

Amesbury West Homes Association's General Information and Rules and Regulations

AWHA was established in 1981 as a nonprofit corporation. Each homeowner in AWH is a member. AWH is a self-managed association that is governed by a Board of Directors (BOD), consisting of volunteer homeowners. Board directors receive no compensation and are elected by homeowners for one year terms at the annual members' meeting.

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 AWH Board 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 Board. Any such rule shall be effective on the date specified by the Board in its approval. All approved rules shall be distributed to the members of AWH by e-mail and shall be posted on the AWH website.

As an association, the homeowners property's value comes from the surrounding homes and common area, which is why it is important to maintain the integrity and quality of the community. The goal of this document is to provide homeowners with general information that may be helpful to understanding the operation of AWH. In addition, this document provides information as to the specific rules and regulation AWH has adopted that govern AWH homeownership.

General Information and 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 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.

Home Access Pathways: Any pathways/steps that are *primarily* for the use of the homeowner are maintained by the homeowner.

Amenities: The tennis/pickleball court(s) are for the enjoyment of all residents, their families and guests. All regular maintenance, resurfacing and fencing is the responsibility of the Association. NOTE: The AWH does not share reciprocity of the swimming pool with the original Amesbury or any other location.

AWHA Website: The most relevant AWH information including the **Amended and Restated Bylaws of Amesbury West Homes Association (Bylaws)** and **The Amended and Restated Declaration of Covenants, Conditions and Restriction (CC and R)** can be found on the Association's website: www.amesburywest.org. The Member's Section requires a password. A new owner will receive this password in a welcome letter or the owner may ask the previous owner or any Board member for the password.

Architectural Controls: **ALL** changes to the exterior of a homeowner's home and/or landscaping are to be approved by the Board of Directors (BOD). The form to request modifications may be found on the AWH website. The completed request is reviewed by the **Architectural/Landscaping Committee (ALC)**. The ALC makes their recommendation to the Board. The President of AWH or ALC Chair will notify the owner of the results of the request.

Commercial Activities: No events may be held that are likely to attract members of the general 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 Area Grounds Maintenance: The Association contracts with a lawn/snow removal service for grounds maintenance, including fertilizer and herbicide applications, weekly mowing, fall and spring leaf blowing, plowing of driveways and Association streets and shoveling a pathway to the owner's door.

Common Wall Repair: The general rule is that if a common wall needs repair, the cost is shared by the common wall owners. If the wall was damaged by one owner, that owner is responsible for the repair. See Article VI, Party Walls, of the CC and R.

Driveways/Roadways: Each unit's driveway is located on common land owned by AWH. Each owner has an easement to use and maintain this driveway. It is the responsibility of the owner to seal coat the driveway as needed, as well as replacement of the driveway when necessary at the owner's expense. The portion of Bayswater Road with concrete curb and gutters is maintained by the city of Shorewood. The balance of Bayswater Road, adjacent roads and all parking areas are private roads owned and maintained by AWH.

Dues: Dues are billed twice per calendar year with payment due dates of March 1 and September 1. AWH also provides owners with an option to pay dues on a quarterly bases. Please notify the treasurer of your payment preference. Dues do not include the homeowner's share of the **Master Insurance Policy** on AW structures that is billed separately in October or the required individual homeowner's **HO-6** policy.

Dumpsters: Construction dumpsters and/or portable bathrooms of any kind must be placed in the owner's driveway.

Firewood: Firewood is allowed, but must be stored either 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: No permanent fire pits are allowed on common land. Portable fire pits are allowed on patios. Portable fire pits may be allowed on common land for occasional special events, but require advanced approval by the Board and notification of AW owners. All fire pit usage must meet applicable local and state regulations. NOTE: Shorewood requires a burning permit. Please check if there is a fire ban or air quality alert.

Flags/Signs: No sign of any kind shall be displayed in public view on any 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 XV, section 3 of the CC and R.

