

Cold Springs Property Owners Association, Inc.
159 Stable Lane
Highlands, NC 28741

January 09, 2006
Revision 01

**Approved Rules for
All Construction Sites**

Responsibility.

The property owner or owners on whose property construction activity is being performed is solely responsible to the Association, it's board of directors, and individual members of the Association for any and all actions of his general contractor and subcontractors performing work on the owner's property.

Fees

Construction fees and deposits are due following board approval of the building plans and prior to land disturbance or clearing on the subject property.

Non-refundable Construction Impact Fee	\$ 2,500	
Road Damage Deposit	\$ 1,000*	Rev01
Environmental Deposit	\$ 1,000*	
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Total Owner Fees	\$ 4,500	

* The Association reserves the sole right to identify the damages and costs for which these deposits will be used prior to refunding any remaining balance.

Contractor's Performance Bond Requirement: The board of directors will define this section.

Fines: Unless specified otherwise herein, fines in the amount of \$100 per infraction will be levied for infractions of the construction rules. Each day a problem goes uncorrected is subject to a fine; i.e., repeated daily infractions are cumulative. Rev01

Schedule: Construction must be completed within one year (12 months) from the date that land disturbance for site grading is initiated. A daily Schedule Penalty in the amount of \$ 100 per calendar day will be assessed, unless (1) the owner applies to the board of directors and is granted a schedule extension prior to the end of the original 12-month schedule limit and (2) the board agrees that the reasons for the extension are necessary and legitimate. The Association and the board of directors are under no obligation to grant a schedule extension simply because the owner makes application for one.

Liens: Non-payment of construction fees, deposits, fines, and/or schedule penalties are subject to the same legal recourse and action by the Association as that authorized in Article 9.6 of the Association's Bylaws.

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Construction Site Rules

No construction site activity shall take place in Cold Springs before 8:00 AM or after 6:00 PM on weekdays, and before 9:00 AM or after 4:00 PM on Saturday, and none on Sunday.

No construction activity is permitted in Cold Springs on holidays or holiday weekends (Easter, Memorial Day, July 4th, Labor Day, Thanksgiving, Christmas, and New Year's).

Contractors shall provide for all contractor and subcontractor parking on the construction site or totally outside of Cold Springs. Contractor parking is not permitted on Cold Springs' roads, the rights-of-way (ROW), Association common property, or the property of any other member. With prior board approval, contractors may be allowed to park a limited number of vehicles at the stables and shuttle workers to and from the construction site. Owners having permission for contractor parking on another member's property must provide a copy of the written approval to the Association board to obtain a waiver of the daily fine for violation of this rule.

Rev01

Other than for construction material deliveries, no Cold Springs road or driveway shall be blocked to vehicular traffic at any time. If a temporary road blockage is required for major material deliveries, the delivery vehicle must be moved whenever requested to allow residents to pass through on the paved road surface. Construction materials must be unloaded on the owner's property without delay. The delivery vehicle must clear the roads as soon as materials have been unloaded on site.

Other than a personal radio or music player using headphones, No radios, televisions, or other entertainment devices are allowed on the construction site. Noise heard from a device of this type and reported by another resident will be fined.

All contractor, subcontractor, and delivery vehicles shall at all times obey the Cold Springs posted speed limits (15 MPH) and traffic directions. Fines will be levied for repeated offenses.

Should construction activity or vehicles damage any ROW, member property, or common property, the contractor shall make full and immediate repairs to these surfaces at his cost and to the complete satisfaction of the owner and the Association. Repairs not completed within two (2) working days of the damage shall be liable for **finest of \$50 per working day** by the Association.

Rev01

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Construction Site Rules

The contractor shall comply with all local and state erosion control and watershed protection regulations. In addition, specific requests by the Association for additional environmental protection shall be implemented within two (2) working days following the request.

No new or temporary driveway shall be graded in a manner to allow storm water runoff to be directed onto another property owner's property. In those cases where topography makes compliance with this requirement impossible, the contractor shall obtain the approval of the affected property owner and the Association's board of directors for the driveway solution.

No new driveway will be constructed in a location or alignment that directs the flow of storm water runoff into another property owner's existing driveway or parking area.

Trash, gravel, mud, and any other construction debris shall be picked up and cleared from the roads and rights-of-way daily. Should any trash or debris be blown or otherwise transported to another owner's property, the contractor is responsible for cleaning up the trash and debris daily. **Violations of this rule are subject to fines of \$50 per calendar day until the problem is resolved to the Association's satisfaction.**

BY ORDER OF THE BOARD OF DIRECTORS:

THESE RULES ARE ADOPTED AND PLACED IN FORCE
CONFIRMED BY A UNANIMIOUS VOTE OF THE

MEMBERSHIP AND WRITTEN PROXIES PRESENT AT THE ANNUAL MEETING OF THE COLD SPRINGS PROPERTY OWNERS ASSOCIATION, INC, THIS DATE JULY 9, 2005, AND ARE IN FULL COMPLIANCE WITH THE BY-LAWS AND RESTRICTIVE AGREEMENTS OF THE ASSOCIATION.

REVISION 01 OF THESE RULES ARE ADOPTED AND APPROVED BY A VOTE OF THE ASSOCIATION'S BOARD OF DIRECTORS THIS DATE, JANUARY 09, 2006.