The OAKS of Avent Ferry Governing Rules

Last Revised December 2004

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THE GOVERNANCE OF THE OAKS OF AVENT FERRY

When you purchase or lease a home at The Oaks you become a part of a community that is governed in accordance with three official documents:

- The Declaration of Covenants, Conditions and Restrictions for the Oaks;

- The Articles of Incorporation of the Oaks of Avent Ferry Condominiums;

- The Bylaws of the Oaks of Avent Ferry Condominiums.

Homeowners who did not receive a copy of these documents upon closing purchase of a condominium may secure copies from the management firm for the cost of photocopying.

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THE OAKS OF AVENT FERRY CONDOMINIUMS

The owners of each condominium automatically have a single vote in The Oaks of Avent Ferry Condominiums, (hereafter referred to as OAKS). An annual meeting of OAKS is held on the second Monday of February, unless otherwise announced. A summary of the expenses incurred in the previous year and the budget for the upcoming year are presented, along with other information that may be of interest to the homeowners. Also, an election is held to fill the positions on the Board of Directors that have expired. Occasionally, additional meetings are called to discuss matters of special importance that need attention before the next annual meeting.

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Assessments

The operation of the Association requires a monthly assessment that is levied on the owners of each Condominium. The assessment is used for care of the grounds, exterior maintenance of the unit, insurance, water, management services, and other expenses incurred by OAKS. The Board sets the amount of the assessment each year.

All monthly dues/assessments are due on the first of each month. The period from the first to the 10th of each month is a grace period only and is not intended to be regularly abused. If you wait too close to the end of the grace period to mail your payment, and it is processed by the bank after the 10th, the delay caused by slow mail is not an acceptable reason to waive a late fee. Late fee is $15.00 per occurrence.

Checks should be made payable to OAKS OF AVENT FERRY HOMEOWNERS ASSOCIATION and mailed to the address indicated in your coupon booklet. DO NOT mail or deliver your payment to Wilson Property Management Company.

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Automatic Draft

For security and convenience, we encourage homeowners to participate in automatic draft of monthly dues instead of paying by check. This free service assures that monthly payments are made on time and avoids late-payment penalties or bank charges.

An automatic draft form is found in APPENDIX C, or call Wilson Property office (755-0864), or print the form at http://www.wpminc.net/direct_debit_deposit.htm.

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Board of Directors

The Board of Directors (hereafter referred to as the Board) is the governing body of OAKS and makes decisions concerning the raising and expenditure of funds, the contracts for work done for OAKS, and the establishing and enforcement of the rules of the community. The Board is composed of up to seven elected members who must be an owner. Terms on the Board are for two years and are staggered at two-year terms. The Board meets on the second Thursday of each month. All homeowners may attend the meetings of the Board, but voting is limited to its elected members.

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Officers of OAKS

The officers of OAKS include a president, vice-president, treasurer, and secretary who are elected annually by the Board. All four officers must be members of the Board. The president presides over the meetings of OAKS and the Board.

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Committees

The Board has established committees to assist it in its work. There are presently two standing committees responsible for architectural control and grounds. Occasionally, ad hoc committees are appointed to study a specific issue that has arisen. Each year the Board appoints chairpersons of the committees who in turn select the members of the committee. A member of the Board is assigned to work as a liaison with each of the committees. If you are interested in working on any of the committees, contact a member of the Board. This is a good way to get involved in the work of OAKS.

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Management Company

In view of the large number of tasks that arise in the day-to-day operation of OAKS, it is necessary to employ the services of a professional management firm. Among these services are processing of monthly assessments, paying the bills of OAKS, preparing reports on expenditures, keeping records, and undertaking routine repair and maintenance. In addition, it oversees the work of contractors for grounds keeping, landscaping, painting, repairs, and maintenance.

Our management firm is Wilson Property Management located at 5520 McNeely Drive Suite 100 Raleigh, NC 27612. The telephone number is 919 782-1717. Its e-mail address is wpminc@bellsouth.net. The website is http://www.wpminc.net/.

