

LAKE POINT VILLAGE HOMEOWNERS ASSOCIATION (HOA)

RULES AND REGULATIONS

June 2008

The Board of Directors, comprised of our elected officials, is charged with the responsibility of enforcing our covenants. Toward this end, they have adopted these rules and regulations for the common well-being and safety of the homeowners and residents of Lake Point Village.

The only way the HOA can be operated effectively is for all homeowners and residents to work cooperatively in observing whatever rules and regulations are adopted by the Board to make the joint effort a success. Thus, each of us living in Lake Point Village has an equal responsibility and opportunity to make our joint venture what we want it to be.

The rules and regulations apply to all owners, residents and their families, and their guests. Please read them carefully, and have everyone else living in your residence read them. Also, please inform your guests of any rules applicable to them such as speeding, parking, etc. Any agreements between owners or residents that may be in conflict with these rules are prohibited.

Whenever a residence is sold and vacated, it is the responsibility of the owner leaving to give his/her set of rules and regulations to the new owner.

The attached rules and regulations supersede all previous revisions and are effective immediately.

Rule Number 1- Residential Uses

Homeowners are to sell their homes to a buyer that would take up permanent residence and not to an investor who intends to use it as a rental unit. (Current rentals within Lake Point Village must comply if or when property is put on the market).

Rule Number 2 – General

1) Governance

- a) The Board of Directors, at the annual meeting of the Homeowners Association (HOA) will be elected for two (2) years by a majority of the member's present.
- b) The HOA officers will consist of a President, Vice President, Secretary and Treasurer.
- c) The Vice President has the option to serve as President following the two- year term of office of the President in the Association. Successive terms are permitted.
- d) The Board will establish committees, under their direction, as needed by a majority vote of the Board. Some committees, as needed, will be Architectural, Sprinklers and Landscaping, Garage Sale, Pet Control, Social, and Audit, etc.

2) Protection of Property

- a) All walkways – including driveways – shall not be obstructed in any way, which will prevent their regular use, i.e., basketball standard, trampolines, etc.
- b) All garbage will be deposited in the West Point City provided garbage cans. Trash cans are not to be placed out more than 24 hours prior to pickup and must be brought in off the street no later than 24 hours after pickup.

3) Signs

- a) Only temporary signs may be displayed in the HOA (i.e., Real Estate, Garage Sale). The signs may not be larger than six square feet. Security signs are considered permanent and are exempt.
- b) All signs will be of a professional quality.
- c) Real Estate open house signs are permitted only during open house hours.
- d) Signs must be removed immediately after a home is sold.
- e) No more than five (5) political signs may be placed on the front lawn of any home, two weeks prior to the election. All political signs must be taken down immediately following the election.
- f) No temporary signs will be placed on a homeowner's property without their permission.

Rule Number 3 – Responsibilities

1) Homeowners

- a) Each homeowner is responsible for the upkeep of their home in a presentable manner – this includes sidewalks and driveways. Any changes in color of home (to include siding, paint, and stucco) or in the structure itself must be approved by the Board.
- b) In cases of structural additions or changes, the contractor must submit his change and type of materials to the board **prior** to building or painting the residence.
- c) Fences, hedges, or retaining walls are not authorized without **prior** approval by the board. Final written approval/disapproval will be given by the Board of Directors.
- d) **Those homes bordered by common areas will not be permitted fencing.** The perimeter fence bordering common areas is owned and maintained by the HOA. Damage to the perimeter fence done by the homeowner must be repaired by the homeowner.
- e) Any fencing must be of the same height, design, color, and material as the perimeter

fencing.

- f) All fences owned by the homeowner are their responsibility to maintain in good repair.
- g) Any sprinkler modification will be at the homeowner's expense. Any increase in mowing, fertilizing, or aerating charges, due to unavailability of access (toys, lawn furniture, pets, etc.) will be paid by the homeowner.
- h) All lawns, front, back, and sides will be completely planted within eight (8) months of closing. This includes installed underground sprinkling system.
- i) All concerns or problems need to be submitted in a written format and presented to the Board of Directors through the Secretary of the Board.
- j) Each resident will supply to the HOA Secretary and keep up to date name, address, and phone number of the registered home owner. A "Register of Owners" listing will be maintained in accordance with Section 7.04 of the CC&R.

2) HOA

- a) The Board of Directors will authorize a removal of snow (push) when the snowfall depth is two inches or more. Snow will be removed from all driveways, front sidewalks, steps, and common areas. The homeowner may use snowmelt as needed at any time. No public sidewalk will be obstructed or blocked at anytime (winter or summer) in accordance with West Point City Ordinances.
- b) Common Areas (Parks) are the property of the HOA and will be maintained and run by the Park Committee with final approval by the Board in establishing policy and solving problems.
- c) The Board of Directors will take out (purchase) appropriate liability insurance to cover any member of the Board, Committees, and the Common Areas.
- d) The Board of Directors will have an audit of all HOA financial records accomplished once each year.
- e) This audit will be accomplished by the Audit Committee, which is independent of any other committees, and reports directly to the President of the Board of Directors.
- f) The HOA will sponsor and advertise, at no cost to the homeowner, one (1) or two (2) garage sales to be held on a Saturday (exact dates to be determined) from 8 am to 12 pm.
- g) The HOA will place signs throughout Lake Point Village the morning of the Garage Sale and take them down at the end of the day. Each homeowner will have the opportunity to voluntarily participate if they choose to. Items to be sold will be available in each homeowner's driveway or garage. The homeowner will mark the items for sale accordingly and realize all profits from their sale.

