

WESTGATE TOWNES HOMEOWNERS ASSOCIATION

Rules and Regulations

Pursuant to Article XI, Section 4 of the Westgate Townes Homeowners Association (WTHA) Declaration of Covenants, Conditions and Restrictions, the following rules and regulations have been formulated by the WTHA Board of Directors for the protection and general welfare of the development. These rules supplement the regulations of the Declaration of Covenants, Conditions and Restrictions of the Association.

Any rule may be amended by the Board of Directors. Failure by the Association or any resident to enforce any of the rules and regulations herein contained shall in no event be deemed waiver of the right to do so thereafter. Invalidation of any one of these rules or regulations by judgment or court order shall in no way effect any of the other rules that shall remain in full force and effect. Violations of these rules and regulations should be reported in writing to the Board of Directors or the management company. Homeowners are responsible for reporting any damage to the outside of their units, their land and adjacent common areas.

These rules and regulations shall become effective on October 1, 1991 and amended on July 1, 1998 and July 1, 2001.

COMMON AREAS

1. All landscaping in the common areas, except the plant beds directly in front and back of your unit, is to be left undisturbed unless approved by the Board.
2. Residents should respect the common areas adjacent to their neighbor's property.
3. No sports equipment shall be displayed or erected in a permanent way in Westgate Townes. Toys or other personal items used in the common areas on a temporary basis shall be removed and not be left overnight.
4. No pet facility shall be permitted on the common grounds, including doghouses, dog runs, etc.
5. No antenna shall be permitted at Westgate Townes.
6. Digital satellite dishes (21" or less in diameter) may be installed on the back of your townhouse, provided that a written request is submitted to and approved by the WTHA Board of Directors. Request must include the location and the method of installation that may not be visible from the front of your townhouse.
7. Personal items shall not be stored or kept in the common areas without written approval from the Board of Directors.

MONTHLY MAINTENANCE FEE

Our only source of operating income is from our monthly maintenance fees. It is the obligation of every Owner to pay the monthly maintenance fee on time. Direct draft service is available. Fees are due on the first day of the month without notice, and are considered late if not paid within fifteen days of the due date, and will be subject to a **\$20 late fee** each month on each payment. Fees should be paid to the Management Company as follows:



Todd Petherbridge
Community Manager

5915 Farrington Road, Suite 104
Chapel Hill, NC 27517-9900
todd@casnc.com

919-403-1400
Fax 919-403-1499
www.casnc.com

BUILDING EXTERIORS

1. No sign shall be erected on the common grounds or outside of any unit, except "for sale/lease" signs without the express written permission of the Board of Directors. Each unit Owner shall be allowed to erect one "for sale or for rent" sign directly in front of his or her unit only.
2. Wood for fireplaces shall be neatly stacked at least 5 feet away from the unit to avoid problems with termite infestation.
3. Patios should be kept clean and neat at all times and should not be used for the storage of any items other than patio furniture, trash/recycling bins, barbecue grills, and flower pots.
4. All residents' garbage containers, barbecue grills, bicycles, or other personal items shall be not be visible from the front of the unit.
5. Garbage containers and recycling bins must be returned to the patio area immediately after each regularly scheduled pick-up day.
6. Outside clotheslines shall be prohibited.
7. Exterior decorations, seasonal or holiday shall be limited, modest and unobtrusive.

LANDSCAPE MAINTENANCE

1. The Association intends to preserve and enhance the appearance of the grounds by providing maintenance of the grounds and assuming responsibility for all plantings, unless otherwise noted. Owners assume responsibility for anything they plant.
2. The Owners may plant bulbs, annuals, perennials and shrubs in the area directly in front of, beside, or behind their home. Flowers may also be planted in containers.
3. No statuary, fences or other objects are to be placed in the common area or in any green space, where they interfere with lawn mower access.

ARCHITECTURAL CONTROL - BUILDING AND LANDSCAPE CHANGES:

1. Owners are not permitted to make any additions or changes to any part of the exterior of the building unless submitted to the Board and approved in writing as per Article V of the FOHA Declaration of Covenants, Conditions, and Restrictions. Under no circumstance will a verbal request be considered.
2. All landscaping is to be left undisturbed unless approved in writing by the Board. All requests for additions or changes to the landscaping must be submitted to the Board in writing. No verbal request will be considered.

