

Poplar Grove Townhomes

Amended and Restated General Rules and Regulations

August 12, 2008

I. Introduction

Poplar Grove Townhomes Association is providing this information to the homeowners and residents as an introduction and quick reference to the Architectural Standards, Parking Policy, Collection Policy, Rules and Regulations, and Covenants, Conditions and Restrictions of our community.

The following Rules and Regulations, and Architectural Control Standards have been adopted by the Board of Directors of the Poplar Grove Townhomes in accordance with the Covenants, Conditions and Restrictions to not only protect the architectural integrity and harmony of the community, but also to promote the welfare of residents and to maintain an acceptable quality of life.

Exhibit B, Bylaws of Poplar Grove Townhouse Corporation, Article II, Board of Directors, Section 15. Powers and Duties. The Board shall have the following powers and duties: (e) to adopt rules and regulations, with written notice thereof to all Unit 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.

It should be remembered that the Rules and Regulations do not replace the Covenants, Conditions and Restrictions, which the Board of Directors uses as its primary governing document. Both documents are in force. In case of conflict between the wording of the documents, the Covenants, Conditions and Restrictions will prevail.

The Rules and Regulations shall apply to all property owners, their residents, family members, tenants, occupants, agents, visitors, and guests; and shall be enforced by the Board of Directors in accordance with the Covenants, Conditions and Restrictions.

It is the responsibility of each homeowner to provide copies of these Rules and Regulation to any Realtor or Buyer when the property is placed on the market for sale or sold.

In establishing and maintaining the Rules and Regulations, the Board shall make every effort to ensure that they do not affect unit owners' rights to the enjoyment of reasonable and unrestricted use of their property or privileges of ownership.

The Rules and Regulations may be modified, repealed or amended at any time by a resolution of the Board of Directors when deemed necessary in the best interest of unit owners/resident and the community.

II. General Information

Property in the development is classified as "Common Elements, Limited Common Elements, Private Elements, and Units."

The Covenants, Conditions and Restrictions define the Common Elements, Limited Common Elements, Private Elements and Units on pages two and three.

The obligations of the Unit Owners and the Association are defined on page eleven of the Covenants, Conditions and Restrictions.

III. Insurance

Nothing shall be done or maintained in any unit or any Common Elements, Limited Common Elements, Private Elements, or Units which shall increase the rate of insurance on any unit or on the Master Insurance Policy of the Association, or result in the cancellation thereof.

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IV. Legal

Nothing shall be done or maintained in any unit or in the Common, Limited Common, or Private Elements which is in violation of any law.

