

NEIGHBORHOODS OF HOLLY RIDGE OWNERS ASSOCIATION RULES & REGULATIONS REFERENCE GUIDE

Overview

The fundamental purpose of the Neighborhoods of Holly Ridge Owners Association **Rules & Regulations** is to provide a basis for protecting Members' equity in the development and to provide a framework within which people can live in harmony.

This reference guide is intended to familiarize Members with the various Covenants and Restrictions. A complete copy of the Restrictions and Covenants is contained within the "DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF THE NEIGHBORHOODS OF HOLLY RIDGE", and its AMENDMENTS recorded in the office of the Register of Deeds of Onslow County, North Carolina.

The Neighborhoods of Holly Ridge Owners Association subscribes to the principles set forth in the federal Fair Housing Act protecting the rights of people with disabilities to use and enjoy their homes.

All provisions of the Declaration, Bylaws, and of any Rules and Regulations, governing the conduct of Owners and establishing sanctions against Owners shall also apply to all occupants even though occupants are not specifically mentioned.

The Declaration and its Amendments are and shall remain the controlling and ruling documents in the event of any discrepancies or omissions between these documents.

Purpose

- Enforce the community's CC&Rs, Bylaws and Policies in a fair and diplomatic way for owners, guests and tenants
- Protect, preserve, enhance and promote the purpose of the association as stated in the legal documents
- Restrict and govern the use of the common areas and amenities
- Establish architectural guidelines and controls for aesthetic value

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Residential Use

- Lots may be used only for residential purposes of a single family.
- No business, trade, or similar activity shall be conducted upon a Lot without the prior written consent of the Board. Home office uses are permitted with Board approval so long as:
 - the existence or operation of the activity is not apparent or detectable by sight, sound, or smell from outside the Lot
 - the activity conforms to all zoning requirements for the Properties
 - the activity does not involve door-to-door solicitation of residents of the Properties
 - the activity does not increase traffic or include frequent deliveries within the Properties
 - the activity is consistent with the residential character of the Properties and does not constitute a nuisance or hazardous or offensive use, or threaten the security or safety of other residents of the Properties, as may be determined in the sole discretion of the Board.
- No dwelling shall be erected on any Lot other than one detached single family dwelling not to exceed two and one-half stories in height, and a one, two or three car garage. No permitted garage shall be utilized for living quarters.
- All buildings shall be of wood, stone, brick veneer, stucco, masonite, or vinyl siding. All other materials must be approved by the Architecture Committee.
- No trailer, tent, mobile home (including a multiple-wide mobile home), shack, barn, any other out building, or other structure of a temporary character shall be placed on any Lot.

Leasing

- The leasing of a Lot shall not be considered a business.
- Lots may be leased for residential purposes only. No lease agreement shall be for a period shorter than six (6) months. All leases shall require, without limitation, that the tenant acknowledge receipt of a copy of the Declaration, Bylaws, and Rules and Regulations of the Association prior to commencement of a lease.
- The Owner is responsible for providing the Board with a copy of the lease prior to the commencement of the lease and the Owner is responsible for assuring that the lease complies with Association requirements. Tenants may be denied use of the Common Area if an approved lease is not on file.

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Vehicles General

- Without prior written approval and authorization of the Board of Directors, no boats, boat trailers, campers, canoes, motorcycles, mopeds, all terrain vehicles, vehicles used primarily for recreational purposes, vehicles primarily used for commercial purposes, abandoned vehicles, vehicles which are either dismantled, partially dismantled, inoperative, discarded or one which does not have a valid license plate attached thereto, shall be stored, allowed to remain, or repeatedly parked on the Properties subject to this Declaration, except in any area, if any designated by the Board of Directors.
- No vehicles shall be parked on the Common Area other than in authorized parking areas.
- No vehicles shall be parked or stored on blocks or other such devices on the Common Area or other portion of the Properties.
- No vehicles shall be parked so as to obstruct the fire lanes or roadways within the Properties.
- If permitted, boat trailers, boats, campers, motorcycles, mopeds, all terrain vehicles, vehicles primarily used for recreational or commercial purposes, travel trailers or inoperative automobiles are to be stored out of view from the streets and shall not be stored in any street right-of-way or on driveways.
- Until turnover of streets to governing jurisdiction, extended parking, determined at Association discretion, in the street for any vehicle is prohibited. The Association is expressly authorized to remove, by towing or other methods, at the Owner's expense, any unlawful or prohibited vehicle in violation hereof.