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Newsletter and Website

The OAKS newsletter is Under the Oak Leaf, which contains updated information of interest to homeowners. The newsletter is published bi-monthly and mailed to homeowners in January, March, May, July, September, and November.

The website for the OAKS is http://www.oaksofaventferry.com. This site contains all the information in this booklet, plus information and links for current announcements, assessments, budget, board of directors meetings, homeowners meetings, community links, location and directions, message boards, voting ballots, and forms for work orders and architectural review requests.

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Whom to Contact in the Event of a Problem

Emergency Maintenance Problem: Wilson Property Management provides emergency service for many maintenance problems which may arise. You can contact WPM at 919 782-1717; follow voice prompts. This is a 24-hour, 365-day service. Services which are homeowner expense will be promptly invoiced by WPM.

Non-emergency Contact: If a problem arises which may fall within the general responsibilities of the Association, it is suggested that you first write the management firm. If you are not satisfied with the response you receive, your next recourse is to contact a member of the Board. Beyond that, the matter may be called to the attention of the president of OAKS. Some questions and problems may also be addressed to the chairpersons of the standing committees. The current roster of Board members, officers, committee chairpersons, and management contact can be found on the last page of this booklet. Each year an updated roster is published and distributed to all homeowners.

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Work Orders

All requests for work must be put in writing and submitted to the management company, Wilson Property Management.

A work order request can be found in APPENDIX D.
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BUILDINGS AND COMMON ELEMENTS

Architectural Control

Any and all changes or additions to the exterior of a building or patio area such as storm doors, windows, fireplace chimneys, room additions, fences, sheds, paint colors, or the like, may be made only with the prior approval of the Architectural Control Committee. Modifications that are not in compliance with the OAKS rules must be corrected at the expense of the homeowner. A complete set of rules and procedures pertaining to architectural control can be found in Appendix A.
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Curtains/Drapes/Window Coverings

Blankets, sheets, towels, and other types of makeshift window coverings are considered only as temporary. The Board recommends they be removed within three weeks after resident has taken charge of the unit and replaced with drapes, curtains, blinds, or shutters.
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Exterior Maintenance

OAKS is responsible for exterior maintenance of the condominiums as necessary due to normal aging and exposure. Maintenance procedures and repair methods are determined by the Board and not by the individual homeowner. Homeowners are responsible for maintenance of Limited Common Elements. A complete statement of the maintenance policy or the Board can be found in Appendix B.
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Firewood

Firewood must be stored neatly in a small pile 5 ft. from the wood of buildings. Firewood may not be stored on or under decks, next to fences, or within patio enclosures to prevent possible termite, roach, or mildew infestation.
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Garbage and Recycling Pick-up Service (Revised 12-2004)

Front porches are not to be used as storage areas. Please keep the front porch neat and presentable in appearance. Garbage cans and recycling bins are not to be stored on the front porch or in front of units. Trash, recycling, and yard waste are normally collected each Thursday, except holidays. Check with the City of Raleigh for alternate collection day during holidays.

Carts and bins may not be taken to the street earlier than Wednesday evening, or the evening before an alternate collection day. Cart and bins must be returned to the back of units by Thursday evening, or by evening of the alternate collection day.

The City states that items for collection must be placed in carts, therefore trash and trash bags placed directly on the street will no longer be tolerated.

Carts must be placed on the street so the handle faces the units & the front of the cart faces the street. Carts must be placed at least five feet from mailboxes, utility poles, parked cars, or other items that collection equipment can damage. Homeowners who qualify for exemption must contact Solid Waste Services individually and will be allowed to keep backyard collection. Exemption qualifiers include 65 years or older, disabilities, or steep driveway. For further

information, contact Linda Leighton at the City of Raleigh, 400 West Peace St., Raleigh, NC 27603, (919) 831-6522.

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Insurance for the Homeowner's Association

The Oaks of Avent Ferry Condominium Association carries liability insurance and commercial property insurance with a $1000 deductible. This insurance is in accordance with the requirements of our governing documents. Detailed information can be found in on pp. 16-21 of the "Declaration of Unit Ownership" (The Declaration of Unit Ownership is one of the documents we received when we purchased our condominium units.)

