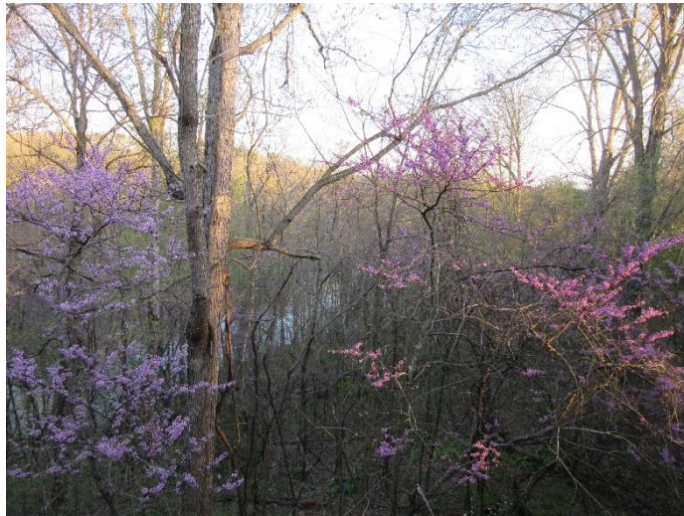


~ Eagle Pointe Community -- Bloomington, Indiana ~

Bay View Village

Handbook



Bay View Homeowners Association

Mail: P.O. Box 152, Smithville, IN 47458

Web address: bayviewhoa.com

June 2019

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WELCOME TO BAY VIEW!

To assist in making Bay View living a positive and pleasant experience for all, our village HOA (Home Owners Association) Board members have prepared this document. It should be read carefully and viewed as one means of helping to preserve the investments, safety, and best interests of all residents, owners and renters alike. Please contact the HOA President with any questions or concerns.

1.0 Condominium Living

Condominium living is a unique experience, quite different from owning or renting a single dwelling. If engaged in properly, and with full respect for others, it can be a particularly enjoyable experience. As with other relationships, there are rules, regulations, and guidelines necessary to fully define the rights and responsibilities of each community member.

Your individual HOA governs the following matters related to your home: village common areas, roads (including plowing roads during snow events), handbook violations, and management of vendors servicing your village. When seeking any services related to your home or village, your first point of contact is your village website or leadership team.

Each village has a representative, elected by the homeowners, who attends regular Board meetings of the community-wide Pointe Services Association (PSA). The PSA owns and maintains the roads connecting the villages, the gate houses, and the security systems which protect our property.

Per PSA by-laws, your representative must also serve on your HOA Board. Your representative is empowered to vote on all PSA Board issues on behalf of your village.

Should you have any questions regarding PSA projects, votes or updates you are encouraged to contact the PSA representative from your village (see Board listings and contact information on p. 10) You may also reference a listing of all representatives and PSA Board Members on the "Board of Directors" page on the PSA website.

2.0 Responsibilities

2.1 Owners: All owners are responsible for adhering to the rules and regulations as defined in this document and in the Bylaws of the Bay View Homeowners Association (see Appendix A). Owners are also responsible for the conduct of their families, guests and renters.

***Owners have the responsibility to furnish Pointe Security with a key to the door, and a key to the storm door if applicable. If an emergency arises that requires entry to your unit and we are unable to do so, you are not only responsible for any damages to your condo but also for any damages to adjacent condos and any other Association property damaged as a result of delayed or forced entry.*

***Owners should obtain a sticker from the Pointe Security guard to place inside the windshield of their vehicle(s), to identify/verify that they are a Pointe resident for security purposes.*

***Gate access cards are needed to enter the various neighborhoods. New owners may receive 1-2 cards at no charge, and/or have the option to purchase a remote-control device (currently priced at \$35) through the Security office as well.*

***Prior to the sale of any Bay View condominium or garage by any owner or co-owner, it is necessary that the HOA President be notified. The Board will provide confirmation of clearance for all indemnities due to the Association for maintenance and other repairs.*

***The owner has the direct responsibility to provide a current copy of the Bay View Handbook to the next owner or any lessee(s).*

2.2 Absentee Owners: Absentee owners have the additional responsibility of ensuring that all rules and regulations are followed, on their behalf, by those to whom they have delegated authority and responsibility, including family, guests, rental agents and renters.

2.3 Renters: By signing a rental agreement and accepting the keys to a unit, each renter assumes responsibility for adhering to the rules and regulations of the Bay View HOA as they apply to renters. In general, all rules and regulations pertaining to personal conduct and respect for others and their property apply to renters also. ***Please refer to p. 13 for a summary of Renter's Rules, which should be printed and posted in any rental units in an easily visible location.***

(continued –next page)

While the Board will work with rental offices and renters, it should be known that the only formal relationship, and ultimate accountability, lies with the unit Owner. If a renter, visitor/guest, or tenant damages Association property, the Owner is responsible to the Association.

