

***W*ALNUT MOUNTAIN
PROPERTY OWNERS ASSOCIATION
RULES & REGULATIONS**

*Adopted August 16, 2003 by the
Walnut Mountain Property Owners Association Board of
Directors*

(Revised 06/19/2004)

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INTRODUCTION:

On August 24, 2001 the Board of Directors of Walnut Mountain Property Owner's Association (WMPOA) adopted the enclosed Rules and Regulations for the Walnut Mountain Community. This action came after almost a year of work by various members of our community and after each property owner was given the opportunity to review and make their recommendations and/or comments. The process involved the following actions:

- In November 2000, each member of the WMPOA Board, except for the chairperson of the Rule Committee, recruited a member of the community to work on the Rules Committee. The Committee was formed and elected their own Chairperson.
- Each of the Standing and Special Committees of the WMPOA Board submitted their proposed Rules and Regulations to the Rules Committee.
- The Rules Committee took those recommendations, along with their own thoughts and produced their proposal for the WMPOA Board to review.
- The WMPOA Board made its revisions to the Committee recommendations and in June 2001 mailed to each property owner a copy of the proposed Rules and Regulations. Each property owner was given the opportunity to make written comments to the Board. Time was also given at the July 2001 Property Owners Meeting to receive oral comments.
- The WMPOA Board met on August 24, 2001, reviewed additional recommendations of the new board members, and others and adopted the enclosed rules.
- The WMPOA Board met on August 16, 2003, reviewed additional recommendations of the new board members, and others and adopted the enclosed rules.
- The WMPOA Board met on October 19, 2003, reviewed additional recommendations of the board members, and adopted the revisions to the tree rules.

It should be noted that the authority for these Rules and Regulations is given in the **Bylaws of the Walnut Mountain Property Owners Association, Inc. and the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Walnut Mountain** dated September 25, 2000. These documents also give the authority to assess fines for violation of the Rules and Regulations and/or suspend privileges. It is the intention of the WMPOA Board to take any such action after a review of the alleged infraction, considering its severity and nature.

In addition to this document, each Property Owner should also obtain a copy of the **"Bylaws of the Walnut Mountain Property Owners Association, Inc."** and the **"Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Walnut Mountain"**. If you own a vacant Lot and intend to build, you will also need to receive and review the **"Architectural Control Committee New Construction Agreement Rules and Regulations"**. All of these documents may be obtained at the WMPOA Office during normal working hours.

Finally, the term "property owners in good standing" is used throughout this document. The meaning of that term is the titleholder of record of a Walnut Mountain Lot that is current in all assessments (including water) and has not otherwise had membership privileges suspended for violation of the Rules and Regulations.

ACCESS RULES FOR PROPERTY OWNERS

1. Property owners must lease a pass at the Walnut Mountain office in order to have 24-hour access to their property by automobile and must arrange with the office for lease of a pass for long-term tenants. Landlords are responsible for the collection of passes at the termination of the lease and for notifying the Walnut Mountain office that the lease has been terminated. Property owners are responsible for returning all passes to the office when their property is sold for a refund of twenty (\$20.00) dollars.
2. Property owners who have passes installed on their vehicles may proceed directly to gates, which will automatically open.
3. Mountain phone numbers of homeowners and tenants will be programmed into the call boxes. Homeowners are encouraged to give their visitors their access code so that they can use the call box to notify the homeowner of their arrival and the homeowner can then open the gate by pushing "9" on their telephone dial.
4. It is property owner's responsibility to make arrangements, in advance, for their visitors if they won't be home, through the Welcome Station or a neighbor. Property owners may arrange to have a temporary pass waiting at the Welcome Station, during normal working hours, for their visitor's use.
5. The property owner is responsible for arranging access for all parties involved in new construction; i.e., contractors, subcontractors, workers, supply deliveries. Keep in mind that contractor hours are 7 am to 7 pm Monday through Friday, 8 am to 6 pm Saturday. No construction work is permitted on Sundays or Holidays.
6. Property owners must notify the Walnut Mountain Office as soon as possible if a pass is lost or stolen. Cost for lost pass replacements will be based on the current market rate for purchase of the passes.
7. Property owners are responsible for fines or damages incurred by persons holding passes that they have leased.
8. Property owner's commercial visitors for whom prior arrangements have not been made must stop at Welcome Station. The Welcome Station attendant will log them in and give them access.
9. Property owners who put their homes or lots up for sale, or rent, may not give passes to real estate agents for the purpose of showing their homes to prospective purchasers or renters. Real estate agents may obtain access by checking in with the Welcome Station attendant.
10. Property owners are responsible for reporting to the office any Mountain phone number change so that their call box entry can be updated.
11. FEDEX, AIRBORNE, UPS, etc. should deliver directly to the property owner's home. The Welcome Station will only accept packages for homeowners who have filled out a form at the office, relieving Walnut Mountain of all liability.
12. Homeowners may arrange for Temporary Passes at the Welcome Station. These passes are for guests or short-term renters and may be rented for a specified period of up to one week. They may be renewed by contacting the Welcome Station. The Welcome Station attendants will be responsible for maintaining a record of passes that have been issued. If a pass has not been

turned in by its expiration date, an attendant will report this to the office the first working day following the expiration date and the pass will be deactivated. A Welcome Station attendant will call the homeowner to tell them that the pass has been deactivated and that they need to return it to the Welcome Station or be billed for it. There will be a \$10.00 administrative charge for late returns and a full replacement charge for non-returns.

