

LAKE TOXAWAY COMMUNITY ASSOCIATION, INC.
GENERAL RULES AND REGULATIONS

As amended October 29, 2007.

1. Security

1.1 Issues involving LTCA security violations noted under these General Rules and Regulations as well as suspicious criminal activity should be reported to the LTCA office at 966-9453 **and** the Sheriff's Dispatch Office at 884-3168. When calling the Sheriff's Office, request that the deputy on patrol at Lake Toxaway contact you immediately. Remember, the Sheriff's Deputy is on call 24/7, whereas the LTCA office is open only 9:00 a.m. until 5:00 p.m. week days.

1.5 Security is available to all homeowners at all times for the enforcement of any violations noted in the CA Rules and Regulations.

2. Vehicles and Road Rules

2.1 All drivers of road licensed vehicles shall have a valid operator's license and automobile liability insurance.

2.2 Posted speed limits, traffic control signs and safe driving shall be strictly observed. Violations, to include reckless driving, should be reported to the Sheriff's Department and to the LTCA office.

2.3 Any littering from vehicles or boats is prohibited. The "Tarp Law" shall be strictly enforced.

2.4 Unregistered, unauthorized or illegally parked vehicles of any kind shall be towed from Lake Toxaway Estates at the expense of the owner of the vehicle.

2.5 Commercial or construction vehicles and equipment shall not be permitted on single-family or multi-family residential areas, or upon any road, empty lot, green areas, parks or recreation areas within Lake Toxaway Estates. Equipment used for ARB approved construction may be parked on the lot of the owner during construction, but cannot be stored.

2.6 No maintenance or repairs shall be performed upon any vehicle or boat unless garaged or completely hidden from neighbors or the roadway.

2.7 No vehicles, boats, trailers or other equipment shall be parked on or within the driving surface of the roads. During construction activity, parking in the right-of-way requires approval from the LTCA. No parking shall be permitted on any empty lots, residential property or green areas except for security, emergency or law enforcement vehicles.

2.8 No vehicles, boats, trailers or other such conveyances not in current use shall be stored or kept where visible from the road or visible by an immediate neighbor within Lake Toxaway Estates. The use of vehicle covers shall not cure a violation as to any violation of these rules.

2.9 No operation of any motorized vehicle, boat or equipment while under the influence of alcohol or other drugs is permitted. Alco-Sensors or other tests for impairment shall be completed upon the request of the authorities.

2.10 Off-road driving of any kind by any motorized vehicle on community owned green spaces, the golf course or other such public areas is strictly forbidden.

2.13 The CA shall not be held responsible for any accidents on the roadways within Lake Toxaway Estates. The CA has given an indemnification and hold harmless agreement to the Sheriff's Department.

2.12 There shall be no obstructions of any kind within three (3) feet of the edge of the road pavement. This includes railroad ties, stones, and/or other means of edging.

2.13 Homeowners who own any non-road licensed vehicle to include, but not limited to golf carts, shall be legally accountable/obligated for their operation on community roads, as the LTCA assumes no liability whatsoever for the actions of any operator. Children under age 14 are not permitted to operate a golf cart on community roads under any circumstances. Children 14 years old and above who do not have valid drivers' licenses are not permitted to operate a golf cart on community roads unless accompanied by an adult.

2.14 The operation of All Terrain Vehicles (ATVs) of any type are not permitted on any common/community property within Lake Toxaway Estates.

3. General Restrictions

3.1 Littering, dumping of debris, grass or tree trimmings shall not be permitted within Lake Toxaway Estates' common or public areas. This includes lakes, streams and roadway easements.

3.2 Trees, bushes or other debris that fall or slide into the lake shall be promptly removed by the property owner. If the property owner fails to remove said debris, the CA, upon written notice to the owner, shall have the right to remove said debris at the cost of the property owner.

3.3 No hunting of any kind or discharging of firearms shall be permitted within Lake Toxaway Estates, except for law enforcement officers or other authorized personal. The discharging of any fireworks at any time is in violation of North Carolina Statutes. The Security Deputies will be required to take appropriate action if any violation occurs.