3.0 Rules and Regulations

3.1 Exterior

Alterations: Prior approval of the HOA Board is required for any proposed physical modification to the exterior of the buildings, including its appearance—this includes painting, permanent decorative installations, construction or any other type of alteration. No exterior awnings, window guards, radio or television antennas, signs, etc. are to be attached or hung from the buildings or walkways. TV satellite dishes are allowable, but may only be mounted on the ground.

Fires/Fireworks/Firearms: Open fires, including those in barbecue grills (both charcoal and gas), are strictly prohibited on decks. Only electric grills are permitted on the back deck, per Indiana State Fire Code. Fireworks are not to be used on or near the buildings. The discharge of firearms is strictly prohibited on Bay View property.

Landscape/Foliage: Care should be taken not to alter or damage the landscape or vegetation. Flowers and other foliage are not to be removed.

Decorating/Signs: Signs and other decorative materials are not to be affixed to buildings or surrounding property without authorization by the Board of Administrators.

Storm Doors: Storm doors are optional, but if used, they must be "Full view" (glass and/or partial screen), and brown in color.

Front Decks: Personal belongings (e.g. brooms, shovels, mops, boots, swim wear, towels, fishing poles, bicycles, scooters, baby carriages etc.) are not to be left or stored on the front decks or walkways at any time.

Birdfeeders: Place birdfeeders far enough away from the buildings so droppings will not fall on decks or walkways below.

Windows: Curtains, vertical or horizontal blinds are acceptable for front-facing windows. Nontraditional window coverings in view from the outside –e.g. sheets, flags, blankets, aluminum foil or similar-- are not to be used.

Firewood Storage: Not more than one (1) rick per homeowner can be stored on the back deck at any one time. Wood must be stored off the deck surface in a metal rack or box. No wood should be stored on the front deck, walkway or in the garages. *Anyone not conforming to this policy will be responsible for damage caused by improperly stored wood.*

Exterior Lighting: The HOA is responsible for *front* entry lights for each unit and will replace the LED bulbs as needed. The types of bulbs used on the *back* porch are the owner's choice, and replacement is the owner's responsibility.

3.2 Interior

Maintenance: Cleaning, painting, and all maintenance, including maintenance of appliances, plumbing, electrical, heating, cooling, water heating equipment and furnishings are the responsibility of the owner.

Utilities: Bay View and the larger Pointe community are in the service area for the following utility providers:

Electric -- Duke Energy

Water – Southern Monroe Water Authority (SMWA)

Sewer – South Central Regional Sewer District (SCRSD)

Internet/Landline Phone/TV: Smithville Communications, DirectTV and DishTV.
Please note: Any installed satellite dishes must be out of sight from roadways.

Contact information for the above companies can be found on p. 14.

Temperature Control: When departing a unit for a prolonged time period during cold weather, the furnace should be set at "Automatic" for 55 degrees. The sink cabinets in the kitchen and bathrooms should be left open to prevent pipe freezing.

Flammable Liquids: Flammable liquids are *prohibited* in units, on decks and in garages.

Fireplace and Chimney Inspection: The buildup of creosote and other products of combustion can cause a flue fire that can extend to the walls and attic space. Burn only *real* wood in your fireplace. NEVER BURN ARTIFICIAL WAX LOGS (such as Duraflame), paper products, TREATED WOOD, CHARCOAL, OR COAL in fireplaces. *Be aware that fireplaces in lower units have two dampers.*

Do not place fireplace ashes on your decks. Do not discard fireplace ashes in your trash. Chimneys will be inspected every 3 years and paid for by the Association. The expense for cleaning of the chimney, if necessary, will be the responsibility of the Owner.

Smoke Detectors/Fire Extinguishers: Each condominium is equipped with electrically operated smoke detectors. However, should there be a power failure the detectors are inoperative. *It is recommended that each homeowner install battery-operated smoke detector, preferably with an emergency light, in the hallway leading to the bedrooms and test its function at regular intervals. Each unit should also have a fire extinguisher.*

3.3 Trash and Garbage: All trash and garbage is to be placed in plastic bags, and deposited in the dumpster provided. None is to be left on front or back decks. All trash and garbage is to be removed from the unit and deposited in the dumpster upon leaving the unit.