13. To report a criminal or illegal act calls the Sheriff directly. In the event of other emergencies, depending on the nature and degree call the appropriate authority (sheriff, fire or ambulance) and notify one of the Safety Committee Co-Chairs. If neither of the Safety Co-Chairs can be contacted, call any other Board member, beginning with the Vice President, and notify them of the situation.
14. Report lost or stolen passes to the Walnut Mountain office as soon as possible so that pass can be deactivated. Replacement passes may be leased at the office for current market rate. In an emergency situation, when a homeowner has lost his pass or the pass is not working, he may lease a temporary pass from the Welcome Station until the next business day (not more than 72 hours) when he should report the lost or defective pass to the Walnut Mountain office and lease a new one.
15. ACCESS CONTROL PERSONNEL WILL REMAIN INSIDE THE WELCOME STATION AND HAVE VISITORS APPROACH THEM THERE.
16. Any person caught destroying or removing the automatic gate system, or any portion thereof, will be subject to prosecution by WMPOA to the fullest extent of the law.

RULES FOR USE OF BULLETIN BOARD

1. The right side of the board is for WMPOA business only.
2. The left side of the board is for the use of Walnut Mountain property owners. Items posted on the left side are subject to the following regulations:
 - A. Items should be no larger than 3 inches by 5 inches.
 - B. Only business cards of Walnut Mountain property Owners will be permitted. Lot number must be printed in the lower right hand corner of the card.
 - C. All items other than business cards should be dated and will be removed after one month.
 - D. Announcements of upcoming events in the area will be permitted only as space permits.

The penalty for violation of any of the above will be removal of the item from the bulletin board.

CAMPGROUND RULES AND REGULATIONS

1. All property owners, in good standing, as well as their registered guests, are entitled to use the campground. Reservations are accepted with a deposit.

Guests must be accompanied by the property owner upon arrival and be registered with the Access Control Personnel at the Welcome Station. A copy of the Walnut Mountain Rules and Regulations is to be given to the registered guests.

2. All campers are required to sign the Campground Registration form upon arrival and pay a fee of \$15.⁰⁰ per night, in advance for the designated stay, before occupying the campsite. Access Control Personnel do not have change for the fee.
3. Non-occupied recreational vehicles may remain in the campground overnight **ONLY** by special permission and by paying the regular fee in advance. Access Control Personnel is to be advised of camper's absence.
4. Water or waste shall not be discharged on the ground or in the creek. Please use the restrooms. Do not leave open containers on the ground.
5. Please keep our restrooms clean and orderly. Also, bring your own towels.
6. Keep garbage cans tightly covered. This will prevent animals from creating an unsightly and unsanitary mess.
7. No open burning. All fires must be in grills.
8. Cutting of trees and limbs is not permitted.
9. No loud noises after 10 pm or before 7am.

CLUBHOUSE RULES

1. All Walnut Mountain Property Owners, who are in good standing, and their registered guests, are welcome to rent the Clubhouse with prior reservations. The Clubhouse will not be open on a regular schedule. Due to repeated vandalism and to prevent unauthorized entry, the Clubhouse will be kept locked. The renter/sponsor of the clubhouse must be a Walnut Mountain Property Owner and shall be held responsible for any and all rules and/or damage to the clubhouse.
2. Reservations for the clubhouse are subject to availability and the approval of the WMPOA administrator. Property owners should make reservations, at least one week in advance, and, at that time, post a Security Deposit of \$200⁰⁰ (refundable if cleaned and damage free). Rental fees are as follows:

1 -25 people \$ 75⁰⁰

26 -50 people \$ 100⁰⁰

51 -75 people \$150⁰⁰plus \$50⁰⁰ for extra access control (\$200⁰⁰)

76-100 people \$200⁰⁰plus \$50⁰⁰ for extra access control (\$250⁰⁰)

101-125 people \$250⁰⁰plus \$50⁰⁰ for extra access control (\$300⁰⁰)

* A Maximum of 125 people due to fire safety restrictions.

* Any function that occurs after Welcome Station hours or on off duty days, will be charged an additional \$50.00 fee for Access Attendant.