Garage/Estate Sales: Upon the sale of a home, a garage or estate sale may be conducted for a period not to exceed three consecutive calendar days. See Bylaws: Article XIV, Sec. 3 for specifics.

Holiday Decorations: Holiday decorations may be displayed for a reasonable period of time without Board approval. Winter holiday lights may not be lighted prior to the week before Thanksgiving and after January 31st. Lights that were hung must be removed from the home, trees and shrubs on or about April 15th.

Home Maintenance: Homeowners are required to maintain their entire residence, including roofs, driveways, siding, garage doors, sidewalks, patios/courtyards, exterior doors and windows, gutters, downspout, fences, air-conditioner/generator pad(s) and some stairs and retaining walls. New homeowners should clarify with the previous owners what landscaping outside of the patio has been maintained by the owner. It is the responsibility of the current owner to continue to maintain this landscaping. Each owner is responsible for the disposal of any plant or landscaping waste.

Insurance: Each year the AWH Board purchases a master insurance policy that covers all units in AWH on an "All In" replacement cost basis. "All In" means from the outside surface to the inside surface of each unit's walls. Our current policy year runs from October 21 to October 20 of the following year. The cost of the policy is allocated and billed to each homeowner in early October separately from dues. The owner's share of the premium is based on the owner's unit's share of the total value of all improvements in AWH using the most current year's estimated value of each unit's improvements as established by the Hennepin County Assessor. The deductible on the current master policy is \$50,000 for each covered loss except for hail and windstorm where the deductible is 2% of structure value. A HO-6 personal policy generally covers the owner's personal property and damage not covered under the master policy's deductibles. HO-6 policies also typically provide liability coverage. The amount of personal property and liability coverages required vary by individual needs and should be determined in consultation with the owner's personal insurance agent. The Board recommends that the owner's HO-6 policy provide allocated loss coverage of at least \$50,000 and sump pump and sewer backup coverage. HO-6 "Allocated Loss" coverage provides protection for deductibles in the AW master policy. This insurance summary is not intended to be a guarantee of policy terms or specific coverages but rather a suggestion of points the owner needs to review with the owner's insurance agent. **AW DOES NOT PROVIDE HO-6 INSURANCE. EACH HOMEOWNER IS RESPONSIBLE FOR OBTAINING THEIR OWN INDIVIDUAL HO-6 POLICY. FAILURE TO KEEP HO-6 COVERAGE IN FORCE COULD RESULT IN PERSONAL OUT OF POCKET EXPENSES TO THE OWNER IN THE EVENT OF DAMAGE TO THE OWNER'S UNIT.**

Land Ownership: Individual owners own the land that comprises the footprint of the foundation of their structure. All other land is common land owned by the Association. Owners have an easement into the common land for their roof overhang, air-conditioner and generator pads, utilities and their driveway from the garage door to the road.

Landscaping: Each homeowner is responsible for maintenance of their landscaping adjacent to their property and specific to their home. If an owner wishes to change any landscaping, the owner must submit a request to the Architectural/Landscaping Committee (ALC) and gain final approval from the BOD. The form to request modifications may be found on the AWHHA website. This includes any form of fencing. Lawn ornaments placed in the front yard must be approved by the ALC. Vegetable gardens are not permitted outside the owner's patio.

Mailboxes: The Association provides a stand for mailboxes and the mailbox. Maintenance of the mailboxes is done by the Association.

Meetings:

- **AWHA Annual Meeting** This meeting is held in October. All owner's receive a mailing with an agenda, supporting meeting materials and a proxy form a few weeks prior to the meeting. If not able to attend in person, the owner may designate a proxy for the purpose of voting. Annual Meeting minutes are preliminarily approved by the BOD and posted on Member portion of the AWHHA site. Final approval of the minutes is completed at the next Annual Meeting.
- **Board of Director Meetings** These meetings are held on an as needed basis. Approved minutes of the BOD meetings are posted on the Member portion of the AW site. The date for the next meeting of the BOD may be found at the end of the prior BOD meeting's minutes. If interested in attend the upcoming meeting, please contact the board secretary.

