

Summary of East Lake View Estates Homeowners' Association's "Covenants, Conditions and Restrictions"¹

In General

- The Association is a New York Non-Profit Corporation;
- The requirements of the Covenants are in force in perpetuity unless changed by a vote in the affirmative of at least 80 percent of the owners.

Article II - Definitions

- The "Common Area" is the property owned by the Association for the use and enjoyment of all owners;
- A "Fine", such as a penalty, may not exceed 10 percent of the annual assessment for a lot.

Article III – Property Rights

- All owners have the right to access the common areas;
- The Association can adopt rules and regulations about the use of the common areas;
- The Association has the right to designate parts of the common areas for use by the owners as:
 - Paths;
 - Community gardens;
 - Recreation areas;
 - Storage;
 - Parking;
 - Sidewalks; and
 - Trails.

Article IV - Easements

- All lots are subject to utility easements;

Article V – Membership and Voting Rights

- There is one class of Voting Membership:
 - Class A- All owners. One vote per lot.

Article VI - Assessments

- All owners have agreed to pay annual common assessments and special assessments;
- Annual assessments are for maintenance, repair, improvements, maintenance of drainage swales and retention ponds, taxes and insurance for common areas;

¹ This is not a legal document and includes selected items only. For full details, see the actual Covenants. Author not responsible for any errors.

- Annual assessments can be set by Carmen until the homeowners take over the association;
- Annual assessments must be set at a uniform rate;
- The amount of the annual assessments must be sent in writing to each owner 30 days before they can take effect;
- Special assessments are for reconstruction of common areas that cannot be repaired and for emergencies;
- Special assessments require approval of 2/3 of the owners attending a meeting for the purpose of voting on the special assessment or voting by proxy.
- All assessment are a charge on the lot and a personal responsibility of the homeowners;
- Assessments that are not paid on time are subject to a late charge or legal action, including liens and potential foreclosure;
- The Association can contract with other entities to perform Association duties.

Article VII - Maintenance

- Reiterates the use of assessments outlined above.

Article VIII – Use of Property

- Compliance:
 - If owners do not comply with the rules, the Board sends out a notice of violation. If the owner still does not comply, the Board can assess a fine. Unpaid fines can become liens against the lot.
- Unless approved by the Board of Directors, the following are prohibited:
 - Adding extra buildings, structures or fences;
 - Cutting trees that are 7 inches in diameter or 4 inches if they are within 10 feet of the property line;
 - Changing the exterior of a house.
- The Board has to take the following into consideration if changes/additions to current house are requested:
 - Siting must be done by professionals;
 - Plans must be approved by professionals;
 - Structure colors must be neutral.
- Rules applicable to homeowners:
 - Houses and lots must be maintained in good repair;
 - Cars and RVs must be stored in garages or on driveways, not on grass;
 - Trailers, campers or boats must be in garages or in designated areas except as below;
 - Trailers, campers or boats may not be parked for more than two consecutive days on any location on any lot, nor for more than five days in a given month;
 - Large vehicles and trailers need to be stored as directed by the Board if the Board permits them;
 - No permanent camping is permitted;
 - No signs are allowed unless approved by the Board;

- No garbage is allowed to accumulate on a lot;
- No offensive or polluting activities are allowed;
- No businesses are allowed without approval of the Board except for certain in-home offices;
- No unlicensed or commercial vehicles over two tons are allowed to parked on a lot;
- No hunting is allowed nor discharge of firearms or explosives of any kind;
- Unless approved by the Board, no laundry poles or lines are allowed;
- No TV antennas are allowed and Dishes must not exceed a diameter of 24 inches;
- Unless approved by the Board, no exterior storage units are allowed;
- No open fires are permitted, except for fire pits approved by the Board;
- ATVs are prohibited.

Article IX – Insurance

- The Association must have an insurance policy for the common areas that cover liability, casualty and as well as other categories of coverage as necessary.