3. An admission charge may not be collected on site from guests attending functions.
4. The pantry is for the storage of WMPOA supplies and only the W.M.P.O.A. Board or their designees are allowed access.
5. No one with wet bathing suits will be permitted in the Clubhouse main floor. Toilet and bathing facilities are downstairs. No animals (except animals for the handicapped) are allowed in the Clubhouse at any time.
6. The number of guests at any function will be limited to one hundred twenty five (125) persons. A Guest List MUST be prepared for all functions and MUST be in ALPHABETICAL order. Guest List MUST NOT exceed 125 names and under no circumstances will the access control person admit anyone if their name is not on the Guest List. The Guest List must be submitted to the office on the Monday prior to the event.
7. **Reservation of the Clubhouse DOES NOT include use of any other facility on Walnut Mountain such as swimming pool, tennis courts or lakes.**
8. To insure the privacy of all Property Owners residing on Walnut Mountain, excessive noise, disorderly or obscene conduct WILL NOT BE TOLERATED. Local law enforcement agencies have permission to inspect any function at any time to ensure compliance. The Property Owner renting the facility must be present at all times and is PERSONALLY RESPONSIBLE while the function is in progress.

9. Upon completion of the function, the Property Owner is responsible for securing the area, i.e., turning off lights, air-conditioning, securing windows, doors, etc. The heat should be set to 55 degrees prior to leaving. Any damage to furniture, clubhouse and/or grounds will result in a charge to the Property Owner for the cost of replacement or repair. Failure to turn off lights and reset the heat or air conditioning will also result in a charge based on the average of excessive use. Bagged garbage should not be left at the Clubhouse and may be disposed of in the dumpster behind the maintenance building.
10. An inspection will be made by a WMPOA representative within forty-eight hours to determine if any charges are to be made for failure to leave premises in proper order. Such charges will be deducted from the Security Deposit and any overage will be billed to the Property Owner.
11. We want you to enjoy your clubhouse, but we do ask that you DO NOT remove decorations from the walls, cabinets, bookshelves, etc. These belong to all the association members.

TENNIS COURT RULES

1. Tennis courts will be open from dawn until dusk and are to be used for tennis only. Property owners will be responsible for securing the courts upon departure. (Closing gates.)
2. ONLY TENNIS SHOES are allowed on court surface.
3. DO NOT throw rocks or other foreign objects on the court surface. If objects are found on the surface, please remove them prior to play.
4. Courts are available on a first-come, first-served basis. Courts must be relinquished within ninety (90) minutes to other parties waiting to play. NO RESERVATIONS.

SWIMMING POOL RULES

ALL PROPERTY OWNERS ARE RESPONSIBLE FOR THEIR CHILDREN AND GUESTS BEING AWARE OF AND ABIDING BY THE FOLLOWING RULES:

1. Only property owners, in good standing, and their registered guest may use the pool. A guest is defined as a person visiting with a property owner, not merely an acquaintance using an owner's identity to use the pool. Property owners should be prepared to present a Walnut Mountain I.D. card upon request.
2. The property owner, during the tenure of a guest's visit, must accompany all guests using the pool. The only exception to this rule is when a guest is renting a cabin, and then they have the same privileges as a property owner. Property owners are responsible for their renter's activities and conduct.
3. No one is permitted to use the pool alone, at least one other adult must be present.

4. No one under the age of 14 is permitted to use the pool except under the direct supervision of an adult who is 18 years or older, and all persons under 18 years of age will respect the authority of adults concerning these rules.
5. Children age 3 and under must wear a swimmer diaper.
6. Personal equipment that is hazardous to bathers is not permitted in the pool area.
7. Running, pushing, or rough play is not permitted in the pool or around the pool apron.

8. The following items are **not** permitted in the fenced area around the pool
 - Food • Pets • Tobacco Products
 - Glass containers or any other breakable items
9. Furniture and equipment are not to be removed from the pool area.
10. Litter is to be disposed of in the provided trash containers.
11. Proper swim attire is required. Persons wearing cut off jeans are not permitted in the pool.
12. Persons with skin rashes, open sores, wounds, bandages or communicable diseases are not permitted in the pool.
13. All persons must shower prior to entering the pool.
14. The pool is always available for property owners to use during the scheduled open hours; therefore the pool cannot be reserved.
15. Property owners wishing to have parties with a maximum of twelve (12) guests must:
 - Make request to the WMPOA administrator at least one (1) week in advance.
 - Pay appropriate fees for guests. (\$1⁰⁰ per guest)
 - Restrict parties to weekdays (Monday through Friday).
16. Nudity is not permitted. Law enforcement will be called. Also pool privileges will be suspended for one year with the second offense resulting in having pool privileges suspended permanently.
17. Law enforcement will be called to investigate persons suspected of taking or smoking an illegal substance. Persons convicted will have pool privileges suspended for one year, with second offense resulting in pool privileges being suspended permanently
18. Persons caught damaging pool property, or trashing the bath house with wet toilet paper or other items will have their pool privileges suspended for one year, with the second offense resulting in pool privileges being suspended permanently. Parents will be responsible for the cost of repair or clean up.
19. Persons under the influence of alcohol or illegal substances are not permitted in the pool area.

The Pool hours are Monday through Sunday 10 a.m. - 9 p.m.

POOL OPENING IS NORMALLY MEMORIAL DAY WEEKEND

POOL CLOSING IS NORMALLY LABOR DAY WEEKEND.