3.4 Parking: Parking is permitted for owners and guests only in designated areas. No vehicles are to be parked in such a way as to impede or prevent ready access to another condo or garage, nor shall they be parked on the grass. No boats, campers, travel trailers, boat trailers, golf carts, mini bikes, all-terrain vehicles, etc. shall be parked or stored in automobile parking areas-- except for brief periods upon arrival or departure-- on the grass, or any other part of the property other than special areas which may be established by the HOA for storage of such items. Arrangements for parking/storage can be made at the Clubhouse, with a rental agent or with an off-site provider.

***A motor vehicle which is inoperative, not being used for normal transportation, or has expired plates, may not be stored on Bay View property. Violation of parking regulations will be enforced by the HOA President and may result in contacting Pointe Security and having the vehicle towed at the owner's expense.*

3.5 Guests: Owners and renters are responsible for the conduct of their guests. In general, guests enjoy the same privileges and assume the same obligations to abide by Bay View rules and regulations as do owners and renters.

3.6 Children: Adult supervision is required at all times. Owners, renters, their families and guests are responsible for the conduct of children occupying the same unit.

3.7 Pets: Only customary household pets (limit of two per unit) are permitted on Bay View property. Renters may have dogs or cats at the unit owner's discretion. Animals may not exceed 20 pounds in size.

No pit bulls or other aggressive breeds are permitted under any circumstances.

When pets are outside on Bay View property, they must be leashed and never be out of the sight of the owner.

Owners will not let pets urinate on flowers, shrubs and trees. Animal deposits must be picked up and removed immediately so others may enjoy a clean and healthy environment.

Any damage to the grounds will be the financial responsibility of the owner. No pet shall be housed or chained outside any residence.

Owners are responsible for the noise level of pets so that neighbors are not excessively annoyed.

The HOA Board reserves the right to seek removal of any pet that becomes a community nuisance due to chronic disregard of established rules and regulations.

Renters may have pets at the unit owner's discretion, as per the above conditions.

3.8 Noise: Noise that will disturb or annoy other Bay View residents is strictly prohibited. Care and respect should be exercised as some "noises" like wind chimes are acceptable to some but bothersome to others. Excessive "party noise" will not be tolerated. Special care is to be exercised when hosting social events and operating sound systems. Normal sleeping hours are to be respected.

3.9 Disturbances: No obnoxious or offensive activity is permitted.

3.10 Unusual Events, Situations, Behavior: Residents who observe activities inconsistent with normally accepted social behavior and Bay View rules and regulations should contact Pointe Security immediately.

3.11 Safety: All residents are, at all times, responsible for contributing to the safety of Bay View facilities and occupants.

3.12 Storage: Proper storage of all items is required to assure personal safety and the attractiveness of Bay View property.

3.13 Rental Units: Some owners have elected to make their units available to others through rental programs. It is the owner's responsibility to ensure that the Bay View Rules and Regulations are provided to their renters through the agent.

3.14 Responsibilities/Renters

Renters are to follow all of the same rules as owners about responsibility, safety, trash removal, fire, parking, children, pets, pool and tennis courts use, noise, storage, behavior, etc.

Occupancy: Occupancy of rental units is limited to two persons per double bed.

Use of Units: Rental units may not be used for large parties, as a place of business, for conducting business meetings, or for other large gatherings. (This prohibition does not include small social gatherings during appropriate hours but does include any gathering of excessive size.)

Damage: Owners will be responsible for any damage to Bay View property caused by renters. A charge will be assessed for any damage to Bay View common property in excess of normal wear and tear.

Thermostat Setting/Trash Removal: Renters are to make appropriate thermostat adjustments and to remove trash upon vacating a unit.

Enforcement: If renters or guests fail to follow the rules, the HOA President, acting on the Board's behalf, has the right to pursue the action necessary to cause the offending renters or guests to leave or relocate.

4.0 Management/Administration/Finances

4.1 Bay View Homeowners Association (HOA): Dues are billed quarterly for the condominiums and annually for the garages and are due ten days following the beginning of each calendar quarter.

4.2 Pointe Service Association (PSA): PSA fees are billed quarterly and are due ten days following the beginning of each calendar quarter.

4.3 Accounts Payable: All accounts are payable when due. The Bay View HOA Board is authorized by the Bylaws to take whatever legal action is required to collect overdue fees and to recover all related (including legal) expenses.

4.4 Collection of Overdue Assessments: Thirty days after the unpaid balance for any quarter is due, the homeowner will be notified by registered mail that the account is delinquent. Non-payment of the delinquency will result in the placement of a mechanic's lien upon the unit in the amount of the assessment for the entire year within thirty days of the postmark date of the notice. This action will be taken without further notice to the homeowner if the balance of any subsequent installment remains unpaid for more than thirty days.

