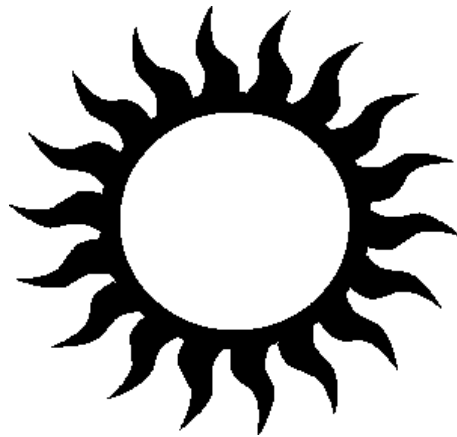


# SUNCREEK



**GENERAL INFORMATION**

**&**

**RULES AND REGULATIONS**

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# **SUNCREEK TOWNHOMES ASSOCIATION**

## **GENERAL INFORMATION**

### **Dogs & Cats**

All Laws, Ordinances, Rules and Regulations pertaining to dogs and other domestic animals adopted by Wake County and the City of Raleigh are adopted as Rules and Regulations of the Suncreek Homeowners Association.

There is a Raleigh “Leash Law” that requires all pets to be on a leash. Your pet must be on a leash outside your home or back yard at all times. This also applies to common ground areas.

There is a Raleigh “Poop Scoop” Ordinance requiring all pet owners to pick up their pet’s waste. Be considerate of your neighbors and pick-up after your pet.

No animals are to be kept or maintained for commercial purposes.

### **Firewood**

Firewood must be stored within the confines of the rear yard, on or under the rear deck and not in common areas. Structures for storing firewood in the rear yard must be approved by the Architectural Control Committee.

### **Garbage & Trash Pick-Up Service**

The City of Raleigh provides garbage carts and recycle bins to all city residents. Garbage carts should be stored at the rear of each unit. The collection of trash, recycling, and yard waste all occur on the same day. The pick-up date for Suncreek is **Thursday**. If there is a holiday or weather interruption during the week, **curbside pick-up will be eliminated that week**. For trash removal, the garbage carts must be set out on the curb (not in the street) and five feet away from mailboxes or cars. Residence needing assistance in getting the trash bin to the curb can contact the City of Raleigh Solid Waste at 919-831-6522 for assistance. Homeowners are requested to wait until after 6:00 p.m. on Wednesday to put out curbside trash. A Raleigh ordinance requires all bins and carts to be removed from the curb by midnight following service. The City will warn violators and administer \$50 fines for repeated offenders who do not comply. Trash that is not picked up must be removed by the homeowner.

### **Signs**

All signs including but not limited to political, directional, For Sale or For Rent must be contained in the surveyed portion of each individually owned unit property. Any signs found outside individual lots will be removed.

### **Streets & Sidewalks**

The streets within the townhouse community are the property of the City of Raleigh. The Association is not responsible for maintenance, repair and upkeep of these streets. Sidewalk maintenance is the responsibility of the Association. Street light maintenance is the

## **SUNCREEK TOWNHOMES ASSOCIATION**

responsibility of Progress Energy.

### **Taxes**

Each individual homeowner is responsible for filing his or her own real property tax listing with the Wake County Tax Supervisor and the City of Raleigh and to pay real and personal property taxes for their dwelling.

### **Insurance**

Fire and liability insurance protection for townhomes is provided by the Association. The Association's master insurance policy covers replacement costs for the buildings and interior fixtures such as floor coverings, cabinets, and plumbing fixtures. This policy has a \$1000 deductible, per claim, which the homeowner is responsible for. If the home owner has an HO-6 policy, that individual policy should pay the master policy deductible under Coverage A.

**Note:** It is strongly suggested that individual unit owners obtain insurance coverage through the purchase of a standard form used by most insurance companies called an HO-6 policy. This type of policy provides coverage, up to a specific amount minus depreciation, for your personal property (clothing, furniture, household appliances, etc.) and liability coverage up to a specific amount.

### **Air Vents**

Outside air vents (vents in the foundation) should be closed during the winter months and opened during summer months to improve heating and cooling.

### **TV Antennas**

The installation of antennas and satellite dishes are regulated. Residents need to submit an Architectural Request and the association will work with the resident regarding an acceptable location for placement. Installing the dish on the siding or roof in any manner will void the warranty on the siding or roof and the homeowner will assume responsibility for all future damages.