V. General

1. Payment to the Association (Poplar Grove Homeowners Association) for monthly maintenance fee is due on the first day of each and every month. A late fee of \$15.00 will be added to the amount due if not paid in full by the 15th of each month.
If an owner is two (2) months past due, the necessary legal action will be taken to collect the outstanding dues. All expenses associated with the collection and legal expenses will be the responsibility of the homeowner. Restrictions to the use of the common property may be enforced (i.e. pool use).
As of January 1, 2007, the monthly fee is \$99.00. Changes to this fee would occur during the annual budgeting process before the beginning of a new year.
When renting or leasing their property, Owners are responsible to make sure all association dues are paid timely and will be responsible for any late fees or legal expenses to collect outstanding dues.
2. The Board of Directors reserves the right to make such other rules and regulations from time to time as may be deemed necessary or needful for the safety, care, and cleanliness of the common and limited common areas, and for securing the comfort and convenience of the owners and/or tenants, including but not limited to the Rules and Regulations governing use of the common grounds, drives and parking areas, and said Rules and Regulations shall be considered a part of the Covenants, Conditions and Restrictions.
3. Any member of the Board of Directors, their agent or assignee, has the right to enter any residence at any time in the event of an emergency to protect the interest of the Poplar Grove Homeowners' Association.
4. No advertisement, sign, picture or illumination shall be exposed on or at any window or at any other part of the building without the written consent of the Board of Directors.
5. No industry, business, trade, occupation or profession of any kind shall be conducted or permitted on any part of the property. Units shall be used as single-family residence only with the exception of home businesses as defined in the Covenants.
6. No "For Sale" or "For Rent" signs or other displays or advertising shall be permitted on any part of the property unless a unit is for sale or rent. All "For Sale" or "For Rent" signs must be displayed in the yard and not propped up against the building. "For Sale" and "For Rent" signs shall be removed immediately upon closing of the transaction. Signs shall be limited only to the homeowners unit. Signs for "Open House" or other directional signs may be displayed at the entrance to the subdivision only on the day of the open house.
7. Owners shall not cause or allow any objectionable or unreasonable noise(s) to emanate from their respective residences, and are asked to be considerate of their neighbors at all hours. As a courtesy to your neighbors, construction, vacuuming, loud music or any noise that might be disruptive to your neighbors should cease by 9:00 pm. Please be aware that speakers placed against a common wall may conduct the sound to the adjacent unit, even if the volume does not appear to be objectionable or unreasonable from within your unit.
8. No unit owner shall display, hang or store clothing, sheets, blankets, towels, laundry or other articles outside his unit.
9. The lawns, walkways, private elements, and common elements shall not be used for storage of personal belongings or be obstructed in any way. No bicycles, toys, baby carriages, furniture, clothing, or other items of personal belonging shall obstruct entrance ways, walkways, parking or other common areas.
10. No unit owner shall overload the electrical wiring in the building, or operate any machines, appliances, accessories, or equipment in such a manner as to cause an unreasonable disturbance to others and/or create a hazard for other units and the Association.
11. All trash must be placed in sealed bags. Trash containers must be closed metal or plastic cans and these containers must be kept tightly closed. Trash containers may be left out the day before scheduled trash pick-up and the containers returned to the garage within 24 hours after pick-up. If

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you travel, it is your responsibility to make arrangement to have your trash can placed out of sight. The current day for trash pick-up is Tuesday and should be set out by 6:00 a.m. to assure pick-up. In the event that Christmas Eve, Christmas Day or New Years Day falls on a Tuesday, the trash will be picked up on the following Friday.

12. Items not allowed on the Common Property without prior Board approval include but are not limited to: TV antennas, basketball goals (fixed or portable), swing sets, window air-conditioner units, picnic tables, furniture, tents, boats, trailers, etc.
13. Boats, trailers and tents may not be on property for more than twenty-four (24) hours in any ten day (10) period.
14. As defined in the Master Deed, Common Elements (common property) means all of the property not included in the units. Common Elements are maintained by the Association. They include foundation, bearing walls, columns, roof and grounds (outside the enclosed fence). Anything planted or placed permanently in these areas becomes common property. Maintenance, repair or replacement is at the discretion of the Board.
15. No solicitation or advertising is allowed on the common grounds including mailboxes and vehicles.
16. All owners are responsible for the conduct of their tenants and guests. All tenants shall be subject to all provisions of the Covenants, Conditions and Restrictions and all rules and regulations adopted.
17. No unsightly conditions, noxious, or offensive activity which interfere with the rights, comforts, or convenience of neighbors will be permitted. The enclosed yards and porch areas are to be kept in a clean and sanitary condition.
18. Any items and/or activity which prohibits ingress and egress is strictly prohibited.
19. Barbecue grills must be moved a minimum of ten feet from the building prior to use in order to abide by local laws and regulations, and subsequently moved back to approved storage areas when they are not being used.
20. Unit owners and their families, tenants, and guests shall not deface, remove, or destroy, or permit the defacing, removing or destruction of any element of the common elements, limited common elements, or private elements.
21. Play is permitted in designated common areas provided that such play is not of a nature that is destructive or potentially destructive of property. Also, such play or use shall not violate any other rule or regulation of the Association.
22. Unit owners are responsible for providing accurate and correct contact information to the managing agent of the Association.
23. Yard sales are not permitted by individual unit owners or residents.
24. Standard seasonal and/or holiday decorations are permitted, however they are to be removed within fourteen days after the holiday.
25. Firewood may not be stored in the Common Elements. All firewood stored within the fenced in area must be on a rack designed for storing firewood and must not be in contact with the fence.