If a mechanic's lien is filed, the homeowner will be charged \$100.00 for the filing fee. Within thirty days of the lien, foreclosure proceedings may be initiated. These proceedings may result in the sale of the unit at a sheriff's auction.

The Board of Administrators may impose a late fee for payments received beyond the due date.

4.5 Change of Address: Please inform the HOA President or Vice President of any change in your contact information, mailing address or telephone number.

4.6 Insurance: First Insurance Group is the insuring Agency for the Association. The HOA President will oversee all FIA claims. See Appendix B regarding Association and homeowners insurance coverage and responsibilities.

4.7 HOA Association Board Meetings: Quarterly Board meeting dates, time and location are announced on the HOA website. All unit owners are welcome and encouraged to attend these meetings and ask questions, listen and join in the conversations.

**Owners may request items to be placed on the agenda of the board meetings by submitting them to any Board member.

**Minutes for meetings of the Board are maintained on file by the Secretary and may be reviewed by members of the Association at reasonable and mutually agreeable times.

**Annual meetings of the Association are held in June each year for the purpose of electing members of the Board and for the transaction of such other business as may be properly brought before the meeting. Owners are given the option to cast votes by proxy if they are unable to attend.

Bay View HOA Board Members – June 2019

President – PSA Representative	Glenn Adams - BV 14 (317) 626-6185
Vice President	Tony Piano – BV 16 (941) 993-8229
Treasurer	Diane VonFoerster---Rhonda Hecht
Secretary	Roger Chaney
At-Large/Co-Secretary	Melanie Miller

APPENDIX A -- BYLAWS: RELEVANT REFERENCES

The following Bylaw citations have been paraphrased for easy reference.

1. The annual Association meeting is to be held as scheduled on the first Saturday of June unless it is a legal holiday. (Article 11; Sections 3 & 4)
2. Special meetings of the Association may be called at any time by the Board of Administrators or upon written request of not less than 10% of the unit owners. (Article 11; Section 5)
3. A responsibility of the Board of Administrators is the operation, care, upkeep and maintenance of the common areas and facilities, (Article VI; Section 1)
4. If interior repair is necessary due to inaction by an owner, the Board of Administrators may have repairs made at the owner's expense. (Article VI; Section 10)
5. Special Assessments may be levied by the Board of Administrators against individual owners in appropriate circumstances. (Article VI; Section 3)
6. The Board of Administrators has the authority to establish budgets, collect fees, and deal with defaults. (Article VI; Section 1)
7. The Board of Administrators has the responsibility to establish reasonable rules and regulations of the Association. (Article VI; Section 9)
8. The Board of Administrators has responsibility and authority to enter a unit in connection with construction or maintenance for which the Board is responsible. (Article III; Section 8)
9. The Board of Administrators has the authority to retain an entrance key for each unit. (Article VI; Section 16)
10. Maintenance and repair of condominium interiors and/or damages to any other units caused by any owner, owner's family, guests agents, renters, employees, or contractors are the responsibility of the owner. (Article VI; Section 10)

NOTE: The complete set of Bylaws can be found on the HOA website.

APPENDIX B -- INSURANCE

One of the many functions of your HOA Board is the purchase of a 'Single Entity' insurance policy to cover the building structures and common liabilities of our association. It is the intent of the board to provide coverage that would restore your unit to its original condition in the event of a loss.

As owner, it is your responsibility to cover your contents and personal liability. For losses that are contained solely within the unit, please coordinate any remediation and settlement plans with your chosen insurance company.

For claims on structural damages, the Association policy has a deductible payment. When a claim is made through the Association policy it may be necessary for the unit-owner to pay the deductible.

This situation would most commonly occur when the loss originated from *within* a unit. For example, smoke damage results from a fire in the fireplace. The deductible, loss to the unit-owner's personal property, and improvements and betterments would be the unit owner's responsibility. Check your insurance policy to find out if it includes some 'structural' coverage which may help to cover the deductible amount, and if so, this should be included in the claim.

However, on most losses that originate from *outside* the unit, such as wind, lightning, etc., the Association will pay the deductible and be more significantly involved in the coordination and repair outcomes in conjunction with the Association's insurance agent. Please contact the HOA President with any questions or concerns.

In the event of an incident, please consult with the HOA President or Vice-President as quickly as possible to initiate the reporting process, develop remediation plans and follow up with insurance claim processes as appropriate.

It is important that no general repair work to be submitted to the Association for payment be started until you have received approval from the Association's insurance agent.

APPENDIX C -- LOSS CONTROL RECOMMENDATIONS

May 2019

Dear Unit Owner:

The purpose of this letter is to address action steps which can be taken by the Association and its Unit Owners to reduce the risk of loss to the real property.