Noise: All residents should be respectful of neighbors when it comes to noise emanating from their unit and the surrounding common areas. Residents should also be mindful of any applicable governmental regulations of noise.

Painting: It is the responsibility of the individual homeowner to schedule and complete painting of the unit every seven (7) years. A painting schedule is posted on the AWHHA website. Homeowners will be notified when painting is due via email. The same shade of gray paint and the same color of trim as previously used on each unit must be applied to all exterior building surfaces, gutters and downspouts.

Parking: Each homeowner is allowed an easement for one car that may be parked on the owner's driveway. If a homeowner has a guest staying or visiting with them, the guest is welcome to park his/her car in the guest parking areas for a maximum time limit of two weeks. If an indefinite period of time is required, the owner should notify the board. Homeowners whose units reside on roadways owned by the city of Shorewood must also abide by Shorewood's parking guidelines.

Pets: Household pets are allowed, but must be on a leash when outside the patio. The owner is responsible for cleaning up after the pets and any damage caused by pets. Invisible fences are not allowed. All pets are to be housed and maintained within the owner's home. Other quarters, such as dog runs, kennels or dog houses outside the home are not permitted. Any disturbance by a pet, such as noise, odor or threatening activity is prohibited. Complaints may be directed to the Lake Minnetonka Police Department. The Board reserves the right to take any and all actions necessary to remove an offending pet from the property. The Board has final authority in decisions concerning pet violations under these regulations. See Article XV Section 2 of AW's CC and R for specifics.

Recreational Vehicles: No campers, motorhomes, snow mobiles, jet skis or other recreational vehicles may be parked or stored in any driveway or roadway or on any other property in AWHHA. This provision does not prohibit temporary parking for no more than 24 hours in the owner's driveway to load/unload equipment. Homeowners whose units reside on roadways owned by the city of Shorewood must also abide by Shorewood's parking guidelines for recreational vehicles.

Recycling: Recycling is picked up every two weeks by the City of Shorewood. The same rules for holidays apply to recycling as they do for trash pickup. The recycling schedule is available on the City of Shorewood's website and is a charge that will appear on the owner's quarterly water bill. Bins automatically transfer to the new homeowner.

Rentals: No home rentals are allowed. The AWhA board has discretionary authority to grant exceptions for legitimate hardship cases. No lease will be approved as a hardship exception 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.

Safety: Please consider notifying a neighbor or a Board member if you are going to be gone for an extended period of time and provide emergency contact information. Please also consider notifying neighbors along with the BOD that you have a guest visiting and/or someone stopping to check on your home if you are gone for a long period of time. If you are not using your garage for an activity please keep the door closed for safety purposes.

Satellite Dishes/Antenna: Due to service options available in the area, small satellite dishes have been placed on the roofs of several homes. Currently, these are the only acceptable equipment allowed.

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 Article XV, Sec.10 of the AWhA CC and R for specifics.

Trash: Trash is picked up once a week on Wednesdays. If a holiday falls on Monday, Tuesday or Wednesday, the pick up day is moved to Thursday. Association dues cover the cost of trash removal. Bins are to be out by 7:00 a.m. Wednesday morning and brought in by day's end. Bins automatically transfer to the new homeowner. Garbage cans must be out of site.

Tree Trimming or Removal: AWhA is responsible for removing diseased and dangerous natural trees or limbs in the woods or on common land. Owners are responsible for maintaining the ornamental trees and shrubs surrounding their home. 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. 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. The form is posted on the AW site. Any cost associated with this request is the responsibility of the owner.

Watering Systems:

- **Common Areas** Four sections of the common areas are watered by Association owned sprinkler systems. The controls for these systems are housed in units 4611, 4641/4661, 4725 and 4785. Each of these systems are metered separately and paid for by the Association. 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, spring startup, maintenance/replacement and winterization. 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.

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.

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
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