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Insurance for the Homeowner

The Declaration of Unit Ownership recommends that:

each owner of a Condominium Unit obtain a "Tenant's Homeowner's Policy", or equivalent, to insure against loss or damage to personal property used in or incidental to the occupancy of the Condominium Unit, additional living expense, vandalism or malicious mischief, theft, personal liability and the like. Such a policy should include a "Condominium Unit-Owner's Endorsement" covering losses to improvements and betterments to the condominium unit made or acquired at the expense of the Owner.

We recommend that your insurance agent coordinate with our Association's insurance agent, Carter Glass Insurance Agency (919.781.1973), so that there are no unintended gaps in your insurance coverage. Your insurance agent may also need to see the Declaration of Unit Ownership to help you determine the insurance that meets your needs.

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Whom to Contact in the Event of Loss or Damage

Contact Wilson Property Management (919.782-1717). If the damage is covered under the commercial property insurance and the damage exceeds the $1000 deductible you can request that Wilson Property Management file a claim under our commercial property policy. Each homeowner is responsible for payment of the deductibles associated with his/her claim.

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Interference with Pedestrian or Vehicular Traffic

No person may walk, stand, sit, lie, or place an object in such a manner as to block passage by another person or vehicle, or to require another person or driver of a vehicle to take evasive action to avoid physical contact.

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Leasing Condominiums

Units may be leased if done so in a manner that does not violate the ordinances of the City of Raleigh of areas zoned R-6. This zoning restricts use of residences to single families. Thus, renting individual rooms or a portion of a residence as a utility apartment is not permitted, nor are more than four unrelated individuals permitted to reside in a unit.

The homeowner is responsible for payment of the monthly assessment and for the compliance of renters with the rules of the Association, including those governing the use of the common grounds, and parking areas. Fines levied for rule violations are also obligations of the homeowner. Owners who contemplate renting their unit should secure a copy of the Board's General Information and Regulations for Leasing OAKS Condominiums from the management firm.

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Noise

All precautionary measures should be taken to keep from disturbing the peace and tranquility to which your neighbor and fellow owner is entitled in his/her condominium.

Do not operate any sound-producing instrument (radios, TV, stereo sets, automobile sound systems, etc.) above conversational loudness with doors and windows open. Use of radios, TV, etc. on balconies should be carefully monitored, as the sound carries into many of the surrounding condominiums. Use the rule above so that these appliances are not played above conversational level.

Car radios should be monitored while inside the condominium grounds. Car radios/stereos may not be played above normal conversational level while inside the Oaks property. Horn blowing is not permitted.

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Outside Lighting

Homeowners are responsible for replacing light bulbs in the light fixtures in front of their unit and the patio wall. Exterior lighting is important both for reasons of aesthetics and security. Light bulbs that have failed must be replaced at the owner's cost. The large area lights in parking lots are the responsibility of OAKS.

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Painting

The OAKS will paint the exterior surfaces of each building on a regular schedule to be determined by the Board upon advice of the Architectural Committee.

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Pets

In accordance with City leash law, pets must not be allowed to run freely on common areas, nor may they be chained in these areas. Whenever possible, keep your pets from eliminating on or in the vicinity of sidewalks. The wooded circle toward the lake is available for this purpose.

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Play on the Common Ground

The common grounds may be used for play so long as it does not destroy grass and plantings and is not so loud as to be a nuisance or annoyance to the neighborhood.

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Rules Enforcement

Occasionally it becomes necessary for the Board to take special action to enforce the rules of the Association, such as those pertaining to exterior maintenance. A letter will be sent from the management company to notify the Homeowner of a first-time violation. If the violation is repeated or is not corrected, a fine may be imposed by the Board. The Board is empowered and may impose fines up to $50.00 which may be compounded up to a maximum amount of $150.00 per violation. A fine of the maximum amount may be imposed for chronic or repetitive violations. Homeowners are responsible for the actions of their dependents, guests, and renters.

