

THE PENINSULA HOMEOWNERS ASSOCIATION

P.O. BOX 16325 HIGH POINT NC 27261

RESOLUTIONS 2010

The Peninsula Board of Directors has developed these Resolutions in their attempt to provide homeowners and prospective homeowners with a guide to the salient points contained within the Covenants and By-Laws of The Peninsula community.

These Resolutions do not amend nor do they supersede the Covenants and By-Laws of The peninsula Association. These Resolutions in no way remove responsibility of the homeowner to abide by the Covenants and By- Laws in their entirety.

The fines listed herein are designed and should be construed as an incentive for the homeowner to comply with the Covenants and By-Laws and in no way are they intended to be punitive. It is the Board of Directors attempt to follow a due process when addressing the needs of the community.

It is the primary responsibility of each homeowner to maintain their property in a way, which does not detract from the overall value and beauty of The Peninsula community. The Directors of The Peninsula hope every homeowner will take this responsibility seriously, as violations can severely affect all property values.

The Peninsula Association assessments are to be paid in a timely fashion as late fees can be levied. Likewise, fines for failure to comply with these Resolutions can be levied against a homeowner.

A. Common Areas

1. The Association will make rules and regulations for the use of the common areas.
2. No one may use the common areas as an extension of their lot, e.g. doghouses, dog runs, storage buildings, gardens, fences, tree houses, and playground equipment are not to be on common area and shall be on personal property owned by the homeowner.
3. No offensive activity is allowed on the common area.
4. The Association can give permission for certain uses on the common area. Permission will only be given after approval by the Architectural Committee.

B. Animals

1. No animals, livestock or poultry are allowed on any lot or in any dwelling with the exception of dogs, cats, or other recognized household pets.
2. Pets (dogs specifically) will be leashed while they are being walked throughout the neighborhood. All animal waste material must be picked up immediately by the pet's owner then disposed of at the pet owners property or, in appropriate trash receptacles if the Association provides them.
3. No animals can be maintained on the homeowner's property for commercial purposes.
4. Kennels are permitted, but only if they are contained within a yard, which has been enclosed by an approved wooden fence.
5. Any homeowner who keeps a dog outside for a period greater than four (4) hours must keep the dog in their back yard and inside an approved fenced area. The fence has to adhere to community architectural standards.

Note: For more information on this topic please refer to the Municipal Authority regulations at this link [Animal Regulations](http://library3.municode.com/default/DocView/10918/1/75/77) or type in <http://library3.municode.com/default/DocView/10918/1/75/77> in your Internet browser.

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C. Vehicles

1. Recreational vehicles, trailers, or boats are not permitted on the property for periods extending beyond 48 hours.
2. Junked automobiles defined as non-operative, non-registered, or salvaged automobile cannot remain on any lot or common area, nor can any non-operative or non-registered automobile be kept on any street located within the The Peninsula Homeowners Association.
3. Any extended vehicle maintenance or vehicle repair which is not conducted in the privacy of a homeowner's garage (garage doors must be able to close) and lasting longer than three weeks is a violation.
4. No motor vehicle can be parked on the Common Area within the Association.
5. Motor vehicles parked on the paved portion of an owners lot or a public street must be registered, inspected, and operational, or the owner will be in violation, the automobiles parked in violation of these resolutions can be towed and the towing expense will be at the cost to the homeowner. This violation will include vehicles, which have flat tires. These are part of the Guilford County ordinances.

D. Architectural Changes

1. An Architectural Control Request Form must be submitted and approved **BEFORE** site preparation, initial construction, erection, or installation of any improvement to the owner's property. An Architectural form must be submitted and approved by the Architectural Committee for any of the following:
 - a. Outbuildings -metal buildings are prohibited
 - b. Walls and or fences - metal fences and or poured concrete walls are prohibited.
 - c. Signs (one for sale sign is allowed)
 - d. Other structures, excavations or major changes to lot grade.

E. Exterior Maintenance

1. Grass should not exceed 6" in height (approximately the height of a soda can). The process for cutting the lawns will remain in tact. If a lawn is not maintained the homeowner can expect a letter from our management company this letter will state the homeowner is in violation and shall mow the grass upon receipt of a letter to cut the grass, if the grass is not cut the Association will make arrangements to have it cut and the cost for the service will be charged to the homeowners account. During the mowing season, the maintenance of the lawns will be verified during a community drive through.
2. In accordance with County ordinances, trash containers should be put curbside after 7:00 p.m. the evening before pick-up. Removal should be before 7:00 p.m. the day of pick-up.
3. Trash, furniture, appliances, etc. to be discarded should not be placed or stored in driveways or on the property. Trashcans (totes), garbage bags or recycling containers may only be stored in a homeowner's back yard, beside their house (concealed by an approved barrier) or inside their garage.
4. Delivered mulch or building materials shall be distributed and removed from the driveway or lawn within ten (10) days of delivery.
5. Portable basketball goals are not to be left unattended in the street or at the curb of your property; this is in accordance with Guilford County Ordinances. They need to be appropriately stored after each use.
6. Any incomplete, unsafe or falling down fence, outbuilding or other structure on a homeowners' property are in violation.
7. Any mailbox, which is missing components, is falling down, leaning over or completely missing, is in Violation.
8. Exterior maintenance of the owner's property shall be the responsibility of the owner. However, if the owner fails to repair or maintain property to the neighborhood standard, the Association, after written notice to the Owner, may enter upon and make repairs or perform the needed maintenance work. The cost incurred by the Association in performing the work will be assessed

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to the property owner.