SAFETY RULES & REGULATIONS

Lakes and Streams

1. Swimming is not allowed in any of the lakes or streams.
2. Gasoline powered motors are not allowed to be used on any of the lakes.
3. One Coast Guard approved personal flotation device for each passenger must be on board any watercraft used on any lake. Children under 12 must wear a flotation device at all times while in the watercraft.

Fireworks and Firearms

1. Fireworks may not be set off within the limits of Walnut Mountain (per State regulations).
2. Firearms, bows, crossbows, pellet or air guns may not be discharged on Walnut Mountain Common Property.
3. Hunting is not allowed on Walnut Mountain.

Vehicle Operations and Parking

1. No person shall operate any vehicle in a careless, negligent, or reckless manner that endangers any person, property, or environmental feature. The following rules apply to the operation of all vehicles including ATVs and other recreational vehicles:
 - a. The speed limit on Walnut Mountain is 20 miles per hour. Owners and guests should strictly observe this limit.
 - b. Keep to right of road at all times.
 - c. Operators must have a valid drivers license at all times.
 - d. All operators must be at least fifteen (15) years of age.
 - e. No overnight parking is allowed in recreational areas
 - f. Blocking of Walnut Mountain roads is not permitted.
2. All vehicles parked on Walnut Mountain must have a valid registration and license.
3. Parked construction equipment should not impede traffic during daylight working hours. Construction equipment may not be parked on road or shoulder of perimeter roads between 7:00 p.m. and 7:00 a.m.
4. No overnight parking in recreational area and/or common area parking lots except during weather emergencies.

Fires

No open burning. All fires must be in grills.

Pets

All pets must be leashed or under the positive control of the owner.

Camping

Camping will be allowed only in the designated campground. Camping is not allowed on Turniptown Creek.

House Numbers

All homes must have a "911" house number displayed.

RULES FOR THE DISPOSAL OF RUBBISH, TRASH, AND GARBAGE

Rubbish, Trash and Garbage on property:

1. All rubbish, trash, brush, and garbage shall be regularly removed from the lot and shall not be allowed to accumulate therein.
2. No garbage, trash or brush shall be placed on the Common Property, temporarily or otherwise, except as provided herein.
3. Containers for garbage or other refuse shall be underground or in a screened sanitary enclosure which must be compatible in appearance and location to the house.

Dumpster Rules:

1. Dumpsters are provided for the use of Walnut Mountain property owners only
2. Rubbish, trash, and garbage shall be contained in plastic or paper trash bags.
3. Building materials and household refuse such as wood, concrete, metal, furniture, rugs, screens and similar materials are NOT to be placed in the dumpsters.
4. Small cardboard boxes may be put in the Dumpster provided they are broken down.
5. Boxes are NOT used as a replacement for trash bags. For people moving in, local movers will be happy to come to your home and pick up empty moving boxes provided you have broken them down. **THESE BOXES ARE NOT TO BE PUT INTO THE DUMPSTER.**

Gilmer County Landfill:

The following items and related items are NOT to be put into dumpsters and should be taken to the County landfill:

1. Boxes with trash, rubbish or garbage in them.
2. Any furniture items such as mattresses, recliners, tables, cabinets, TV's, ladders, chairs, sofas, lamps, microwave ovens, etc.
3. All other items not considered garbage such as gutters, sinks, lumber, pipes, cable satellite post, inner tubes, carpet, carpet backing, boxes, etc.

Hazardous Waste:

The Environmental Protection Agency (EPA), a branch of the United States Federal Government, governs the definition and disposal of hazardous waste.

- Products considered to be hazardous waste have labels describing how to dispose of them.
- The EPA makes and enforces all laws regarding the disposal of hazardous waste.
- The EPA also levies fines for non-compliance of said laws and does not accept ignorance of laws as an acceptable defense.
- Railroad ties are considered hazardous waste.

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1. No Boats, Boats on Trailers, Utility Trailers, Camper Trailers, Vehicles without current tags or Motor homes, are to be parked on personal or common property on Walnut Mountain for longer than 24 hours, unless they are parked in such a location on your property that they are not visible from the street or from your neighbor's property.
2. Upon any violation of this rule, a written notice shall be provided and/or posted conspicuously on the property. A phone contact will be attempted; however, the violation period starts from the time of posting. In the event that said violation has not been addressed within 24 hours of posting the violation notice, the WMPOA shall have the right to take such action as necessary to correct such violation, at the expense of the owner, including towing and fines.

CAMPER/BOAT-TRAILER STORAGE RULES

1. The storage area is for motor homes, campers, boats on trailers and utility trailers (vehicle), and is only available to property owner's In-Good-Standing. Friends or relatives may not use storage area.
AUTOMOBILES ARE NOT TO BE STORED IN THIS AREA.
2. Each vehicle must be registered with the W.M.P.O.A. office and must be re-registered on an annual basis coincident with the vehicle registration renewal. The vehicle must have current registered license tag and stay current as long as it is stored.
3. Any vehicle that is not registered with the W.M.P.O.A office or which does not have a current, valid license will be towed away at the owner's expense.
4. Only one space per property owner is permitted and priority shall be given to full time resident property owners.
5. There is an annual fee for storage provided. Walnut Mountain will not be held responsible for any damage to items stored in this facility.

