Amesbury West Homes Association's Rules and Regulations

OVERVIEW

The Amended and Restated Bylaws of Amesbury West Homes Association ("AWHA") ARTICLE VIII, Section 1 provides: "Authority. The Board shall have the power and authority to: (a) adopt and publish rules and regulations governing the use of the Common Area and facilities, and the personal conduct of the Members and their guests thereon, and to establish penalties for the infraction thereof ongoing with the Articles of Incorporation and the Declaration;"

The AWHA Board of Directors (BOD) recognizes that no set of written rules can cover every conceivable situation that may arise in the future and thus reserves the right to amend these rules and regulations as determined by the BOD. Any such rule shall become effective on the date specified by the BOD in its approval. All approved rules shall be distributed to the members of AWHA by e-mail and posted on the AWHA website.

The value of each homeowner's property depends on the quality and upkeep of neighboring homes and the common areas. Maintaining the community's integrity and quality is essential. This document provides specific rules and regulations adopted to govern homeownership within AWHA.

Any alterations to the existing structure or landscaping must be approved by both the Architecture/Landscaping Committee (ALC) and the BOD. The ALC's Architectural / Landscaping Modification Request form is available on the AWHA Website. Forms must be submitted to the ALC, accompanied by drawings, plans, material specifications, contractor details, and contact information. Your neighboring homeowner should also be informed of any forthcoming changes. Any homeowner is welcome to contact any member of the ALC or the BOD for inquiries or concerns. The members of the BOD and ALC are accessible through the Amesbury West Website: www.amesburywest.org. Each homeowner possesses unique preferences and ideas. Given our close proximity, it is imperative that we maintain consistency and quality to preserve the value of our homes. Should any maintenance issues not be addressed promptly and appropriately, a cordial letter will be dispatched to the homeowner requesting compliance. The BOD and ALC are dedicated to safeguarding the value and marketability of our homes.

Rules and Regulations

Air Conditioner and Air Conditioner Platform Access and Maintenance: The owner of the air conditioner is responsible for the maintenance of any platform, staircase and/or retaining wall(s) *designed to assure access* to the owner's air conditioner. If multiple owners share either the staircase(s), retaining wall(s) or platform(s), the cost of repair or maintenance shall be shared. ALC approval is required.

Antennae: No telecommunications, television, radio or wireless antennae shall be erected or placed upon the exterior of a Lot unless first approved by two-thirds (2/3) of the Board or the ALC.

Clotheslines: No clotheslines shall be permitted upon a Lot.

Commercial Activities: No events may be held that are likely to attract members of the public in large numbers without express permission of the Board (See Garage/Estate Sales). Homes are not to be used for any significant business activities that would require a recurring stream of visitors without permission from the Board.

Common Wall Repair: Typically, owners on both sides share repair costs unless one owner caused the damage, in which case that owner pays. ALC approval is required. Please refer to the Association's Covenants, Conditions and Restrictions (CC&R), Article VI, Party Walls for details.

Courtyards: Courtyard maintenance is the homeowner's responsibility. Any modification that can be seen from the street requires ALC approval.

Deck and Railing Maintenance: Decks and railings are the sole responsibility of the homeowner. Any changes to the original design and material require ALC approval. When replacing decks, composite alternative decking must be natural wood toned. Natural wood must be painted to match the siding or stained to a natural wood tone. Natural wood decking requires regular painting, which may be more frequent than the seven-year house painting requirement. Hand-railings, unless made of metal, must match the siding's color. Metal railings should match the trim's color. Please ensure that all deck footings comply with current building codes prior to making any modifications. Refer to Painting Guidelines on AWHA Website for details.

Driveway Each unit's driveway is located on common property. Homeowners hold an exclusive easement for use and are responsible for maintenance, including seal coating and replacement. ALC approval is required.

Dues: Dues are billed semi-annually (February and August) and are payable upon receipt. Quarterly payments can be arranged by contacting the Treasurer.

Dumpsters: Construction dumpsters, bagsters and/or portable bathrooms must be placed in the owner's driveway.

Firewood: Firewood is allowed, but must be stored in the garage, under the deck or on the side of the unit. If the wood is stacked on the side of the unit, only a fitted dark colored cover may be used.

Fire Pits: Permanent fire pits are not allowed on common land. Portable fire pits are allowed on patios. Use of portable fire pits on common land for special events requires Board approval and notification to homeowners. All fire pit use must comply with local and state regulations. Shorewood requires a burning permit. Check for fire bans or air quality alerts prior to lighting a fire.

Flags/Signs: No sign of any kind shall be displayed in public view on Association property, including "For Sale" signs and construction/advertising signs. Realtors may post "Open House" signs the day of the open house. No flag shall be displayed in public view except for the official flags of the United States of America and the State of Minnesota. Holiday flags may be flown the week of the holiday. Flags for sporting events may be flown on the day of the event. Upon written request of a member, the Board may, in its sole discretion, approve the display of signs or flags that are prohibited by Article XVI, Sec. 3 of AWHA's CC&R.

