

ABBINGTON DOWNS HOMEOWNERS ASSOCIATION INCORPORATED

RULES and REGULATIONS JULY 2007

AUTHORITY

1. The By-Laws and Articles of Incorporation of the Abbington Downs Homeowners Association (ADHA) authorize and require the Board of Directors, acting as managers of the affairs and business of the Corporation, to adopt rules and regulations, with written notice thereof to all Lot Owners, governing the administration, management, operation and use of the Property and the Common Elements, and to amend such rules and regulations from time to time. [See By-Laws Article II Section 8, paragraphs (C) and (D) and Article V, Section 2. See also Articles of Incorporation paragraph 3n and paragraph 9.]

PURPOSE

2. The purpose of these Rules and Regulations is to clarify, amplify and expand upon the ADHA Restrictions, to aid in the enforcement of those Restrictions and to provide the membership more voice in their implementation. These Rules and regulations are not intended to weaken or dilute the Restrictions in any manner.

RULES

3. Paragraph C-2 of the restrictions, ARCHITECTURAL CONTROL, is clarified to add the following words:

“Waivers to the Restrictions, approved by the Architectural Control Committee, shall be limited to issues of architecture and shall require a 100 percent concurrence of all members of that committee. Any and all other waivers to the Restrictions shall be submitted to the Board of Directors. Approval of any non-architectural waiver shall be by 100 % concurrence of the Board.”

4. Paragraph C-7 of the restrictions, NUISANCES, is expanded to add the following words:

“Except when actually in use, children’s toys, e.g., bicycles, tricycles, wagons, etc., shall be removed from visibility, from the street, by sunset daily. Homeowners are responsible for assuring that unsightly collections of leaves, pine straw and other trash is removed from the sidewalk and/or street (i.e., the area of the street from the center of the street to the curb) bordering their property in a timely manner.”

5. Paragraph C-8 of the Restrictions, TEMPORARY STRUCTURES, is clarified to add the following words:

“Children’s play equipment, play houses and similar structures shall be permitted provided that they are constructed of a quality acceptable to the Architectural Control Committee and are commensurate with the dwelling with which they are collocated. Use of such a structure shall be restricted to the purpose for which it was approved. A privacy fence shall enclose any such playhouse, which encompasses an area greater than 25 square feet. Metal outbuildings shall not be allowed under any circumstance.

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6. Paragraph D-1 of the Restrictions, MEMBERSHIP, is clarified to add the following words:

“Membership of the Architectural Control Committee shall be composed of Lot Owners who reside within the Property. The Architectural Control Committee shall consist of three members who shall be appointed by the ADHA Board of Directors by a majority vote. The ADHA Board of Directors shall be empowered to remove any member from the Architectural Control Committee, for cause, at any time, by a 100 percent concurrence of the Board.”

7. Paragraph D-4 of the Restrictions, PROCEDURE, is clarified to add the following words:

“The Architectural Control Committee shall maintain records of all requests, approvals and disapproval’s. Those records shall be the property of the ADHA and shall be presented to the Board of Directors and/or the membership for review upon demand. Approval or disapproval of a request (non waiver) from a Lot Owner shall be by a two-thirds majority of the members of the Architectural Control Committee. The Committee shall meet as often as necessary to assure that requests are evaluated and approved or disapproved within the 14 day time frame, but shall meet at a minimum of once each month at a time and place to be determined by them.”

8. Paragraph E-1 of the Restrictions, TERM, is clarified to add the following words:

“These Rules and Regulations are valid upon a 100 % concurrence of all members of the Board of Directors and may be further amended by the 100% concurrence by the Board of Directors at a later date. Any rule or regulation contained herein shall be binding upon all members of the Association unless rejected by at least 66 ^{2/3}% of the vote of Lot Owners. [See By-Laws, Article V, Section 2]”

9. Paragraph E-2 of Restrictions, ENFORCEMENT, is clarified to add the following words:

“Enforcement of the Restrictions and these Rules and Regulations is the responsibility of the ADHA Board of Directors. Notwithstanding this rule, however, it is not the responsibility of the Board to seek out and identify potential or actual violations. Each Lot Owner and the members of the Architectural Control Committee are responsible for identifying, to the Board of Directors, potential and/or actual violations. Such notifications shall be in writing. The Board shall be responsible for determining the course of action to be followed for each violation.

Any legal action that may potentially incur costs in excess of 20% of the budget shall be referred back to the Association membership in accordance with the By-Laws, Article VI, Section 6. The Board of Directors shall be empowered to assess punitive fines against any Lot Owner who violates the Restrictions or these Rules and Regulations. These fines shall be collected and placed in the general financial account of the ADHA and shall be used as deemed fit by the Board of Directors. Non payment of fines may result in a lien placed against the Lot Owner’s property in the same manner as is established for Non payment of ADHA assessments {see By-Laws, Article IV, Section 7}.

(No. 9 - Paragraph E-2 of Restrictions, ENFORCEMENT Cont. next page)

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(No. 9 - Paragraph E-2 of Restrictions, ENFORCEMENT Cont)

Fines will only be assessed when a Lot Owner demonstrates a violation of the Restrictions and/or Rules and Regulations. A violation of the Restrictions and these Rules and Regulations shall be considered to have occurred when a Lot Owner refuses to take corrective action, within 30 days, when notified in writing, by the Board of Directors of a violation. Fines will be an amount not to exceed \$75.00 for any incident cited by the Board of Directors and shall continue to accrue each month until the violation is corrected or otherwise resolved. Imposition of such a fine shall require a 100 % approval of the Board of Directors.”

In the event that a lien is placed on a lot for nonpayment of fines or ADHA assessments, the Lot Owner shall pay all fees and costs for such lien, as well as costs incurred for the release of the lien. Such costs may include reasonable attorney’s fees.