REGISTRATION

<u>Name and Mailing Address:</u>	<u>Lot #</u>
<hr/>	
<u>Permanent Resident?</u>	
<hr/>	
<u>Telephone:</u>	
<hr/>	
<u>Description: Type:</u>	<u>Make:</u>
<hr/>	
<u>License Plate Number:</u>	<u>State:</u>
<hr/>	
<u>Registered Date:</u>	<u>Renewal Date:</u>
<hr/>	

*** * I agree to indemnify Walnut Mountain Property Owners Association, Inc. for any damages resulting, which may result from my use of the Storage Area for parking my vehicle.**

Signature: _____ **Date:** _____

NEW CONSTRUCTION AND EXISTING HOMES RULES AND REGULATIONS

Purpose & Authority:

Walnut Mountain is an architecturally controlled community, so established to protect and preserve the beauty and integrity of the environment and property values of the property owners by maintaining architectural standards, aesthetic harmony and compatibility among the lots and structures that make up the community. Towards those ends, the ACC is a standing committee provided for in the Walnut Mountain CCR's and Bylaws and is charged with "establishing and maintaining architectural standards in the property." The standards will be applied to maintain varying sizes and values, to insure that improvements and modifications suitable for one lot may be inappropriate for another. By utilizing the standards we shall maintain the natural beauty of the mountain. The ACC is given the authority to make and enforce rules, impose monetary fines, and use other means to insure compliance with Walnut Mountain standards. In addition, the Association also has the authority to correct violations and assess the cost of such corrections to the property owner.

Compliance:

Please familiarize yourself with these Rules as well as the CCR's and Bylaws of Walnut Mountain. As a property owner/ contractor you are legally obligated to comply with them and are responsible for insuring that your family, guests, and friends do so as well. When a property is leased, the renter and his/her family and guests are expected to comply just like a property owner; however, the Property Owner has the ultimate responsibility to assure compliance.

Pre-approval:

Just as with new construction, the CCR's require that changes affecting the exterior or lot match the surrounding area aesthetically and must have the prior written approval of the ACC. Forms may be obtained at the WMPOA office and the ACC committee will review requests within fifteen working days. Specifically, the following changes require prior written approval:

1. Additions of rooms, decks, carports, and garages
2. Paving, gravel, asphalt or concrete work
3. Installation of fences, ponds, fountains, etc.
4. Installation of exterior flood or security lights (approval of affected neighbors also required)
5. Exterior painting, re-grading or other significant landscaping changes
6. Any outdoor structure

Pre-approval must be requested in writing using the form available at the WMPOA office with whatever drawings or documents that might be useful attached. For construction that requires compliance with setback requirements, it is the responsibility of the property owner to identify and mark the property boundaries so that compliance can be verified.

The ACC is granted the authority to implement rules, enforce policy, issue fines, and to stop work orders for violations. The ACC also has authority to approve colors, landscaping, tree trimming and removal.

Builders must be approved by the ACC for each individual house or additions to be constructed. They are

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required to agree to all portions of the Builders Package. A Builder may be denied approval after three written violations of the WMPOA Rules and Regulations.

Construction Time Frame:

Walnut Mountain Covenants, Conditions and Restrictions state that construction of a new house must be completed within twelve (12) months from the date construction is approved. For any construction on an existing the time frame is six (6) months from the date that construction is approved.

Water Impact Fee:

The water impact fee and the fee for meter installation of \$3,375.00 must be paid upon approval of construction. Also, water meter hook-up needs to be scheduled a week in advance, and at that time a pro-rated water assessment fee must be paid.

Set Backs:

Proper set back from pins, which are fifteen (15) feet from the side line of any lot, forty (40) feet from the rear line of any lot and twenty five (25) feet from the front line of any lot (the front line of a lot shall be deemed to be the lot line which is contiguous to a street or road), must be checked prior to any tree removal or foundation digging.

Variances:

All set backs request for variances must first be submitted to the County. Written approval from the County must then be submitted to the ACC for review and approval. All requests must be submitted in writing to the ACC. The Board of Directors will consider such requests and notify the property owner of their decision.

Construction Plans:

Construction Plans shall include floor plans, elevations, roof and exterior finishing materials and / or color of siding and trim. The house must have a minimum of 1250 sq. ft. of heated and A/C of completed (finished) living space. House and Driveway to be staked out and shown on plat/survey. Building colors shall be woody earth tone finishes. No Vinyl or Metal exterior siding will be permitted.

Retaining Walls:

Must be installed to maintain stability of ground around trees, house, etc. to control erosion. Exposed concrete or concrete block foundations must have a exterior finish, i.e. stone, stucco or rock finish, this also includes retaining walls.

