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CINDY M OWNBEY

REGISTER OF DEEDS

BY: D REC MCCALL

DEPUTY REGISTER OF DEEDS

BK: DOC 854

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STATE OF NORTH CAROLINA

COUNTY OF TRANSYLVANIA

Mail after Recording To:
The Neumann Law Firm, PLLC
9 Park Place West, Suite 102, Brevard, NC 28712

AMENDED AND RESTATED

RULES AND REGULATIONS OF
WATERFORD PLACE
CONDOMINIUM ASSOCIATION OF
BREVARD, NC

WHEREAS, the Waterford Place Condominium Association of Brevard, NC, has previously duly adopted rules and regulations to govern the condominiums of Waterford Place of Brevard, NC, and has caused them to be recorded at Document Book 312, Page 357, Transylvania County Registry on October 10th, 2005, and subsequently on December 7th, 2015 at Document Book 748, Page 512, Transylvania County Registry; and

WHEREAS, the Waterford Place Condominium Association of Brevard, NC, has determined that a restatement of the full amended rules and regulations governing the community should be recorded.

THESE AMENDED AND RESTATED RULES AND REGULATIONS are made and entered into as of this 30th day of August, 2018, by Waterford Place Condominium Association of Brevard, NC (the "Association") and are as follows:

1. The sidewalks, entrances and passages must not be obstructed or encumbered.
2. No commercial sign, advertisement or notice shall be exhibited, inscribed, painted or affixed by a resident on any part of the condominium premises or building without the prior written consent of the WPCA Board (hereafter known as the "Board" in this document). A real estate sign is permitted in the yard or the window of a condo that is for sale.
3. No awnings or other projections, including decorative items, shall be attached to the outside siding of the buildings. Holes in the siding must be sealed to prevent water and insect entry.
4. No motorcycles or bicycles shall be allowed to remain in the common areas overnight.
5. All garbage and refuse must be placed in closed containers, kept in garage and not placed outside until the day of pickup.

6. Residents are encouraged to furnish a house key to a neighbor or local resident for emergency use. A list will be distributed to residents.
7. Care should be taken when washing cars or using a hose for other purposes, so that the water does not run onto a neighbor's property.
8. No clothing, rugs, mops or linen shall be hung on the exterior of the building.
9. Charcoal or gas grills shall not be used on porches or decks of any condo.
10. No discharge of firearms around the condominiums shall be allowed.
11. Residents shall be considerate of neighbors, in regard to disturbing noise that would interfere with the rights or comforts of other residents. Smoking is not permitted on screened porches and decks.
12. Residents shall not park, and shall not permit their guests to park, any vehicle other than conventional passenger vehicles on any part of the property. No vans, campers, trailers, boats or other recreation vehicles shall be parked on the property unless approved by the Board.
13. Residents using their fireplaces shall have their fireplace flues checked and, if necessary, cleaned at least once every two years.
14. SAFETY MEASURES: It is recommended that:
 - a. HVAC system and dryer ducts be professionally checked annually and cleaned out as required.
 - b. Every Condo have a workable fire extinguisher, smoke detectors, and carbon monoxide detectors.
15. No resident shall allow any condition to exist, such as hazardous materials, which would increase the insurance rates of the units.
16. No resident shall allow any insecticides or other pollutant to flow onto any stream or body of water adjoining the property of the Waterford Place Condominiums, nor shall he/she block the flow of any stream or drainage areas.
17. No more than two household pets should be housed in a unit. Owners are responsible for the care and restraint, as is necessary, to prevent them from being offensive on account of noise, odor, unsanitary conditions or other nuisances. No dangerous animal shall be kept or permitted on condominium property.
18. No permanent parking on lawns will be permitted. Permanent parking shall be limited to two (2) cars per condo.
19. Occupancy shall be limited to one family per unit, with the exception of a live-in caregiver.

20. No sub-leasing less than six months is permitted. Owner maintains all responsibility for upkeep and liability issues.
21. The following assessments are levied on the members at the present time:
 - a. Exterior insurance and lights, which are due February 15; and
 - b. WPCA dues which shall be equal quarterly payments (Jan. 15, April 15, July 15, and Oct. 15).
22. The shut-off valves for all outside faucets are located in the basements of the lower units. These outside water lines will have to be drained in the fall. For this reason, the cooperation of the residents in the lower units is needed to shut off or turn on these valves whenever requested. A reminder notice will be distributed in November for turn off. The shut-off valve should be clearly identified in the basement of the lower units.
23. Owners of upper condos will maintain the ground and existing plantings on the side of the building. Owners of lower condos will maintain the front garden and courtyard garden and paths. Owners of lower condos will also maintain plantings between the back of the building and to within five feet of the lake. Vegetation within five feet of the edge of the lake will be maintained by the WPCA. The decks or area on ground level shall not be used as storage areas. Ground area under the decks shall be kept organized and devoid of trash, debris, and harmful chemicals. **(No major new plantings or any changes in existing plantings or landscaping in the common areas may be made without prior approval of the Board.)**
24. New installations of hardwood floors are not allowed in upstairs condos to prevent excessive noise for occupants below.
25. Condo exterior washing and painting will be done at budgetary solvency.
26. The porch screens are an internal installation and integral part of the unit that is the responsibility of the condo owners.
27. Open upper and lower decks and attached stairs need to be maintained in good condition. Rotted board replacements and painting are the responsibility of the owner.
28. Forty percent of the cost of roof replacement will be assumed by the WPCA operating and/or reserve fund, provided funds are available. The balance will be divided equally among the four owners. The repair of roof leaks, if reported to the Board in writing, will be paid for by the WPCA. The WPCA will pay for roofs and the exterior of chimneys to be inspected once a year and or repairs when required. Exterior dryer outlets will be inspected and cleaned (if necessary) at the same time.
29. Maintenance of the driveways is the responsibility of the four owners in the condo building. Either the lower and upper owners on one side of the building can agree to fix cracks and recoat their shared driveway, or all four owners can agree to fix cracks and recoat both driveways at the same time. Cost of the job will be equally shared by the owners involved.

- 30. NOTE: A fine of \$50.00 will be levied for an infraction of the "Rules and Regulations", if a letter of warning from the WPCA Board has not resulted in cooperation. Continued disregard for the rules will result in further fines of \$50.00 per month, until the infraction is corrected. Owners will be responsible for compliance to these rules by tenants, if applicable.
- 31. New owners shall pay a one-time fee, equal to the WPCA current quarterly assessment. It will be added to their first quarterly assessment statement. This fee will be placed in the WPCA Reserve Fund. Future changes in the amount and use of the WPCA Reserve Fund will be determined by the Board.

IN WITNESS WHEREOF, pursuant to the authority cited hereinabove and as otherwise authorized by law, the undersigned, for the purposes more particularly described hereinabove, being a duly authorized representative acting of behalf of any legal entity executing this document does hereby adopt these rules and regulations as of the day and year first stated hereinabove.

WATERFORD PLACE CONDOMINIUM ASSOCIATION OF BREVARD, NC

By: *John Harrington*
John Harrington, Secretary

STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA

I, a Notary Public of the aforesaid State and County, certify that John Harrington appeared before me and being personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their signatures(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.

Witness my hand and official stamp or seal, this 30 day of August, 2018.

[Signature]
NOTARY PUBLIC

My Commission Expires:

May 16, 2023

[NOTARY SEAL]