The action steps are as follows:

- 1) Perform periodic inspections of the unit's smoke/fire detectors and fire extinguishers.
- 2) Perform periodic inspections and replacements of the unit's water supply lines, i.e. washing machines, dishwashers and icemakers. Water damage is one of the major causes of loss to unit owners' property.
- 3) Perform periodic inspections and cleaning of the heating systems.
- 4) Perform periodic inspections and cleaning of any chimney flues.
- 5) Perform periodic inspections and cleaning of dryer vents.
- 6) When units are going to be unattended, perform routine inspections of those units.
- 7) When units are going to be unattended for long periods of time, shut off the main water service in the unit as well as turn off the water heater.
- 8) Maintain the heat in the units during the winter months when not occupied.
- 9) Do not leave candles burning while unattended.
- 10) Cut back any landscape around the buildings which might impede accessibility in the event of a fire.
- 11) Do not place trash dumpsters next to the buildings.
- 12) Do not store flammables in garage.
- 13) Tenant-occupied unit should provide the unit owner with evidence of liability insurance.

Hopefully, these recommendations can serve as a starting point.

Sincerely,
FIRST INSURANCE GROUP

BAY VIEW OWNER/RENTER GUIDELINES: PLEASE READ AND POST!

Grilling: Charcoal grills and gas grills on decks are strictly prohibited; electric grills may be used on rear decks only, per Indiana State Fire Code.

Fireplace safety: Burn only real wood in your fireplace. NEVER BURN ARTIFICIAL WAX LOGS (such as Duraflame), TREATED WOOD, CHARCOAL, OR COAL in your fireplace. *Do not* place fireplace ashes on your decks. *Do not* discard fireplace ashes in your trash. *Be aware that fireplaces in lower units have two dampers.*

Firewood Storage: Store all firewood under the rear decks, not on front or rear decks (for fire protection and termite control).

Front Porch Housekeeping: All trash/garbage is to be bagged and deposited in the provided dumpster. No trash can or garbage bags should be left on FRONT OR REAR decks to prevent pest problems. Personal belongings (i.e., brooms, mops, shovels, swim wear, towels, boots, fishing poles, bicycles, baby carriages, rugs etc.) are not to be left or stored on decks or walkways at any time.

Pets: Renters may have a dog or cat only, not weighing more than 20 pounds. All pets are to be kept on a leash and not allowed to roam freely. CLEAN-UP AFTER PETS (IN GRASS, FLOWER BEDS, ETC.) IS MANDATORY. Attention should be paid to noise control or aggressive behavior of pets.

Freeze Protection: When the owner/renter plans to be away, please follow the following guidelines:

- Set the thermostat at 55 degrees.
- Open cabinet doors under kitchen and bathroom sinks.
- Leave a key for your unit with Eagle Pointe Security (in case of emergency).

****SPECIAL NOTE ABOUT GFI WIRING IN UNITS****

Please be aware that electrical outlets on bathroom walls, along with the outlet on the back porch, may be wired to a main GFI outlet on the front porch. In the event of a power failure, or to interrupt power for repairs, please use as needed to manage electrical current to those outlets.

THESE SIMPLE AND SAFE GUIDELINES ARE APPROVED AND ISSUED BY THE BAY VIEW BOARD OF ADMINISTRATORS. ALL HOMEOWNERS ARE RESPONSIBLE FOR COMMUNICATING ALL POLICIES TO RENTAL AGENCIES AND RENTERS.

RESOURCE TELEPHONE NUMBERS

BLOOMINGTON HOSPITAL 812-353-6821

CLUBHOUSE (includes bar and dining) 812-824-4040

DIRECTTV www.directv.com 800-531-5000

DISH TV www.dish.com 844-848-1071

DUKE ENERGY www.duke-energy.com 800-521-2232

EMERGENCIES – Fire, Sheriff, Ambulance 911

INDIANA STATE POLICE 812-332-4411

POINTE (Hinds) SECURITY OFFICE--Gatehouse 812-824-8940

SMITHVILLE COMMUNICATIONS www.smithville.com 800-742-4084

SOUTH CENTRAL REGIONAL SEWER DISTRICT www.scrsewerdistrict.com

812-334-8871

SOUTHERN MONROE WATER AUTHORITY www.southernmonroewater.com

812-824-7220

WEBSITES

Pointe Service Association (PSA): pointeservices.org

Golf Club at Eagle Pointe (clubhouse, events, food, etc): eaglepointe.com

Bay View Homeowners Assoc (HOA): bayviewhoa.com

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