Equipment:

No track equipment is permitted on Walnut Mountain paved roads. All track equipment **must** be hauled to the job-site, i.e. dozers and loaders. Concrete trucks shall be loaded to minimize spillage and/or damage to the road. If there are any spills or damage from concrete on the roads it is the responsibility of the builder to have it cleaned up or repaired. Concrete trucks are to clean their chutes **only** on the construction site. It is also the builder's responsibility to make sure the area where the concrete truck is washed out is cleaned up.

Ground Disturbance:

The Maintenance Manager must be contacted, prior to any ground on a lot being disturbed by heavy equipment for culvert installation or clearing of any kind, to locate existing water lines. Any breakage of water lines or power lines due to the construction will result in a damage fee assessed to the lot owner and/or builder. The builder is responsible for making sure the meter box is "re-covered" after hook-up to the house.

Silt fence:

Any construction or landscaping that involves delivery of significant amounts of dirt or disturbing large amounts of existing dirt requires the prior installation of a silt fence around the work area. When work is being performed around a wetland or lake area, two Silt Fences are required for stabilization. Silt fence must remain in place and maintained until the ground is stabilized. Check with the ACC for guidance.

Culverts:

Culverts must be a minimum size of 15" and galvanized, or the installation of a swale will be sized and installed under the direct supervision of the ACC Committee. Culverts must be kept free of dirt and leaves that might prevent proper water flow and property owners must insure that no dirt or gravel runs off onto neighboring lots or common grounds.

Driveways:

Any driveway with an elevation upgrade of 12% or more from the street shall have a concrete or asphalt apron. This will be required to keep the washing of gravel off the road right of way.

Water Flow and Drainage Control:

To the degree possible the natural channels of run off should be maintained. When this is not practical, French drains, ditches, culverts, curbs, or swale diverters should be utilized to remove run off to its natural channel. The following steps should be taken prior to the onset of construction and request for approval of construction plans. Inspect the existing conditions. Determine the existing flow of water over the area to be improved. Estimate the effect of plan changes on the existing water flow. Plan for flow to return as much as possible to the normal runoff.

Trees and Shrubs:

Property owners must obtain written approval from the ACC before cutting or trimming any trees or shrubs under the following circumstances:

Cutting down live trees with a base diameter of four inches or greater. This measurement is taken where the trunk enters the ground. Cutting or trimming any limbs three inches or greater in diameter. This measurement is taken where the limb joins the trunk. Side dressing or trimming for view regardless of tree or branch size. Topping any tree. Cutting or trimming of anything in the green belt regardless of size. Anytime cutting or trimming is to be done by a professional tree service or paid help. Written requests for ACC approval need to contain a drawing of the lot that locate the trees affected by the request. The trees need to be tagged and lot lines located before the ACC investigates the request on the site. Allow seven days for the ACC to respond to your request. If an emergency occurs, contact the ACC or any board member by phone prior to beginning the work. Any work that requires ACC approval that is done without that approval may result in a fine up to \$500 per tree. There is no cutting of trees or shrubs allowed in the Greenbelt. Immediately remove any soil or rock that is against the base of any tree on the property due to grading or wash.

Sanitation:

During the entire period of construction a “port-a-pottie” is to be provided on the job site for all construction personnel and to be located away from the mountain’s roadway.

Site Maintenance:

The lot (s) is (are) to be kept clean of all personal trash at all times. Building material remnants are to be trucked off the site every other Friday or sooner if necessary. All building materials are to be placed as inconspicuously as possible. It is the builder’s responsibility to see that the roadway is cleared of any debris daily before leaving the job site. Debris, scrap and waste materials must not be buried under backfill.

Burning: There will be no burning on the job site.

Access Control:

During the construction period, a list of contractors that are to be admitted to your lot for construction purposes is to be submitted with the Builder’s Packet, a copy will be forwarded to the Access Control Personnel at the Welcome Station. No one will be admitted unless previously authorized. Construction personnel and vehicles are only allowed between the hours of 7am and 7pm Monday through Friday, Saturdays 8am to 6pm and NO work is permitted on Sunday or Holidays. These hours apply to any deliveries of materials as well. All construction personnel are required to sign in and out daily on a work log located at the Welcome Station indicating name, company name or self-employed, and address of work site. Access Control will record the time of entrance, tag number of the vehicle, give construction personnel a guest numbered card to be returned to Access Control upon **each** departure from Walnut Mountain (departure time is also recorded). All construction personnel are to use the most direct route to the work site. The speed limit on Walnut Mountain is 20 miles per hour; our roads were not designed to handle speeds in excess of this figure. Also, keep to the right of the road at all times.

Limitations:

Construction personnel are not permitted to use any of Walnut Mountain amenities such as the swimming pool, lakes, tennis courts and basketball courts. Any worker violating this rule will be denied access to Walnut Mountain. Per Walnut Mountain Rules and Regulations “NO HUNTING or DISCHARGING of FIREARMS, BOWS, or CROSS-BOWS, PELLET or AIR GUNS which are allowed within the Walnut Mountain Development”.