Automobiles

- Automobiles and non-commercial trucks and vans shall be parked only in the garages or in the driveways, if any, serving the Lots unless otherwise approved by the Board of Directors; provided however, the Association may designate certain on-street parking areas for visitors or guests subject to reasonable rules. No automobile or non-commercial truck or van may be left upon any portion of the Properties, except in a garage, if it is unlicensed or if it is in a condition such that it is incapable of being operated upon the public highways. Such vehicle shall be considered a nuisance and may be removed from the Properties. No motorized, gas, electric (including dirt bikes and ATV's) vehicles shall be permitted on trails, paths or unpaved Common Area except for public safety vehicles and as specifically authorized by the Board.

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Recreation Vehicles

- The term “recreational vehicles”, as used herein, shall include, with limitation, motor homes, mobile homes, boats, “jet skis” or other watercraft, trailers, other towed vehicles, motorcycles, mini-bikes, scooters, go-carts, golf carts, campers, buses, and camper trucks and vans.
- Recreational vehicles belonging to Owners or occupants of the Lots shall be parked only in the recreational vehicle storage area within the Properties, or in garages, if any, serving the lots or, with the prior written approval of the Board, on other hard-surfaced areas which are not visible from the street. “Visibility” shall be determined by the Board in its sole discretion.
- Guests of an Owner or occupant may park a motor or mobile home on the driveway serving the Owner’s or occupant’s Lot for a period not to exceed seven (7) days each calendar year.
- Any recreational vehicle parked or stored in violation of this provision in excess of seven (7) Days shall be considered a nuisance and may be removed from the properties. Fees and costs for removal and storage under this provision shall be assessed against the Lot as a Special Assessment. The Board may designate certain parking areas within the Properties for recreational vehicles subject to reasonable rules and fees, if any.
- Service and delivery vehicles may be parked in the Properties during daylight hours for such periods of time as are reasonably necessary to provide service or to make a delivery within the Properties.

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Exterior Structures

- No exterior structure shall be allowed on any property unless formerly approved by the Architectural Committee. This includes, but is not limited to:
 - Window air-conditioning or heating units; below window or through wall
 - Swimming pools, hot tubs
 - Sculptures and fountains
 - Antennas
 - Flag poles – except the American Flag may be flown or displayed following normal flag protocol
 - Clothes lines – except allowed in the backyard on Mon thru Sat 8:00AM – 4:00PM
 - Outdoor storage of garden tools/supplies and hoses – not allowed in front yard
 - Basketball goals and skateboard ramps are NEVER allowed on any street.
 - When not in use, remove from the front yard/Lot play furniture, swing sets, toys, skateboard ramps, basketball nets and similar type items.
 - Christmas lights and decorations may be displayed beginning Thanksgiving Day and must be removed no later than January 7th the following year

Garage Sales

- No garage sale, moving sale, rummage sale, or similar activity shall be conducted upon a Lot without the prior written consent of the Board.

Rubbish, Trash & Garbage

- All rubbish, trash, and garbage shall be regularly removed and shall not be allowed to accumulate. There shall be no dumping of grass clippings, leaves, or other debris; rubbish, trash or garbage; petroleum products, fertilizers, or other potentially hazardous or toxic substances on Common Areas, wetlands or marsh areas or in any drainage ditch or stream within the Properties, except that fertilizers may be applied to landscaping on Lots provided care is taken to minimize runoff. No lumber, metals, bulk materials, refuse, trash or other similar materials shall be kept, stored, or allowed to accumulate outside the buildings on any Lot, excepts as may be permitted during any period of construction of improvements to a Lot.
- All garbage and trash shall be kept in containers and stored in garages, backyards or screened so as to be concealed from the street.
- On garbage collection days, containers shall be placed on the driveway for collection no sooner than 24 hours before pick-up. Containers are to be brought in and placed out of view the same day after collection.