3.4 There shall be no willful destruction of property, including road shoulders, signs, mailboxes and street lamps.

3.5 "No Trespassing" signs shall be observed.

3.6 No owner, occupant, tenant, invitee, family member, or agent of an owner shall make or permit any disturbing noises or conditions in or about the property or engage in any conduct which will interfere with, or disturb the peace, quiet, safety, comfort or serenity of other owners or occupants. No owner, occupant, tenant, invitee, family member, or agent of an owner shall play a phonograph, television, radio, or sound amplifier, or other sound producing equipment in such a manner as to disturb or annoy other owners or occupants.

3.7 Owners of household pets should not permit their pets to create a disturbance, become a nuisance, create loud noise or cause litter on other owner's property or common property. Household pets should be under the control of the property owner at all times. Owner's should pick up and properly dispose of all animal waste left by their pet's on other owner's property or common property.

3.8 No owner, occupant, or tenant shall be permitted to operate or advertise any business activity within Lake Toxaway Estates unless first approved in writing by the CA. Any non-residential property owner whose advertising refers to or references any residential subdivision within Lake Toxaway Estates shall first obtain CA approval. Property/Units may be used only for residential purposes of a single family, according to deed restrictions.

Incidental use shall be considered ancillary so long as: (a) the existence or operation of the activity is not apparent or detectable by sight, sound or smell from outside the Property/Unit; (b) the activity conforms to all zoning requirements for the Properties; (c) the activity does

not involve regular visitation of the Property/Unit by clients, customers, suppliers, or other invitees or door-to-door solicitation of residents of the Properties; (d) the activity does not increase traffic or include frequent deliveries within the Properties; (e) the activity is consistent with the residential character of the Properties and does not constitute a nuisance, or a 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 and (f) employees are members of the family and are living in the home.

The leasing of a Property/Unit shall not be considered a business or trade within the meaning of this Section.

3.9 No "For Sale" or "Open House" sign, advertisement, notice or other lettering shall be exhibited or displayed in, on or upon any part of a residence or adjacent area without prior written approval of the CA.

3.9.1 Real Estate brokers and sales people shall be permitted to provide location maps which identify property listings for dissemination by the Association at the main entrance or the CA office.

3.10 The location of playground equipment and swing sets shall adhere to certain set-back guidelines and shall be approved by the CA manager.

Basketball hoops (permanent and/or portable) require prior written ARB approval, contact the CA Manager.

3.11 Exterior outdoor recreation sports and athletic apparatus, mechanically operated or otherwise, such as tennis ball machines, archery targets, racquetball/handball walls, baseball/softball batting cages, golf practice nets, soccer goals, trampolines, etc., shall not be permitted.

3.12 Owners shall maintain their vacant lots free from trash, debris and unsightly growth of grass and weeds.

It shall be the duty and responsibility of each owner to maintain his property in a neat, clean, and orderly manner. The CA reserves the right, but has no obligation, upon written notice, to enter any lot within Lake Toxaway Estates to perform remedial and continuing repair and maintenance functions, at the owner's expense, where an owner has failed to perform such, and/or an association having jurisdiction over the community in which said lot is contained has failed to perform the required maintenance or repairs in the absence of the owner doing so.

3.13 Owners of vacant lots, including without limitation, individual CA member and non-CA member owners, builders, condominium or home owner associations shall be contacted by the CA and give the option to the CA to cut grass from their lots as needed during the summer at a reasonable charge or such lots shall be individually maintained in a neat, clean and orderly condition by each owner.

3.14 All residential property, including improvements thereon, shall be maintained according to community-wide standards generally prevailing throughout the community.

3.15 Exterior holiday lights and home decorations shall be dismantled and removed within 15 days after the passing of the holiday.

3.16 No trash container shall be kept upon or adjacent to any road, common property, front or side yard, or other place within view of persons using the roads.

3.16.1 Roadside pickup of trash and/or trash containers is not allowed. All trash pickup must be done on the homeowner's property. Any trash containers left along the roadside or within in view of any person using the roads and/or common areas may be removed by the CA at the owner's expense.