Garage Doors: The door must be flat paneled and painted to match the home. Doors should remain closed unless the homeowner is working inside for security and identification reasons (house numbers are on garage doors). ALC approval is required to replace doors.

Garage/Estate Sales: Upon home sale, garage or estate sales may be held for up to three consecutive calendar days. Refer to AWHA Bylaws Article XIV, Sec. 3 for specifics.

Gutters: Homeowners are responsible for gutter cleaning, maintenance, and replacement at homeowners' expense. Replacement gutters must match the home's color and be painted within 30 days if needed. ALC approval is required.

Holiday Decorations: Homeowners may display holiday decorations without Board approval for a reasonable time. Winter holiday lights can be turned on starting the week before Thanksgiving until January 31st. All lights must be removed from homes, fences, trees, and shrubs by April 15th.

Home Access Stairs and Pathways: Any pathways or steps that are *primarily* for the use of the homeowner are maintained by the homeowner. Changes to pathways or steps require ALC approval.

Home Maintenance: Homeowners are responsible the maintenance and replacement of their entire residence, as well as the adjacent common areas. This includes, but is not limited to, roofs, siding, sidewalks and courtyards, driveways, air conditioning units and pads (including the underlying structure), exterior windows and doors, landscaping, irrigation systems, gutters, downspouts, fences, air-conditioner/generator pads and certain retaining walls.

House Numbers: Numbers should be the same throughout the Association. If numbers do not match, the suggested numbers need to be approved by the ALC.

Insurance: Each homeowner must maintain an individual HO-6 insurance policy. Failure to maintain coverage could result in personal out-of-pocket expenses. The Board recommends policies include at least $50,000 in allocated loss coverage and sump pump/sewer backup coverage.

Landscaping: Homeowners are responsible for maintaining the courtyard and any adjacent landscaping specific to their unit, including the care of common areas previously managed by former owners. Any modifications or decorative additions outside the courtyard or in front of the garage (such as furniture, fountains, artworks, chicken wire, bird feeders, hammocks, etc.) must receive prior approval from the ALC. Vegetable gardens are not permitted outside patios. The installation of additional fencing, including chicken wire, around landscaping is prohibited. Mulch and landscape edging should be dark in color.

Light Fixtures: The lights on either side of the garage door on townhomes are to be identical. The lights on patio homes are different per unit but must be essentially of the same character and appearance as the existing fixtures. ALC

approval is required for any replacements. Light bulbs should be 2700 soft white, 800 lumens, 8.8 volts and damp rated for outdoor use.

Noise: Residents must be respectful of neighbors regarding noise and comply with applicable governmental noise regulations.

Nuisance: No noxious or offensive activities shall be carried on upon any Lot or shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

Other Structures: No improvement to or structure may be erected, placed or maintained on any Lot unless approved by two-thirds (2/3) of the Board or ALC. Refer to the Association's CC&R, Article XVI, Sec.9 for specifics.

Painting: It is the responsibility of the individual homeowner to schedule and complete the exterior painting of the unit every seven (7) years. A schedule for painting units can be found on the AWHA Website. Roofmates must paint simultaneously with the same color and product for uniformity. Four Benjamin Moore exterior paint colors are approved (details on AWHA website). Trim on townhomes should be the same as previously used on exterior building trim. Trim on Courtyard homes trim should be the same as the color selected for the main body of the home. Disagreements on color can be referred to the ALC for a decision. Please review Painting Guidelines on the AWHA Website for details.

Parking: Each homeowner is granted an easement permitting the parking of one vehicle within their respective driveway. Guests may park in guest areas up to two weeks; longer stays require Board notification. The City of Shorewood parking regulations apply to units on city-owned roadways. The City of Shorewood maintains the portion of Bayswater Road with concrete curbs and gutters. Please review Parking Guidelines on the AWHA Website for details. Snow removal will not occur where vehicles are parked.

Pest Control: Homeowners must hire pest control professionals to eliminate infestations (bugs, bats, mice, birds, etc.) and repair any pest damage.

Pets: Household pets are allowed but must be leashed outside patios. Owners must clean up after pets and repair any damage. Invisible fences are not allowed. Pets must be housed indoors; outdoor runs or kennels are prohibited. Disturbances such as noise, odor, or threatening behavior are prohibited. Complaints may be directed to the Lake Minnetonka Police. The Board may require removal of offending pets and has final authority on pet violations. See Article AWHA's CC&R's Article XVI, Section 2 and Article XVII of the Bylaws for specifics.

Privacy Fencing: Only privacy fences in front of homes around courtyards are allowed. Approval by the ALC is required for any repair or replacement. City of Shorewood also requires permits for changes in fences.

