fences, decks, patios and/or walkways which, by reason of faulty construction, age, lack of proper repair or any other cause, is considered to be dilapidated must be repaired or removed at the expense of the owner. If required repairs are not made within 60 days of written notice, the Board has the right to assess a daily fine until such time as the repairs are completed. All fines and collection expenses incurred will be the responsibility of the homeowner.

9. Noise

Please show courtesy and respect to your neighbors in terms of noise. A dog left outside barking may be considered noise pollution and is subject to the Village Ordinances. Excessively loud noise/music is not allowed. If there is an issue with noise, please contact the Gilberts Police Department.

10. Common Area Damage

Any damage or destruction to any part of any common area caused by a homeowner, their residents, guests or contractor shall be repaired at the expense of the homeowner. All repairs must be approved by the Board of Directors. If required repairs are not made within 60 days of written notice, the Board has the right to assess a daily fine until such time as the repairs are completed. All fines and collection expenses incurred will be the responsibility of the homeowner.

11. Hazards

Any condition within the Timber Trails community that is deemed by the Board of Directors to be a hazard to the public's health and safety must be immediately corrected by the homeowner.

12. Construction and Home Modification Guidelines

The Board of Directors must approve modifications, renovations, and additions including the change of exterior house color prior to commencement of work. Work must be completed within three (3) months of the start of the project. Failure to comply will result in fines. Request for an extension, stating the reason for the delay, must be submitted in writing to the Property Manager.

All modifications, renovations and additions must be must be maintained both esthetically and structurally. Any structure which, by reason of faulty construction, age, lack of proper repair or any other cause, is considered to be dilapidated must be repaired or removed at the expense of the owner. If required repairs are not made within 60 days of written notice, the Board has the right to assess a daily fine until such time as the repairs are completed. All fines and collection expenses incurred will be the responsibility of the homeowner.

13. Home Exteriors:

The exterior of the home must be kept in good repair.

No person shall accumulate on his/her lot any derelict vehicle, litter, refuse, compost or other unsightly materials. If required clean up or repairs are not made within 60 days of written notice, the Board has the right to assess a daily fine until such time as the repairs are completed. All fines and collection expenses incurred will be the responsibility of the homeowner.

14. Noncompliance Notification, Enforcement, and Fines

Noncompliance with the Timber Trails Homeowners' Associations' declarations, By-laws, and/or the Rules and Regulations by a homeowner, their residents, or their guests, should be reported to the Property Manager via **e-mail, letter or phone**. A photo of the violation with the date and time is strongly suggested. The homeowner is responsible for their actions as well as their residents and guests. Habitual noncompliance of the same violation will automatically be deemed a repeated offense.

Owners or residents should report violations of the Village ordinances, especially those involving safety, traffic regulations, and animal concerns directly to the appropriate authority or enforcement agency.

When a violation is reported to the property management company, it will be verified by a member of the property management company or designee of the board. If the resident is found to be in violation of the Declarations, By-Laws, and/or the Rules and Regulations the following may occur:

a. First offense: A notification letter, warning of the noncompliance by a homeowner for each specific offense(s) that requires action by the homeowner and potential fines, will be sent out via Certified Mail. The corrective action to be taken by the homeowner must be done so in the appropriate time deemed by the Board of Directors. The homeowner may start an appeal process at this time.

b. Second violation of the same Noncompliance: An official second notice letter of noncompliance will be sent out to the homeowner via Certified Mail stating required corrective action(s) and assessment of an initial penalty of $50.00 for that specific offense. The homeowner will be responsible for any and all legal costs.

c. Third or repeated violation of the same noncompliance: A minimum of $100 in additional fine(s) and legal action as determined by the Associations' Board of Directors and Legal Counsel. The homeowner will be responsible for any and all legal costs.

15. Contesting a Violation

a. The homeowner responsible in regards to a violation may file an appeal with the Board of Directors through the Property Manager. The violating homeowner may request a personal hearing or submit a signed statement for consideration in their defense.
b. The homeowners appeal/request for a hearing must be submitted to the property management company, in writing, within 10 days from receipt of the Notice of Violation.
c. Hearings will be held on a quarterly basis. The homeowner will be notified in writing of the date, time and location of the hearing.
d. Failure of the homeowner to appear for the requested hearing will result in a default ruling against the homeowner.

e. If a homeowner is found to be in violation, the Board of Directors will notify the guilty party in writing and a fine may be assessed.
f. Any and all costs for attorney's fees shall be assessed back to the offending owner at the time they are incurred.

16. Assessments:

The annual HOA assessments are due by January 31st. On February 1st, a fine of $50 will be assessed on any delinquent account. If the assessment and fine are not paid by March 1st, the matter will be turned over to collections.

The resident is responsible for all fees/costs in incurred as part of the collection process.

The HOA has the right to place a lien against the property and pursue all rights of recovery as allowed by law, including eviction.

17. Payment plans

Any homeowner wishing to arrange a payment plan for the purpose of paying off any monies owed to the Association, must contact the Property Manager who will then contact the Board of Directors. If the Board of Directors deems it appropriate, the following policies will be in place:

If the homeowner has a balance of $1,200.00 or less, the Homeowners'' payment plan will consist of a minimum of $200.00 per month up to a total of six (6) months. If the homeowner fails to make any payment, the payment plan is null and void and legal counsel will be advised to take action. The homeowner will also be responsible for any legal costs incurred.

If the homeowner has a balance of over $1,200.00, the homeowner will have a total of six (6) months to pay it off in six (6) equal payments. If the homeowner fails to pay off his debt, the payment plan is null and void and legal counsel will be advised to take action. The homeowner will also then be responsible for any assessments from legal counsel including court.