3.17 Commercial landscaping activities shall be conducted between the hours of 8:00 a.m. and 6:00 p.m. Monday through Saturday. No such activities shall be permitted on Sundays

or on any holiday (see Construction Rules). Commercial landscaping activities include lawn and landscape maintenance, installation and construction activities including, but not limited to, landscape irrigation. This provision shall not apply to any golf course or learning center maintenance activity.

3.18 Construction, exterior repairs and maintenance activities on residential property and common areas shall conform to the items listed in the Construction Rules. Emergency work necessary to make a residence or other building wind and/or water tight shall be permitted at anytime.

3.19 Meadow Ridge Pavilion is available to property owners. Reservations are to be made through the CA office. There will be a fee for rental and clean up costs.

3.20 Helicopters and Private Aircraft: Helicopter, light and private aircraft flights are inconsistent with the pastoral, residential character of the Lake Toxaway Estates and constitute a nuisance and offensive use of the community. Therefore, all use of Helicopters and private aircraft of any kind and description for ingress or egress, or for incidental or recreational use within the Lake Toxaway Estates are prohibited, except:

- (i) Emergency flights for fire, police, rescue, and medical reasons complying with operational standards established by the various governmental agencies regulating such flights, and
- (ii) Landings, takeoffs and flyovers for special occasion promotional purposes, provided prior approval of each flight has been granted by the Lake Toxaway Community Association

4. CA Annual Assessments

4.1 The CA Annual Meeting is held during the fourth quarter of the CA Fiscal Year, generally on the last Saturday of July at 10:00 a.m. All Members will be notified at least thirty (30) days prior to the meeting.

4.2 The CA will endeavor to maintain a current roster of all Members and their addresses. It is the owner's responsibility to notify the CA office of any change of address or ownership.

4.3 The CA office is open Monday through Friday from 8:30 a.m. to 5:00 p.m.

5. Holidays

5.1 The term, "Holidays" as used in these Rules and Regulations, means days declared by legislative acts as National or State Holidays. The CA Office shall be contacted for questions in this regard.

11. Conclusion

11.1 By virtue of ownership, each owner is bound and agrees to comply with all of the Rules and Regulations as set forth above, which shall be amended, modified or deleted from time to time by the CA. The foregoing Rules and Regulations shall in no way amend or alter the Articles of Incorporation of the CA or its By-Laws, but shall only be supplemental thereto. In the event of conflict between the provisions of North Carolina Law, the Articles, the By-laws, provisions of North Carolina law, the Articles, the By-laws and these Rules and Regulations (in that order) shall prevail.

NC STATE FISHING REGULATIONS

For more complete information , visit <http://www.ncwildlife.org>

1. North Carolina state fishing regulations apply to all persons.
2. Land owners and children under 16 years of age may fish from their own land or pier without a license provided only natural bait is used, otherwise a state fishing license is required.
3. To qualify for an annual resident fishing license, a person must be able to prove residency in the State of North Carolina for six months or more each year, present a valid North Carolina driver's license, or both. If foregoing does not apply, a non-resident license should be purchased.

a. Licenses may be purchased using credit cards by calling 1-888-248-6834 or online at <http://www.ncwildlife.org>

b. Effective July 1, 2006 to June 30, 2007, license fees are as follows:

<u>Term</u>	<u>Resident</u>	<u>Non-resident</u>
Ten day	\$ 5.00	\$10.00
Annual	\$15.00	\$30.00

- c. Size and creel regulations (Please verify this information before relying upon it):

<u>Species</u>	<u>Minimum Size</u>	<u>Daily creel limit</u>
Largemouth, small mouth and spotted bass	12", except 2 fish in the creel may be less than 12"	Five
Walleye	None	Eight
Trout	12 inches	Four
Bream	None	None

4. Carry your fishing license and driver's license with you when fishing.
5. The above information is provided by the 2006 NC Inland Fishing, Hunting & Trapping Regulations Digest and www.ncwildlife.org.
6. Catch and release is encouraged.