Propane tanks:

Must be shielded from view with material that matches the homes façade or with evergreen plantings to reduce the visual impact from the road or neighbors.

Signs:

For Sale signs and advertising signs are not allowed on Walnut Mountain, either on a property owner’s lot or along roads or common property.

Maintenance (Existing Homes):

Property owners are required to maintain their lots, keeping them free from litter and other debris. Outside property is not to be used for storage, and the outside storage of discarded appliances, construction materials, storage boxes, and vehicles which are inoperable or do not have a valid, current license are specifically prohibited. If a structure sustains significant damage, the property owner must make repairs promptly and must have those repair plans approved in advance by the ACC.

Deer Netting or Fencing:

Deer netting may be installed if it is dark in color, has openings no smaller than three quarters of

an inch, consists of only a single layer, and is neatly installed entirely on the owner's property. Stakes should be made as inconspicuous as possible. All fencing must be approved by the ACC regarding location, appearance and materials. No chain link fencing will be permitted.

Certificate of Occupancy:

No occupancy of dwelling is allowed until Certificate of Occupancy is obtained from Gilmer County Building Dept. and the ACC has signed off on the structure.

Water Service:

Property owners are responsible for the cost of any water leaks that occur on their side of the water meter, including cost of repairs, a reconnect fee and water used. If a property owner or its agent breaks a water line, regardless of which side of the meter it occurs, they will be charged for the cost of repairs and the water used. The WMPOA has the authority to disconnect the water supply to anyone that has not paid his or her water bill or when a leak is detected. If service is disconnected, the property owner will be charged a \$75 fee to have the service reconnected.

Appeals:

Any decision by the ACC may be appealed to the ACC with justification for the appeal. If denied, the decision may be appealed in writing to the Board of Directors with complete documentation of the denied request. This request to appear before the Board must be made by the 10th of receiving notification.

Amendments:

The ACC may alter, amend or repeal the standards subject to the approval of the Board of Directors.

Upon execution of this agreement, the property owner/contractor shall post a cash bond in the amount indicated in the bond schedule for the purpose of assuring Walnut Mountain Property Owners Association of financial stability and to assure payment of liability for damages or penalties arising from violation of the terms of this agreement.

Upon any violation of the terms of this agreement, or Gilmer County Building Development ordinances, Written Notice thereof shall be provided and/or posted conspicuously on the premises. A phone contact will be attempted; however, the violation period starts from the time of posting. In the event that said violation has not been rectified within twenty-four (24) hours of posting for silt fence and forty-eight (48)

hours of posting for other violations, then the ACC shall have the right to take such action as necessary to correct such violation at the expense of the owner/builder.

The Lot owner hereby consents to the entry by the ACC onto his property for the purpose of such corrective measures as are reasonably necessary. Further, the direct and indirect cost of these measures, shall be deducted from the bond as set out above. Any amount which exceeds the bond

shall be responsibility of the lot owner and builder. In addition to the cost of these corrective measures taken by the ACC, a penalty of one hundred dollars (\$100.00) per day shall be assessed

WMPOA Rules & Regulations

Adopted August 16, 2003, Amended February 21, 2004 and June 19, 2004

against the bond for each day after expiration of the twenty-four (24)/forty-eight (48) hour period during which the violations continue.

Upon completion of construction, the bond amount or remainder thereof, shall be returned to the builder. Any deficiency or additional liability to the W.M.P.O.A., pursuant to the terms of this provision shall create a lien against the property of the lot owner and may be enforced the same as other assessments by the W.M.P.O.A.

Upon notification to the Builder/Property Owner of violation of this agreement, the ACC reserves the right to deny access to the building site to all contractors, sub-contractors, vendors, workers, etc., until said violation is corrected and accepted by a representative of the ACC.

Builder's Signature	Lot Owner Signature
Lot Number	Date
ACC Signature	Notary Signature

All Contractors will comply with W.M.P.O.A. CCR's Item 10, Section A-K (Page 11-15)

Construction Agreement 8/03

BOND SCHEDULE FOR ADDITIONS AND EXTERIOR WORK

<u>PROJECT</u>	<u>BOND AMOUNT</u>
NEW HOME – BUILDERS BOND	\$ 3,000.00
– WATER IMPACT FEE	\$ 3,000.00
– WATER CONNECTION FEE	\$ 375.00
EXTERIOR WORK SUCH AS PAINTING, FENCING, DECKING	NO BOND REQUIRED
MAJOR LANDSCAPING WITH RETAINING WALLS	\$ 250.00
DRIVEWAYS – GRAVEL	\$ 100.00
– ASPHALT OR CONCRETE	\$ 250.00
ADDITIONS	
UNDER 500 SQUARE FEET	\$ 1,000.00
500 TO 1,000 SQUARE FEET	\$ 1,500.00
OVER 1,000 SQUARE FEET	\$ 2,000.00

GUIDELINES FOR HOMEOWNERS TO RENT THEIR PROPERTY

WMPOA Rules & Regulations

Adopted August 16, 2003, Amended February 21, 2004 and June 19, 2004

Effective September 1, 2003, homeowners who rent their property on a long-term basis, three (3) months or more, will need to follow the new guidelines for renting. These guidelines have been established due to on-going problems currently occurring with renters on Walnut Mountain.