VI. Animals and Pets

1. All applicable laws must be observed.
2. Only traditional domestic pets may be kept, provided they are not maintained, kept or bred for commercial purposes and provided further that they will not constitute noxious or offensive activity.
3. When outside the house, pets must be kept leashed and under the control and immediate supervision of their owner, in accordance with the Smyrna Leash Law.
4. Pet owners are responsible for disposing of the animal's elimination immediately.
5. Pets may not be a nuisance or cause disturbance to any resident.
6. Dog pens of any type shall be limited to the homeowners enclosed yard.
7. Pets may not be left unattended on common property or other's unit property, on or off a leash, at any time.
8. No animals are allowed in the pool area.
9. Any free roaming pet shall be considered a nuisance to the Association and may be reported by any resident to animal control.
10. Pet owners are responsible for all damages caused by their pets to common areas and to the property of others.

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Failure to comply with the pet regulations will result in the following penalties in accordance with the guidelines established in Section X:

- A. First offense: A warning letter to the owner
- B. Second offense: \$ 50.00 fine levied
- C. Third offense: \$100.00 fine levied
- D. Fourth offense: \$150.00 fine levied and Animal Control called to pick up the animal.

VII. Architectural Maintenance/Control

No structural alteration (construction, addition or removal) or decoration of any Common, or Private Element shall be commenced or conducted except in strict accordance with the provisions of the Covenants, Conditions and Restrictions.

All changes proposed by the unit owner to the exterior of his/her unit shall be submitted in writing to the Board of Directors via the managing agent. Homeowners must complete and submit the Request for Changes Form as part of the written request. Once written approval has been received from the Board of Directors and changes have been made, the unit owner will submit to an inspection of the approved change. An approved change to one unit does not constitute approval of the same change to another unit. Each unit owner is responsible for obtaining written approval for changes to their individual unit.

No awnings, aerials of any kind, or signs of any kind maybe attached or hung from the exterior of the building or the patios.

Dish satellite antennas or similar may be installed in the unit's yard or by the lower roof on the backside of individual units. Cables for dish satellite or cable company services may not be run on the exterior of brick surfaces, or any common element without prior written approval of the Board of Directors. Flags may be displayed from poles. These poles may be installed on the exterior of the building in an area above the unit address but in no case higher than the bottom of the second story windows. No other flag poles may be installed.

No owner or resident may make or cause to make or cause to be made any change outside his/her unit without the prior express written approval of the Board of Directors.

POLICY

1. Any project or exterior modification which was completed prior to the issuance of these regulations which would normally require Board approval prior to initiation shall not be construed as setting a precedent, and will require Board approval before any major repairs, changes, and/or additions are made to said project or modification.
2. Before making any exterior changes or initiating any project which might be contrary to the architectural/maintenance standards, unit owners are reminded that non-approved changes can not only be aesthetically offensive to neighbors, but can also decrease the value of all units.
3. Any project, exterior modification, or other act in violation of these standards is subject to a citation by the Board and may require corrective action to bring the violation into immediate or future compliance with these standards.
4. There shall be no statute of limitation on violations and that unless written approval can be shown, the Board may require corrective action be made by the homeowner at any time.