MOTOR VEHICLES AND PARKING

(For the purpose of this section, an approved motor vehicle is a conventional passenger automobile, motorcycle or truck of ½ ton or less)

1. Unlicensed and/or inoperable motor vehicles, shall not be operated or stored at Westgate Townes. All approved motor vehicles must have current inspections stickers.
2. Parking is permitted in marked spaces only. Parking in the grass, along the side of street and entrances or on sidewalks is prohibited.
3. PARKING RIGHTS: Ownership of each townhouse shall entitle the Owner or Owners thereof to the use of not more than two vehicular parking spaces, one of which is marked and shall be as near and convenient to said unit as is reasonably possible.
4. VISITOR PARKING is permitted only in designated and/or marked visitor spaces.
5. SPEED LIMIT: The speed limit shall be 10 MPM throughout the development.
6. CAR REPAIRS: No car repairs are permitted at Westgate Townes.
7. VEHICLE WASHING: Washing of a vehicle is permitted in the homeowner's assigned space only and as long as it does not interfere with other neighboring parked vehicles and property.
8. The parking of RV's, boats, campers or utility trailers is prohibited.
9. The WTHA Board of Directors reserves the right to enforce towing, at the Owner's expense, for any parking violations.

PETS

KEEPING OF TYPICAL DOMESTIC PETS IS PERMITTED WHEN THE FOLLOWING RULES ARE OBSERVED

1. All animals should be vaccinated and properly licensed with the City of Durham.
2. Dogs are to be walked on leashes. Owners must clean up immediately after their dogs. Dogs are not to be tied or staked outside without the Owner in attendance.
3. Cats, when outside, should have Owner identification tags.
4. Breeding of animals for commercial purposes will not be permitted on WTHA property or any common areas.
5. Any pet running loose shall be considered a stray and may be reported the animal control officer for Durham at 560-0360. **Please note that this provision also applies to cats.**
6. The Board of Directors shall have the right to order, through management, any person whose pet is a nuisance and who does not comply with the above rules to remove such pet from the premises.

NON-RESIDENT OWNERS AND TENANTS

1. Non-resident Owners may delegate their rights of enjoyment of our common properties to any Tenant with whom they have negotiated a written Lease that:
 - a. requires the Lessee to comply with the Westgate Townes rules and regulations; and
 - b. provides that failure to comply constitutes a default under the Lease.
2. Non-resident Owners must notify a member of the Westgate Townes Board of Directors or the Association Management Company of any change in their address or phone number within ten (10) days of the change.
3. All Non-resident Owners must provide a member of the Westgate Townes Board of Director or the Association Management Company with a copy of the Lease Agreement, including the phone number of any new Tenant within thirty (30) days of a change.
4. Leasing shall not relieve any Non-resident Owner from their obligations of ownership hereunder the rules and regulations, declaration of covenants, by-laws or article of incorporation of the Westgate Townes Homeowners Association.

GENERAL

1. No professional and/or commercial business activities shall be conducted in or from residences in Westgate Townes.
2. All personnel hired by the Board or management company shall be the responsibility of the Board or management company. All concerns should be directed to the management company for action.
3. Any suspicious activity should be reported immediately to the Durham Police Department by calling 911.
4. While North Carolina fire code do not apply to townhomes when regulating charcoal and gas grills, Owners are urged to keep these as far from the unit as possible. The NC Fire code recommends at least 10 feet from any living area.

VIOLATION OF ANY OF THE ABOVE RULES MAY BE PUNISHABLE AS FOLLOWS:

First Offense:	Written warning
Second Offense:	\$ 25.00 Fine
Third Offense:	\$ 50.00 Fine
Fourth Offense:	\$ 100.00 Fine

Fines will be due and payable upon receipt of notice. Fees not paid within thirty (30) days will result in a lien being placed on the property and all court fees and attorney fees associated with the proceeding will be added to the cost.