All homeowners who currently rent their property over ninety days will receive a letter stating the rules. On completion of the current lease/rental agreement these rules will apply. This information will also be in the next quarterly newsletter. Homeowners who rent their property in the future will be required to follow these rules as well.

Homeowner must notify the property management office 10 days before renting their home, giving the name of renter, how long the rental period will be and make arrangements for the gate opener and the water bills to be paid for by the homeowner. A copy of the lease will be submitted to the property management office. A copy of Walnut Mountain CCR's will be given to the owner.

The renters will check in with the office when they move in, to receive their "Welcome Package" which includes the latest quarterly newsletter, a copy of the CCR's and a list of regulations pertaining to renters. The gate opener will be issued at this time and all renters must have a residential phone line for gate access. The renter will sign a statement indicating that the "Welcome Package" and gate opener were received.

Rules for Renters:

All residents of Walnut Mountain must adhere to CCR's and all rules and regulations including:

A. Use Restrictions

Each Owner of a Lot shall be responsible for ensuring that the Owner's family, guests, tenants and Occupants comply with all provisions of this Declaration, the By-laws and these rules and regulations of the Association. Furthermore, each Owner and Occupant shall always endeavor to observe and promote the cooperative purposes for which the Association was established. In addition to any rights the Association may have against the Owner's family, guests, tenants or occupants, the Association may take action under this Declaration against the owner as if the owner committed the violation in conjunction with the Owner's family, guests, tenants or Occupants. Use restrictions regarding use of Lots and the Common Property are as follows and also as may be adopted by the Board in accordance with the terms hereof and as specified in the By-Laws "Use of Lots."

Each Lot shall be used for residential purpose only, and no trade or business of any kind maybe conducted in or from a Lot, except that the Owner or Occupant residing in a dwelling on a Lot may conduct such ancillary business activities within the dwelling so long as:

- 1) The existence or operation of the business activity is not apparent or detectable by sight, sound, or smell from outside of the dwelling.
- 2) The business activity does not involve visitation of the dwelling by employees, clients, customers, suppliers or other business invitees in greater volume than would normally be expected for guest visitation to a residential dwelling without business activity.
- 3) The business activity conforms to all zoning requirements for the Property.

B. Pets

No owner or Occupant may keep any pets other than a reasonable number of generally recognized domestic household pets on any portion of the Property, as determined by the

Board's discretion. No owner or Occupant may keep breed or maintain any pet for any commercial purpose. Pets may not be left unattended. No structure for the care, housing or confinement of any pet shall be constructed or maintained on any part of the Property without prior written Board approval as provided in Paragraph 10 of the C.C.R.'s. Pets must be kept on a leash or under the physical control of a responsible person at all times while outdoors.

C. Abandoned Personal Property

Personal property other than an automobile as provided in subparagraph (g) of this Paragraph is prohibited from being stored, kept, or allowed to remain for a period of more than twenty-four (24) hours upon any portion of the Common Property without prior written Board permission. If the Board determines that a violation exists, then, not less than two (2) days after written notice is placed on the personal property and/or on the front door of the property owner's dwelling, if known, the Board may remove and either discard or store the personal property in a location which the Board may determine. The notice shall include the name and telephone number of the person or entity which will remove the property and the name and telephone number of a person to contact regarding the alleged violation.

The Board, in its discretion, may determine that an emergency situation exists and may exercise its removal rights hereunder without prior notice to the property owner; provided, however, in such case, the Board shall give the property owner, if known, notice of the removal of the property and the location of the property within three (3) days after the property is removed. Neither the Association nor any officer or agent thereof shall be liable to any person for any claim of damage resulting from the removal activity in accordance herewith. The Board may elect to impose fines or use other available remedies, rather than exercise its authority to remove property hereunder.

D. Signs

Except for reasonable name and address signs or as may be required by legal proceedings, no signs, advertising posters or bill boards of any kind shall be erected, placed or permitted to remain on the Property without the prior written consent of the Board or its designee.

E. Rubbish, Trash, and Garbage

All rubbish, trash, and garbage shall be regularly removed from the Lot and shall not be allowed to accumulate therein. No garbage or trash shall be placed on the Common Property, temporarily or otherwise, except as provided herein. Containers for garbage or other refuse shall be underground or in a screened sanitary enclosure which must be compatible in appearance and location to a house.

F. Unsightly or Unkempt Conditions

The pursuit of hobbies or other activities, including, but not limited to the assembly and disassembly of motor vehicles and other mechanical devices, which might tend to cause disorderly unsightly or unkempt conditions, shall not be pursued or undertaken on any part of the Property. Clothing, bedding, rugs, mops, appliances, indoor furniture, and other household items shall not be placed or stored outside the dwelling.