- h) The homeowner must arrange for the removal, at the end of the day, of any unwanted items. These garage sale events are the only garage sales authorized within the HOA.

Rule Number 4 – HOA FEES and Fines

In accordance with the Covenants, Conditions and Restrictions, (CC&R) and Rules and Regulations establishing Lake Point Village, the Board of Directors must set the maintenance fee sufficient to provide the maintenance of the common property, utilities, certain services, capital improvements, and insurance. The Board of Directors may assess a late fee for delinquent payment of maintenance fees and/or fines to members who do not follow the rules and regulations of the association.

1) The Maintenance Fee Provides:

- a) Maintenance of all common property which includes sidewalks, lawns, sprinkler systems, shrubs and trees, and the perimeter fences.
- b) Snow removal from all sidewalks, driveways, and stairs when snow depth is 2 inches or more.
- c) Public liability insurance as required by the CC&R. (Homeowners liability and personal property are excluded).
- d) Capital improvements, subject to budget limitations and homeowner approval, as defined in the CC & R.

2) The Board of Directors will:

- a) Review monthly maintenance fee rates each December. Any fee increase will be established by the Board of Directors pursuant to the provisions in the Declaration.
- b) The maintenance fee is payable during the first 14 days of each month and is considered delinquent after that time.
- c) Late HOA fees (after the 14th of each month) will accrue at the rate of 1.5% per month on the unpaid balance and will be imposed whether residence is occupied or vacant.
- d) Failure to pay monthly HOA fees within a three (3) month period will have a lien placed on the home by the beginning of the fourth month. The lien will stay in place until all fees are paid in full by the Homeowner.

Rule Number 5 – Traffic and Parking

This rule and/or regulation is adopted after careful consideration and the desire to maintain the safety and tranquility of all residents. Only by immediate and strict compliance can this be accomplished.

1) Traffic Control

- a) Bicycles, roller skates/blades, and skate boards will not be left on any sidewalks, common lawn areas, or shrub bed (berm) areas.
- b) Speed Limit: The speed limit on all roadways within the boundaries of Lake Point Village is 25 miles per hour. Drivers are to remain alert for children at play and older persons.
- c) Any resident observing a speeding violation shall try to get the license plate number and report the violation to the West Point Police Department.

2) Parking

- a) Parking is not permitted in the “red zones” of Lake Point Village. Roadway curbs have been painted red in the unauthorized parking areas.
- b) Residents shall keep their cars in their own driveways and garages to the fullest extent possible. Street parking should be kept to a minimum for access of emergency vehicles. **Parking is prohibited in front of mailboxes –the Post Office will not deliver mail if the mailbox is obstructed.**
- c) Parking of trailers, boats, trucks (larger than ¼ ton), or similar equipment is prohibited within Lake Point Village unless placed or maintained within a garage out of sight from the street. Any deviation must be approved by the Board of Directors.
- d) Residents owning trailers, boats, trucks (larger than ¼ ton), or similar vehicles must make their own arrangements for off-site parking.
- e) The front and sides of the home should be neat in appearance and not an eyesore or a hazard to anyone. Any deviation must have approval from the Board of Directors.

Rule Number 6 – Pet Regulations

- 1) Pets are defined as animals that live in the home and do not stay outside for an extended period of time.
 - a) Dog runs, kennels, or dog houses are not authorized within Lake Point Village.
 - b) The HOA and the City of West Point adopt and adhere to the Davis County “Comprehensive Animal Control Ordinance”. In part the animal cannot become a nuisance, either through damage, unsanitary conditions, unreasonable odors, noise, or

safety concerns.

- c) All pets must be under 35 pounds in weight (pets present before June 2008 are grandfathered).
- 2) Violations: Pets will not be allowed to disturb or menace other residents. Upon complaint, from two (2) or more homeowners, notice will be given to correct the problem. Reports of pet violations must come and be addressed in writing to the Pet Control Committee. A fine of \$70.00 per occurrence will be levied by the Board of Directors once it has been determined the “pet situation” is a nuisance.
- 3) In no event shall pets be permitted in any of the common areas unless carried or on a leash.
- 4) Each pet owner will pick up and dispose of droppings made by their pets – this includes the back lawns for mowing purposes. In the event that lawn service personnel cannot mow because of pet droppings, lawn service will be at the homeowner’s expense if they are called out again.
- 5) Homeowners will be fined accordingly for any damage caused by their pets.
- 6) It is the responsibility of each seller to inform prospective buyers of the pet rules and the necessity of compliance.

Rule Number 7 – Changes and Disputes

Interpretation, changes, disputes or questions to the CC&R or the Rules and Regulations will be resolved and managed by a majority vote of the Board of Directors. A written format must be used and processed through the HOA secretary for resolution.