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VIII. Motor Vehicle Operation

1. The operation of unlicensed motorized vehicles (i.e. 4-wheelers, dirt bikes, go-carts, etc) is strictly prohibited. These items may be stored in the garage or on a trailer as specified in number 13 above. The only permitted operation of this equipment would be for the few minutes to load or unload the equipment from a truck or trailer. Also see Section V. 13.
2. All vehicles parked on the premises must be operable, have current registration, and be legally licensed. Motor vehicles must be properly registered and tagged and be parked in the specified areas only.
3. Vehicles owned by homeowners and residents must be parked in the garage or driveway of the unit owner. Homeowners and residents may utilize the guest parking areas for their permitted vehicles for a period not to exceed three (3) consecutive days. Homeowners and residents may be allowed to utilize the guest parking areas for more than three (3) consecutive days if prior written approval is obtained from the Board of Directors.
4. No vehicle or other items of transportation may be parked on porches or so as to block sidewalks, driveways, or fire lanes, and vehicles parked in this manner are subject to towing without notice.
5. Vehicles are prohibited from driving or parking on the grassy areas or sidewalks. Vehicle owner are responsible for all damages caused by parking or driving in the grassy areas or sidewalks.
6. The accomplishment of vehicle maintenance on driveways, parking areas or common grounds, such as: oil changes or any repair of any vehicle components, is prohibited except that minor emergency repairs such as: changing flat tires or jump starting, is authorized. Any repairs to the parking area surface caused by leaking oil, gasoline, or liquids of any sort will be charged to the owner of the unit to which the vehicle is a guest or resident.
7. Guest parking is provided near all units. Homeowners are responsible for informing guests of the parking policies.
8. Parking in the street is strictly prohibited.
9. Unauthorized vehicles are subject to be towed at the vehicle owner's expense.
10. No type of portable storage unit or container, henceforth referred to as PODS, are allowed to be parked in the street under any circumstances. Any such unit must be parked fully within the confines of the unit owner's driveway. Under no circumstances are PODS to be parked in any of the guest parking areas. PODS are permitted to be parked in the unit owner's driveway for a period of ten (10) days. A POD may be parked in the unit owner's driveway for a period exceeding ten (10) days if prior written approval is obtained from the Board of Directors.

IX. Pool Regulations

1. All unit owners and residents must have a key to enter or exit the pool area. The keys may not be duplicated by unit owners, and are non-duplicable keys. Replacement keys are available through the management company only and at a cost of \$25.00 each.
2. Pool Hours – Open at 8:00 am to 10:00 pm Sunday through Thursday and 8:00 am to 11:00 pm Friday and Saturday. The Board of Directors must approve any variance in writing.
3. Pool or any pool areas are not to be used until the pool has been cleaned and inspected in the spring (approximately the beginning of May). Non-compliance of this regulation could result in the Health Department closing the pool for the entire summer. The current contractor normally services the pool on Monday, Wednesday and Friday. Inclement weather and other unforeseen circumstances could result in changes in service days.
4. The pool gate must be closed and locked at all times. This is a Tennessee State Regulation. No one shall be permitted in the enclosed pool area if they cannot produce a key showing authorized entrance.
5. An owner or resident must be present with all pool guests at all times.
6. A legal adult must accompany children under the age of fourteen.

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7. No glass is allowed in the pool area, including the trash receptacles. No alcohol or food is allowed in the pool area. Beverages must be consumed from non-breakable materials. Regulations require that the pool be completely drained if glass is found at any location inside of the enclosed pool area. This can result in a 2 to 3 week shutdown and/or for the summer. Residents are encouraged to dispose of trash in the trash cans to reduce maintenance costs.
8. No unreasonable or objectionable noises will be tolerated in the pool area. Radio volume must be kept to a minimum and must not interfere with the peaceful enjoyment of others at the pool or residents of the units.
9. No smoking within the enclosed pool area.
10. No pets are permitted in the pool or inside the pool fence.
11. No horseplay, diving, or excessive splashing.
12. The only floating devices permitted will be those that would be used for a personal flotation device such as a life preserver. No inflatable rafts, large toys, "boogie boards" or other similar floating devices are allowed.
13. Residents and guests shall comply with all the signs posted in the pool area.
14. Residents may make arrangements with the Board for groups of ten or more guests at the pool. This is not an exclusive use of the pool and requires a \$25.00 cleaning payment. Application for large groups must be made at least fourteen days prior to the use through the Management Company.
15. Small children and infants in diapers are not permitted in the pool without special swim diapers.