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Signs

The Board has adopted rules on the type and location of signs that may be displayed on either the units or the common areas. Only two types of signs have been approved for use by homeowners: "for sale" or "for lease" signs, and political signs. Furthermore, these signs are subject to the following regulations:

I. **"For Sale" or "For Lease" Signs**

A. Only one (1) sign, not to exceed six (6) square feet is allowed per unit (city ordinance).

B. The sign should be located in the yard between the unit and the sidewalk, preferably close to the unit.

C. Realtor "for sale" signs must be removed no later than three weeks after the condominium has been sold.

D. No signs (including directional signs) may be placed along the streets or at the entrance to the courtyard.

E. No signs may be attached directly to the outside wall of the buildings.

II. **Political Signs**

A. Signs may be placed only in a window; political signs may not be placed on the common grounds. Only one (1) sign, not to exceed six (6) square feet, is allowed per unit. The names of more than one candidate may appear on the sign.

B. The signs may be displayed no more than three weeks before an election and must be removed the day following the election.

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Soliciting

Should you be bothered at your front door by a solicitor, advise the management company. This is a no soliciting zone and there are signs to indicate this in the area.

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Sunbathing and Other Outdoor Activities

Sunbathing and outdoor cooking activities should take place on the grassy common areas in the back of buildings, not on sidewalks or on paved parking areas, or on roof tops.

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Television:

Antennas: No individual TV antennas may be installed on the buildings.

Cable Service: Homeowners may elect to subscribe to a cable service on a private basis.

Satellite Dish:

A satellite dish may not be installed without prior written approval of the Architectural Committee. Any dish installed without written Architectural approval can be removed at homeowner's expense. A dish may not be installed in common ground areas. Whenever possible, it should be placed in the least visible location from walkways or parking areas in front of the units. It must be located in the least obtrusive location possible without preventing an acceptable quality signal. Installation must comply with applicable Federal, State, local laws and regulations, building codes, and manufacturer's instruction. Installation and location must result in a professional and neat appearance. A dish may not present a safety hazard to structure or person. All damage resulting from installation, location, operation, or removal of a satellite dish will be corrected at

homeowner's expense. Satellite dish removal requires restoration of the installation location to its original condition at homeowner expense.

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LANDSCAPING AND GROUNDS CARE

One of the principal responsibilities of OAKS is to maintain and improve the appearance of the grounds. The Grounds and Architectural Control Committee assists the Board in fulfilling this responsibility. In addition, the Board, in conjunction with the Committee, has contracted for the services of a landscape architect for assistance in drawing up long-range landscaping priorities and for advice on annual ground maintenance.

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Lawn Care

Lawn care such as mowing, trimming, and fertilizing is the responsibility of OAKS. Normally, this work is contracted annually to a lawn care firm on the basis of competitive bids. Workers are not responsible for moving bicycles, lawn furniture, toys, or hoses in order to mow. To facilitate mowing and to keep up the appearance of the community, no belongings should be left in the common areas.

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Trees and Shrubbery

OAKS is responsible for trimming and replanting shrubs and trees that existed on the properties at the time of the transfer from the developer or were added by the Association at a later date. Replacement may be delayed for budgetary reasons or to await the proper season for planting.

Homeowners desiring to plant shrubs or trees in the front of their units or any where on the common grounds must seek and receive the prior approval of the Grounds Committee.

Requests for approval should include the following information:

- species of shrub or tree,
- location of the planting,
- color of the flower of the planting (if any), and surrounding trees.

An approval will stipulate whether the homeowner or OAKS is responsible for pruning and caring for the plant. Oaks is not responsible for replacing these plantings should they die.

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Flowers

Flowers such as annuals may be planted in areas in front and back of units without approval. Such flowers should be of the low, bushy bedding type. The homeowner is responsible for maintaining these flowers in a neat manner and cleaning up the dead stalks in the fall. Flowers should not be placed in any other area of the common grounds

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Lawn Accessories

No items such as birdbaths, lawn decorations, or Christmas decorations may be placed on the common grounds without written permission from the Board.