FINE VIOLATION SYSTEM TO ENFORCE THE PENINSULA HOMEOWNERS ASSOCIATION RESOLUTIONS

The Board of Directors of The Peninsula Homeowners Association is concerned, along with the rest of the homeowners in keeping our community a pleasant place to live as well as protecting property values. By working together and enforcing the Resolutions and Covenants we can protect your property values and reduce operating costs by preventing costly lawsuits for the few owners who do not comply with the community Resolutions.

The Board of Directors, under the North Carolina Planned Community Act, may impose a fine system for violations of the Resolutions and Covenants for the community. The Board has chosen to proceed with this authority due to past violations of the community documents. A resource the Directors have is to fine a homeowner under the Planned Community Act or file a lawsuit to enforce the Resolutions and Covenants. The Peninsula Board of Directors has unanimously determined in the interest of all members of the community to impose a fine system with hope of reducing legal costs to all homeowners. The procedural steps for the fining system are as follows under a due process of law.

1. The homeowner will receive a letter informing them that they have been found to be in violation of the Resolutions or Covenants and the owner is given thirty (30) days to correct the violation (with the exception of lawn care and trash cans).
2. If the violation has not been corrected at the end of thirty (30) days, an additional letter will be mailed certified to the homeowner specifying that if the violation has not been corrected within ten (10) days from the date of the second letter.
3. If the violation has not been corrected at the end of that ten (10) day period, the homeowner will receive a certified letter advising of the date to appear at a hearing with the Board of Directors. The homeowner will have an opportunity to set forth all facts to show compliance with the Covenants and these Resolutions or a valid reason for their exception. The owner will be advised at the meeting that if the violation continues then the Directors will make a determination concerning the fine process and when it will begin.
4. The Board will review the homeowner's reasons and make a determination as to fining. Should the homeowner not appear at the hearing, fining will begin automatically if they appear the fine will begin five (5) days after the meeting.
5. The homeowner will receive a certified letter explaining the Directors findings. If the Directors find that fines are to be enacted then the following action will be taken:
 - a. A fine of \$25.00 per week will be assessed for the first four weeks,
 - b. If the violation has not been remedied within four weeks, the fine will increase to \$40.00 per week until such time as the homeowner has complied with the Resolutions and Covenants.
6. When the homeowner has accumulated \$100.00 in fines, the Association can pursue legal remedies.
7. The homeowner will be responsible for any legal fees associated with collection of unpaid fines. This fine system will only affect those people who refuse to fulfill their obligations to our community. We do not feel it is fair for the majority of the homeowners to carry the financial burden and suffer the property value pitfalls, which result from members of our community who refuse to live by the Resolutions and Covenants, which keep our neighborhood a pleasant and safe place to live.

Approved by the Board of Directors this _____ day of _____ 2010

Director Signatures / _____ / _____ / _____

_____ / _____ / _____

IMPORTANT MEMORANDUM REGARDING YOUR PROPERTY

To: Members of The Peninsul Homeowners Association
From: The Peninsula Homeowners Association Board of Directors
Date: July 1, 2010
Re: Revised Late Fee Policy to five dollars (\$5)

Dear Owner,

We, the Board of Directors of The Peninsula Homeowners Association, under the authority of the North Carolina Planned Community Act, codified January 1, 1999, as North Carolina General Statutes 47F-1-101 et. al., may impose a late charge for late payment of a homeowners' assessment.

Several years ago the Board of Directors at The Peninsula found it necessary to adopt a late fee for delinquent dues because of a significant number of homeowners who failed to pay their monthly assessment on time; many owners failed to pay their assessment at all. After consideration on how to address the matter the Board of Directors considered it unfair for the homeowners who were paying their assessment on time to suffer the financial burden imposed by those owners who did not pay on time.

Therefore, the Directors implemented a late fee to be imposed on delinquent accounts, the wording in their policy made it clear that any member of The Peninsula community who had an outstanding balance on their HOA account at the end of the month, in which an assessment was due would be assessed a late fee of \$10.00 dollars.

In their May 13th, 2010 Board of Directors meeting the Directors voted to keep a late fee in place for delinquent assessments, however they voted to change the amount of the late fee charged, instead of ten dollars (\$10) for late payments the Directors voted to charge five dollars (\$5) for late payments.

Please also note:

When the amount owed by the homeowner reaches \$100.00, a lien can/will be placed upon the homeowner's property. Please be advised that the Covenants Conditions and Restrictions of Yorktown Pointe grant the Directors the authority to foreclose upon a homeowner's property if assessments become delinquent.

Sincerely,

The Peninsula Board of Directors