### **Common Areas & Decks**

Residents are asked to keep the Common Areas neat and clean.

Back decks should also be kept neat and clean. Large appliances such as washer, dryers, or refrigerators should not be stored on back decks.

### **Other**

No offensive activity shall be conducted upon any lot nor shall anything be done that may become a nuisance to the neighborhood.

## **SUNCREEK TOWNHOMES ASSOCIATION**

It is prohibited in any area of Suncreek to discharge any type of firearms or weapons inclusive of but not limited to: pellet guns, bows and arrows or BB guns.

A City Noise Ordinance exists. Any resident disturbed by excessive or persistent noises at anytime is encouraged to take the responsibility for reporting these violations to the police.

Absentee owners should provide their tenants a complete copy of the legal documents of Suncreek Homeowners Association. Tenants must abide by these documents at all times. Absentee owners will be held accountable for their tenants actions.

# **SUNCREEK TOWNHOMES ASSOCIATION**

## **RULES AND REGULATIONS**

The purpose of these regulations is to protect the rights and property of homeowners. The Board would like to emphasize the need for, and encourage the practice of consideration for your neighbors in all activities around the Suncreek Townhouses.

## **GOVERNMENTAL STRUCTURE**

### **Introduction**

Persons who own a lot in Suncreek are automatically members of the Suncreek Homeowner Association and are entitled to one vote per townhome. The Declaration of Covenants, which mandates certain standards for the maintenance and use of the property, and the By - Laws, which establish the policies and procedures for governing the Association, are the two basic documents which determine the rights and duties of each homeowner.

### **Government**

The officers and Board of Directors are responsible of governing the Association. The officers are: President, Vice President, Secretary, and Treasurer. The By - Laws require that the President and Vice-President be members of the Board of Directors. All the officers serve for a one-year term and are elected by the Board of Directors. The Board of Directors is composed of nine members. Three (3) are elected each year, for a term of three years, at the Annual meeting. A major responsibility of the Board is to prepare and present at the Annual meeting the budget which will be used as the basis for the Annual assessment. The budget must be approved by the homeowners if the increase in assessment is to be more than 12 percent over the previous year's assessment. To assist in the day-to-day operation of the Association and to maintain the property, the Board may hire a managing agent.

### **Committees**

The Board shall establish an Architectural Control Committee, a Nominating Committee and other committees as deemed necessary. You are encouraged to work with one or more of these committees. Each of us has a responsibility to do some work for the betterment of the Association.

## **VEHICLES AND PARKING**

### **Parking**

Each owner of a townhome is entitled to the use of exactly **two** (2) consecutive parking spaces, in the parking lot, which shall be as near and convenient to their residence as reasonably possible. Residents of end units should park in the outside spaces on the same side of the lot as their unit. Residents of middle units should park in the inside spaces. (Do not park at an angle, it takes up more space.) You should advise your guests where to park so they do not encroach on your neighbor's parking area.

## **SUNCREEK TOWNHOMES ASSOCIATION**

All vehicles must be currently licensed and in operable condition. No major repairs to vehicles are permitted on the premises. No boats or trailers and other such items shall be parked within the right of way of any public street in or adjacent to Suncrest Townhomes. The Association has the authority to regulate the parking of these vehicles on the common area.

The following types of vehicles are **PROHIBITED** on the Suncrest Townhomes common areas:

- **Motorcycles**
- **Trail Bikes**
- **Mini-Bikes**
- **Go-Carts**
- **Other types of Motorized Bicycles**

### **Driving Motor Vehicles on Grounds**

Cars, trucks, motorcycles and all other motorized vehicles, (except those used by grounds contractors) are not permitted on common areas or on lawns at any time. Violators will be held responsible for all damage to the property including lawns, trees, shrubbery, underground pipes and curbs.