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Vegetables

Vegetables may not be planted in front of the buildings or anywhere on the common grounds except in the designated community garden area. They may, however, be planted within the rear patio area.

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Ivy and Vines

Ivy and other vines on the exterior surface of the unit are difficult to control, can damage exterior wall surfaces, and increase the cost of maintenance. Homeowners who desire to have such vines must keep them in pots and away from all building surfaces - walls, windows, frames. If the homeowner fails to keep them away from the building, the vines will be removed by the OAKS and the homeowners will be charged for the work.

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Patio Areas

Homeowners may landscape the rear patio areas with trees, shrubs, and flowers as they please without securing the approval of the Grounds Committee and will be responsible for all maintenance of them. The patio, porch and deck areas should be kept up in a way that is not unsightly for neighbors.

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Termite Protection

If termites, or any other type of insect infestation, are detected in your unit, please inform the management company so that owners of neighboring units may be warned of the need for inspection and treatment.

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VEHICLES

Vehicles on Common Grounds

Cars, trucks, motorcycles, and all other motorized vehicles, except those used by the grounds contractor, and bicycles are not permitted on the lawns at any time. Violators may be fined and will be held financially responsible for all damage such as to lawns, trees, shrubbery, underground pipes, and curbs.

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Noise

Car radios should be monitored while inside the condominium grounds. Car radios/stereos may not be played above normal conversational level while inside the Oaks property. Horn blowing is not permitted.

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Motorcycles

Operation of motorcycles and other motorized, two-wheel vehicles is prohibited on common grounds and sidewalks. Kicks on motorcycles should be protected to prevent holes in asphalt.

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Parking

> No Vehicles other than a passenger vehicle may be continuously parked at any time in the parking lots.

> None of the vehicles described below shall be stored, allowed to remain, or be continuously parked in the parking areas:

boats, trailers, recreational vehicles including, but not limited to: campers, camper tops, and motor homes, moving trailers, utility trailers, and cookers; unlicensed and/or abandoned or disabled vehicles of any kind; step vans and custom vans that are not used continuously as a primary means of transportation, dirt bike motorcycles, commercial vehicles larger than a 1-ton pickup truck or van.

> No vehicles may be parked at any time on mulched or grass areas. Mopeds and bicycles can be parked on or under rear decks. Mopeds shall not be ridden on grassed or mulched areas.

> Licensed motorcycles are restricted to the parking lots only and shall not be parked or ridden on the common grounds or back patios.

> Each condominium has been assigned two (2) parking spaces, in addition there are spaces which are to be utilized by guests only. Permanent residents are not allowed to use guest parking as over-flow parking.

> Only one (1) car at a time is allowed in each space.

> Parking on shoulders of the Oaks Drive is prohibited.

> Remember that parking spaces are limited. Be considerate of your neighbors when you have guests.

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Repairs

Extraordinary repair or maintenance of passenger vehicles or any other type of vehicle on common ground is strictly prohibited. Violation of the above shall result in towing at the owner's expense or a fine.

Vehicle repairs should be kept to minimum. Any damage caused is charged back to the unit owner, i.e., oil damaging the asphalt. No parts, trash, or accessories may be left on common grounds.

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Speed Limit

Speed limit signs are posted throughout the grounds. Residents and visitors shall not exceed 15 miles per hour while driving through the grounds.

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Towing

Cars illegally parked will be towed at the owners expense. The towing company to call is displayed at the entrance of the OAKS.

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APPENDIX A: ARCHITECTURAL APPROVAL FOR EXTERIOR CHANGES

Introduction

Unless otherwise indicated, a homeowner may not make any changes to the exterior of a building. The exterior includes the outside surfaces of walls, windows, roofs, foundations, chimneys, stoops, railings, and patio areas. Changes refer to any deletion, alteration, or addition that was not part of the original unit constructed by the builder which involves the use of brick, wood, concrete block, mortar, stones, glass, metals, or other building materials.