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Maintenance

- All maintenance shall be performed in a manner consistent with the Community-Wide Standard and all Governing Documents. Maintenance responsibilities shall include the responsibility for repair and replacement as necessary.
- Each owner shall maintain his or her Lot, including the Residential Unit thereon, and all structures, parking areas, sprinkler and irrigation systems, landscaping and other flora, and other improvements comprising the Lot, including the Residential Unit.
- In the event the Board of Directors of the Association determines that
 - any Owner has failed or refused to discharge properly his or her obligations with regard to the maintenance, repair, or replacement of items for which he or she is responsible; or
 - that the need for maintenance, repair, or replacement which is the responsibility of the Association is caused through the willful or negligent act of an Owner, or his or her family, guest, lessees, or invitees,

the Association, except in the event of an emergency situation, shall give the Owner written notice of the Association's intent to provide such necessary maintenance, repair or replacement, at their sole cost and expense; the notice shall set forth with reasonable particularity the maintenance, repair or replacement deemed necessary and the cost thereof.

The noticed party shall have ten (10) days within which to pay such amount claimed; or, in the event such maintenance or repair is to the Owner's Residential Unit or Lot, complete said maintenance, repair, or replacement; or, in the event that such maintenance, repair, or replacement is not capable of completion within said ten (10) day period, to commence such work within said ten (10) day period which shall be completed within a reasonable time.

If any Owner does not comply with the provisions hereof, the Association may provide any such maintenance, repair, or replacement at such person's sole cost and expense, and the cost shall be added to and become a part of the assessment to which such party is subject and shall become a lien against the Lot of such party collectible as an assessment.

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Pets

- No more than two (2) generally recognized house pets (e.g., dog, cat, etc.) may be kept in any Residential Unit and such household pets shall weigh no more than a combined seventy-five (75) pounds. No dogs, cats or other household pets may be kept, bred or maintained for any commercial purposes.
- The owner of a pet shall be directly responsible for any damage or inconvenience caused by the pet and for controlling the behavior of the pet. Any pet must wear a tag showing the name and address of the pet owner and be on a leash when off property. All pets must be cared for, maintained and properly licensed as required by the State of North Carolina and Onslow County, North Carolina ordinances.
- No pet shall be staked or tied out of doors or left outside unattended, nor shall any structure or pen for a pet be built on any Lot without prior written approval from the Board of Directors.
- All barking, noise and odors shall be kept under control by the resident so as not to disturb other residents and so as not to be a nuisance to the Neighborhoods of Holly Ridge.
- Owners of pets shall be responsible for immediately removing the droppings of said animals from the streets, Common Areas or from any Lot.
- In the event the Board deems any pet to be a nuisance, to be dangerous or detrimental to the health, safety or welfare of the Owners or to be kept in violation of the Declaration, the Board shall have the right to require the Owner of such pet to remove such pet from the Neighborhoods of Holly Ridge.
- Service animals are exempt from the Neighborhoods of Holly Ridge Owners Association pet policy.

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Signage

- One (1) sign advertising the property “For Sale”, which shall not exceed six (6) square feet in size, and be no more than three (3) feet in height from the ground to the top of sign is permitted with consent of the Board.
- All signs shall face the road
- No sign of any kind including political, “For Rent” or contractor signage for alterations or modifications shall be posted, erected or displayed by an owner or occupant on any building without consent of the Board. The following exceptions are permitted:
 - Builder’s signs for the sale of new homes, including but not limited to “Parade of Homes”, “Open House”; etc signs.
 - Such signs as may be required by legal proceedings
 - Small signage in good taste (one per lot) indicating a home security system or identifying a homeowner name and/or street number

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**ARCHITECTURAL COMMITTEE
CONSTRUCTION & LANDSCAPE MODIFICATION
POLICY**

The Declaration of Covenants, Conditions, Restrictions and Easements, Article X of The Neighborhoods of Holly Ridge ("Declaration") outlines the procedures used in the architectural review process. The Architectural Committee review process works to protect and preserve the character and quality of the Neighborhoods of Holly Ridge as well as to protect and preserve the value of your investment in our community.

This Modification Policy applies to all modifications to existing structures including, but not limited to, walls, retaining walls, fences, bulkheads, sheds, antennas, exterior painting, material replacements, window tinting, porch enclosures, renovations, additions, play structures, tree removal and landscaping.

For purposes of this Modification Policy, the Architectural Committee is responsible for evaluating each of the plans submitted by an owner for adherence to the Declaration and the compatibility of the design with the adjoining sites and common spaces.

Any structure or improvement that is placed on any home site without Architectural Committee approval is considered to be in violation of the Declaration.