## **EXTERIOR MAINTENANCE**

### **THE ASSOCIATION IS RESPONSIBLE FOR:**

Common Areas  
Driveways and sidewalks  
Retaining walls  
Roofs  
Gutters and downspouts  
Exterior building surfaces such as siding and roofing  
Back deck maintenance including staining / sealing decks as needed  
Front stoop maintenance  
Mailbox repair and replacement  
Grass mowing and seeding  
Trees and shrubs planted by the Association

### **THE HOMEOWNER IS RESPONSIBLE FOR:**

Windows\* and doors including crawl space doors  
Screens  
Vents and exhaust fans  
Exterior fixtures such as light and water fixtures  
Interior maintenance of any kind  
Chimney cleaning  
Grass watering  
Trees and shrubs planted by past or present homeowner  
Termite damage  
Foundation work  
Handrails that have been installed on front stoops  
Snow removal on sidewalks  
Garbage cans

## **SUNCREEK TOWNHOMES ASSOCIATION**

\* Note: The Suncreek Association replaced all windows in 2004-2005. Other than warranty replacement, windows are the responsibility of the homeowner.

In the event that the need for maintenance or repair is caused through the willful or negligent act of the Owner, the cost will be the responsibility of the Owner.

All requests for exterior maintenance and repairs should be made to the managing agent (in writing) as soon as the need occurs.

**Any and all repairs and maintenance issues that are the responsibility of the Association will be provided under the direction of the Board of Directors after considering the specific circumstances and the best and most economic method. The homeowner in no instance will dictate the method to be used. If there is a question concerning responsibility for having work done, contact the Board of Directors prior to having the work done, except in the case of an extreme emergency.**

### **ARCHITECTURAL CONTROL**

It is the purpose of the Board of Directors and the Architectural Control Committee to minimize or eliminate any confusion or misunderstanding regarding additions, changes or modifications on or to the exterior of your lot or townhome. It is the intent of the Board and the Committee to serve as a fair, impartial and helpful group of neighbors to enhance and protect the value, desirability and attractiveness of the homes.

The Board of Directors and the Architectural Control Committee emphatically request that you adhere to Article VI of the Declaration of Covenants, Conditions and Restrictions which states:

No building, fence, wall or other structure shall be commenced, erected or maintained upon the Properties, nor shall any exterior addition to, change or alterations therein be made until the plans and specifications showing the nature, kind, shape, height, materials and location of the same shall have been submitted and approved in writing as to **harmony** of external design and location in relation to surrounding structures and topography.

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

The standard procedure for making changes and alterations to the townhouse exterior and exterior areas is as follows:

1. When any homeowner is planning a change or alteration to the exterior of the townhouse, (other than by those standards set up by the Architectural Control Committee) a request for approval must be submitted in writing and addressed to the Chairman of the Architectural Control Committee or the Board of Directors.
2. Requests will include the following:
  - A. A clear and concise description of the proposed change.



## **SUNCREEK TOWNHOMES ASSOCIATION**

- B. Plans, blueprints, diagrams, sketches, brand names, and/or pictures of the proposed changes.
  - C. Exact dimensions and location of the proposed change (or addition) on the plot plan, i.e. any changes affecting the yard or exterior wall.
3. The Committee will consider the request as to:
- A. The nature of the change or alteration
  - B. Design
  - C. Location
  - D. Materials
  - E. Color
  - F. Homeowner's responsibility for maintenance and upkeep.
4. The Committee will evaluate its consideration in regard to:
- A. Existing guidelines
  - B. Approved paint lists
  - C. The need for Suncreek Architectural Arbitrator.
5. Finally, the Committee after action by the Board, will notify the homeowner of its approval or disapproval of the request, along with any terms required for approval, within 30 days of receipt of the initial request by the Committee Chairman.

### **GUIDELINES FOR MAJOR CHANGES OR ADDITIONS**

#### **Exterior Changes**

An exterior change is defined as any addition, deletion, alteration or new construction which was not originally constructed by the builder. The exterior of a house shall include all exterior elements except windows, i.e. roofs, stoops, chimneys, front and back walls.

#### **New Construction**

Any exterior change shall be deemed "new construction" if it involves the use of any brick, wood, concrete, concrete block, mortar, stone, glass, metals or other building materials which **increases** the usable space of the dwelling.

All **exterior changes** must be approved by the Architectural Control Committee. The Architectural Control Committee desires to help those homeowners who request exterior change. If the use of brick, paint, wood, siding or roofing is to be employed, samples of the same must be submitted to the Committee, along with the plans, etc.