The Board of Directors has an Architectural Committee to help insure that the appearance of the Oaks is consistent and maintained. If a Homeowner is performing simple upkeep or repair in other words, replacing like with like this may be done without Architectural Committee approval. Therefore, existing materials must be replaced with like materials, new color must match the existing color, and overall size, design, and effect must remain the same. Also, Homeowners may replace or correct sub-standard material or workmanship that may already exist without Architectural Committee approval, as long as the resulting effect is the same. Many of our decks and porches are currently constructed with 1" x 6' boards. If replacing all decking boards, our Management Company recommends using 5/4" decking boards, which are considered standard.

Any changes, additions, or renovation made that are not in compliance with the provisions of the Articles or the rules of the Architectural Control Committee will be in violation, and the homeowner will be liable for the adjustments.

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Approved Specification for Storm Windows and Storm Doors

The Board, upon recommendation of the Architectural Control Committee, has approved the following specifications for storm windows and storm doors. If a homeowner abides fully with these types of alterations, it is unnecessary to secure the prior approval of the Committee.

I. **Storm Doors**

A. Materials and Colors:

1. Storm doors may have either wood or aluminum frames.

2. Storm doors must be painted in the color of the front entrance door. Storm doors that are unpainted or of a color that contrasts with the color of the front entrance door are not acceptable. Maintenance of the storm door is the homeowners responsibility, this includes painting.

B. Design:

1. Two basic designs for storm doors have been approved: The approved door design has two glass and/or screen panels, and or a single glass panel. In either case the frame should be plain and unadorned.

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Procedure for Architectural Approval

Homeowners desiring to make any exterior changes, other than those specified in the previous section, must make a proposal in writing to the Board. This rule applies, but is not limited, to the following types of changes or additions: fences, sheds, awnings, light fixtures, chimneys, paint colors, vents, gas tanks, exterior doors, windows, decks, patio structure, solar panels, and antennas. It also applies to storm doors, storm windows, and mailboxes that do not conform to the specifications listed above.

The procedure for securing approval is as follows:

1. A completed Architectural Request Form, or a written request must be submitted to the management company at least 50 days before work is to begin on the change. The management company will review the request and submit it to the chairperson of the Architectural Control Committee.

2. The request should contain a full description of the proposed change, including dimensions, materials, colors, sketches, etc. The chairperson of the Committee may request additional information, such as pictures, samples of materials, etc. for certain types of changes. A copy of the plot for the unit must be attached to request for fences and sheds. Requests for

paint color changes must be accompanied by a color chip for each new color. An Architectural Request form is included.

3. The Committee will consider the request as to the nature of the change or alteration, Design, Location, Materials, Colors, Impact on neighbors, and Compatibility with the original structure.

4. The homeowner will be informed of the Committee's approval or disapproval within 30 days of the receipt of the initial request by the Committee chairperson. If the homeowner is not notified within this time, then the homeowner may proceed with the proposed changes or alterations.

5. If the Committee turns down a request for a change or approves it with conditions unacceptable to the homeowner, an appeal may be submitted in writing to the Board of Directors.

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Homeowner Responsibilities for Exterior Changes

Homeowners must maintain any changes and additions in good repair so as not to become unsightly and a nuisance. Any costs incurred in maintaining additions or in repairing damage to the original structure resulting from construction or installation will be borne exclusively by the homeowner.

Homeowners making exterior changes are also responsible for any damage to common areas during construction and for the prompt clean up of any construction debris.

When selling a unit, the homeowner has the responsibility to describe in detail any homeowner changes, additions or improvements to the buyer.

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APPENDIX B: MAINTENANCE RESPONSIBILITIES

General Information

Exterior Maintenance Defined

Responsibilities relating to The Oaks of Avent Ferry Condominiums (hereafter referred to as OAKS) are confined to maintenance, repairs, and replacement resulting from normal aging and exposure. Homeowner negligence and other similar acts shall be repaired, replaced, and maintained at the homeowners expense. Repairs not done in a timely manner will be done by the Association and charged to the homeowner.