Recreational Vehicles: No campers, motorhomes, snowmobiles, jet skis or other recreational vehicles may be parked or stored in any driveway or roadway or on any other property in AWHA. Temporary parking in the owner's driveway for up to 24 hours to load or unload equipment is allowed. City of Shorewood regulations apply to city-owned roadways. The City of Shorewood maintains the portion of Bayswater Road with concrete curbs and gutters.

Rentals: No unit rentals are allowed. The AWHA board has discretionary authority to grant exceptions. No lease will be approved for a period of less than 12 months or that does not comply with applicable City of Shorewood requirements. NOTE: The City of Shorewood has adopted rules or ordinances that require home rentals to be licensed and inspected.

Roofing: Asphalt shingles are required. Homeowners with adjoining rooflines must coordinate the roofing installation, including roofing materials and shingle color, to maintain a uniform appearance. If homeowners are unable to reach an agreement on a product and/or color, homeowners may request the ALC to make the final selection. Please refer to AWHA Roofing Guidelines on the AWHA Website for details.

Roofing Maintenance: Roofs must remain visually and structurally sound. Address missing or damaged shingles, and any dirt, mildew, moss, or discoloration covering more than 15% of the roof area promptly. See Roofing Guidelines on the AWHA Website for more information.

Safety: Please consider notifying a neighbor or a Board member if you are going to be gone for an extended period and provide emergency contact information. Please also consider notifying neighbors along with the BOD when you have a guest visiting and/or someone stopping to check on your home if you are gone for a long period of time.

Satellite Dishes/Antenna: Only small satellite dishes already installed on roofs are permitted due to local service options.

Sidewalks: Homeowners maintain sidewalks adjacent to their property. Repairs or replacements require ALC approval.

Siding: Siding needs to be consistent in size, texture and style with existing siding. LP Smartside, Hardie Siding and Cedar Siding (currently on most homes). If a change to the existing design or material is desired, ALC approval is required.

Solar Panels: Panels are currently not approved.

Storage: All sporting equipment, toys, outdoor cooking equipment, tents and other supplies necessary or convenient to residential living shall be enclosed or shall be screened from view. See AWHA's, CC&R. Article XV, Sec.10 for specifics.

Temporary Structures: No structure of a temporary character, trailer, tent, shack, barn, or other temporary building shall be used on any lot or common area at any time, either temporarily or permanently.

Trash/Recycling: Bins should be placed out by 7:00 a.m. Wednesday morning of pick-up schedule and brought in by day's end. Bins must not remain in driveway longer than 48 hours in total. Bins must be stored out of sight.

Tree Trimming or Removal: Homeowners are responsible for maintaining the ornamental trees and shrubs surrounding the unit. If the owner wishes to remove trees, large branches or entire shrubs, the owner must submit a Tree/Shrub Trimming/Removal Form to the Grounds Manager. Trimming that does not alter the natural shape of shrubs or trees but removes dead, diseased or injured branches or dead blooms does not require the owner to submit a Tree/Shrub form. The form may be accessed on the AWHA Website. Any cost associated with this request is the responsibility of the owner.

Watering Systems:

- **Common Areas:** Four sections of the common area are watered by Association sprinkler systems metered separately and paid by the Association. The controls for these systems are housed in units 4611, 4641/4661, 4725 and 4785. Owners of these units are expected to provide access to their units for necessary repairs and maintenance of the Association's systems.
- **Private Sprinkler Systems:** Homeowners are responsible for their private watering systems. This includes the water bill, maintenance/replacement of all sprinkler system equipment. The company currently responsible for our lawn care is contracted by the association to repair or replace sprinkler heads as necessary during the growing season to ensure that our lawns receive adequate watering. If the homeowner does not have a sprinkler system, the owner has the responsibility to adequately water the lawn directly in front of and around their immediate property. The new homeowner is responsible for transferring the water bill with the city of Shorewood.

Windows/Glass Doors: Replacement windows, sliding and hinged hung doors must have the same style and appearance of most units in the Association. The trim color should match the window or door being replaced. Replacement windows, sliding glass doors and skylights require ALC approval.

Wildlife: There is no ground feeding of any wild animals. This includes but is not limited to salt licks, hay or corn. Feed for perching and songbirds must be in a sealed container or appropriate bird feeder out of reach of deer, geese, turkey or other wild animals. Bird feeders must have seed catchers attached to their feeders.

Yard Waste: Homeowners are responsible for disposal of yard waste they generate.

AW BOD Approval Date: August 7, 2023.
/s/Dave Morse, AW BOD President

Distributed by e-mail to all AW residents on August 9, 2023, by Juliana Kottke, AW BOD Secretary
Revised and approved by AW BOD Dec. 5, 2023
Revised and approved by AW BOD Jan. 9, 2024
Revised and approved by AW BOD February 4, 2025
Revised and approved by AW BOD August 11, 2025
*Revised and approved by AW BOD September 16, 2025
Wording Clarification August 18, 2026