#### **Plans Requiring a Building Permit**

In order to provide for the expeditious and fair approval of exterior changes and new construction requiring the homeowner to secure a building permit from the City of Raleigh, written plans, architectural specifications, a survey and a copy of the building permit must be

## **SUNCREEK TOWNHOMES ASSOCIATION**

submitted to the Chairman of the Architectural Control Committee at least thirty (30) days before construction or work is to begin. This thirty (30) day period is necessary so that the Committee can have ample opportunity to review the proposed changes and to meet with the homeowner if necessary.

### **Plans NOT Requiring a Building Permit**

Proposed exterior changes requested by a homeowner which do not require a building permit must be submitted to the Architectural Control Committee for approval. The homeowner must furnish the Committee with a written sketch diagram and a plan at least thirty (30) days before construction or work is to begin.

Note: It is not the Association's responsibility to determine if a Building Permit is required.

### **Arbitration**

If the Architectural Control Committee does not approve an exterior change requested by a homeowner, the homeowner may submit his/her request for Arbitration. Notice of the homeowner's request to submit to Arbitration shall be served on the Architectural Control Committee by mailing a written notice to the Chairperson of the Committee. An architect shall be the Arbitrator. All fees, legal and otherwise, incurred by Suncreek because of the Arbitration process, shall be paid by the homeowner requesting Arbitration.

### **Storm Windows**

Storm windows are not approved.

### **Storm Doors**

1. Materials and colors:
  - A. Unpainted aluminum storm doors are not approved.
  - B. Painted, storm doors with aluminum or vinyl frames are approved and should be painted white. Dividers or grids on the door are permissible as well as tint on the window. Existing storm doors that are dark brown are "grandfathered in".
2. Maintenance: Continuing maintenance and upkeep, including all painting, is the sole responsibility of the homeowner.

### **Decks**

Deck extensions are allowed but plans for each extension must be approved by the Architectural Control Committee to ensure uniformity.

Preservative-treated lattice panels are permitted under the outside perimeter of the decks.

# **SUNCREEK TOWNHOMES ASSOCIATION**

## **Gutters**

Gutter maintenance and upkeep, including painting, is the responsibility of the Association.

## **GROUNDS INFORMATION**

In addition to maintenance of the common area, the Association shall provide maintenance of grass, trees and shrubbery in the front and back yards of each townhouse. (Front yard is defined as the area between the end unit and the street.) **This does not include watering.** Each owner is requested to water the grass and shrubbery on their property and in the courtyards as needed.

## **Mowing**

The grass is mowed according to the specifications of the grounds contract (usually not to exceed a height of four inches.) Areas along parking areas are edged once or twice a year. Workers who are mowing are not responsible for moving bicycles, lawn furniture, hoses or toys in order to mow.

## **Flowers**

Flowers may be planted in the mulched areas in front of townhouses with approval. Such flowers should be of the low, bushy bedding type. The homeowner is responsible for maintaining these flowers in a neat manner and the clean-up of dead stalks in the fall. No flowers are to be placed in the lawn area of the front yards, as they add considerably to the cost of mowing the grass.

## **Ivy**

Ivy or other plant materials are not allowed on exterior building surfaces. Any such materials will be removed by the Association at the expense of the individual homeowner.

## **Trees & Shrubby**

Most trees and shrubbery existing on the townhouse site were planted by the developer of the complex. The Grounds Committee will decide whether these trees and shrubs will be replaced if they die.

Trees and shrubs may be planted in the back yard. Their maintenance is the responsibility of the homeowner.

Any planting of trees or shrubs in the front yard **must be approved** by the Grounds Committee. Procedures for this approval are outlined below. No tree or shrub planted by the homeowner will be replaced by the Association if it dies. Pruning of trees and shrubs will be done each year as necessary, if funds are available.

# **SUNCREEK TOWNHOMES ASSOCIATION**

## **Special Landscape Requests**

Any work requested by a homeowner outside regular yard maintenance is considered a special request and is not any obligation or financial responsibility of the Association. The planting of homeowner purchased trees or shrubs and the removal of existing live trees or shrubs originally at the townhouse site are two examples of special requests.

## **Approval for Planting Trees & Shrubs**

Before planting a tree or shrub in the front yard or on common ground of Suncreek, approval must be received from the Board of Directors or the Grounds Committee. Requests for approval must be sent to the property manager and should contain the following information:

1. Type of tree or shrub
2. Location of planting
3. If a tree, distance from the house and sidewalk and surrounding trees
4. What type of barrier is to be used

The Association is NEVER responsible for replacement of a plant set out by the homeowner.