X. Enforcement/Penalties

A system of penalties has been established to ensure compliance with the Rules and Regulations of the Association. The Board believes that the enforcement procedure will result in greater community awareness of reasonable conduct that all unit owners have the right to expect from each other. If the violator is not the unit owner, but instead a guest, resident or resident's guest, the unit owner will be contacted and the unit owner will be responsible for all fines and the removal of all violations.

Fines will be imposed for violation of any of the above rules, according to the following schedule:

First violation:	Written warning
Second violation:	\$50.00 fine levied
Subsequent violations:	The fine will be increased in increments of \$50.00 for each subsequent violation if such subsequent violation occurs within three months of the previous violation. If a subsequent violation occurs three months or more after a previously reported offense for the same violation, the first violation procedure will be followed.

The Board of Directors may not impose any fine or infringe upon any rights of a unit owner for violations of the rules unless the following procedures have been complied with.

1. If a violation of the rules and regulations is alleged in a written complaint or email to the Board or property manager, the Board will investigate the complaint to determine its validity. If an agent of the property manager notices a violation of any of the rules and regulations, the Board will be notified in order to investigate the violation. The Board, via the managing agent, will notify the alleged violator in writing to cease and desist from the violation. This notification will include: (a) the nature of the alleged violation; (b) the action required to remove the violation, and (c) notification of a grace period, within which the violation may be removed without penalty. Should the violation continue beyond the grace period, a fine will be imposed. In no case will the names of the complainants be disclosed to the alleged violator.
2. The violator may request a hearing within the grace period, however the hearing may not be scheduled until after the term of the initial grace period. In the event the hearing is scheduled for after the term of the original grace period has expired, the grace period will be extended until after

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the hearing has been scheduled. The request must be in writing and be addressed to the Board of Directors and delivered to the office of the managing agent

4. If any unit owner fails to comply with the Rules and Regulations or Covenants, Conditions and Restrictions, or with any decision rendered under the Rules and Regulations and Covenants, Conditions and Restrictions, the unit owner may be sued for damages or injunctive relief, or both, by the Board. The prevailing party in any such proceeding may be entitled to an award for legal fees, as determined by the court.
5. The payment of a fine does not relieve the offender the obligation of correcting the violation. If the Association incurs expenses to correct any violation, all associated expenses will be applied to the unit owner. In addition, if the violation is criminal in nature, such as deliberate destruction or sabotage of property, the homeowner may be prosecuted to the fullest extent of the law.
6. If any fines or expenses remain unpaid, a lien shall be placed against the unit in question.

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July 23, 2012

Present Rule

VIII. Motor Vehicles Operation:

3. Vehicles owned by homeowners and residents must be parked in the garage or driveway of the unit owner. Homeowners and residents may utilize the guest areas for their permitted vehicles for a period not to exceed three (3) consecutive days. Homeowners and residents may be allowed to utilize the guest parking areas for more than three (3) consecutive days if prior written approval is obtained from the Board of Directors.

Revised Rule

VIII. Motor Vehicles Operation:

3. Vehicles owned by homeowners and residents must be parked in the garage or driveway of the unit owner. Homeowners and residents may utilize the guest areas for their permitted vehicles for a period not to exceed three (3) consecutive days when homeowner and residents have guest or reasonable circumstances requiring more parking space than the owners driveway and garage support. Homeowners and residents may be allowed to utilize the guest parking areas for more than three (3) consecutive days if prior written approval is obtained from the Board of Directors. The Board of Directors may determine that a homeowner or resident is abusing the guest parking privilege by parking consistently in the guest parking areas or the pool parking areas, in which case will be considered a violation of the parking rules. Violation of this rule may result in fines and towing of vehicles.