Any and all maintenance which is the responsibility of OAKS will be provided under the direction of the Board of Directors after considering the specific circumstances and the most economical and appropriate method. The Board of Directors will decide when a situation requires remedy. Repairs may be delayed for budgetary reasons.

The homeowner, in no instance, will dictate the method to be used.

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Questions and Problems Relating to Exterior Maintenance

All questions and problems concerning exterior maintenance should be in writing and directed to the management firm of OAKS. A duplicate copy of the letter should be forwarded the president of OAKS. Items which are urgent and require immediate attention should be reported by telephone directly to the manager's office and then confirmed in writing. When an emergency exists and the manager of OAKS cannot be reached, the homeowner should contact any member of the OAKS Board of Directors.

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Maintenance Responsibilities:

OAKS Responsibilities

The OAKS is responsible for maintenance and repair of the Common Elements, or all parts of the condominium property except the units, including:
exterior wood and siding trim, under eave air vents, roofs, gutters, splash blocks, window frame from rough opening to outside exterior trim, painting of exterior surfaces, exterior water leaks below ground, exterior house numbers, front and rear door light fixtures (excluding bulbs), exterior hose bibs, parking areas, sidewalks and utilities, asphalt paving, pavement painting, curbs and gutters, exterior storm lines, exterior water and exterior sanitation lines, concrete sidewalks.

It is the responsibility of OAKS to paint exterior surfaces every five years, or sooner if needed. Caulk, putty, and water proofing shall be applied as the need occurs. The Board, or its representatives, shall give written notice to owners thirty (30) days in advance indicating the planned painting schedule dates.

The OAKS responsibility is also to insure that all Homeowners perform upkeep and repair. The OAKS must also insure that upkeep and repairs are "done to standard," and in a timely manner. The Board of Directors, charged with conducting the business of the OAKS, will monitor the condition of the LCEs with the help of our Management Company and Homeowners. According to the By-laws (Article IV, Section I), if maintenance or repair of a LCE is necessary "to prevent damage to or destruction of any part of the Common Elements, or any other Unit," the OAKS must notify the Homeowner in writing that he/she must correct that situation. Should a Homeowner refuse, or not accomplish the correction in a reasonable time, then the OAKS must make the correction and charge the costs to the Homeowner.

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Homeowner Responsibilities

Homeowners are solely responsible for the maintenance and upkeep of their Limited Common Elements. Our By-laws describe LCE as, " those [areas] reserved for the exclusive use of the owners of the condominium unit or units to which they are adjacent or to which they are declared to be appurtenant by appropriate designation" LCEs are specified as "balcony, terrace, fenced area, storage locker, mechanical equipment room, or the like" Section 8(A)(vii). LCEs are further described in Section 8(H)(i-iv) as: "patios, courtyards and appurtenant improvements, front and back stoops and balconies and decks which serve only such Unit all other common elements as may be located within the bounds of such Unit and which serve only such Unit"

A LCE is considered any area of your unit that is designated to serve only your unit. Items considered to be LCEs include, but are not limited to, deck, porch, deck or porch support, step, handrail, storage room, garbage bin, patio, fence, and the like. These items are designated to serve one unit.

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Homeowner Maintenance Options

Each homeowner is responsible for the upkeep and repair of his/her own LCEs. The OAKS is not responsible for upkeep or repair of LCEs.

- Homeowners may perform maintenance and repairs themselves.

If a Homeowner is performing simple upkeep or repair in other words, replacing like with like this may be done without Architectural Committee approval. Therefore, existing materials must be replaced with like materials, new color must match the existing color, and overall size, design, and effect must remain the same. Also, Homeowners may replace or correct sub-standard material or workmanship that may already exist without Architectural Committee approval, as long as the resulting effect is the same. Many of our decks and porches are currently constructed with 1" x 6' boards. If replacing all decking boards, our Management Company recommends using 5/4" decking boards, which are considered standard.

- Homeowners may contract with Wilson Property Management at Homeowner's expense.

- Homeowners may contract with another company at Homeowner's expense.

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