Before any structure, fence, building, wall, walkway, sign, trash can holder, or any improvement, replacement, alteration or addition to any of same shall be commenced, erected, or maintained upon any Lot and before any alteration (including painting) of the exterior portion of any structure located upon the Lots and before any alteration of the surface of any Lot (excluding seasonal flora planting) shall be commenced:

- **The Person desiring to make such changes or erections shall submit an Application Form and have approved by the Committee plans and specifications detailing the changes and erections, which plans and specifications shall include Landscaping.**
- **The plans and specifications must show the structure, kind, shape, height, color, material and location of the improvement, replacement, alteration or addition.**
- **Application to the Committee shall include two (2) complete sets of the final plans and specifications for any and all proposed improvement, replacement, alteration or addition and any other information requested by the Committee on its Application Form and shall be hand delivered or mailed certified with return receipt requested to the Association business office at:**

**Neighborhoods of Holly Ridge Owners Association
1319-CC Military Cutoff Road
PMB #165
Wilmington, NC 28405**

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**ARCHITECTURAL COMMITTEE
CONSTRUCTION & LANDSCAPE MODIFICATION
APPLICATION FORM**

Owner(s) Name(s): _____

Lot # _____

Property Street Address: _____

Phone # _____

Email Address: _____

Application Summary: _____

*(Attach additional
Page if needed)*

Estimated Dates: **Start:** _____ **Complete:** _____

Detailed Description: Attach illustrations, plans, materials, colors, etc.
*Additional documentation such as blueprints may be required by the Committee.
Approval by the Committee means that your proposed change fits the aesthetics of the
community. It does not mean that the Committee certifies structural integrity. You may
need governmental permits and inspections for certain changes to your home.*

I (we), the applicant(s) herein, certify and represent as follows:

1. I (we) are the legal owner(s) of the above described property
2. The work, if approved, will be done promptly and properly by appropriately licensed and insured (liability and workers' compensation) contractors if necessary.
3. I (we) accept and acknowledge that the responsibility for maintenance and upkeep of the improvement/change shall solely be mine (ours), successors, assigns and subsequent property owners.
4. All work and the consequences thereof are solely at my (our) risk and expense. I (we) understand and hold the Association and the Board of Directors harmless on account of any consequences resulting from this approval, if granted.
5. Certain changes may affect the site plan, final survey or Certificate of Occupancy at my (our) property and the Consequences thereof are solely at my (our) risk.
6. No representation by the Association or the Board, either expressed or implied, is assumed hereby.

I (we) have read and agree to all of the conditions listed above, and I (we) agree to abide by the decisions of the Architectural Committee.

Owner Signature: _____ **Date:** _____

Owner Signature: _____ **Date:** _____

Architectural Committee Signature Approved: _____ **Date:** _____

Architectural Committee Signature Denied: _____ **Date:** _____

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**ARCHITECTURAL COMMITTEE
FENCE POLICY**

The Architectural Committee review process works to protect and preserve the character and quality of the Neighborhoods of Holly Ridge as well as to protect and preserve the value of your investment in our community.

The following approved Fence Policy applies:

- **Comply with any and all local zoning and permitting requirements**
- **Placement**
 - Abut each rear corner of house**
 - Up to, but do not encroach on Lot line**
 - Accommodate either side neighbor desiring to optionally join in the future**
 - Avoid gaps between neighbor fences not maintainable**
 - The Committee may deny placement of fences in the recorded easement areas**
- **Six foot (6') Straight Shadow Box**
- **Pickets**
 - Dog Eared or Flat**
 - Red Cedar preferred**
 - Pressure Treated Pine optional**
 - Natural clear coat finish**
 - Board width six inches (6") nominal**
 - Board thickness one inch (1") nominal**
- **Posts**
 - Treated lumber approved for "ground contact"**
 - 4 X 4 minimal**
 - Set in concrete providing stability**

For Committee review and approval submit proposed Fence plans to the Architectural Committee in accordance with published CONSTRUCTION & LANDSCAPE MODIFICATION POLICY.

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**ARCHITECTURAL COMMITTEE
SHED POLICY**

The Architectural Committee review process works to protect and preserve the character and quality of the Neighborhoods of Holly Ridge as well as to protect and preserve the value of your investment in our community.

The following approved Shed Policy applies:

- **Comply with any and all local zoning and permitting requirements**
- **Lot/home site must have the required additional impervious coverage available**
- **Shed placement is near back property line 10' from any property line**
- **The Committee may deny placement of Sheds in the recorded easement areas**
- **Shed to be built on concrete slab or if placed on any raised foundation/support, must enclose the underside of Shed**
- **Maximum size of Shed is 8' X 10'**
- **Maximum height of Shed is 10' from the floor to highest point of the roof**
- **Shed material and design is identical to exterior of house**
 - Same siding**
 - Same shingles**
 - Same roof pitch**
 - Same color**

For Committee review and approval submit proposed Shed plans to the Architectural Committee in accordance with published CONSTRUCTION & LANDSCAPE MODIFICATION POLICY.

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FINES, LATE FEES AND INTEREST

The Violation by any Unit Owner, his tenants and guests, of these Rules and Regulations shall entitle the Association to impose fines, pursue injunctive relief or any other remedy permitted by the Declaration or laws of the State of North Carolina.

If the Association proposes to enforce a violation of the Rules and Regulations by means of a fine, prior to imposing any fine it shall first provide written or oral notice to the Unit owner, his tenants or guests, specifying the nature of the violation, the means by which the violation may be remedied and the time in which the remedy must be effected and completed. If the violation continues following the time within which it should have been cured or remedied, or if a subsequent like violation occurs, the Association may impose a fine, late fees and interest as follows:

- **Fines**

\$25.00 for each day more than five days, up to and including fifteen days after the decision that the violation occurred.

\$50.00 for each day more than fifteen days, up to and including 30 days after the decision that the violation occurred.

\$100.00 for each day more than 30 days after the decision that the violation occurred.

- **Late Fees** may be assessed at a maximum of the greater of Twenty Dollars (\$20.00) per month or ten percent (10%) of any maintenance fee, regular or special assessment, fine, late fee or other costs or installments unpaid.
- **Interest**; in the event of a default by any owner in paying any sum due the Association assessed against such Owner's Lot which continues for a period in excess of fifteen (15) days, interest from the due date at a rate not to exceed the highest rate permissible by law may be imposed in the discretion of the Executive Board on the principal amount unpaid from the date due until paid.

All costs and expenses incurred by the Association in collecting the delinquent maintenance fees, regular and special assessments, fines, late fees, other costs, including reasonable attorneys' fees, shall be paid by the defaulting owner.

Payments made by a defaulting owner shall be applied first to such costs and expenses, including interest and late fees, with the remainder applied to the outstanding maintenance fee or assessment amount.

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COLLECTION PROCEDURE

The Board of Directors shall take, or direct to be taken, the following actions when any assessment or installment is in default and remains unpaid after:

- 30 Days - A letter will be sent by first class mail to the defaulting owner indicating the installment or outstanding balance of the assessment as being past due.
- 60 Days - A letter will be sent by certified mail, return receipt requested, to the defaulting owner indicating the installment or outstanding balance of the assessment being past due with notification that if the past due assessment and the amount of interest being charged is not paid in full within ten (10) days, the matter will be turned over to an attorney and a Claim of Lien will be filed in the office of the Clerk of Superior Court of Onslow County, North Carolina. A copy of the filed Claim of Lien will be sent to the defaulting owner.
- 90 Days – The attorney selected by the Board of Directors to pursue collection will send a letter by certified mail, return receipt requested, informing the defaulting owner that if the full amount of the total accelerated assessment, including late fees and costs to date, is not paid within 21 days, an action will be commenced against the defaulting owner to foreclose the lien of the Association or pursue a judgment against the defaulting owner for the total outstanding assessment, interest, and reasonable attorneys' fees and costs.
- In excess of 120 Days -
An action will be commenced against the defaulting owner to foreclose the lien of the Association or pursue a judgment against the defaulting owner for the total outstanding assessment, interest, and reasonable attorneys' fees and costs.

Neighborhoods of Holly Ridge Owners Association
1319-CC Military Cutoff Road PMB # 165
Wilmington, NC 28405
910-343-9202

March 30, 2011

To Whom It May Concern:

Reference: Neighborhoods of Holly Ridge Owner's Association Rules & Regulations
Reference Guide, Page 8

This document will serve to amend the first item on Page 8 of the Neighborhoods of Holly Ridge Owner's Association Rules & Regulations reference guide regarding Pets. The Declarant is waiving the total weight limit of 75 lbs for pets and raising the total number of generally recognized house pets allowed to three (3) instead of two (2).

Sincerely,

Dawn Olson
Neighborhoods of Holly Ridge Owners Association
dawn@nccoastal.org

Scott Cook, Director

Date